



**Comhairle Contae  
Dhún na nGall**  
Donegal County Council

## **Environmental Impact Assessment Preliminary Examination Report**

Tullan Strand Facility Centre for Water Sports Activities and  
Accessible Pathway to Tullan Strand Beach  
Tullan Strand, Finner, Bundoran, Co. Donegal

For: Donegal County Council

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Compiled by:

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## 1.0 Introduction

This Preliminary Environmental Impact Assessment Report has been prepared by Jessica Devlin BSc. MSc. Project Management and Environmental Services for Donegal County Council (DCC).

This report has been compiled to provide the competent authority with adequate information to determine whether or not there is a real likelihood of significant effects on the environment arising from the proposed Platform for Growth: Facilities for water sports activities at Tullan Strand, Bundoran, Co. Donegal. The purpose of the report is to determine whether or not it is required to screen the proposed works to establish whether it requires Environmental Impact Assessment and as a result the preparation of an Environmental Impact Assessment Report.

Article 120(1) of the Planning and Development Regulations 2001, as amended, which provides, in so far as relevant as follows:

*“(a) Where a local authority proposes to carry out a subthreshold development, the authority shall carry out a preliminary examination of, at the least, **the nature, size or location of the development.***

*(b) Where the local authority concludes, based on such preliminary examination, that—*

*(i) there is **no real likelihood of significant effects on the environment** arising from the proposed development, **it shall conclude that an EIA is not required,***

*(ii) there is significant and realistic doubt in regard to the likelihood of significant effects*

*on the environment arising from the proposed development, it shall prepare, or cause to be prepared, the information specified in Schedule 7A for the purposes of a screening determination, or...”*

Preliminary examination is also provided for under the EIA Directive, Article 4(3).

The screening process includes an assessment of the details of the proposal with reference to the relevant EIA legislation including the Planning & Development Regulations as amended by the European Union (Planning and Development,) (Environmental Impact Assessment) Regulations 2018, the EIA Directive 2011/92/EU (as amended by Directive 2014/52/EU) and relevant EU Guidance.

Appropriate Assessment NIS has also been undertaken and can be referred to in a separate document.

## 2.0 Statement of authority

Jessica graduated from the National University of Ireland, Galway in 1997 with a BSc. honours degree in Geology and obtained a MSc. in Applied Environmental Science from Queens University Belfast in 2001. She attained a National Certificate in Eco-Tourism, from Sligo Institute of Technology in 2005 and in 2014 completed Geographical Information Systems for Environmental Investigations, University College Dublin.

Over the years, Jessica has gained a wide range of experience in research, consultancy and project management with particular emphasis on sustainable development in freshwater, marine and coastal environments.

As field scientist with the Queens University Marine Station in Portaferry, Jessica carried out habitat surveys with respect to the decline of salmonid populations in Northern Ireland Rivers. She progressed to research

assistant with Queens University and the Department of Agriculture & Rural Development. As project manager for the Donegal County Council - Marine & Water Leisure Programme, she managed projects on sustainable development of the marine leisure product. Jessica also worked with the University College Cork Coastal and Marine Research Centre in partnership with Donegal County Council and the University of Ulster, as manager of the Donegal element of a North West Europe Interreg Project called IMCORE (Innovative Management of Europe's Changing Coastal Resource). For the past 12 years Jessica has been self-employed working as a project manager and environmental consultant, specialising in freshwater, marine, coastal and environmental projects. Her client base is wide reaching from state agencies to community groups, individuals, angling clubs and private developers.

### **3.0 Methodology**

- Liaison with: Paul Doherty Architects, Jennings O'Donovan Engineers, Donegal County Council
- Site visit and walkover survey on 12 June 2024 and 21 May 2025
- Desk research

This report has been prepared using the following guidance. A full list of research sources and references can be seen in section 8.

- Interpretation of definitions of project categories of Annex I and II of the EIA Directive, EU, 2015
- Environmental Impact Assessment of Projects Guidance on Screening ,EU, 2017.
- OPR Practice Note PN02 Environmental Impact Assessment Screening June 2021

### **4.0 Legislative context**

Environmental Impact Assessment comes from EU environmental policy. The initial Directive of 1985 and its three amendments have been codified by Directive 2011/92/EU of 13 December 2011. Directive 2011/92/EU has been amended in 2014 by Directive 2014/52/EU. Together these comprise the EIA Directive. The EIA Directive aims to ensure a high level of protection for the environment and human health. It requires that an assessment of the likely significant effects a project will have on the environment is carried out, where relevant, before development consent is given (OPR, 2021).

The EIA Directive is transposed into Irish legislation by the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended). Both the EIA Directive and Irish legislation set out in detail the entire EIA process (OPR, 2021).

EIA legislation as it relates to the planning process has been largely brought together in Part X of the Planning and Development Acts as amended, and Part 10 and Schedules 5, 6 and 7 of the Planning and Development Regulations as amended. Part 1 of Schedule 5 to the Planning and Development Regulations lists project types included in Annex I of the Directive which automatically require EIA. Part 2 of the same Schedule lists project types included in Annex II. Corresponding developments automatically require EIA if no threshold is given, or if they exceed a given threshold. Developments which correspond to Part 2 project types but are below the given threshold, i.e. '*sub-threshold*' projects, may need to be screened to determine whether they require EIA or not. This is done by consideration of criteria set out in Schedule 7. These criteria relate to the characteristics of the development, the location of the development, and the type and characteristics of potential impacts.

### **5.0 Project proposals as supplied by Donegal County Council**

The proposed development consists of the construction of a facility centre for water sports activities, associated infrastructure and an accessible pathway to Tullan Strand beach to enhance visitor management and experience. The proposed works will include construction of a purpose-built single storey facility with accessible changing rooms, showers, a Changing Places toilet, public conveniences, storage areas, associated

external amenities, car and bus parking, seating, public realm landscaping, site drainage, wastewater pumping station, connection to existing utilities, supporting ancillary works, accommodation works, closure and decommissioning of the existing unauthorised beach access development, construction of a pedestrian pathway along a section of the L-1058-0 Tullan Strand Road, an accessible pedestrian/equestrian pathway/boardwalk onto Tullan Strand beach and an emergency vehicle access route towards Tullan Strand beach.

## **6.0 Screening Considerations**

### **6.1 The concept of 'project'**

Article 1(2) of the EIA Directive defines 'project' as: *'the execution of construction works or of other installations or schemes*. The definition of 'project' has been complemented by the Court, which concluded that *'demolition works come within the scope of Directive 85/337 and, in that respect, may constitute a 'project' within the meaning of Article 1(2) thereof'* (C-50/09, paragraphs 86-107). The Court concluded that demolition works cannot be excluded from the scope of national legislation enacting the EIA Directive. Based on case law, and in order to ensure a high level of protection of the environment, the amended EIA Directive provides that the screening procedures and environmental impact assessments should take account of the impact of the whole project in question and, where relevant, demolition phases (Annex II A, point 1 (a), and Annex IV, point 1 (b) and 5(a)). In rulings related to the EIA Directive, the Court has consistently emphasised the fundamental purpose of the Directive as expressed in Article 2(1), i.e. that those projects *'likely to have significant effects on the environment by virtue, inter alia, of their nature, size or location are made subject to a requirement for development consent and an assessment with regard to their effects'*.

The proposal meets the criteria and is considered a project in terms of the EIA Directive.

### **6.2 Class of Development**

The objective of Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (the Environmental Impact Assessment, or EIA, Directive) is to ensure that projects that are likely to have a significant effect on the environment are adequately assessed before they are approved. Annex I and II to the Directive list the projects that fall under its scope (EU, 2015). The projects referred in Annex I and II must be interpreted in the light of the concept of 'project' (Article 1(2) and the general objective of the EIA Directive (Article 2(1)). The wording of the EIA Directive indicates that it has a wide scope and broad purpose (EU, 2015).

In terms of Irish Regulation Part 1 of Schedule 5 to the Planning and Development Regulations lists project types included in Annex I of the Directive which automatically require EIA. Part 2 of the same Schedule lists project types included in Annex II. Corresponding developments automatically require EIA if no threshold is given or if they exceed a given threshold. Developments which correspond to Part 2 project types but are below the given threshold i.e. a 'sub threshold' development, may need to be screened to determine whether they require EIA or not. This is done by consideration of criteria set out in Schedule 7.

It must first be determined whether the project is of a type or class that requires EIAR, see table 1.

#### **Schedule 5 Part 1: The proposed project does not correspond to any of the projects listed in Schedule 5, Part 1 or Part 2 of the Planning and Development Regulations.**

The closest fit would be:

Schedule 5, Part 2 (e) Infrastructure project: Construction of a car-park providing more than 400 spaces, other than a car-park provided as part of, and incidental to the primary purpose of, a development.

The car park is incidental to the primary purpose of the development which relates to the provision of the watersports/recreational facilities.

The project does not therefore meet this criteria under Schedule 5, Part 1 or Part 2, 10. (e) Infrastructure projects, and is not a sub threshold development.

As discussed previously a project must be considered in its entirety, therefore the demolition phase of the project must also be considered.

There are no demolition aspects to the project.

It has been demonstrated that the project is not a sub threshold development because the project does not fall within any of the categories of EIA development to which Part 1 or Part 2 of Schedule 5 refers.

Criteria	Options	Assessment of Platform for Growth Tullan Strand
Is it a project in the context of the EIA Directive	No: Not subject of EIA Directive, No screening required, No EIA required.  Yes: Subject of EIA Directive, follow next steps	Yes
Is the project listed in Schedule 5 Part 1 or does it meet or exceed the thresholds in Part 2, of the Planning Regulations?	Yes: No screening required, EIA is mandatory.	Schedule 5, Part 1 =NO Schedule 5, Part 2, 10. (e) Infrastructure project: Construction of a car-park providing more than 400 spaces, other than a car-park provided as part of, and incidental to the primary purpose of, a development. = <u>NO</u>
Is the project Sub-threshold	Yes: Proceed to step 2 Preliminary Examination	If the project <b>is not</b> of a class of development in Schedule 5, Parts 1 and 2, it is not 'sub-threshold development', and no EIA or EIA screening is required. The conclusion should be documented and no further action is required. <u>The project is not a sub threshold development</u> No EIA or EIA screening required

Table 1. Project Assessment using guidance from OPR Practice note PN02 Environmental Impact Assessment.

The project may also be considered under a category of EIA development under the EIA Directive: EIA Directive Annex II §10(b) Urban development projects, including the construction of shopping centres and car parks.

This category does not contain the qualification that car parks should not be incidental or ancillary to another primary use. The proposed car park should be subject to a preliminary examination under Article 120(1) of the Planning and Development Regulations 2001, as amended, which, insofar as it is relevant is as follows: "(a) Where a local authority proposes to carry out a subthreshold development, the authority shall carry out a preliminary examination of, at the least, the nature, size or location of the development.

(b) Where the local authority concludes, based on such preliminary examination, that—

(i) there is no real likelihood of significant effects on the environment arising from the proposed development, it shall conclude that an EIA is not required,

(ii) there is significant and realistic doubt in regard to the likelihood of significant effects on the environment arising from the proposed development, it shall prepare, or cause to be prepared, the information specified in Schedule 7A for the purposes of a screening determination, or...”

## **7.0 Nature, Size or Location of the project**

### **Nature of the Project**

The proposed development consists of the construction of a facility centre for water sports activities, associated infrastructure and an accessible pathway to Tullan Strand beach to enhance visitor management and experience. The proposed works will include construction of a purpose-built single storey facility with accessible changing rooms, showers, a Changing Places toilet, public conveniences, storage areas, associated external amenities, car and bus parking, seating, public realm landscaping, site drainage, wastewater pumping station, connection to existing utilities, supporting ancillary works, accommodation works, closure and decommissioning of the existing unauthorised beach access development, construction of a pedestrian pathway along a section of the L-1058-0 Tullan Strand Road, an accessible pedestrian/equestrian pathway/boardwalk onto Tullan Strand beach and an emergency vehicle access route towards Tullan Strand beach.

It is a small development set within the busy tourist area of Tullan strand. The project is in keeping with the current uses of the area and is cognisant of the surrounding environment. The facility will be connected to existing services including the public sewerage system. SuDs measures are also proposed to deal with surface and stormwater drainage. A suite of mitigation measures is proposed which are included in the Construction and Environmental Management Plan, see table 7. It is not anticipated that there will be any air, noise or water pollution during the operation phase of the project. The dune system will be protected and the proposed boardwalk offers opportunity for this habitat to recover from previous damage. The facilities will have a positive impact on human health and enjoyment of the area.

### **Size of the project**

It is a small development set in a busy tourist location at the end of a coastal walk. The footprint of the facility and additional parking is c.1acre. The path and boardwalk is 0.46acres (796m long). The project is located, in part, in an area of already made ground (a section of the path is along the existing infrastructure).

The building is single storey and will not be intrusive in terms of views. Landscaping is also proposed to soften the appearance of the facility, which is set back from the cliff. The number of bus and car parking spaces is well below the threshold figure of 400 car spaces. The construction phase of the project may cause some minor traffic disturbance in the locality for the local population which will be short term. Mitigation is proposed in the CEMP.

### **Location of the Project**

The location of the proposed facility and car park is in the north eastern corner of 2 agricultural fields. The waste water from the facility will be piped southward across two more agricultural fields of the same habitat. The fields are located set back above the cliffs with a wide view of the Bay. The popular Rougey coastal walk runs along the northern corner of the facility site and the local Tullan Strand Road runs along the eastern side of the development site. There is public lighting along both of these routes.

The footpath improvements and car parking realignment will be along the existing footpath/road and in the existing car park. The new footpath will follow the line of the existing road above the cliff along the road verge.

The path will then enter into the farmland beside the existing cattle crush and agricultural track. This field is grazed by cattle which are over wintered and fed on site; the ground is heavily grazed and poached in areas. An area of exposed sand is evident around the cattle access to the stream. There is an established agricultural track through the field which defines the extent of the proposed works. The path continues behind the fixed dunes. The boardwalk section will go across a small section of the fixed dunes and will bridge across the Bradoge Stream and along the mobile dunes and embryonic dunes until it reaches the beach.

The project is not within a Natura 2000 site. It is in close proximity to Donegal Bay SPA. A short section of the proposed boardwalk and equine access enters sand dunes in the Erne Estuary / Finner Dunes pNHA.

The facility building and car park are set behind the cliffs and above the bay and the SPA. Wintering bird surveys were carried out to determine if the project area is used as a hinterland habitat. It was concluded that this is not the case, SCI birds were not recorded at the project site. It was concluded that the project area is not an important foraging or roosting site for SCI or other water birds using the area, and is not considered significant hinterland habitat. The NIS determined that the operational phase of the development could result in a minor negative impact on other waterbirds. Mitigation proposed includes in-design mitigation i.e. the location of the project outside of the SPA above the cliffs out of view of the SPA and tucked behind the dune system. The car park will have a buffer consisting of mounds of planted soil to soften the appearance and this will also serve to screen the facility and car park during operation activity. There is no additional lighting proposed at the facility, along the path or boardwalk. Lighting is proposed at the new car park, this will be low level lighting, below 3m.

There will be no additional lighting along the path and boardwalk. Mitigation, relating to lighting, as proposed for bats and other birds will also benefit any waterbirds using the area.

During construction screening will be erected around the boundary of the construction site.

The path from the facility is along the existing path and road infrastructure. The boardwalk crosses a section of fixed dune within the NHA. Mitigation has been included to minimise effects during construction and operation; The area chosen for the boardwalk is along a section of degraded dunes that has been trampled over the years by cattle, horses and pedestrians. The boardwalk will be installed manually and if tracked machinery is required matting will be used to protect the dunes. The dunes will be fenced off to encourage use of the boardwalk and to control trampling. Information and educational panels will be provided. Reinstatement and planting will be implemented as required and a maintenance programme implemented.

The boardwalk is likely to have a positive impact on the dune system over the long term providing structured access and reducing damage to dunes and disturbance to any nesting birds in the area.

Biosecurity measures are proposed to reduce the risk of importing invasive species to the area.

Breeding bird surveys and bat surveys were also carried out and mitigation proposed with regard to lighting, preconstruction surveys and timing of works.

The NIS concludes that “the proposed development does not pose a risk of adversely affecting (either directly or indirectly) the integrity of Donegal Bay SPA.”

The EclA concludes: “Erne Estuary/Finner pNHA will also be protected by the mitigation proposed in the NIS. Considering the elements included within the design of the proposed development and the implementation of the mitigation measures proposed to avoid or minimise the effects of the proposed development on the receiving ecological environment, minor residual ecological effects will remain for habitats and bats, albeit at the local scale only. It can be concluded that the conservation status of habitats or species will not be compromised by the proposed development.”

The DCC Planning Report concludes that the project is in accordance with proper planning and sustainable development in the area, it accepts the findings of the NIS and acknowledges the need to upgrade the public sanitary and changing facilities, provide a dedicated water sports hub and enhance the public realm and beach access improving the overall visitor and community experience thereby supporting economic social and tourism vitality in the area in a manner consistent with environmental protection. The Donegal County Council Planning Authority is fully supportive of the proposed development and considers that, subject to the implementation of the mitigation measures set out in the Natura Impact Statement, the development would be in accordance with the proper planning and sustainable development of the area.

Given the small scale and temporary nature of construction works and the mitigation included in the CEMP and NIS, it is considered that any of the previously identified minor impacts would not in themselves be considered significant nor would they cumulatively result in a likely significant effect on the environment.

**It can be concluded that in terms of the nature, size and location of the development there will be no real likelihood of significant effects on the environment arising from the proposed development.**

## **8.0 Conclusion**

This EIA preliminary examination has been carried out in accordance with the Planning and Development Regulations as amended 2001- 2021 (which give effect to the provisions of EU Directive 2014/52/EU). Based on all available information, and taking account of the scale, nature and location of the proposed development, it is the opinion of the author that the preparation of an EIAR is not a mandatory requirement (under Part 1 or Part 2 of Schedule 5 of the Planning and Development Acts 2001).

The project does not fall under projects listed in Schedule 5, Part 1 or Schedule 5, Part 2. The development is not a sub-threshold development. Therefore a further assessment of whether a sub threshold project is likely to have a significant impact on the environment (having regard to the criteria set out in Schedule 7 of the Planning and Development Regulations as amended 2001-2021) is not required.

The project has also been considered under a category of EIA development under the EIA Directive: EIA Directive Annex II §10(b) Urban development projects, including the construction of shopping centres and car parks and a preliminary examination of, the nature, size and location of the development has been undertaken.

Taking account of the scale, nature and location of the proposed project and based on the above information, there is no real likelihood of significant effects on the environment arising from the proposed development. An Appropriate Assessment and Ecological Impact Assessment have been completed and have concluded that, after mitigation, no significant effects are likely to arise (Devlin, 2026). DCC planning report also concludes that the project is in accordance with proper planning and sustainable development.

It is concluded that there is no requirement for an Environmental Impact Assessment to be carried out for the proposed platform for growth project at Tullan Strand, and there is no requirement for an Environmental Impact Assessment Report to be prepared.

## 9.0 References and sources

The following research documents/ sources were used in the preparation of this report:

- Dept. of Environment Heritage and Local Government (2009) Appropriate Assessment of plans and projects, Guidance for planning authorities.
- Devlin, J. (2026) Appropriate Assessment Screening and NIS, Donegal County Council Platforms for Growth Tullan Strand, Bundoran, Co. Donegal.
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- Donegal County Council (2024) Donegal County Development Plan 2024 – 2030.
- Donegal County Council, Planning Report Application for approval under Section 177AE of the Planning and Development Act 2000 (as amended) for: Tullan Strand Facility Centre for Water Sports Activities and Accessible Pathway to Tullan Strand Beach
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- European Commission Environment DG (2001) *Assessment of plans and projects significantly affecting Natura 2000 sites*, Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC November 2001.
- Paul Doherty Architects, Construction and Environmental Management Plan, Proposed Facility Building for Watersports, Car & Bus Parking and Access to the Beach at Tullan Strand, Bundoran, Co Donegal.

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- [www.opr.ie](http://www.opr.ie)
- [www.NPWS.ie](http://www.NPWS.ie)
- [www.lawreform.ie](http://www.lawreform.ie)
- [www.heritage.ie](http://www.heritage.ie)
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