Burnfoot Flood Relief Scheme

Planning Statement to accompany application for Development Consent

794-NI-WAE-IBE2204

Version F04

May 2026

PLANNING SUPPORT STATEMENT

Document status					
Version	**Purpose of document**	**Authored by**	**Reviewed by**	**Approved by**	**Review date**
F01	Draft for Internal Review	Steph Smart	Paul McKernan, Brendan Quigley	Paul McKernan	18/12/2025
F02	For Client Review	Steph Smart	Paul McKernan, Brendan Quigley	Paul McKernan	06/02/2026
F03	For Planning	Steph Smart	Paul McKernan, Brendan Quigley	Paul McKernan	04/03/2026
F04	Final for Planning	Steph Smart	Paul McKernan, Brendan Quigley	Paul McKernan	26/05/2026

Approval for issue		
Paul McKernan		26/05/2026

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1 Introduction

Donegal County Council (supported by the Office of Public Works), is making an application to An Coimisiún Pleanála (the Commission) seeking planning consent to undertake a flood relief scheme in Burnfoot, following on from the North-Western and Neagh Bann Catchment Flood Risk Assessment and Management (NWNB CFRAM) Study, and North-Western Flood Risk Management Plan[1].

1.1 Purpose of the Report

This Planning Statement has been prepared by Tetra Tech RPS (TT RPS), on behalf of Donegal County Council ('DCC') ('the Applicant') as part of a planning application to the Commission under Section 175 and the Planning and Development Regulations made thereunder.

[1] Both available at www.floodinfo.ie/publications

2 Need for the Proposed Scheme

Directive 2007/60/EC of the European Parliament on the assessment and management of flood risks was transposed into Irish law in 2010 under Statutory Instrument (SI) No.122 of 2010 – European Communities (Assessment and Management of Flood Risks) Regulations 2010.

Commonly referred to as the Floods Directive, its purpose is to reduce and manage the risks that floods pose to considerations including human health, the environment, property, heritage interests and economic activity by requiring Member States to carry out flood risk assessments, map flood hazard and risk, and prepare flood risk management plans.

In Ireland, the Catchment Flood Risk and Management (CFRAM) Programme has been the principal vehicle to deliver on the country's commitments under the Floods Directive. The CFRAM Programme has examined the flood risk, and possible measures to address the risk, in communities throughout the country at potentially significant risk of flooding. Burnfoot was identified as one of these communities.

The Office of Public Works (OPW) completed the North-Western and Neagh Bann Catchment Flood Risk Assessment and Management Study (NW-NB CFRAM Study 2012 – 2017)[2] (the CFRAM Study), identifying Burnfoot as an Area for Further Assessment (AFA). The study modelled the flood risk to Burnfoot and developed options to provide a 1% Annual Exceedance Probability (AEP) Standard of Protection (SoP) also referred to a 1 in 100-year event. The options appraisal identified a flood wall and embankment solution as the preferred option. This option while providing the required target SoP was felt to be economically unviable and was not progressed to full project level assessment at that time.

2.1 2017 Flood Event

There is a history of flooding in Burnfoot including to properties flooded from the Burnfoot River in May 2013 and November 2015. In August 2017, a further extreme event occurred causing flooding to many residential and commercial properties. Up to 30 homes were flooded mostly in Líos Na Greíne and Páirc an Ghrianáin and at least seven local businesses were affected. Roads in the area were damaged, and a local Wastewater Treatment Plant (WWTP) suffered considerable damage also.

Flooding occurred due to a high intensity rainfall event focussed on the northwest of the country, and particularly Inishowen. A total of 73mm of rainfall was recorded in an 8-hour period at the Malin Head hourly rainfall gauge which is estimated to be greater than a 1 in 100-year return period rainfall event. Water levels in the Burnfoot River exceeded its banks, particularly on the lower, south bank of the river upstream of the R238 (Main Street) bridge which became impassable leading to long diversions for emergency services and the local community trying to access the other side of the village and the rest of the Inishowen Peninsula. The

[2] Flood Risk Management Plan for the North Western River Basin (UOM01)(19/02/2018) available at: Publications - Floodinfo.ie.

onset of flooding was rapid with floodwaters moving along public roads and through residential areas at speed. Reports indicated a significant risk to life during the flood event.

The flood event led to a rapid rise in water levels in Inch Lough of 3-4 ft resulting in the loss of an estimated 5,000-6,000 bird nests located on the margins of the Lough. Sandwich Tern colonies in this location are of national significance and noted as one of the best populations in the country. As such this was significant in ornithological terms.

Following this flood event, a review of the CFRAM Study was carried out in 2018 to determine if an economically viable option, providing a 1% AEP SoP, may exist to justify progression to full project-level assessment. As part of the Burnfoot Cost Review Report, the hydrological inputs and hydraulic model that informed the CFRAM Study were updated. This included using the 2017 flood data for model calibration. The review identified a flood wall and embankment solution as the preferred option with a positive (greater than 1) benefit cost ratio.

The Project Steering Group took a decision to increase the target SoP for the Scheme to ensure Burnfoot would be protected against an event of the magnitude of August 2017. The Target SoP for Burnfoot therefore increased to mitigate against the potential for a 0.5% AEP fluvial event.

2.2 Do Nothing Scenario

Flooding is clearly damaging Burnfoot village including its attractiveness as a place to live, work and invest and properties at the lower end of Páirc an Grianán remain abandoned as a result of repeated flood events. This highlights how unmanaged flood risk is limiting development opportunities in and around the village centre.

If the flood defence scheme is not implemented in Burnfoot, the potential and frequency of future flood events similar to those of 2013, 2015 and 2017, will increase for a number of reasons including climate change and alterations in land use patterns within the catchment areas of both the Burnfoot and Skeoge Rivers, including increased urbanisation. The potential for increased flood risk due to changing land use is particularly high in the case of the Skeoge River, given that its catchment overlaps a partially urbanised area on the outskirts of Derry City.

3 The Proposed Scheme

3.1 Site Location

The Proposed Scheme is situated on lands within and/or adjacent to the settlement of Burnfoot village, Co. Donegal, and is located approximately 8km north-west of Derry/Londonderry, c. 8.5km south-east of Buncrana and c. 24km north-east of Letterkenny. The settlement of Burnfoot is within a rural setting with a recorded population of 450 in the 2016 census. There is evidence of ribbon development along the rural roads in proximity to Burnfoot village. The surrounding land use is primarily agricultural land with pockets of commercial forestry whilst the landscape is largely undulating. The R238 regional road traverses Burnfoot village and the Burnfoot River on a north / south alignment. The R239 regional road also cuts through the village on an east / west alignment in the direction of Burt (southwest) and Muff (east).

Figure 1 below identifies the approximate location of the village within the regional context.

Figure 1: Approximate Site Location

Burnfoot lies at the base of the Inishowen Peninsula east of the confluence of two small catchments, the Burnfoot River and Skeoge River. The Burnfoot River flows from east to west draining a narrow valley before flowing through the village and under the R238 regional road. It meets the Skeoge River to the west of the village and flows into a lagoon impounded by the causeways serving Inch Island before draining out to Lough Swilly via one way flow gates under the southern causeway. The Skeoge River drains an area including the outskirts of the City of Derry/Londonderry and then flows in a north westerly direction, through Bridge End and past the south-west of Burnfoot village to meet the Burnfoot River. The Burnfoot River is subject to flash

flooding with the village at risk of fluvial flooding and the flat, reclaimed agricultural lands downstream subject to flooding driven by the rivers and water levels in Lough Swilly.

3.2 Project Description

The Proposed Scheme comprises the following main elements the location of which are shown in Figure 2 below:

- Hard defences along / adjacent to the Burnfoot River with an average defence height of 1.1m above ground level:
    - 35m reinforced concrete wall with foundations to accommodate future climate change flood scenarios
    - 395m piled walls and
    - 630m of embankment
- 315m of embankment, tying into raised laneways, around three properties to the south of the village near Slab Road (R239) with an average height of 0.79m.
- 120m of embankment with an average height of 0.8m around the existing sewerage treatment works to the west of Grianan Park.
- The R238 bridge replaced with a new single span bridge and road layout amended to tie into the existing roads, designed to DMURS standard.
- Temporary bridge and road alignment to facilitate traffic during the construction period. The temporary road realignment route is proposed from Monreagh Park (L-1881) on the northern side of Burnfoot River, southwards to cross the river and then through existing vacant greenfield lands located east of and upstream of the existing R238, prior to rejoining with the R238 itself.
  Upon completion of the replacement R238 bridge all temporary works will be removed and the lands restored accordingly.
- 38m of reinforced concrete walls with foundations to accommodate future climate change flood scenarios on the Carnashannagh Stream, with a replacement shed to accommodate the construction.
- Upgrade of lower culvert on the Carnashannagh Stream to a box culvert (1.2m height x 2.4m width), sized for future climate change flood flows, under Brae Road extending beyond the proposed embankment, with new headwall structures and debris screens as required.
- Upgrade of upper culvert (box culvert of 1.2m height x 2.4m width), on the Carnashannagh Stream, sized for future climate change flood flows. To include new headwall structures and debris screens as required.
- Surface water measures (road reprofiling / cambering, additional gullies and swale to discharge to watercourse) at:
    - R239/Fairview Manor
    - L1881 Brae Road / Monreagh Park.

- The first 183m of the Burnfoot/Skeoge Arterial Drainage Scheme embankment, downstream of Burnfoot, removed to provide short term storage on a recurring basis to reduce flood levels in the town centre by reconnecting the existing floodplain.
- 345m of embankment removed from the right bank of the Skeoge as well as localised drainage amendments as required, to reconnect the existing floodplain.
- 145m of embankment removed from the right-hand bank of the Burnfoot River 168m upstream of the R238 bridge.
- Existing land on the right-hand bank of the Burnfoot River upstream of the R238 bridge, to be utilised for construction and safeguarding of existing floodplain within the settlement framework, will be landscaped.
- Land take to facilitate future operation and maintenance of flood embankments, including for embankment top ups and/or access to complete the same as well as general maintenance e.g. grass cutting and ad hoc repairs as necessary. Access to complete this work will be required on the defended side of embankments which are on benefiting lands, at the embankment on the left-hand bank immediately upstream of the bridge and at the embankment on the right-hand bank downstream of the bridge.

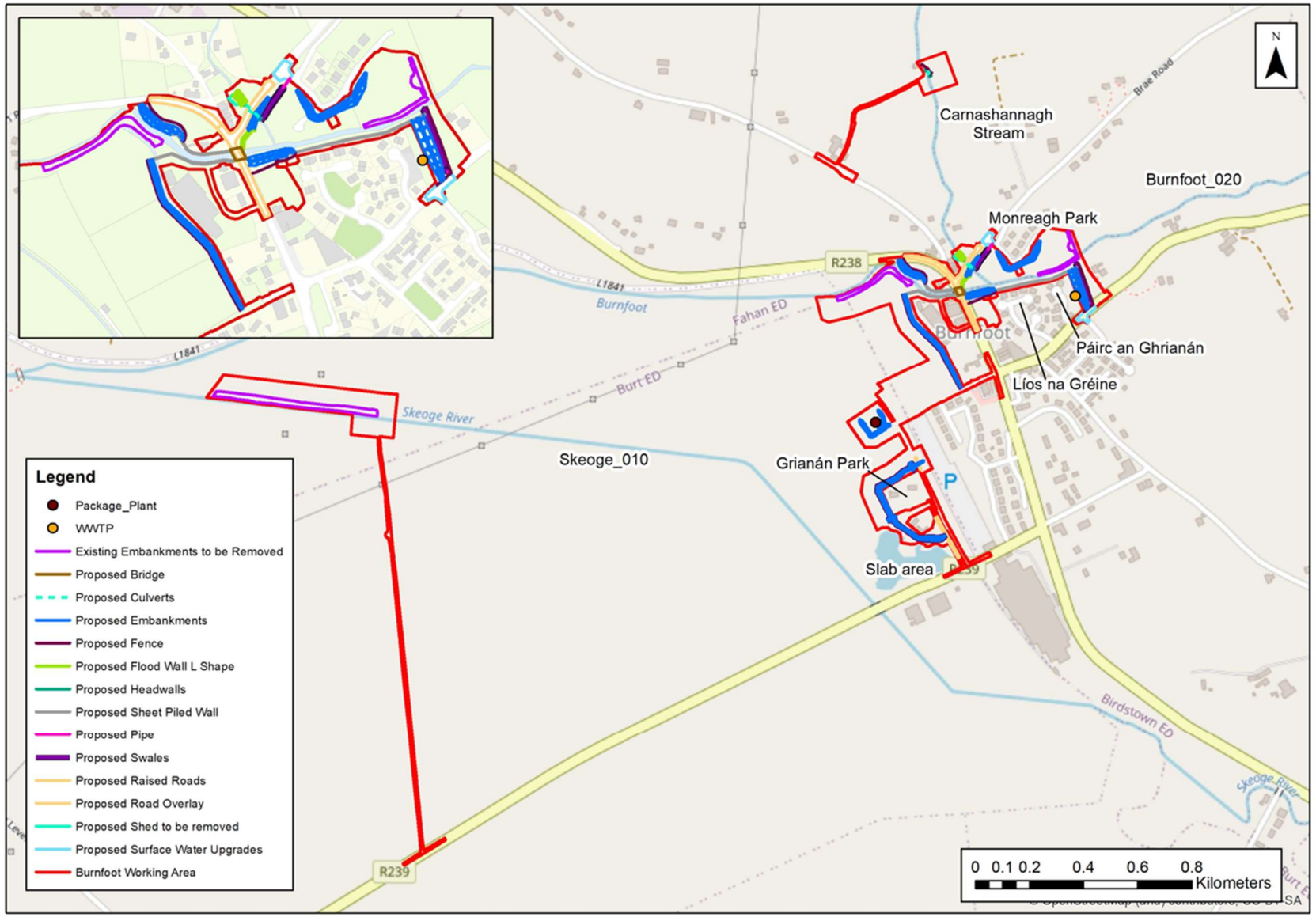

Figure 2: Location of Proposed Scheme

3.3 Consideration of Options

Table 3 summarises the potential options considered for the Proposed Scheme and provides a summary of the technical consideration of each.

Table 3: Options Considered

Options	Description	Technical Assessment
Option 1	Option 1 involves 400m of flood wall and 890m of embankment along the Burnfoot River, with an average height of 1.1m. The R238 bridge would be replaced with a single-span structure, and sections of existing embankments downstream of Burnfoot removed or realigned to improve flood storage and reduce flood levels in the village. Additional works include upgrading culverts on the Carnashannagh Stream and constructing an embankment to protect three properties in the Slab .	Option 1 was considered to be technically the most sustainable and robust. All options include flood walls and embankments which will require in-channel working, utility service modifications, traffic management and the construction of a new bridge requiring a temporary bridge and road layout.
Option 2	Option 2 includes 400m of flood wall and 850m of embankment along the Burnfoot River, with an average height of 0.83m. The R238 bridge would be replaced with a single span structure, and sections of existing embankments downstream of Burnfoot removed or realigned to improve flood storage and reduce flood levels in the village. Culverts on the Carnashannagh Stream would be upgraded, and an upstream storage dam (50m long, up to 6.5m high) constructed to store and attenuate flood flows, allowing lower defence heights in Burnfoot compared to Option 1. As per Option 1 an embankment is required to protect three properties in the Slab.	Option 2 has the complexity of a large earth storage dam and the rigorous operation, inspection regime and emergency plans associated with a large water retaining structure. While this technical complexity would be offset slightly by the lower defence heights in Burnfoot compared to options 1 and 3 it was considered overall a more technically complex solution.
Option 3	Option 3 proposes 315m of flood wall and 830m of embankment along the Burnfoot River, averaging 1.0m in height. The R238 bridge would be replaced with a single span structure, sections of existing embankments downstream of Burnfoot removed or realigned to improve flood storage and reduce flood levels in the village, Culverts on the Carnashannagh Stream would be upgraded. This option meant that 33 properties in the floodplain in Líos na Greíne and Páirc an Ghrianáin would be demolished and reconstructed at Monreagh Park. As per Options 1 and 2 an embankment is required to protect three properties in the Slab.	Option 3 was considered more technically complex than Option 1 due to the coordination of demolishing 33 no. properties and decommissioning their utility and infrastructure assets.

Overall, Option 1 emerged as the preferred option for the Proposed Scheme and that for which development consent is sought, subject to EIA and AA. Arriving at the preferred option was based on an Economic Appraisal and a Multi Criteria Analysis (MCA), undertaken in accordance with Office of Public Works (OPW) guidance[3] to consider economic, social and environmental criteria as well as those technical considerations set out in Table 3.

Further detail on the option appraisal is available to view at:

https://countydonegalfrs.ie/burnfootfrs/index.php/documents/

[3] The OPW technical methodology note – Option Appraisal and the Multi-Criteria Analysis (MCA) Framework

4 Planning Policy

The planning policy framework in Ireland is established under the Planning and Development Act 2000 (as amended) and operates through a hierarchical system of national, regional and local plans and policies that guide decision-making on planning applications.

At national level, the National Planning Framework (NPF) supported by the National Development Plan (NDP)[4] sets out the Government's long-term spatial strategy and national policy objectives for balanced regional development, infrastructure investment, climate action and environmental protection. The NPF is implemented through statutory plans and ministerial guidance.

At regional level, the Northern and Western Regional Spatial and Economic Strategy (RSES) 2020–2032 provides the statutory regional planning context for County Donegal. The RSES translates national policy into region-specific objectives and Regional Policy Objectives (RPOs) relating to spatial development, economic growth, climate adaptation, infrastructure provision and environmental management. Local authority plans and planning decisions must be consistent with the RSES.

At local level, the County Donegal Development Plan 2024–2032 (as amended) sets out the statutory land-use planning policy framework for the county. The Development Plan includes objectives and policies relating to settlement strategy, infrastructure, environmental protection, climate resilience and flood risk management and is a primary material consideration in the assessment of planning applications.

In addition, Ministerial Guidelines issued under Section 28 of the Planning and Development Act (including The Planning System and Flood Risk Management – Guidelines for Planning Authorities) form part of the statutory planning framework. Planning authorities and the Commission are required to have regard to these guidelines, and to apply any Specific Planning Policy Requirements they contain, in determining planning applications.

4.1 National Policy

4.1.1 Project Ireland 2040 – National Planning Framework (First Revision April 2025)

The National Planning Framework ('the NPF') is the Government's high-level strategic plan for shaping the future growth and development of Ireland out to 2040. As per its title, this is a Framework document that cannot account for every detail, as to try and do so would limit the flexibility for adaptation as circumstances change. Along with the National Development Plan 2021-2030 (see Section 4.1.2 below) the documents can be referred to as Project Ireland 2040.

[4] Combining as Project Ireland 2040

The ambition of the NPF is to create a single vision underpinned by a shared set of goals for communities across the country which are expressed within the Framework as National Strategic Outcomes (NSOs), setting out the type of Ireland the Framework is trying to create by 2040.

Among the ten NSO's within the Framework are:

- NSO 8 - Transition to a Carbon Neutral and Climate Resilient Society - recognising that climate change is likely to have wide ranging impacts on Ireland's future including on ecosystems, water resources, agriculture, human health and coastal zones; and
- NSO 9 – Sustainable Management of Environmental Resources – sets out that climate change will have significant future effects on the water cycle and that the impact on water services and flooding needs to be considered in settlement strategies.

National Policy Objectives (NPOs) are included within the Framework to help implement the vision of the NSO by guiding plans, strategies and investment decisions. NPO 1 incorporates Strategic Flood Risk Assessment (SFRA) as a core element of the plan-making process, ensuring that development decisions are informed by up-to-date flood mapping and risk analysis. This aligns with the EU Floods Directive and the national CFRAM programme, both of which advocate a proactive, catchment-based approach to managing flood risk.

Flood Risk is also referenced specifically in:

- NPO 78 – Promote sustainable development by ensuring flooding and flood risk management informs place-making; and
- NPO 79 – Support the management of flood and pollution risk through nature-based solutions and sustainable drainage systems including retrofitting of existing environments;

Under the heading, "Water Resource Management and Flooding" the core objectives of the Planning System and Flood Risk Management Planning Guidelines (DEHLG, 2009) are promoted, i.e.:

- Avoiding inappropriate development in areas at risk of flooding;
- Avoiding new developments increasing flood risk elsewhere, including that which may arise from surface run off;
- Ensuring effective management of residual risks for development permitted in floodplains;
- Avoiding unnecessary restriction of national, regional or local economic and social growth; and
- Improving the understanding of flood-risk and ensure flood risk management in accordance with best practice.

Specifically in relation to Donegal, the Framework acknowledges that the region is spatially unique due to its extensive coastline but also the relationship to Northern Ireland. In addition to enhancing the connectivity for the regional area the Framework supports the enabling of growth and competitiveness to support the strong links that exist between the border region and Northern Ireland.

The Proposed Scheme aligns clearly with intended strategic outcomes and consequent policy objectives of the NPF. It will implement flood relief measures that address current and anticipated flooding events in Burnfoot

protecting the community. The preferred option has emerged further to detailed optioneering and is in accordance with best practice. Proposals will mitigate against the potential for flooding on the R238, the main route between Derry City and Buncrana, securing connectivity patterns between Donegal and Northern Ireland.

4.1.2 Project Ireland 2040 - National Development Plan 2021-2030

The National Development Plan 2021-2030 (the NDP) underpins the NPF setting out capital spending commitments. It was published by the Department of Public Expenditure and Reform (DPER) in 2021 and updated in July 2025, committing to the largest ever investment in the State's history, aimed at unlocking housing delivery, upgrading water and energy infrastructure and improve roads and public transport.

Chapter 2 of the NDP notes that well targeted public capital investment can have a transformative impact on employment opportunities, economic development and regional growth. Infrastructure investment is noted as one of the main cornerstones of regional development. Investment in a range of sectors including flood relief measures is further listed as a key component in allowing rural Ireland to retain and attract people to their areas, attracting new enterprises and diversifying rural economies.

Chapter 5 of the document sets out the framework through which investments are selected, appraised and monitored whilst Chapters 6-16 of the document set out the sectoral investment strategies and priorities designed to achieve each of the NSO's included within the NPF.

Chapter 13 relates to NSO 8 - Transition to a Carbon Neutral and Climate Resilient Society, confirming the management of flood risk as a sectoral strategy. Informed by the outputs of the CFRAM programme including Flood Risk Management Plans, the capital investment programme is helping to reduce the vulnerability of the country to the negative effects of climate change through adaptation. Investment to date is part of an ongoing programme across the lifetime of the NDP to protect threatened communities from river and coastal flood risk. In addition to major schemes the investment programme also continues to support the OPW Minor Flood Mitigation Works schemes.

Chapter 14 considers NSO 9 – Sustainable Management of Water and Other Environmental Resources. Among the investment priorities are delivering commitments under River Basin Management Plans to inter alia protect and improve water quality which is a key interlinked consideration in flood management approach.

The Proposed Scheme involves infrastructure upgrades required to maintain the liveability standards within Burnfoot for both residents directly and indirectly affected by the existing flood risk in the area as well as the peripheral community more indirectly affected in terms of connectivity infringements. They are critical to reinforce the village as a place to live, work and invest and accord with the best principles of regional development.

As stated within Section 4.1.1, the Proposed Scheme aligns clearly with intended strategic outcomes and consequent policy objectives of the NPF, as underpinned by the investment strategy of the NDP.

4.1.3 The Planning System and Flood Risk Management Guidelines (2009)

Under Section 28 of the Planning and Development Act 2000, the (now) Minister for Housing, Local Government and Heritage[5] is empowered to issue planning guidelines to planning authorities and the Commission. Planning authorities and the Commission must have regard to these guidelines in performing their functions — and where the guidelines contain Specific Planning Policy Requirements (SPPRs), those requirements must be applied in decision-making.

The Planning System and Flood Risk Management – Guidelines for Planning Authorities were published under Section 28 in 2009 and contain a number of policy requirements and principles that planning authorities must apply in plan-making and development management. Although these Guidelines do not label SPPR they do contain a number of key policy provisions that both the Commission and Planning Authorities must have regard to including:

- Avoiding inappropriate development in areas of flood risk;
- Avoiding the potential for new development to increase flood risk elsewhere;
- Application of the Justification Test demonstrating why development is necessary within a flood risk area, demonstrating need, alternatives considered and acceptable risk.

As suggested, they advocate a proactive approach to prevent flooding from occurring which includes, for example, adopting general policies to protect, improve or restore floodplains and the upgrading of flood barriers. Under these guidelines Planning Authorities have a key role in the delivery of effective measures, policies and infrastructure to minimise the risk of flooding. Further, the Guidelines require the preparation of Strategic Flood Risk Assessments (SFRA) to identify Flood Risk Areas, assess existing flood infrastructure and identify possible flood defence measures.

In this regard, the Proposed Scheme by Donegal County Council aligns completely with the requirements of the Guidelines and with its own obligation to address and minimise flood risk.

4.2 Regional Policy

4.2.1 Northern and Western Regional Spatial and Economic Strategy 2020 – 2032

The Northern and Western Regional Spatial and Economic Strategy (RSES) 2020–2032 sets out a 12-year strategic planning and economic framework for the Northern and Western Region, which includes County Donegal, and supports the implementation of Project Ireland 2040 through the NPF and associated

[5] Previously the Minister for Environment, Heritage and Local Government, renamed in July 2016 to the Minister for Housing, Planning, Community and Local Government. Subsequently renamed to the Minister for Housing, Local Government and Heritage in September 2020.

Government economic policy objectives within the NDP (Refer to Sections 4.1.1 and 4.1.2 of this Statement). The RSES has superseded the Regional Planning Guidelines for the Border Region.

Published by the North and Western Region Assembly (NWRA) in 2020 the RSES provides a region-specific interpretation of national policy that guides strategic development, infrastructure provision, investment priorities, sustainable growth and environmental protection across the region. This long-term, coordinated vision for spatial planning and economic development, emphasises:

- Balanced regional growth through integration of housing, employment, transport and services;
- Evidence-based planning and sustainable land use that aligns with national policy objectives; and
- Environmental protection and climate action as fundamental principles for future development.

The strategy recognises the importance of environmental assets including water resources and supports collaborative actions that help local authorities, regional bodies and sectoral stakeholders address vulnerability to climate risks consistent with the guiding principles of the National Adaptation Framework, including the preparation and implementation of Local Climate Strategies that address climate hazards such as flood risk. The CFRAM process is noted specifically as a reference point for information which gives confidence to the informed decisions contained within the RSES. The need to address climate risk and flooding specifically is reflected in a number of Regional Policy Objectives contained within the RSES including:

- **RPO 3.10** - Ensure flood risk management informs development;
- **RPO 3.11** – Local authorities, DHPLG, OPW and other Departments and Agencies are to collaborate to implement the recommendations of the CFRAM programme to ensure flood risk management policies and infrastructure are implemented;
- **RPO 5.1 –** Support for Local Climate Strategies to address vulnerability to climate risk in accordance with the principles of the National Adaptation Framework.
- **RPO 8.13** Support the delivery of flood defence works planned by OPW to be implemented in the short-term.

The delivery of flood relief works at appropriate locations, such as those of the Proposed Scheme, is in keeping with the objectives of the RSES.

4.3 Local Policy

4.3.1 Donegal County Development Plan 2024-2030

The County Donegal Development Plan 2024-2030 sets out the overall strategy for the proper planning and sustainable development of County Donegal over the plan period. It provides the local policy framework against which planning applications are assessed and decisions are made. It is the principal land use planning strategy document for the County.

A key theme of the Plan is the need to integrate environmental protection, climate resilience and sustainable resource management into planning outcomes. To this end, the Plan includes specific consideration of flooding

at Section 8.4 and in Policy F-P-3 states Council support for, "…the development of long and short-term flood remediation works, including embankments, sea defences, drainage channels, and attenuation ponds and wetlands, subject to environmental considerations…"

In accordance with the requirements of The Planning System and Flood Risk Management Guidelines (See Section 4.1.3 of this Statement), a Strategic Flood Risk Assessment was undertaken to inform the Donegal County Development Plan 2024-2030. This identified that fluvial flooding deriving from the Skeoge River and the Burnfoot River affects the north, west and south of the Burnfoot settlement in the 1 in 100 year fluvial or 1 in 200 year coastal event. The lands, therefore, have been identified as being located within Flood Zone A[6]. Indicated flooding affects south of the R238, houses in Líos Na Greíne and Páirc An Ghrianáin in the 1 in 100-year fluvial or 1 in 200-year coastal event.

By addressing flood risk in a manner consistent with the Development Plan's strategic and policy context, the proposed works demonstrate compliance with the statutory framework for flood risk management and proper and sustainable planning in County Donegal.

[6] Flood Zone A is defined in the Planning System and Flood Risk Management Guidelines as being where the probability of flooding from rivers and the sea is highest (greater than 1% or 1 in 100 for river flooding or 0.5% or 1 in 200 for coastal flooding)

5 Other Material Considerations

Although not exhaustively defined in legislation a material consideration is any matter which is relevant to the proper and sustainable development of an area and which the planning authority is entitled to consider in determining a planning application for development consent. The documents listed below underpin the planning policy as it relates to the Proposed Scheme and are material to consideration of the Application for same.

5.1.1 Directive 2007/60/EC on the Assessment and Management of Flood Risks

The Flood Risk Directive (FRD), introduced in 2007, works alongside the Water Framework Directive to reduce and manage flood risks to the environment, human health, economic activity, and cultural heritage.

As set out in Section 2 of this Statement, in Ireland, the Catchment Flood Risk and Management (CFRAM) Programme has been the principal vehicle to deliver on the country's commitments under the Floods Directive.

CFRAM promotes a proactive approach to flood risk management and sets out measures for the most vulnerable communities. Major Flood Relief Schemes are typically designed to protect against a 1-in-100-year fluvial event and a 1-in-200-year coastal event.

For Burnfoot, the standard of protection (SoP) was increased to ensure it would protect against an event of the severity of the August 2017 flood, targeting a 0.5% AEP (equivalent to a 1-in-200 year) fluvial event.

5.1.2 Directive 2000/60/EC Water Framework

The Water Framework Directive (WFD) is concerned with protecting the quality of waters. Both the FRD and WFD are concerned with water and river management, and their implementation requires coordination.

The WFD requires Member States to protect and improve water quality in all waters so that they achieve good ecological status by 2015 (extended to 2027). It applies to rivers, lakes, groundwater, transitional and coastal waters (out to one nautical mile). Good status refers to both good chemical and good ecological status.

A purpose of this Directive is to establish a framework for the protection of inland surface waters, transitional waters, coastal waters and groundwater which contributes to mitigating the effects of floods.

The Proposed Scheme is not expected to have a significant effect on water quality or the ability of the waterbody to continue to achieve its WFD objectives. Furthermore, it advances the overall purpose of the WFD by mitigating the effects of floods, as per Article 1(e).

5.1.3 EU Climate Adaptation Strategy

The European Commission adopted the *EU Climate Adaptation Strategy* on 24 February 2021. It sets out how the EU can adapt to climate change impacts and become resilient by 2050. The Strategy identifies flooding as a climate-related risk, and the need for flood protection is recognised.

With regard to the above, the Proposed Scheme delivers a climate resilient flood protection scheme for Burnfoot.

5.1.4 Climate Action Plan 2025

The Government's Climate Action Plan 2025 (the CAP25) was approved by Government on 15 April 2025 and is the third annual update to Irelands Climate Action Plan 2019. It reflects the central priority for climate change to be embedded within Ireland's political and administrative systems, setting out governance arrangements including the carbon-proofing of government policies. It is Ireland's 'all of Government Plan' to tackle climate break down and achieve net zero GHG emissions by 2050.

Ireland's climate is noted as undergoing significant changes. Increased instances of more extreme flood risk events are referenced sporadically within the document as a consequence of climate change.

Under Section 22.2 of the CAP25', it states that Ireland's primary adaptation policy response to the impacts of climate change challenges is set out in Ireland's second statutory National Adaptation Framework 2024 (NAF) referenced below in Section 5.1.5 of this Statement.

5.1.5 National Adaptation Framework 2024

The NAF is Ireland's national strategy on climate adaptation. Most recently updated and published in June 2024 by the Department of Environment, Climate and Communications (DECC), it provides a broad strategic direction for climate change adaptation across identified priority sectors of which flood risk management is one, thus requiring a dedicated Sectoral Adaptation Plan.

While providing limited guidance on flood relief schemes, the NAF acknowledges the increasing frequency and intensity of extreme weather events, including projected precipitation that may increase pluvial and fluvial flooding due to climate change and supports capital investment in flood adaptation measures. In this regard, investments in critical infrastructure, such as water management systems, are highlighted to ensure they can withstand severe flooding events. Furthermore, it notes the role of local authorities in developing and implementing local climate adaptation measures, focusing on flood-prone areas and strengthening infrastructure to better cope with increased rainfall. These actions aim to reduce vulnerabilities in terms of flood risk and align with broader national objectives for climate resilience.

The Proposed Scheme emerged further to an iterative design process to take cognisance of the very real effects of climate change. The target SoP for Burnfoot increased from the previously proposed 1% AEP to the more onerous 0.5% AEP target. The design approach is in accordance with the principles of both the CAP2025 and NAF.

5.1.6 Flood Risk Management Sectoral Adaptation Plan 2025-2030

This is a national policy document prepared by the Office of Public Works (OPW) under Ireland's National Adaptation Framework (NAF) 2024 and the Climate Action and Low Carbon Development Act.

The Plan builds on existing flood risk management policy and the CFRAM / Flood Risk Management Plans, by explicitly incorporating future climate change projections, resilience principles and adaptive pathways into the planning, design and delivery of flood risk measures over the period 2025–2030.

It recognises flooding as one of the most significant climate change risks facing Ireland, with increased frequency and severity of riverine, coastal and pluvial flooding projected as a result of climate change. It requires that flood risk management measures are planned, designed and implemented in a manner that is climate-resilient, adaptable and sustainable over their operational lifetime.

In this context, the Proposed Scheme responds directly to national adaptation objectives by addressing both existing flood risk and projected future flood risk arising from climate change. The scheme design has been informed by current best practice, including the use of future climate scenarios and the development of a scheme specific Climate Change Adaptation Plan. The design seeks to enhance long-term resilience for the community, infrastructure and the natural environment within the Burnfoot area.

5.1.7 National Flood Policy (2004)

In 2004, the Government of Ireland conducted a review of the national flood policy. This resulted in the 2004 Report of the Flood Policy Review Group, which established the following:

- The OPW is tasked with leading and coordinating the implementation of national flood risk management policy;
- While structural flood relief measures remain important, there is a shift towards prioritising non-structural measures such as flood forecasting and planning guidelines; and,
- The OPW, with input from other relevant State bodies as needed, is to develop a programme to implement the report's recommendations.

Implementation of the recommendations in the report has included, inter alia, the publication by the OPW and the Department of Environment, Heritage and Local Government (DEHLG) of the Planning System and Flood Risk Management guidelines in 2009 (‘the Flood Risk Guidelines’). Subsequently, the CFRAM Programme, was introduced.

The following sections provide information on the Proposed Scheme’s consistency with the policies, objectives, principles and/or guidance set out in the Flood Risk Guidelines and the CFRAM Programme.

5.1.8 North-Western – Neagh Bann Catchment Flood Risk Assessment and Management (CFRAM) Study

Like the Flood Risk Guidelines, the CFRAM Programme reflects the mandate set out in the *EU ‘Floods’ Directive*. It is central to the medium to long-term strategy for the reduction and management of flood risk in Ireland and:

- Focuses on managing flood risk comprehensively rather than solely relying on flood protection measures;

- Adopts a catchment-based approach to assess and manage risks within the broader catchment context;
- Proactively addresses flood risks, including through the creation of flood maps and Flood Risk Management Plans.

The CFRAM Programme mapped the existing and potential future flood hazards and flood risk in the areas at potentially significant risk from flooding focusing on 300 communities potentially with significant flood risk, referred to as Areas for Further Assessment.

The North-Western – Neagh Bann Catchment Flood Risk Assessment and Management (CFRAM) Study was completed and published in 2018, with final Flood Risk Management Plans and flood hazard mapping issued in May 2018, including for the North-Western River Basin, covering County Donegal which identified Burnfoot as an Area for Further Assessment.

The study provides a comprehensive, catchment-based assessment of existing and future flood risk across the North-Western and Neagh Bann International River Basin Districts. It identifies areas of significant flood risk, assesses flood mechanisms, and sets out strategic and site-specific measures to manage and reduce flood risk in a sustainable and coordinated manner.

The outputs of the North-Western – Neagh Bann CFRAM Study, including flood extent mapping and recommended management measures, form part of the national evidence base for flood risk management and directly inform the planning, design and justification of flood relief schemes at regional and local level.

5.1.9 Donegal Climate Action Plan 2024-2029

The Donegal County Council Climate Action Plan 2024 -2029 (‘the DCAP’) sets out how future climate projections for Donegal in relation to flooding include an increase in the frequency of fluvial (river) and pluvial (surface water) flooding, and an increase in the frequency and intensity of coastal flooding and erosion. Climate projections for County Donegal indicate an increase in the frequency of heavy rainfall days (days with precipitation >30mm) with some areas projected to see increase of up to 80%. This will likely result in an increased frequency of associated fluvial and pluvial flooding.

The DCAP have set the following objectives in relation to climate change and flooding:

- Ensure that all Council owned buildings, facilities and infrastructure are resilient to the effects of climate change;
- Increase the resilience of our Built and Archaeological Heritage to climate change;
- Support the Office of Public Works in providing resilience to the effects of flooding now and in the future;
- Comply with the Water Framework Directive and the River Basin Management Plan; and,
- Support nature-based solutions to mitigate against and adapt to climate change, and to provide further benefits such as biodiversity conservation, water security and human well-being.

The Proposed Scheme has been specifically designed to protect the settlement of Burnfoot in order to enhance resilience to flooding, minimise effects on the natural and built heritage and cognisant of the overarching requirement to protect the sensitive water environment whilst still achieving the aims of the project in respect of flood relief.

6 Conclusion

Burnfoot village is subject to severe flooding which is causing significant impacts to life, property and the environment. These events are resulting in economic damage, disruption, property dereliction and an increased risk to public safety.

Without flood relief intervention, existing issues experienced within Burnfoot village will worsen which reinforces the need for a flood relief scheme at Burnfoot.

The Proposed Scheme brought forward has emerged further to detailed analysis and consideration of a range of potential flood risk management measures for Burnfoot.

Recognising the increasing severity of flood events, driven in part by climate change, European, national, regional and local planning policy emphasises the need for robust flood protection measures. In line with these policies and plans, the proposed Burnfoot Flood Relief Scheme has been designed to provide a 0.5% AEP Standard of Protection which can be adapted in the future in line with the scheme CCAP, ensuring an effective flood relief scheme for Burnfoot.

The EIAR and NIS which accompany the planning application have assessed the potential environmental effects of the Proposed Scheme and development consent is sought from the Competent Authority having regard inter alia to the requirements of the EIA and Habitats Directives.

The Proposed Scheme will deliver a robust and sustainable flood relief scheme for Burnfoot, addressing existing need but critically providing for long-term reliance through consideration of future climate change scenarios.

The Proposed Scheme accords with planning policy as well as underpinning legislation and policy to address flood risk at national, regional and local levels.