



An
Bord
Pleanála

Inspector's Report ABP-318278-23 ABP-318279-23

Development	Restoration & upgrade of existing visitor experience at Fort Dunree.
Location	Dunree, Buncrana, Co. Donegal.
Planning Authority	Donegal County Council
Developer	Donegal County Council
Applicant	Donegal County Council & Patrick Noel King
Type of Application	EIAR Direction (318279) NIS Direction (318278)
Date of Site Inspection	2 nd February 2024
Inspector	Karla Mc Bride

1.0 Introduction

- 1.1 The purpose of this report is to recommend to the Board on whether it should issue a direction to Donegal County Council that the proposed development comprising the restoration and upgrade of existing visitor experience at Fort Dunree in County Donegal should be subject to Environmental Impact Assessment (EIA) and/or Appropriate Assessment (AA), which would require the preparation and submission of an Environmental Impact Assessment Report (EIAR) and/or a Natura Impact Statement (NIS). The request for an EIA direction has been made by the Council under Article 120 (3) (b) of the Planning and Development Regulations 2001 (as amended), and the request for an NIS direction has been made the Council under Article 250 (3) of the Planning and Development Regulations 2001 (as amended).

2.0 Background

- 2.1 The proposed County Council development would comprise the restoration, refurbishment and conservation of the existing and long-established military complex at Fort Dunree to provide a state-of-the-art visitor attraction. The proposed development was the subject of a Part 8 process which commenced on 5th October 2023 and must conclude within 20 weeks (i.e. on or before 21st February 2024). Submissions / observations on the proposals were invited from prescribed bodies and members of the public. The Council have continued with the Part 8 process in parallel with the Board's consideration of the EIA and NIS request.
- 2.3 The Council's Schedule 7A assessment concluded that the proposed development is neither mandatory or sub-threshold and would not have significant effects on the environment by virtue of its characteristics, location, size of potential impacts, and that an EIAR is not required. It also considered that, having regard to the nature and scale of the proposed development, the nature of the receiving environment, and the distance to the nearest European sites, that no AA issues arise, and that the project would not have a significant effect on a European site and a Stage 2 AA is not required.

3.0 Site Location and Description

- 3.1 The coastal site is located to the N of Bunrana on the Inishowen Peninsula in Co. Donegal. Dunree Head is located on the E side of Lough Swilly, a deep-water fjord, and the surrounding area is rural in character comprising a mix of farmland, farm buildings and one-off houses. The site is occupied by a former military barracks at Fort Dunree, and access to the site is off the L-1621 & L-1631 via the R238 regional road between Bunrana (S) and Clonmany (N).
- 3.2 Fort Dunree dates from the late 18th Century Napoleonic Wars and it was modernised in the late 19th Century. It forms one of a series of defensive structures / fortifications built around Lough Swilly and used during the two World Wars. It was abandoned after WW2 and the refurbishment of the W battery commenced in the 1980. The c.26ha site contains many former army buildings and associated structures (c.107), along with a Military Museum and car park. The buildings and structures are in various states of disrepair and dereliction, although some are covered by built heritage designations (incl. Protected Structures & NIAH). Blockhouses (corrugated iron hutments) are dotted around the perimeter of the site in “The Village”. The Lower Fort dates from the Victorian era and the original fort wall overlooks Lough Swilly. The Redoubt building (High Fort) is located at the highest point with the High Guns to the E. The site levels at Dunree Head vary by c.100m between the pier on Lough Swilly and the Redoubt building (High Fort).
- 3.3 Dunree Head is covered by two sensitive scenic amenity designations (incl. Especially High & High Scenic Amenity). Most of the site is not covered by any sensitive natural heritage designations however the N corner overlaps with the North Inishowen Coast SAC to the immediate N, the Lough Swilly SAC, SPA and pNHAs are located to the S, and there are several other sensitive sites in the wider area including on the W side of Lough Swilly.

4.0 Proposed Development

4.1 The proposed development would comprise the conservation, restoration and refurbishment of several buildings and structures within the Fort Dunree compound, and it will physically link the three main elements at the Lower, Ground and Upper levels (incl. Lough Swilly, the Promontory Fort & the Redoubt [High Fort]). The Part 8 development was previously approved by Donegal County Council as summarised in section 2.0 above.

The proposed development would comprise:

- Redoubt Fort (High Fort) - refurbishment & new exhibition space
- High Guns - refurbish & repair.
- The Lighthouse (PS) - internal refurbishment & external landscaping.
- Walkway & Access for All - new connections & repairs to existing paths.
- Car park / The Square - replace & repurpose as an open space.
- The Village / Existing Buildings - restoration of several buildings (incl. billets, blockhouses & watchtowers) to accommodate visitor facilities.
- General infrastructure & associated site works – upgrade roads & footpaths, new access road & car park, replace WWTP, and landscaping.

The following documents were submitted for the 2 cases:

- Part 8 Application
- Planning Statement & Report
- Screening for Appropriate Assessment (AA)
- Ecological Impact Assessment (EclA)
- Schedule 7A Report (EIA)
- Archaeological Impact Assessment
- Built Heritage Impact Assessment
- Design Statement & Design Reports
- Outdoor Lighting Report
- Drainage & Water Supply
- TecSoil Assessment

- Planning & Electrical Services Planning Report
- Various Traffic & Transport reports.
- Preliminary CWMP

5.0 Legislative & Policy Context

5.1 Environmental Impact Assessment

Guidance is provided in the document entitled 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development', published by the Department of the Environment, Heritage and Local Government in 2003, which states that the criteria for deciding whether or not a proposed development is likely to have significant effects on the environment are set out in the EC (Environmental Impact Assessment) (Amendment) Regulations, 1999 (S.I. No. 93 of 1999) and in Schedule 7 of the Planning and Development Regulations, 2001 (as amended) (S.I. No 600 of 2001). The key criteria are grouped under three headings as follows:

- Characteristics of the proposed development.
- Location of the proposed development.
- Characteristics of potential impacts.

Additional guidance with regard to the screening of road projects for EIA is provided in the NRA's 'EIA of National Road Schemes – A Practical Guide', (2008).

5.2 Appropriate Assessment

The Planning & Development Regulations, 2000 (as amended)

Article 250(1), states that where a local authority proposes to carry out a development it is required to carry out a screening of the proposed development to assess if the development individually or in combination with other plans or projects would be likely to have a significant effect on a European site. If on the basis of a screening under Article 250(1), it cannot be excluded, on the basis of objective information, that the proposed development, individually or in combination with other plans or projects, would have a significant effect on a European site, the local

authority is required to determine that appropriate assessment of the proposed development is required and to prepare an NIS and submit the proposed development for approval to the Board under section 177AE of the Planning and Development Act, 2000, as amended.

5.3 Local planning policy

Donegal County Development Plan 2018-2024 (As Varied)

The site is located to the N of Buncrana on the Inishowen Peninsula. The site occupies un-zoned rural land, and the plan contains policies and objectives for the protection of the environment, cultural heritage and scenic amenity, and the promotion of economic and rural development, including tourism.

Policies & Objectives:

Tourism - ED-O-7 seeks to facilitate the appropriate development of tourism through the support of sustainable tourism projects.

- Fort Dunree is identified as a Discovery Point along the Wild Atlantic Way.

Transportation - various policies & objectives deal with accessibility, movement, roads, cycleways, footpaths, parking, road safety, connectivity & carrying capacity.

Water & Environmental Services: various policies & objectives deal with water supply, wastewater treatment & waste management.

Flooding: various policies & objectives deal with flood risk management.

Natural Heritage: various policies & objectives deal with the conservation, protection & enhancement of the natural environment, including European & Nationally designated sites (NH-O-1/2/3/10, NH-P-1/2/5).

- North Inishowen Coast SAC & pNHA to immediate N
- Horn Head to Fanad Head SPA to W
- Ballyhoorisky Point to Fanad Head pNHA to W
- Ballymastocker Dunes pNHA to W
- Lough Swilly SAC, SPA & pNHA to S

Landscape: various policies & objectives deal with the protection and enhancement of the landscape, scenic amenity & protected views (NH-O4/5/7, NH-P-6/7/8/9/13, NH-O5 & NH-P-13/17).

- **Area of Especially High Scenic Amenity (EHSA)** - sublime natural landscape of the highest quality synonymous with the identity of the County. Extremely limited capacity to assimilate additional development.
- **Area of High Scenic Amenity (HSA)** - landscapes of significant aesthetic, cultural heritage & environmental quality that are unique to their locality & a fundamental element of the landscape & identity of the County. Capacity to absorb sensitivity located development that will assimilate into the receiving landscape.

Protected Views – Map 7.1.1 identifies 4 x protected views towards Fort Dunree from the opposite side of Lough Swilly.

Cultural Heritage: various policies & objectives deal with the conservation, protection & enhancement of archaeology & built heritage (BH-O1/3/4/5, BH-P-1/3/4/5/6/7/8/9/17 & AH-O1 & AH-P-3/4/5/8).

Protected Structures:

- Fort Dunree (Rubble stone-walled hip-roofed rectangular museum building set inside Napoleonic Battery Fort, built c.1810).

NIAH sites:

- Battery & Barracks
- Pill Box / Watch Tower
- Battery & Redoubt
- Former Guard House
- Barracks / Hospital / Infirmary / Latrine
- Lighthouse & Keepers House
- Officer's House

Tourism: various policies & objectives deal with the sustainable development and promotion of tourism (TOU-O-1/2/3/4/5/6/7/11 & TOU-P-1/2/3/4/5/6/20) subject to environmental, landscape & scenic amenity considerations and protection.

Other plans and documents:

- Tourism Development & Innovation – A Strategy for Investment 2016-2022
- Donegal County Council Tourism Strategy & Action Plan 2017 - 2020
- Inishowen Peninsula Destination Experience Development Plan - identifies Fort Dunree as one of five “catalyst” projects that has the potential to be a significant attractor and the capacity to offer a range of experiences that will appeal to a spectrum of audiences.

6.0 Request for EIA & NIS Directions

6.1 Applicants request

Patrick Noel King requested the Board to issue an EIA and NIS Direction in relation to the need for carry out an assessment of any potential effects of the proposed scheme on the receiving environment and European sites in the surrounding area.

- Likely to have a significant effect on the environment resulting from the upheaval of the site (incl. car parks, use of concrete & grassed areas).
- Inadequate site & environmental surveys undertaken by the Council.
- Adverse impacts on biodiversity & disturbance to breeding birds (incl. Raven).
- Adverse impact on cultural heritage, historic buildings & sensitive landscape.
- Proposal contravenes Dev. Plan Objectives to protect European sites.
- Use of substandard roads would endanger safety by way of a traffic hazard.
- Adverse impact on visual amenity (height & design of building at Top Fort).
- Vehicular air pollution, noise & disturbance.
- Inadequate wastewater treatment with resultant impacts on Lough Swilly.

6.2 Schedule 7A Information (EIA)

Schedule 7A of the Planning and Development Regulations, 2001 (as amended), relates to information to be provided for the screening of sub-threshold development for the purposes of EIA. The planning authority was requested to submit the information set out in Schedule 7A of the Regulations.

6.3 Planning authority response

The PA's response to the Board's request for Schedule 7A is summarised below.

Schedule 7A (EIA Sub-threshold Screening Determination) information:

1. A description of the proposed development, including in particular –

(a) A description of the physical characteristics of the whole proposed development and, where relevant, demolition works:

- Redoubt Fort (High Fort) - refurbishment & new exhibition space
- High Guns - refurbish & repair.
- The Lighthouse (PS) - internal refurbishment & landscaping.
- Walkway & Access for All - new connections & repairs to paths.
- Car park / The Square - replace & repurpose as an open space.
- The Village / Existing Buildings - restoration of several buildings to accommodate visitor facilities.
- General infrastructure & site works - upgrade roads & footpaths, new access road & car park, new WWTP, lighting & landscaping.
- Demolition related to dangerously unstable, non-original elements.

(b) A description of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected.

- Works confined to previously developed parts of the site.
- Surrounding & enclosing natural / semi-natural upland & coastal areas will be largely unaffected.

- Site & environs are characterised by undulating, fertile agricultural landscape with underlying schist geology, framed by the uplands to the N, E & S, and Lough Swilly to the W.
- Site, for the most part, is not within or adjacent to a European site.
- North Inishowen Coast SAC lies to the N & E, just beyond the E site boundary, and it overlaps with a small section in the N corner.
- The several European sites located around Lough Swilly will not be adversely affected by the proposed works.

2. A description of the aspects of the environment likely to be significantly affected by the proposed development:

- Ecology: including flora & fauna (Birds, Bats, Otters, Marine Animals, Badgers & other wildlife).
- Archaeology & Built heritage.
- Drainage, Water & Soils.
- Traffic & accessibility.

3. A description of any likely significant effects, to the extent of the information available on such effects, of the proposed development on the environment resulting from -

(a) The expected residues and emissions and the production of waste, where relevant,

- None anticipated except during construction.
- No operational waste or excessive emissions anticipated.
- Two new WWTPs proposed to deal with wastewater.
- Wastewater treatment to DCC & EPA standards.

(b) The use of natural resources, in particular soil, land, water and biodiversity.

- Material relating to the disposal of secondary treated effluent will have to be imported due to the thin cover of soil.
- Existing tarmac car park will be removed & replaced with soft landscaping & imported topsoil.

- Surface water management arrangements incorporate SuDs to ensure water quality protection & emulate the natural drainage behaviour of water by overland flows & discharge to the Lough.
- No adverse impacts on upland & coastal biodiversity as works confined to previously developed areas.
- New lighting is restricted to the lower part of the site (incl. car park).
- Sub-base of the car parking areas will breakdown hydrocarbons, with little contamination anticipated.
- Biodiversity enhancement from additional planting & landscaping.

4. The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Schedule 7:

- Aims to deliver a modern, creative & holistic visitor experience.
- Secure a sustainable future for this historic & unique site.
- Maintain high environmental & landscape quality.
- Impact will be limited to the immediate surrounds & previously developed parts of the site.
- Careful attention to the site location within a coastal & marine area.
- Extent of impact will not be significant having regard to the criteria in Schedule 7A.

5. Other observations

- No development types listed in Schedule 5 Part 1 of the P&D Regulations apply to the proposed development, and therefore a mandatory EIA is not required.
- No development types listed in Schedule 5 Part 2 of the P&D Regulations apply to the proposed development, and therefore a sub-threshold EIA is not required.
- Having regard to S.50(1)(a) of the Roads Act 1993 (as amended), no type of road development listed in the Roads Regulations, 1994

apply to the proposed development, given the scale and nature of the proposed works, and therefore a mandatory EIA is not required.

- Having regard to S.50(1)(d) of the Roads Act 1993 (as amended), no part of the public road improvement works would lie within an area covered by a sensitive ecological designation (incl. a European site, Nature Reserve, or a refuge for fauna under the Wildlife Act), with no significant adverse environmental impacts and therefore a sub-threshold EIA is not required.

6.4 Screening for Appropriate Assessment

The planning authority's Screening for AA report described the project, the assessment methodologies and receiving environment. It identified the European sites within the Zone of Influence and potential connectivity between the project and these sites (incl. North Inishowen Coast SAC). It identified and characterised the possible effects of the project on the European sites. The report formally concluded that the project is not likely to have a significant effect on any European sites, in view of best scientific knowledge and the Conservation Objective of the sites concerned, and that AA is not required in respect of the project.

7.0 Planning History

Ref. 02/4743: Permission granted for retention of change of use from abandoned military hospital building to office & exhibition usage.

Ref. 04/4961: Permission granted for alterations & additions to former military units to exhibition units & refurbishment of café for Fort Dunree military museum (PS)

A summary of the Part 8 application and approval is provided in section 2.0 above.

8.0 EIA Assessment

8.1 Requirement for EIA

The proposed development, which comprises restoration, refurbishment and conservation works at an existing long established former military barracks at Fort Dunree, is not listed as a type of project under Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations, 2001 (as amended), and neither a mandatory nor subthreshold EIA is therefore required.

The proposed development may fall under the EIA requirements of S.50(1)(a) of Roads Act, 1993 as amended by the Planning and Development Acts (2000-2011) and the Roads Act (2007), as well as Regulations made under the Roads Act, the EC (EIAA) (Amendment) Regulations 1989-2001, and the EC Directives 85/337/EC and 97/11/E. However, the project, which comprises minor road improvement works at Fort Dunree, is not listed as a type of road development in the Roads Regulations, 1994, and a mandatory EIA is therefore not required.

However, the proposed development may fall under the EIA requirements for sub-threshold development under S.50(1)(d) of the Roads Act 1993 (as amended), having regard to the location of the project within an area that is partly covered and adjacent to sensitive natural and cultural heritage designations (incl. a European site & NIAH structures), and the proposed development should therefore be screened for sub-threshold EIA.

8.2 EIA Screening Criteria

In accordance with Article 109 (4) (a) the Board shall, in making its screening determination as to whether there is no real likelihood of significant effects on the environment arising from a proposed development or there is a real likelihood of significant effects on the environment arising from the proposed development, have regard to –

- The criteria set out in Schedule 7,
- The information submitted pursuant to Schedule 7A,
- Any further information submitted,
- The results from other assessments (e.g., SEA), and
- The location of the project in a sensitive site (e.g., SAC/SPA/NHA),

8.3 Schedule 7 Assessment

The proposed development will be assessed against the Schedule 7 criteria, having regard to the information submitted pursuant to Schedule 7A and the location of the site relative to a sensitive location, under the following headings:

- Characteristics of proposed development
- Location of proposed development
- Characteristics of potential impacts

8.3.1 Characteristics of Proposed Development

Size and Design of Proposed Development:

The proposed development would comprise restoration, refurbishment and conservation work at an existing long established former military barracks at Fort Dunree. The scale, size and design of the development would not justify the need for an environmental impact assessment, being significantly below the threshold for mandatory EIA set out in the Planning and Development Act and Roads Act.

Cumulation with Other Projects:

There are several other permitted or proposed developments in the surrounding area including agricultural and residential developments. However, none of these would have a significant cumulative impact when considered in conjunction with the proposed development. Most of the other developments and sites in the vicinity have been completed or are nearing completion. Any potential cumulative impacts would not justify the need for an environmental impact assessment.

Use of Natural Resources / Waste / Pollution / Nuisances / Accident Risk and Impact on Human Health:

The nature, use and scale of development is such that it would not result in a significant use of natural resources. Any waste, pollution or nuisance generated by the development would be balanced against the restoration of an historic cultural heritage facility and the provision of an upgraded tourist amenity that would serve to enhance the visitor experience in County Donegal, and by its limited scale (restoration & small additions). Similarly, the nature and scale of the development is not such that it would lead to a likely creation of an accident risk or have an adverse impact on human health. Construction activities would be undertaken subject to best construction practices. Any potential impacts on natural resources would not justify the need for an environmental impact assessment.

Conclusion: Having regard to the nature, scale, design and location of the proposed development on lands and environs that have been identified for tourism within Fort Dunree, it is unlikely that the characteristics of the proposed development are such that there would be significant adverse impacts on the environment.

8.3.2 Location of Proposed Development

Existing and Approved Land Use:

The proposed development, which would comprise restoration, refurbishment and conservation work at an existing long established former military barracks at Fort Dunree on lands that are mainly in tourism and amenity use, would not result in a change of use. Any potential impacts on land use would not justify the need for an environmental impact assessment having regard to the scale of the proposed works and modest extent of the land take.

Relative Abundance, Availability, Quality and Regenerative Capacity of Natural Resources:

The undulating c.26ha site in its current form comprises the Fort Dunree military barracks which lies within a coastal and rural landscape surrounded by agricultural uses with Lough Swilly to the W. The site contains c.107 buildings and structures in

various states of disrepair and dereliction, internal roads, and the recently restored Military Museum and car park. The site comprises a natural resource in the sense that it contains a variety of habitats for flora and fauna. Most of the site is not identified as a European site however a small portion of the N section lies within the North Inishowen Coast SAC, and there are several other European sites in the wider area around Lough Swilly. The proposed development would mainly comprise the restoration and refurbishment of several buildings and structures within the site, along with some minor extensions, road improvement works, and 2 x new wastewater treatment plants. The surface water drainage arrangements would follow existing flow paths and emulate natural conditions to ultimately discharge to Lough Swilly to the W. The surrounding area contains several protected species of aquatic and terrestrial flora and fauna, none of which have been recorded within the footprint of the proposed works, although several sensitive bird species are present on the overall lands. It is noted that the proposed works would be confined to the footprint of the existing structures and that there would be no felling of trees and hedgerows, and no significant clearance of natural vegetation.

Conclusion: Having regard to the nature, scale, design and location of the proposed development within a coastal and rural area surrounded by an extensive agricultural area, on lands that have a long-established military uses which have transitioned into a tourism use and visitor attraction, as supported in the Donegal County Development Plan (incl. ED-O-7), it is unlikely that significant natural resources would be used in its development and there would be minimal ongoing use of natural resources from the proposed use of the site for operational purposes. Overall, there would no significant adverse impacts in terms of the relative abundance, availability, quality and regenerative capacity of natural resources. I note that ED-O-7 seeks to facilitate the appropriate development of tourism through the support of sustainable tourism projects and that Fort Dunree is identified as a Discovery Point along the Wild Atlantic Way. Furthermore, the Inishowen Peninsula Destination Experience Development Plan identifies Fort Dunree as one of five “catalyst” projects that has the potential to be a significant attractor and the capacity to offer a range of experiences that will appeal to a spectrum of audiences.

The Absorption Capacity of the Natural Environment: As previously stated, the site in its current form mainly comprises the Fort Dunree military barracks which lies within a coastal and rural landscape surrounded by agricultural uses with Lough Swilly to the W. The site contains c.107 buildings and structures in various states of disrepair and dereliction, internal roads, and the recently restored Military Museum and car park. The nature of the proposed use of the lands would be consistent with both the long-established military use and more recent tourism use of the surrounding lands, and the scale and design of the proposed development, which would comprise the restoration and extension of some of the structures, would be compatible with the existing environs of the site.

In terms of **natural heritage**, there are several features of significance in the surrounding area including designated European sites and Natural Heritage Areas along Lough Swilly and N Donegal coast. The proposed development has been the subject of detailed desk-top and site assessments (incl. Ecological Impact Assessment & Screening for AA reports). Although a small portion of the N section of the c.26ha site overlaps with the boundary of the North Inishowen Coast SAC, I note that this portion is located at a considerable remove from the existing buildings and structures and well away from the footprint of the proposed works. The surrounding natural heritage sites are ecologically sensitive and there are indications that they provide habitats for various species of aquatic and terrestrial flora and fauna. Although the Screening for AA report concluded that the proposed development may be likely to have a significant effect on some further afield European sites and their SCI bird species, I am that this does not trigger the need for a EIA.

In relation to **specific habitats and plant species**, Dunree Head is mainly characterised by Dry Heathland surrounded by Bracken and Scrub, with Rocky Sea Cliffs to the N and W (vegetated & non vegetated), and the proposed works would mainly avoid any sensitive habitats. There is a wide variety of plant species in the area and no rare or protected species were recorded, however some low to medium impact invasive species are present (incl. Montbretia & Cotoneaster). The proposed works would be mainly confined to the footprint of the existing structures and there

would be no felling of trees and hedgerows, and no significant clearance of natural vegetation.

In relation to **specific animal species**, the desktop studies, field surveys and building inspections noted the presence of several animal species and/or suitable support habitat in the wider study area (incl. Otter, Badger, Bats and coastal & passerine Birds), some of which are rare or protected. The surrounding coastal area provides a variety of aquatic habitats that support several species (incl. Marine mammals, Fish & Invertebrates), and in-flowing watercourses to Lough Swilly also provide support habitat and may function as ecological corridors. The various studies and surveys did not identify the presence of any rare or protected, terrestrial or aquatic, plant or animal species within the footprint of the works, which would be largely confined to the existing buildings and structures. However, the existing buildings and sea cliffs may provide suitable roost habitat for bats and sea birds, and the shoreline and heathland areas may provide suitable foraging habitat.

In terms of **built heritage**, there are several buildings and structures within Fort Dunree that are listed in the NIAH as being of regional importance, along with other structures of local historical and cultural significance, including 1 x Protected Structure. The proposed development has been the subject of detailed desk-top and site assessments (incl. Built Heritage Impact Assessment & Archaeological Impact Assessment reports). Having regard to the scale and nature of the proposed works, which seek to restore and conserve several of the existing buildings and structures, along with some minor extensions, the likely impact of the development on built heritage is therefore considered to be negligible to low and would not trigger the need for an EIA. Furthermore, the site does not contain any Recorded or National Monuments and it is not located within any identified zone of archaeological significance or within 100m of a Recorded Monuments, and the likely impact of the development on archaeology is also considered to be negligible to low.

Conclusion: Having regard to the nature, scale and location of the proposed development within an existing and long-established military barracks which is surrounded by un-zoned agricultural lands, the absence of sensitive natural or built heritage features within the footprint of the works, and the proposed construction

methodologies, significant adverse impacts are unlikely in terms of the absorption capacity of the natural environment or built heritage.

8.3.3 Characteristics of the Potential Impact

Nature, Magnitude and Extent of the Impact: Having regard to the foregoing and to the small scale and low density of development in the surrounding area, I am satisfied that the extent of the potential impact in terms of geographical area and the size of the population is limited. During construction, there will be some limited impacts on local residents and environments arising from construction traffic, noise and dust. These impacts will be short term and would be mitigated by good construction practices. Having regard to the nature, scale and location of the proposed development, and notwithstanding the Especially High and High Scenic Amenity designations that cover Dunree Head, the project would have a minor localised visual impact on the elevated coastal landscape when viewed from along the opposite side of Lough Swilly where there are a number of Protected Views to the E, and from along the surrounding local road network, however there would be limited adverse impacts on the wider environment. There would be some minor disturbance along the local roads during construction, and the proposed road improvement works, and car park would minimise impacts during the operational phase. There would be some localised temporary impacts on ecology and biodiversity, however there would be no significant loss of habitat or species in terms of population numbers.

Ecology & biodiversity: There will be no likely adverse impacts on biodiversity given that the proposed works would be largely confined to the footprint of the existing buildings and structures, and no sensitive habitats or protected or rare species of flora or fauna have been recorded within the footprint of the development. The biodiversity of the overall site would be enhanced by the replacement of the existing visitor's car park with soft landscaping, and the proposed WWTPs and surface water drainage arrangements would ensure the protection of water quality in Lough Swilly. Any potential likely adverse effects on SCI bird species for further afield European sites does not trigger the need for an EIA.

Land & soils, water quality, air & climate, noise & vibration and material

assets: Having regard to the nature and scale of the proposed development which would include 2 x new wastewater treatment plants (and the importation of soils for the percolation areas) and surface water management arrangements that emulate natural flow paths, the impact on land and soils is likely to be negligible and it will not give rise to a significant risk to water quality, subject to adherence to best construction practices. The contents of the applicants supporting documents is noted (incl. Drainage & Water Supply, Soil Site Assessment & preliminary CEMP reports). In relation to air and climate, and noise and vibration, there is potential for impacts during the construction phase however given the nature and scale of the proposed development, it is considered that subject to the use of good construction practices, environmental impacts under these headings will not be significant. Given these limited impacts, and the small scale of the proposed development, the very low density of development in the surrounding area, and the relationship to surrounding properties and lands, it is not considered that the proposed development would have a significant negative impact in terms of material assets.

Landscape and visual amenity: Having regard to the nature, scale and location of the proposed development within a long established military barracks, and notwithstanding the Especially High and High Scenic Amenity designations that cover Dunree Head, the project would have a minor localised visual impact on the elevated coastal landscape when viewed from along the opposite side of Lough Swilly where there are a number of Protected Views to the E, and from along the surrounding local road network. Although there may limited visual impacts on the wider coastal and rural landscape, the likely impact of the development on landscape quality and visual amenity is therefore considered to be negligible to low, and it would not trigger the need for an EIA.

Cultural heritage: As previously outlined in this report, the relationship of the proposed development to NIAH buildings and structures and protected structures within Fort Dunree is such that any potential adverse impacts would be mitigated by the proposed construction methodologies and adherence to best construction practices, and the potential for significant impacts is therefore low to negligible.

Potential interactions: There is some limited potential for interactions between environmental factors, mainly between water and ecology, air and climate and noise and vibration. Subject to best practice methodologies during the construction phase significant interactions are not considered likely or such as would give rise to likely significant additional environmental impacts.

Probability, Intensity and Complexity of Impacts: Having regard to the nature, small scale and location of the proposed development within a long-established military barracks, it is likely that the existing heritage features and habitats will not be substantially lost or modified.

Duration, Frequency and Reversibility: Having regard to the nature, small scale and location of the proposed development within a long-established military barracks, it is predicted that the impacts will be short term and that the works will be readily reversible at some stage in the future.

Transfrontier Nature of the Impact: No trans frontier impacts would arise as result of the proposed development as the international border with Northern Ireland is located c.20km to the E.

8.4 Results of other assessments

The proposed development, which would be located within an area that is covered by the current Donegal County Development Plan, would be in accordance with the results of the strategic environmental assessment of these plans undertaken in accordance with the requirements of the SEA Directive.

8.5 Conclusion

Having regard to the nature, small scale, and location of the proposed development within a long-established military barracks, and on lands located within an area identified for tourism use in the Donegal County Development Plan, within a coastal and rural area, and to all of the foregoing, the characteristics of the potential impacts would not be likely to have significant effects on the environment and would not justify the need for an environmental impact assessment.

9.0 Screening for Appropriate Assessment

9.1 Background

The proposed development would comprise the restoration and refurbishment of the existing military barracks at Fort Dunree to upgrade the existing visitor experience, along with ancillary works (incl. road improvements, replacement car park, and 2 x new wastewater treatment systems & surface water drainage arrangements) along with landscaping and public lighting. Most of the c.26ha site is not located within a European site, however a small portion of the N section overlaps with the boundary of the North Inishowen Coast SAC. There are several other European sites to the W and S of the site along Lough Swilly.

Project Works and Drainage arrangements:

The proposed development mainly comprises the restoration and refurbishment of several buildings and structures along which some minor extensions, and most of the works would be confined to the footprint the existing structures. The project also includes replacing the existing wastewater treatment system with 2 x new systems along with the importation of soil to provide for functioning percolation areas. The SuDS surface water drainage arrangements would follow existing flow paths and emulate natural conditions. The car park would be underlain by crushed rock which would act as a natural hydrocarbon interceptor to prevent contamination and protect water quality in Lough Swilly.

Desktop and field surveys:

Several desk top studies, site surveys and building inspections were undertaken as part of the ecological assessment of the site. The surveys assessed the site and environs, including nearby coastal areas, for qualifying habitats and species for nearby European sites, and for mobile species from further afield European sites (incl. Otter & Birds). The ecological characteristics of the site and environs were described. The main habitats at Dunree Head consist of Heathland, Bracken, Scrub and Rocky Cliffs, which are surrounded by agricultural and coastal habitats. Several rare and/or protected animal species are present in the wider study area (incl. Otter,

Badger, Bats, Birds, Marine mammals & Fish). No qualifying interest habitats or species were recorded in the vicinity of the site during the surveys.

The site lies within the Lough Swilly surface water catchment. Hydrometric Area 39 of the North-Western River Basin District. The Owenerk _020 sub-basin and locally the Crana_SC_10 sub-catchment. The site does not lie within the hydrological catchments associated with any rivers or watercourses which indicates that the lands drain directly to Lough Swilly. Lough Swilly is a high ecological status coastal waterbody which achieved Good Status in the 2016-2021 WFD monitoring cycle. The underlying Lough Swilly groundwater body which is described as “poorly productive bedrock” also achieved Good Status in the 2016-2021 cycle. The Lough is under pressure from several sources (incl. agricultural & urban run-off, and domestic wastewater), although the groundwater and coastal waters are deemed to be “Not at Risk” of failing to meet WFD objectives.

The Council’s Drainage and Site Soil Assessment reports confirmed that the site is underlain by Quartzite Formation bedrock, characterised by peaty soils with poor subsoil percolation, and groundwater vulnerability is classified as “Extreme - rock at or near surface”, although the Site Soil Assessment report noted that the underlying shattered bedrock appears to provide good natural drainage. The elevated site is not at risk from coastal flooding, or from fluvial flooding given the absence of streams and ditches within the site and environs.

9.2 Screening Assessment

The proposed development may have the potential to result in significant effects on European sites in the surrounding area. The proposed development is not necessary to the management of any European site. However, the N portion of the site overlaps slightly with the boundary of the North Inishowen Coast SAC, and it may have an aquatic connection to this European site via surface water drainage and treated wastewater discharges, and this triggers the requirement for Screening for AA. Dunree Head also hosts a variety of coastal and sea birds (incl. Chough, Scaup, Gulls, Teal & Wigeon) as noted in the Visitor Information panels, which may be qualifying species for the SPAs around Lough Swilly, and this also triggers the requirement for Screening for AA.

Potential impacts:

The potential impacts that could arise during the construction and operational stages of the proposed development are:

- Release of sediment and pollutants, and potential for discharge to surface water, particularly during heavy rainfall, during both phases.
- Potential for spillages such as oils, fuels or other pollutants into groundwater during the construction stage.
- Loss of habitat/resting/foraging places used by QI and SCI species.
- Noise and disturbance QI and SCI species.
- Introduction and/or spread of invasive species.

The following European sites lie within a potential Zone of Influence: -

European site	Qualifying & Special Conservation Interests	Distance
North Inishowen Coast SAC (002012)	Mudflats & sandflats, Vegetated sea cliffs Perennial vegetation of stony banks Fixed coastal (grey) dunes & Machairs European dry heaths Narrow-mouthed Whorl Snail & Otter	0.0km (N & E)
Ballyhoorisky Point to Fanad Head SAC (001975)	Perennial vegetation of stony banks Vegetated sea cliffs Oligotrophic to mesotrophic standing waters Hard oligo-mesotrophic waters Narrow-mouthed Whorl Snail & Slender Naiad	c.4km (W)
Lough Swilly SAC (002287)	Estuaries & Coastal lagoons Atlantic salt meadows & Molinia meadows Old sessile oak woods & Otter	c.6km (S)
Horn Head to Fanad Head SPA (004194)	Fulmar, Cormorant, Shag & Barnacle Goose Peregrine, Kittiwake, Guillemot & Razorbill Chough & Greenland White-fronted	c.2km (W)
Lough Swilly SPA (004075)	Great Crested Grebe, Grey Heron & Whooper Swan Greylag Goose, Shelduck, Wigeon & Teal	c.6km (S)

European site	Qualifying & Special Conservation Interests	Distance
	Mallard, Shoveler, Scaup & Goldeneye Red-breasted Merganser, Coot & Oystercatcher Knot, Dunlin, Curlew, Redshank & Greenshank Black-headed & Common Gull Sandwich & Common Tern Greenland White-fronted Goose Wetland & Waterbirds	
Fanad Head SPA (004148)	Corncrake	c.10km (NW)

Conservation Objectives:

1. To maintain / restore the favourable conservation condition of the SAC habitats and species, which are defined by a list of attributes and targets (North Inishowen Coast, Ballyhoorisky Point to Fanad Head, Lough Swilly and Horn Head & Rinclevan).
2. To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for the SPAs (Horn Head to Fanad Head, Fanad Head & Lough Swilly).

9.3 Potential Impacts and test of Likely significant effects.

North Inishowen Coast SAC

Site Description: The North Inishowen Coast SAC encompasses an excellent variety of coastal habitats including high rocky cliffs, offshore islands, sand dunes, saltmarsh, a large intertidal bay, and rocky, shingle and sand beaches.

Connections: The N portion of the c.26ha site at Fort Dunree overlaps slightly with the boundary of the North Inishowen Coast SAC, and the E portion of the site is adjacent to the SAC site boundary, hence there is a direct physical connection between the project site and this European site. According to the NPWS documentation (incl. Maps 3, 5, 6 & 8) several of the QI habitats (incl. Mudflats & Sandflats, Vegetated Sea cliffs & Sand dunes), and species (Otter) have been recorded in the vicinity of Dunree Head, to the immediate N at Dunree Beach. The QI European Dry heath habitat may extend W into the Fort Dunree site.

Potential for Direct and Indirect effects:

The construction works associated with the proposed development and its future operational use will take place entirely within the boundaries of the site. The proposed wastewater treatment and drainage arrangements, that form part of the overall project, would ensure that no deleterious materials would affect water quality (incl. nutrients, fine sediments, accidental chemical or fuel spills & other pollutants). The resultant discharges would mainly drain W and S to Lough Swilly, thereby avoiding the North Inishowen Coast SAC and its nearby QI habitats at Dunree Beach. In relation to the QI species Otter, given that Dunree Head is not traversed by any watercourses or drainage ditches, there is no aquatic or mobile connection with Dunree Beach that this species could commute along, irrespective of the substantial change in levels between the headland and the beach (c.100m).

Notwithstanding the physical connection between the project site and the SAC, and having regard to:- the small scale of the proposed works and the separation distance between the project elements and the SAC site boundary; the aforementioned water

quality protection measures and the assimilative capacity of the receiving waters in Lough Swilly; the absence of an aquatic connection with Dunree beach via on-site watercourses; and the nature of the SAC QIs; no adverse impacts on qualifying habitats or species is anticipated. The proposed restoration and upgrade works are of a modest scale and the works would mainly take place within the footprint of the existing structures. There is no potential for direct or indirect effects on this SAC.

In-combination effects:

The potential for in-combination effects with other plans and projects was considered in the AA Screening Report (incl. agricultural & residential developments). The lands would drain directly to Lough Swilly via the wastewater treatment and surface water drainage arrangements which form an intrinsic part of the proposed development. The site lies within an area covered by the Donegal County Development Plan, and Fort Dunree is specifically identified as a policy objective in the Plan to enhance tourism, and the Plan was subject to an SEA which concluded that the implementation of either plans is not likely to give rise to significant effects on any European site or its qualifying interests.

Ballyhoorisky Point to Fanad Head & Lough Swilly SACs

Site Descriptions:

Ballyhoorisky Point to Fanad Head SAC is a large coastal site located on the W side of Lough Swilly and c.4km W of Dunree Head, it consists of a series of bays, with rocky headlands and steep cliffs at the E end.

Lough Swilly SAC comprises the inner part of Lough Swilly c.6km S of Dunree Head. The main rivers flowing into the site are the Swilly, Lennan and Crana. At low tide, extensive sand and mudflats are exposed, especially at the mouths of the Swilly and Lennan rivers. The site is estuarine in character, with shallow water and intertidal sand and mudflats being the dominant habitats.

Connections: Potential mobile and aquatic connections across Lough Swilly.

Potential for Direct and Indirect effects:

The construction works associated with the proposed development and its future operational use will take place entirely within the boundaries of the site. The proposed wastewater treatment and drainage arrangements, that form part of the overall project, would ensure that no deleterious materials (incl. nutrients, fine sediments, accidental chemical or fuel spills & other pollutants) would discharge to Lough Swilly. Having regard to: - the small scale of the proposed works; the aforementioned water quality protection measures and the assimilative capacity of the receiving waters in Lough Swilly; the absence of any on-site stream or drainage ditches; and to the substantial separation distance to the Ballyhoorisky Point to Fanad Head and Lough Swilly SACs and the nature of their Qualifying Interests; no adverse impacts water quality or the QI habitats and species is anticipated. The proposed restoration and upgrade works are of a modest scale and the works would mainly take place within the footprint of the existing structures. There would be no loss foraging or commuting habitat for Otter, and there is no potential for direct or indirect effects on these SACs.

In-combination effects: Refer above.

Horn Head to Fanad Head, Lough Swilly & Fanad Head SPAs

Site Descriptions:

Horn Head to Fanad Head SPA: comprises several separate sections along the N coast of Donegal including the W side of Lough Swilly, c.2km W of Dundree Head. The site includes the high coast areas, sea cliffs and sand dunes. Sea cliffs are present along virtually all the site and it is of high importance for Chough and Peregrine, and it supports an internationally important assemblage of breeding seabirds along with a good diversity of other wildfowl species.

Lough Swilly SPA: Refer to SAC description above. The SPA is of major ornithological importance for wintering waterbirds, with three species occurring in numbers of international importance and 18 occurring regularly in numbers of

national importance. The site is regularly used by more than 20,000 waterfowl and as such is of international importance. Additionally, it holds nationally important breeding populations of three species (Sandwich Tern, Common Tern & Black-headed Gull). The site is used by a good range of Annex I bird species.

Fanad Head SPA: comprises two areas of extensively managed grassland on the Fanad Head peninsula on the N coast of Co. Donegal, c.10km NW of Dunree Head. It is of high ornithological importance as it supports a nationally important population of Corncrake, a globally threatened Annex I bird species.

Connections: Potential mobile connections across Lough Swilly.

Potential for Direct and Indirect effects:

The construction works associated with the proposed development and its future operational use will take place entirely within the boundaries of the site. The proposed wastewater treatment and drainage arrangements, that form part of the overall project, would ensure that no deleterious materials (incl. nutrients, fine sediments, accidental chemical or fuel spills & other pollutants) would discharge to Lough Swilly and hence Horn Head to Fanad Head SPA and Lough Swilly and Fanad Head SPA, with no adverse impacts on prey species or food resources anticipated. The proposed restoration and upgrade works are of a modest scale and the works would mainly take place within the footprint of the existing structures. There would be no **direct** loss of foraging, nesting or resting habitat at Fort Dunree, and the project would not introduce a barrier to bird mobility or a collision risk.

However, there is potential for **indirect** effects on these SPAs and some of their SCI species that may frequent Dunree Head, including Chough that has been recorded nesting in the area. The proposed restoration works would cause a disturbance during the construction phase, and the predicted increase in visitor numbers could cause a disturbance during the operational phase. These activities could, in turn, adversely affect some of the SCI bird species for the further afield SPAs. I am therefore satisfied that this potential connection requires further investigation by way of the preparation of a Stage 2 Natura Impact Statement and the submission of a S.177AE application to the Board.

In-combination effects: Refer above.

9.4 Conclusion on AA Screening

Having regard to the foregoing, it is reasonable to conclude on the basis of the information on the file and other sources of information (incl. aerial imagery, NPWS & EPA data sets, and Fort Dunree Visitor Information) which I consider adequate in order to issue a screening determination, that the proposed development, either individually or in combination with other plans or projects would be likely to have a significant effect on the following European sites in view of the conservation objectives of these sites and that a Stage 2 Appropriate Assessment and the submission of a Natura Impact Statement for the proposed development is therefore, required.

- Horn Head to Fanad Head SPA (Site code: 004194)
- Lough Swilly SPA (Site code: 004075)
- Fanad Head SPA (Site code: 004148)

10. Recommendation

Having regard to my assessment above, I consider that the proposed development which comprises the restoration and upgrade of the existing visitor experience at Fort Dunree, Dunree, Buncrana, Co. Donegal, and the associated site development works, would be unlikely to have significant effects on the environment, and that it would be likely to have significant effects on the integrity of the following European sites: -

- Horn Head to Fanad Head SPA (Site code: 004194)
- Lough Swilly SPA (Site code: 004075)
- Fanad Head SPA (Site code: 004148)

I therefore, recommend that the Board **does not** direct the local authority to prepare an Environmental Impact Assessment Report in respect of the development based on the reasons and considerations (1) set out below.

I therefore, recommend that the Board **does** direct the local authority to prepare a Natura Impact Assessment in respect of the development based on the reasons and considerations (2) set out below.

Reasons and Considerations (1)

Having regard to:

- (a) the location of the site on lands that are covered by the Donegal County Development Plan 2018-2024 (As Varied), and the results of the strategic environmental assessment of this plan undertaken in accordance with the requirements of the SEA Directive,
- (b) the nature, scale and location of the proposed development,
- (c) the design and construction methodology response to the natural heritage in the surrounding area,
- (d) the project details provided by Donegal County Council,
- (e) the guidance set out the '*Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development*' issued by the Department of the Environment, Heritage and Local Government,
- (f) to the criteria set out in Schedule 7 and 7A of the Planning and Development Regulations 2001 (as amended), and
- (g) to the report and recommendation of the Inspector,

it is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an Environmental Impact Assessment Report is not therefore required.

Reasons and Considerations (2)

Having regard to:

- (a) The nature and scale of the proposed development,
- (b) The mobile connection between the proposed development site and the following European sites:
 - a. Horn Head to Fanad Head SPA (Site code: 004194)
 - b. Lough Swilly SPA (Site code: 004075)
 - c. Fanad Head SPA (Site code: 004148)
- (c) The substantial separation distance between the project elements of the proposed development and the European site at:
 - a. North Inishowen Coast SAC (Site code: 002012)
- (d) The wastewater treatment and surface water management arrangements which form part of the overall project, and the substantial separation distance to European Sites at:
 - a. Ballyhoorisky Point to Fanad Head SAC (Site code: 001975)
 - b. Lough Swilly SAC (Site code: 002287)
- (e) the submission made by the local authority, including the Appropriate Assessment Screening Report dated October 2023,
- (f) the report and recommendation of the person appointed by the Board to make a report and recommendation on the matter,

It is considered reasonable to conclude that on the basis of the information available, which is considered adequate to issue a screening determination, the proposed development, either individually and in combination with other plans or projects, would not be likely to have a significant effect on the:

- North Inishowen Coast SAC (Site code: 002012)
- Ballyhoorisky Point to Fanad Head SAC (Site code: 001975)
- Lough Swilly SAC (Site code: 002287)

and that the proposed development, either individually and in combination with other plans or projects, would be likely to have a significant effect on the:

- Horn Head to Fanad Head SPA (Site code: 004194)
- Lough Swilly SPA (Site code: 004075)
- Fanad Head SPA (Site code: 004148)

in view of the conservation objectives of these sites and that a Stage 2 Appropriate Assessment and the submission of a Natura Impact Statement for the proposed development is, therefore, required.

Professional declaration

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Karla Mc Bride
Inspectorate
9th February 2024