



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



EIA Preliminary Examination & Conclusion in respect of the Rathmullan (Community & Heritage) Regeneration Project

Step 1 (*Non-Statutory*):- Understanding the Proposal

Establishing if the proposal is a ' <i>sub-threshold development</i> ':	
File Reference No.	Rathmullan (Community & Heritage) Regeneration Project/Part 8/2022
Development Summary:	<p>The development comprises -</p> <ul style="list-style-type: none"> ○ The renewal, extension and repurposing of a Proposed Protected Structure - Rathmullan Battery Fort (Ref. NIAH 40819002) and its attendant lands as a key heritage asset providing flexible indoor and outdoor space with multi-functional capacities for: (i) interpretation, exhibitions, conferences, education & learning, and for (ii) civic, cultural, recreation and social gatherings and events. The extension will consist of a single storey contemporary intervention within the Battery Fort walls with a floor area of 287 sq.m and terrace over; ○ The renewal of the Glacis as an integral historical element of the Battery Fort inclusive of: de-cluttering, re-profiling and the development of boundary treatment, universal access and permeability interventions including an elevated bridge link across the defensive moat from the Glacis to the Battery Fort; ○ Construction of a new Community hub type building on a brownfield site at the junction of Kerrs Bay and Pier Road with flexible multi-user spaces and accommodation solutions including: (i) at Ground Floor: a community hall, office & reception; 2no. retail spaces; changing places facility & 2no. accommodation rooms including accessible accommodation; storage; (ii) at First Floor: a meeting room and 12no. twin accommodation rooms and 2no. triple accommodation rooms and communal space; (iii) at Second Floor: an office and flexible workspace, and (iv) at Third Floor: a flexible community hub space with a roof terrace over; and having a total floor area of approx. 1,582sq.m (17029sq.ft); ○ The construction of access management, public interest controls and interpretation facilities at a Protected Structure - Rathmullan Abbey

	<p>(Ref. RPS 40819027) consisting of: a universally accessible access pathway to the site & structure and installation of a pedestal supported floor plate with a floor area of 292sq.m incorporating seating options, historical interpretation features and a bespoke lighting scheme, utilities and services (discreetly concealed in the sub-structure) and within the Zone of Archaeological Notification of recorded monument RMP DG037-007003;</p> <ul style="list-style-type: none"> ○ Material improvement of the existing road and pedestrian infrastructure at the junctions between Main Street and Wesleyan Street and Kerrs Bay and Pier Road including: modified junction and road kerb alignments, improved pedestrian infrastructure and level grade crossing points, and new high quality surface material finishes and street furniture; ○ The formation of a small public amenity space bounded by the sea wall on a site to the south of Rathmullan Abbey; ○ All associated ancillary works to include site drainage, connection to public water supply and other services, enhancements to public lighting, landscaping, development related signage & public art, connection & discharge to the public sewerage network. ○ A schedule of proposed uses for the Battery Fort, Community Hub and Abbey will be provided with the required particulars per Article 81(2)(d)(i) of the Regulations. <p>All associated ancillary site works shall be located within the townland of Rathmullan & Ballyboe in the Letterkenny & Milford Municipal District.</p>
<p>Was a Screening Determination carried out under Section 176A-C?</p>	<p><input type="checkbox"/> Yes, no further action required</p> <p><input checked="" type="checkbox"/> No, Proceed to Part A</p>
<p>A. Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1, of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)</p>	
<p><input type="checkbox"/> Yes, specify class <u> [insert here] </u></p>	<p>EIA is mandatory</p> <p>No Screening required</p>
<p><input checked="" type="checkbox"/> No</p>	<p>Proceed to Part B</p>
<p>B. Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2, of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (Tick as appropriate)</p>	
<p><input type="checkbox"/> No, the development is not a project listed in Schedule 5, Part 2</p>	<p>No Screening required</p>
<p><input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): <u> [specify class & threshold here] </u></p>	<p>EIA is mandatory</p> <p>No Screening required</p>

<input checked="" type="checkbox"/> Yes the project is of a type listed but is sub-threshold : Schedule 5, Part 2, Class 10(b)(iv): Urban development which involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares (elsewhere). (A 'Business District' means an district within a city or town in which the predominant land use is retail or commercial use) Schedule 5, Part 2, Class 15: any sub-threshold project in Schedule 5, Part 2, which would be likely to have significant effects on the environment.	Proceed to Part C
C. If Yes, has Schedule 7A information/screening report been submitted?	
<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant <input checked="" type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	Screening Determination required Preliminary Examination required

Step 2:- Preliminary Examination

Preliminary Examination: The planning authority shall carry out a preliminary examination of, at the least, the nature, size or location of the development.		
	Comment:	Yes/No/Uncertain:
Nature of the development: <i>Is the nature of the proposed development exceptional in the context of the existing environment?</i>	<p>The project is located within the village centre of Rathmullan. It includes a number of inter-related work areas to form a collective regeneration project which consists of: The renewal, extension and repurposing of Rathmullan Battery Fort & Glacis; Construction of a new community Hub; Construction of access management, public interest controls & interpretation facilities at Rathmullan Abbey; material improvement of the existing road and pedestrian infrastructure at key project junctions; and the formation of a small public amenity space.</p> <p>The works to the Battery & Glacis are limited and focused to facilitate public interest and use. The structure exists and renewal works are mainly proposed together with an internal extension. The extension shall be unobtrusive, lightweight and reversible having appropriate regard to the heritage sensitivity of the site. The</p>	No.

<p><i>Will the development result in the production of any significant waste, or result in significant emissions or pollutants?</i></p>	<p>works to the Glacis are largely restorative with other interventions limited to access.</p> <p>The Community Hub is a new build development proposed on a vacant brownfield site within the built environment of the village. The site was previously occupied by the larger Pier Hotel and the Hub has been designed to respect the scale and massing of the streetscape and attendant structures. The use(s) proposed are community orientated.</p> <p>The Abbey is a significant heritage structure which is the subject of much public and visitor interest. The interventions proposed follow best practice in facilitating improved access to the site together with interpretation facilities and have been designed with both the protection and enjoyment of the structure in mind. They are lightweight and fully reversible.</p> <p>The material improvement to the road and pedestrian infrastructure is limited to key junctions associated with the project. No change is proposed to the existing traffic regime, rather footpath provision is improved together with crossing points with a higher quality materiality to the environment.</p> <p>The public amenity space is simply the upscaling of a pocket green space to give improved function as space for contemplation and rest.</p> <p>The project aims to strengthen and enhance the physical, cultural, social, tourism and economic capacity of the town. The project proposes to empower the community to deliver renewal and regeneration through the transformation of existing landmarks and under-utilised assets.</p> <p>It is not exceptional in the context of the existing environment, facilitating greater use and improved function for community and tourism use of existing assets, infrastructure and a brownfield site.</p> <p>No significant waste streams will be generated by the proposed development in its construction or operation phase. Best practice measures in accordance with the Donegal County Development Plan 2018-2024 (As Varied) (Objective MRCM-O-2 refers) will be employed during construction for safe and effective site waste management. The proposed</p>	<p>No.</p>
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	<p>development will not result in significant pollution or nuisances in the operation phase.</p> <p>The construction phase will be carried out in accordance with detailed design methodologies. While detailed design methodologies will be engaged during the construction phase, these are not required to avoid or reduce any effects on a European site. These measures are not relied upon to reach a conclusion of no likely significant waste or emissions during the construction phase.</p> <p>The construction phase associated with the development will be a temporary disturbance, however, due to the built nature of the surrounding environs, potential disturbance from construction of the development will not be significant.</p>	
<p>Size of the development: Is the size of the proposed development exceptional <i>in the context of the existing environment</i>?</p> <p><i>Are there cumulative considerations having regard to other existing and/or permitted projects?</i></p>	<p>The overall project consists of a number of components located within the village centre environment, the total area of which is 1.15ha. The project primarily utilizes existing assets, structures and infrastructure and one brownfield site. The size of the development is not exceptional in the context of a village centre environment and in the context of its primary focus on renewal and repurposing.</p> <p>An NIR was prepared for the County Donegal Development Plan 2018-2024 (as varied) which included the settlement framework designation context for the subject site. No likely significant effects on any European site were identified.</p> <p>A number of other proposed and permitted developments were considered in the supporting AA Screening Report by Independent Consultants Greentrack which concluded that no recent or historical planning approvals are predicted to combine with the proposed development to culminate in a negative effect on the SAC/SPA.</p> <p>The Irish Water Sewerage Scheme for Milford, Ramelton and Rathmullan is also now consented and proceeding to site. That project was subject to AA and EIA with an NIS and EIAR being prepared. Given the nature and location of this scheme, there are no characteristics of the proposed development that would give rise to cumulative significant environmental effects.</p>	<p>No.</p> <p>No.</p>

	No likely significant cumulative effects are identified.	
<p>Location: <i>Is the proposed development located on, in, adjoining or does it have the potential to impact on an ecologically sensitive site or location?</i></p> <p><i>Does the proposed development have the potential to affect other significant environmental sensitivities in the area?</i></p>	<p>Lough Swilly SAC & SPA are both within close proximity of the proposed development. A detailed Article 6(3) Appropriate Assessment Screening Report was undertaken for this project by independent Greentrack Consultants which concluded that: <i>“Following the assessment as detailed in this AA Screening Report, it is concluded that significant effects on the Natura 2000 network arising from the proposed development, either individually or in combination with other plans or projects are not likely to occur. Therefore Stage 2 Appropriate Assessment is not required”.</i></p> <p>The Rathmullan Gun Battery and Rathmullan Abbey are both Protected Structures and construction associated with the developments will be in accordance with Sections 7.1 and 7.2 of the DCC Development Plan 2018-2024. Construction will cause temporary disturbance within the area, however, due to the built nature of the surrounding environs, potential disturbance will not be significant.</p> <p>The project and proposed work areas are located within a Zone of Archaeological potential for the historic settlement of Rathmullan. An Archaeological Impact Assessment has been prepared and consultations have taken place with the National Monuments. The project will be subject to Section 50 Ministerial Consent and archaeological monitoring is proposed which will ensure that potential impacts are mitigated in accordance with best</p>	<p>No.</p> <p>No.</p>

	practice and significant impacts do not occur.	
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Preliminary Examination Conclusion:

Based on a preliminary examination of the **nature, size or location** of the development.
(Tick as appropriate)

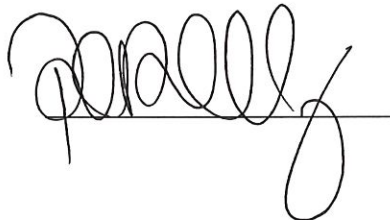
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>There is no real likelihood of significant effects on the environment.</p> <p>EIA is not required.</p>	<p>There is real likelihood of significant effects on the environment.</p> <p>An EIAR is required.</p>	<p>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</p> <p>Request the applicant to submit the Information specified in Schedule 7A for the purposes of a screening determination.</p> <p>Proceed to Screening Determination.</p>

Signature and Date of
Recommending Officer:



22/11/22

Signature and Date of
Deciding Officer:



22/11/2022

