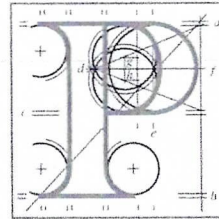


Our Case Number: ACP-324328-26



An
Coimisiún
Pleanála

Dr. Niamh Hamill & Patrick Hamill
Tullan Strand
Bundoran
Co. Donegal
F94 A2C9

Date: 22 June 2026

Re: Proposed Tullan Strand Facility Centre for Water Sports Activities and Accessible Pathway to Tullan Strand Beach
Finner, County Donegal

Dear Sir / Madam,

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

Please note that the proposed development shall not be carried out unless the Commission has approved it with or without modifications.

Please be advised that there is no fee to make a submission on an Application under Section 177AE of the Planning and Development Act, 2000, as amended. A refund for the submission fee lodged will issue to the debit/credit card used to make the payment.

If you have any queries in relation to the matter, please contact the undersigned officer of the Commission at laps@pleanala.ie

Please quote the above mentioned An Coimisiún Pleanála reference number in any correspondence or telephone contact with the Commission.

Yours faithfully,

Eimear Reilly
Executive Officer
Direct Line: 01-8737184

CH04

Teil	Tel	(01) 858 8100
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D01 V902	D01 V902



An
Coimisiún
Pleanála

SID Online Observation

Online Reference
SID-OBS-005413

Online Observation Details

Contact Name
Niamh Hamill

Lodgement Date
18/06/2026 18:27:08

Case Number / Description
324328

Payment Details

Payment Method
Online Payment

Cardholder Name
Niamh Hamill

Payment Amount
€50.00

Fee Refund Requisition

Please Arrange a Refund of Fee of

€

Lodgement No

LDG—

Reason for Refund

Documents Returned to Observer

☐ Yes ☐ No

Request Emailed to Senior Executive Officer for Approval

☐ Yes ☐ No

Signed

EO

Date

Finance Section

Payment Reference

ch_3TjjiaB1CW0EN5FC1V2yxSsz

Checked Against Fee Income Online

EO/AA (Accounts Section)

Amount

€

Refund Date

Authorised By (1)

SEO (Finance)

Authorised By (2)

Chief Officer/Director of Corporate Affairs/SAO/Board
Member

Date

Date

FORMAL OBSERVATION / OBJECTION

Proposed Accessible Pathway to Tullan Strand Beach, Boardwalk, Bridge Crossing, Equestrian Route and Associated Emergency Access Infrastructure

Tullan Strand, Finner, Bundoran, Co. Donegal

To: An Coimisiún Pleanála / Donegal County Council

Submitted by: Dr. Niamh Hamill & Patrick Hamill

Address: Tullan Strand, Bundoran Donegal F94a2c9

Date: June 18 2026

To whom it concerns,

We wish to object to the proposed accessible pathway, boardwalk, bridge crossing, pedestrian/equestrian route, emergency access route and associated works at Tullan Strand. This objection is not made against accessibility in principle. The concern is that the applicant has not provided sufficient scientific and planning evidence to demonstrate that this form of access infrastructure is acceptable in this sensitive coastal location.

The applicant's own documents confirm that the scheme includes an accessible pedestrian/equestrian pathway/boardwalk onto Tullan Strand, an emergency vehicle access route, a bridge/boardwalk through dunes, and works adjacent to Donegal Bay SPA. The Ecological Impact Assessment expressly states that the site is adjacent to Annex I sand dune habitats and will cross a small section of dune habitat. The Planning Policy Statement also confirms that the scheme is intended to support visitor access, surf schools, school/surf group use and the wider tourism economy.

The core objection is that the application assesses and manages the proposal as if it were mainly a small access improvement, whereas the documents describe a more intensive visitor-infrastructure project involving fixed structures in a dynamic dune setting, a 796m path/boardwalk corridor, pedestrian and equestrian use, and emergency access infrastructure. The proposal relies heavily on mitigation, signage, fencing, visitor compliance and future management rather than demonstrating avoidance of harm and adequate long-term assessment.

The competent authority should not approve the development unless it is satisfied, on the basis of complete, precise and definitive findings, that there is no reasonable scientific doubt as to the absence of adverse effects on relevant European site interests. On the evidence currently supplied, that threshold has not been met.

2. Application Documents Relied Upon

Short reference	Application document	Key use in this submission
EcIA	Ecological Impact Assessment & Appendices, updated 14 May 2026	Project description; admission regarding Annex I dune habitat; alternatives; construction method; mitigation assumptions.
NIS	Appropriate Assessment Screening and Natura Impact Statement, updated 14 May 2026	Article 6(3) framework; SPA screening; disturbance, hydrological and residual effects; mitigation reliance.
CEMP	Construction & Environmental Management Plan	Construction methodology; dune protection measures; admission that boardwalk crosses pNHA dune habitat; mitigation conditions.
EIA Preliminary Examination	Environmental Impact Assessment Preliminary Examination Report, updated 13 May 2026	Project scale; 0.46 acres / 796m path and boardwalk; classification as small development.
Planning Statement	Planning Policy Statement, January 2026	Tourism, surf-school and visitor-infrastructure rationale; pedestrian/equestrian route; emergency access route.
Planning Report	Donegal County Council Planning Report	Section 177AE context; proximity to Donegal Bay SPA; current recreational use; policy carrying-capacity language.
Drawings	Planning Drawings	Boardwalk and bridge dimensions/materials; horse bridleway track; FRP boardwalk specification.
Civil Design Report	Civil Design Report, August 2025 / April 2026 approval page	Civil/drainage context and engineering design basis.

3. Legal and Assessment Framework

The NIS itself identifies Article 6(3) of the Habitats Directive as the governing Appropriate Assessment framework and quotes the requirement that plans or projects likely to have a significant effect on a site must be assessed in view of the site's conservation objectives. It also states that the NIS is intended to assist the competent authority in determining whether the development would adversely affect the integrity of Natura 2000 sites. (NIS, PDF pp.5–6 / report pp.1–2).

The relevant legal test is stringent. In Case C-127/02 Waddenzee, the Court of Justice held that authorisation may be granted only where no reasonable scientific doubt remains as to the absence of adverse effects. In Case C-258/11 Sweetman, the Court reiterated that all aspects of the project capable of affecting conservation objectives must be identified in light of the best scientific knowledge in the field. In Case C-323/17 People Over Wind, the Court confirmed that measures intended to avoid or reduce harmful effects are not to be used to avoid the need for Appropriate Assessment at screening stage; where AA is required, mitigation must be assessed rigorously and conclusively.

This submission therefore focuses on whether the applicant's evidence is sufficiently complete, precise and definitive to remove reasonable scientific doubt. The objection does not need to prove that damage will certainly occur. It is enough to identify material scientific uncertainty, evidential gaps, or reliance on assumptions that have not been objectively demonstrated.

4. Main Grounds of Objection

Ground 1 – The application has not adequately justified direct intervention within Annex I dune habitat

The applicant's own Ecological Impact Assessment confirms that the site is adjacent to Annex I sand dune habitats and that the route will cross a small section of dune habitat. That should be treated as a central constraint, not a minor incidental matter.

The alternatives assessment shows that Option B is preferred because Options A and C are considered more damaging or more difficult. However, demonstrating that Option B is less damaging than two other engineering options does not prove that Option B is environmentally acceptable, necessary, or the least damaging feasible means of managing access.

The competent authority should require clear evidence that less intrusive options were fully considered, including restoration of the existing access scar, stricter management of informal access, seasonal controls, fencing, wayfinding, and visitor-management measures that do not require a new fixed boardwalk/bridleway through dune habitat.

Evidence from the applicant's documents:

Document / page	Applicant evidence	Why this matters
EcIA, PDF p.5 / report p.1	The proposed works include an accessible pedestrian/equestrian pathway/boardwalk and emergency vehicle access route. The EcIA states that the site is adjacent to Annex I sand dune habitats and "will cross a small section" of dune habitat.	This is a direct admission that the route affects dune habitat and that the route is not simply on already made ground.
EcIA, PDF p.6 / report p.2	Option B crosses the field, crosses a stream on a pedestrian bridge and crosses dunes on a boardwalk ramping down to the strand. The imported elements include the bridge and boardwalk through dunes.	The least-damaging-option argument still involves new works through dunes and a bridge/boardwalk system.
NIS Appendix 5, PDF pp.64–65	The NIS repeats that Tullan Strand was characterised as an Amber site and that Option B involves a bridge over the stream and a boardwalk through dunes.	The applicant's own Natura documentation treats the site as ecologically sensitive and dependent on management.

Ground 2 – The proposal is materially more intensive than a simple beach-access path

The application repeatedly describes the route as pedestrian/equestrian, with an emergency vehicle route, bridge, boardwalk, hard-finish access road, fencing, boundary walls, car and bus parking and related public realm works. The environmental assessment should therefore address the project as a visitor-infrastructure scheme rather than a narrow footpath improvement.

The construction methodology described in the EcIA includes excavation to solid strata, a hard-finish footpath, a hard-finish emergency vehicle access roadway, and boardwalk/bridleway construction on FRP/timber driven piled foundations. The drawings also refer to 2m and 4m wide Polydeck boardwalk and bridge, a horse bridleway track and structural FRP boardwalk.

Evidence from the applicant's documents:

Document / page	Applicant evidence	Why this matters
EcIA, PDF p.9 / report p.5	Method statement: excavation to solid strata; hard-finish footpath; hard-finish emergency vehicle-only roadway; FRP/timber driven piled foundations; constructed boardwalk used to move FRP elements across dune habitat.	This is not a light-touch informal path. It is a construction project with hard surfaces and fixed structural elements in/near dunes.
Planning Drawings, PDF p.5	Beach Access Legend refers to new 2m and 4m wide Polydeck boardwalk and bridge, horse bridleway track, guardrails and fences.	The drawings show the scale and multifunctional character of the access route.
Planning Drawings, PDF p.12	The drawing note states that the boardwalk is to be structural FRP / Polybridge system or similar approved unless otherwise noted.	The boardwalk is permanent engineered infrastructure, not a temporary or minimal intervention.
Planning Report, PDF p.4	The description includes pedestrian/equestrian pathway/boardwalk and emergency vehicle route.	The planning authority's own report confirms the multi-use nature of the access works.

Ground 3 – Absence of a dedicated dune geomorphology, coastal-process and climate-resilience assessment

The dune system is dynamic. The applicant's documents acknowledge the role of dune vegetation in stability and the vulnerability of dunes to unmanaged access. However, the application documents reviewed do not include a dedicated dune geomorphology assessment, sediment transport study, shoreline evolution assessment, coastal-process analysis or climate-change-driven erosion/storm assessment for this route.

This omission is material because the proposal introduces fixed infrastructure into a dune setting. The competent authority cannot properly assess long-term effects without understanding how the structure will interact with dune movement, storm events, erosion, sediment supply, repair needs and future climate-change pressures.

The NIS states that improved management of the dune area will increase resilience at the site, but that is an assertion of outcome rather than a substitute for a site-specific geomorphological assessment.

Evidence from the applicant's documents:

Document / page	Applicant evidence	Why this matters
CEMP, PDF p.17	The CEMP explains that dune vegetation stabilises dune systems and that unmanaged pedestrian traffic can cause severe vegetation damage followed by erosion.	The applicant recognises the fragility of dune systems but does not provide a dedicated coastal-process assessment.
NIS, PDF p.30 / report p.24	The NIS identifies disturbance, habitat modification and increased disturbance in hinterland areas as relevant pressures for SCI species and wetland habitats.	Operational and indirect effects need to be considered, not merely the construction footprint.
NIS, PDF p.30 / report p.29	The NIS climate-change section states that sand dunes provide natural coastal protection and that improved dune management will increase resilience.	The conclusion that resilience will improve requires technical support in a dynamic coastal setting.
EcIA, PDF p.6 / report p.2	Option C is rejected in part because most of the route is directly exposed to the sea where storm damage is likely.	The applicant recognises storm exposure as a design concern, but a dedicated assessment of long-term storm/coastal change for Option B is not evident.

Ground 4 – Failure to quantify visitor growth, induced use and carrying capacity

The planning rationale is expressly tourism- and visitor-led. The scheme is intended to support surf schools, visitors, community users, school/surf group use, beach users, water-sports users, local residents and the wider tourism economy. Yet the environmental documents do not appear to quantify the additional use that the new facility and accessible route are expected to generate.

A carrying-capacity assessment is particularly important because the National Marine Planning Framework material quoted in the Planning Report supports tourism/recreation proposals only where

due consideration is given to environmental carrying capacities and tourism pressures. That is precisely the analysis missing here.

The application cannot rely on the proposition that the area is already busy without quantifying the additional use that the development is designed to attract and facilitate. Existing pressure is not a reason to avoid assessing further pressure.

Evidence from the applicant's documents:

Document / page	Applicant evidence	Why this matters
Planning Statement, PDF p.3	The site is described as a well-known surf and recreational destination, used by surf schools, seasonal vendors and tourists, with demand for structured infrastructure and services.	The application itself identifies existing intensity and commercial/recreational pressures.
Planning Statement, PDF p.4	The proposal includes additional car parking, accessible bays and two bus spaces to support visitor access and school/surf group use, and a raised boardwalk across dune area.	The scheme is designed to facilitate more organised and accessible use, not merely relocating existing users.
Planning Statement, PDF p.4	The development will serve beach users, water-sports activity users, local residents and the wider tourism economy.	This undermines any assumption of no meaningful operational change.
Planning Report, PDF p.7	Sport & Recreation Policy 1 supports water-based sports and marine recreation provided due consideration is given to environmental carrying capacities and tourism pressures.	The applicant should provide a carrying-capacity analysis specific to this dune/SPA setting.
EIA Preliminary Examination, PDF p.9	The path and boardwalk are identified as 0.46 acres and 796m long, within a busy tourist location.	The scale and context warrant visitor-pressure analysis, not a conclusion based only on sub-threshold scale.

Ground 5 – Over-reliance on mitigation, signage, fencing and future visitor compliance

The application's positive environmental case depends heavily on future management measures: fencing, signage, access controls, visitor behaviour, activity-provider compliance, restoration planting and ongoing monitoring. Those measures may be useful, but they do not remove the need for rigorous evidence that the scheme will not create adverse effects over its operational lifetime.

The CEMP's own wording is not absolute. For example, it says no tracked machinery will be used in the dune system but then provides for matting if this is unavoidable. It also says the CEMP is a living document to be reviewed after permission, appointment of the construction team and consultation. Critical environmental protections should be clear and enforceable at consent stage, not deferred into later contractor method statements.

Where a Natura site is potentially affected, the competent authority must be satisfied before consent is granted. The NIS cannot depend on future aspiration or untested assumptions about perfect management.

Evidence from the applicant's documents:

Document / page	Applicant evidence	Why this matters
CEMP, PDF p.4	The CEMP is described as a living document to be reviewed and updated once permission is granted, the construction team is appointed and consultations occur.	Important environmental controls are left to later refinement rather than fully settled at application stage.
CEMP, PDF p.21	The CEMP states no tracked machinery will be used in the dune system, but adds that if unavoidable, matting should be placed along the route.	This is not a strict prohibition and leaves uncertainty about construction disturbance in dunes.
CEMP, PDF p.24	The mitigation table says the dune area will be fenced "as much as is practical"; tracked machinery "should not" be used; fencing will control visitor/provider movements.	The wording relies on practicalities and future behaviour rather than guaranteed avoidance.
NIS, PDF p.32 / report p.26	The NIS states that the new access and boardwalk will control visitor and equine movements and deter trampling	This is an assumed behavioural outcome that needs evidence, monitoring thresholds and enforceable management

by providing a direct route. commitments.

Ground 6 – Inadequate assessment of equestrian impacts

The route is repeatedly described as pedestrian/equestrian and the NIS states that the path and boardwalk will facilitate horses and pedestrians. Equestrian activity is materially different from pedestrian activity. It may increase track width, localised erosion, sand compaction, faecal deposition, conflict with pedestrians, and disturbance radius for birds and other fauna.

The documents rely on the route controlling equine movements, but the submission should require a specific assessment of likely horse numbers, seasonal use, behaviour at beach entry/exit points, conflict with dune fencing, and cumulative effects with existing recreational use.

Evidence from the applicant's documents:

Document / page	Applicant evidence	Why this matters
EcIA, PDF p.5 / report p.1	The project includes an accessible pedestrian/equestrian pathway/boardwalk.	Equestrian use is integral to the project description.
NIS, PDF p.17 / report p.13	The NIS states that the path and boardwalk will facilitate the passage of horses and pedestrians.	The Natura assessment should evaluate equestrian impacts specifically, not subsume them into general visitor movement.
Planning Drawings, PDF p.5	The beach-access legend includes "Horse Bridleway Track".	The drawings confirm dedicated equestrian infrastructure.
CEMP, PDF p.21	Split hazel fencing is proposed to stop people/horses walking through the dunes.	The need to restrain horse movement confirms a recognised potential impact pathway.

Ground 7 – Insufficient assessment of cumulative and in-combination tourism pressure

The NIS addresses in-combination impacts largely through reliance on plan-level environmental policies and future AA requirements for other projects. That is not a substitute for a site-specific cumulative assessment of existing and induced recreational pressure at Tullan Strand.

The applicant's own planning documents describe existing surf schools, seasonal vendors, events, tourists, horse riding, walking, surf competitions, a public car park, Wild Atlantic Way use and the Rougey Cliff Walk. These pressures are not theoretical. The application should assess the cumulative

effect of adding a permanent facility, additional parking, bus parking, a formal accessible route and equestrian/emergency access infrastructure.

The assessment should quantify existing baseline use, forecast future use, identify ecological thresholds and set measurable monitoring/action triggers.

Evidence from the applicant's documents:

Document / page	Applicant evidence	Why this matters
Planning Report, PDF p.3	The site is described as renowned for surfing and popular for walking and horse riding; surf schools operate from parking bays; the grass area is used for spectators and surf competitions.	Cumulative recreational pressure already exists and should be quantified.
Planning Statement, PDF p.3	The site supports surf schools, seasonal vendors, tourists and group staging activities, particularly during peak periods.	The proposal is located in an already pressured recreational node.
NIS, PDF p.30 / report p.29	The NIS in-combination section relies on County Development Plan policies and future screening/AA for other plans/projects.	This does not quantify the cumulative pressure created by the current scheme in the context of existing use.
Planning Statement, PDF p.4	The scheme includes additional car parking and bus parking to support visitor access and school/surf group use.	The proposal is likely to intensify structured visitation.

Ground 8 – Long-term maintenance, storm repair and operational effects are under-assessed

The application focuses substantially on construction-phase measures. The boardwalk, bridge, bridleway and emergency access route are intended to operate for the long term in an exposed coastal environment. The documentation should assess the full life-cycle of the infrastructure, including inspection access, repair works, replacement intervals, storm damage, debris removal, foundation exposure, dune movement and future re-construction in or near sensitive habitats.

The need to preserve accessibility over time also requires assessment. If FRP or other materials warp, degrade, become slippery, or are damaged by storm events, future intervention may be needed. Such interventions are part of the project's foreseeable environmental effects and should not be deferred.

As we observe the beach on a daily basis, we know that violent storm events, high tides, gale-force winds and surges are common during the winters. We do not doubt for one second that any timber structure on Tullan Strand will not survive one storm, let alone a sequence of storm events. Flying debris on the dunes poses a risk that is not considered in this proposal.

Evidence from the applicant's documents:

Document / page	Applicant evidence	Why this matters
EcIA, PDF p.9 / report p.5	The boardwalk/bridleway is to be constructed on FRP/timber driven piled foundations and assembled in place.	Fixed infrastructure in dunes will require maintenance and possible repair over time.
EcIA, Appendix material, PDF pp.83–85	Route option material refers to posts driven into sand as foundations and discusses imported bridge/boardwalk elements and bridleway cost.	The project has an engineering life-cycle, not just a one-off construction footprint.
Planning Drawings, PDF p.12	The boardwalk is specified as structural FRP / Polybridge or similar approved.	The material choice, performance and maintenance regime should be assessed over the operational lifetime.
EcIA, PDF p.6 / report p.2	Option C is described as exposed to the sea where storm damage is likely.	Storm damage is a recognised project risk and should be assessed for the selected access infrastructure as well.

Ground 9 – Emergency access infrastructure creates future intensification risk

The emergency access route is presented as necessary for safety, but the application does not clearly identify physical restrictions, management rules, enforcement mechanisms or planning conditions that would prevent the route being used for general operational, maintenance, event, contractor, service or future expanded vehicle access.

Once a hard-finish or paved route exists, pressure often arises to use it for purposes beyond the original description. The competent authority should require precise restrictions and physical controls at consent stage or treat the route's foreseeable broader use as part of the assessed project. Our experience, observing Tullan Strand on a daily basis, is that camper vans and vehicles will attempt parking anywhere there is a space. Spaces that have previously been allocated at Tullan Stand car park only for local surf schools are constantly being occupied by camper vans. We believe that if a road intended only to be used for emergency vehicles is built, it will inevitably be used by other vehicles.

It is impossible to have a paved route 'for emergency vehicles only' when there are residents past the point of this 'emergency vehicle only' restriction, unless some sort of barrier is imagined which residents and their visitors operate – we see no provision for this- we do see vehicles attempt all the time to turn into current residential spaces, and park illegally on the margins. Barriers do not work, and as residents we do not wish to be enforcers of a barrier.



May 31 2026 Camper van parked on road marked 'no access'

Evidence from the applicant's documents:

Document / page	Applicant evidence	Why this matters
EcIA, PDF p.9 / report p.5	The method statement includes excavation to solid strata and construction of a hard-finish emergency vehicle-only access roadway.	The route is not merely a walking path; it is a hardened vehicular-capable route.
CEMP, PDF p.9	The CEMP refers to construction of a paved roadway to allow emergency access vehicles to a turning	A paved route and turning point create future operational capacity beyond pedestrian access.

point adjoining the pathway to the beach.

Planning Statement, PDF p.4

The proposal includes an emergency vehicle access route towards the beach, including a turning area.

The route should be controlled and assessed for foreseeable use over time.

5. Requested Information / Conditions if the Competent Authority is minded to Approve

- A dedicated dune geomorphology and coastal-process assessment addressing dune movement, sediment transport, storm response, shoreline evolution and climate-change implications for the selected route.
- A visitor-pressure and carrying-capacity assessment quantifying existing and predicted visitor numbers, equestrian use, surf-school/group use, seasonal peaks, dog walking and cumulative recreational pressure.
- A revised alternatives assessment comparing the selected route with genuinely less intrusive management solutions, including non-structural visitor management and restoration of existing access damage.
- A specific equestrian-impact assessment, including horse numbers, seasonal patterns, beach entry/exit behaviour, dune edge impacts and disturbance effects.
- A life-cycle maintenance and storm-repair assessment for the boardwalk, bridge, bridleway and emergency access route, including methodology for future repairs in or near sensitive habitat.
- Strict and enforceable construction exclusion zones, no tracked machinery within dune habitat, no material storage in dunes, no widening of the working corridor, and a fixed construction methodology agreed before consent rather than deferred to a contractor.
- Physical controls and planning conditions preventing use of the emergency route for non-emergency operational, event, contractor or maintenance traffic except under separately assessed and authorised circumstances.
- A monitoring and adaptive management plan with measurable ecological thresholds, reporting obligations and triggers for closure/restoration if dune condition deteriorates.

6. Conclusion

The applicant has not demonstrated that the proposed development is merely a benign access improvement. The documentation describes a 796m path/boardwalk corridor, a pedestrian/equestrian boardwalk, bridge and emergency access route, including hard-finish and structural elements in a sensitive coastal setting. The proposal is also expressly linked to tourism, surf-school and visitor infrastructure objectives.

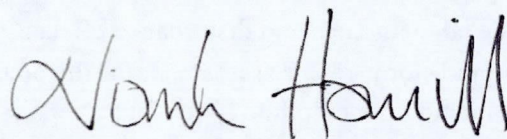
The applicant's own material confirms direct interaction with dune habitat, proximity to Donegal Bay SPA, pNHA dune habitat crossing, potential pollution and disturbance pathways, and reliance on

mitigation and visitor-management measures. The evidence does not adequately quantify visitor growth, carrying capacity, equestrian effects, cumulative recreational pressure, dune geomorphology, or long-term storm/maintenance impacts.

Finally, as is well document, Tullan Strand is an extremely dangerous beach with notices erected to warn the public to the dangers of swimming there, a history of drownings and near-drownings due to an extreme rip current. The planning proposal includes no provision to lifeguard the beach during busy periods or safeguard the public during swimming season. Increasing the access to a beach known for danger without provision of safeguards is irresponsible.

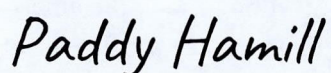
For these reasons, we respectfully request that the competent authority refuse approval unless and until the evidential deficiencies identified above are comprehensively addressed by further independent scientific assessment. In the absence of such evidence, the competent authority cannot be satisfied beyond reasonable scientific doubt that adverse effects on the receiving environment and relevant European site interests can be excluded.

Signed

A handwritten signature in black ink, appearing to read 'Niamh Hamill', written in a cursive style.

Dr. Niamh Hamill

Patrick Hamill

A handwritten signature in black ink, appearing to read 'Paddy Hamill', written in a cursive style.

Date

JUNE 19 2026

Appendix A – Evidence Schedule

Document	Page reference	Relevant evidence	Issue supported
EcIA	PDF p.5 / report p.1	Project includes accessible pedestrian/equestrian pathway/boardwalk and emergency vehicle access route; site adjacent to Annex I dunes and route crosses a small section of dune habitat.	Direct admission of sensitive receptor and project footprint.
EcIA	PDF p.6 / report p.2	Option B crosses a field, stream and dunes on a boardwalk; imported elements include bridge and boardwalk through dunes.	Alternatives assessment does not avoid dune crossing.
EcIA	PDF p.7 / report p.3	Applicant says disturbance in dune system will be minimal and boardwalk will manage visitors/tourism providers/equine pursuits.	Conclusion depends on management assumptions.
EcIA	PDF p.9 / report p.5	Hard-finish emergency vehicle access roadway; boardwalk/bridleway on FRP/timber driven piled foundations; constructed boardwalk used to move FRP elements across dune habitat.	Construction and operational scale are materially significant.
CEMP	PDF p.4	CEMP is a living document to be	Environmental detail is

		reviewed after planning permission and contractor appointment.	deferred.
CEMP	PDF p.17	Dunes rely on vegetation stability; unmanaged pedestrian traffic causes severe vegetation damage and erosion.	Applicant recognises sensitivity of dune systems.
CEMP	PDF p.21	No tracked machinery in dunes, but matting proposed if unavoidable; split hazel fencing to stop people/horses through dunes.	Mitigation is conditional and behaviour-dependent.
CEMP	PDF p.24	Boardwalk crosses a small section of dune habitat in pNHA and leads onto Tullan Strand adjacent to Donegal Bay SPA.	Direct pNHA/dune crossing and proximity to SPA.
EIA Preliminary Examination	PDF p.9	Path and boardwalk identified as 0.46 acres / 796m long; project described as small and in busy tourist location.	Scale and visitor context warrant more than a cursory conclusion.
NIS	PDF pp.5–6 / report pp.1–2	NIS sets out Article 6(3) framework and purpose of assessing adverse effects on European sites.	Legal standard and AA framework acknowledged.
NIS	PDF p.17 / report p.13	New boardwalk through dunes; path/boardwalk facilitates horses and pedestrians; emergency vehicle access also	Operational use includes equestrian and emergency access.

		established.	
NIS	PDF p.30 / report p.24	Disturbance and habitat modification are pressures; increased disturbance in hinterland areas is relevant to SCI use.	Operational/cumulative disturbance must be assessed.
NIS	PDF p.32 / report p.26	NIS says access/boardwalk will control visitor and equine movement and deter trampling.	Relies on future behaviour and management.
Planning Statement	PDF p.3	High Amenity zoning; surf schools, seasonal vendors, tourists, events and group staging activities described.	Existing visitor pressure should be baseline for cumulative assessment.
Planning Statement	PDF p.4	Additional parking and two bus spaces to support visitor access and school/surf group use; raised boardwalk across dune area; emergency access route and turning area.	Proposal is visitor-growth infrastructure.
Planning Report	PDF p.3	Tullan is renowned for surfing; popular for walking and horse riding; surf schools and surf competitions already occur.	Existing use and cumulative pressure are material.
Planning Report	PDF p.7	Policy support is subject to environmental carrying capacities and tourism pressures.	Carrying capacity analysis is required but not evident.
Planning Drawings	PDF p.5	Beach access legend	Confirms physical

		shows 2m and 4m wide dimensions and Polydeck boardwalk equestrian and bridge, horse infrastructure. bridleway track, guardrails and fencing.	
Planning Drawings	PDF p.12	Boardwalk to be structural FRP / Polybridge or similar approved.	Permanent engineered structure requiring life-cycle assessment.

Appendix B – Legal Authorities Referenced

Authority	Relevance
Habitats Directive Article 6(3)	Plans or projects likely to have significant effects on a European site must be subject to appropriate assessment in view of conservation objectives.
Case C-127/02 Waddenzee	Consent may be granted only where no reasonable scientific doubt remains as to absence of adverse effects on site integrity.
Case C-258/11 Sweetman	Appropriate Assessment must identify all aspects of the project capable of affecting conservation objectives in light of best scientific knowledge.
Case C-323/17 People Over Wind	Mitigation measures intended to avoid or reduce harmful effects cannot be relied upon at screening stage to avoid Appropriate Assessment; mitigation must be considered rigorously within AA where required.