



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

Directorate: Community, Development & Planning Services
Division: Planning Services
Section: Development Applications Unit

Planning Report

**Application for approval under Section
177AE of the Planning and Development
Act 2000 (as amended) for:**

Downings Facility Centre for Water Sports



Planning Policy Framework Report

1.0 Introduction and legislative Context

- 1.1 This report has been prepared by Donegal County Council Planning Service in support of an application by Donegal County Council (Community Development) for approval under Section 177AE of the Planning and Development Act 2000 (as amended) for a proposed facility centre for water sports and associated public realm works at Crocknamurleog, Downings, Co. Donegal.
- 1.2 Section 177AE of the Act states:
- “(1) Where an appropriate assessment is required in respect of development —(a)by a local authority that is a planning authority, whether in its capacity as planning authority or in any other capacity, or*
- (b)by some other person on behalf of, or jointly or in partnership with, such a local authority, pursuant to a contract entered into by that local authority whether in its capacity as a planning authority or in any other capacity,*
- within the functional area of the local authority concerned, (hereinafter in this section referred to as ‘proposed development’), the local authority shall prepare, or cause to be prepared, a Natura impact statement in respect thereof.*
- (2) Proposed development in respect of which an appropriate assessment is required shall not be carried out unless the Board has approved it with or without modifications.*
- (3) Where a Natura impact statement has been prepared pursuant to subsection (1), the local authority shall apply to the Board for approval and the provisions of Part XAB shall apply to the carrying out of the appropriate assessment.”*
- 1.3 The site adjoins the Sheephaven Special Area of Conservation (SAC) and is within the zone of influence of other European sites. The Council, as developer, has therefore prepared a Natura Impact Statement (NIS) in accordance with Section 177AE(1) of the Act and Part XAB. In accordance with Section 177AE(2), the proposed development shall not be carried out unless An Coimisiún Pleanála, as competent authority, has approved it with or without modifications, having carried out an Appropriate Assessment (AA) under Section 177V and determined that the development will not adversely affect the integrity of any European site.
- 1.4 Section 177AE(1)–(3) of the Act provides that where an appropriate assessment is required for development proposed to be carried out by, or on

behalf of, a local authority, the authority shall prepare a Natura Impact Statement and apply to An Coimisiún Pleanála for approval, and that the development shall not proceed unless so approved. This report forms part of the documentation submitted to An Coimisiún Pleanála to inform its consideration of the application, alongside the NIS and other assessments.

2.0 Site description

- 2.1 The application site consists of the existing public car park, public toilet block and access lane to Downings Beach, located within the settlement of Downings and along the designated Wild Atlantic Way touring route. Downings Beach is a Blue Flag beach and a key natural amenity and tourism asset on Sheephaven Bay.
- 2.2 The lands are currently laid out as an elongated tarmac car park and informal hardstanding area in varying states of repair, with undefined pedestrian routes and ad hoc circulation arrangements. The beach access lane at the southern end of the site is a narrow, shared vehicle–pedestrian route with limited segregation and poor surface condition. The existing single-storey public toilet block at the northern end of the site is dated, provides only basic WC facilities, and lacks modern accessibility, changing or family facilities.
- 2.3 The northern extent of the site fronts the R248 Regional Road and is bounded by Downings Bay Hotel to the east, the Mevagh Family Resource Centre to the west and a mix of commercial and residential buildings to the north. The southern portion of the site is flanked predominantly by mobile home / caravan parks to the east and west, with the beach and foreshore located immediately south of the existing access lane. Ground levels fall gently from the R248 southwards towards the beach, with the proposed facility building located towards the southern end of the car park.
- 2.4 The site is not located within any designated European Natura 2000 sites; however the site directly adjoins Sheephaven SAC to the south, The Tranarossan and Melmore Lough SAC is located approx. 650m to the South west and Horn Head to Fanad Head SPA is located approx. 1.5km to the North West,

3.0 Proposed Development

- 3.1 Approval is sought under Section 177AE for the following development:
 - i. Construction of a facility centre for water sports activities containing changing rooms, showers, WC facilities (including ambulant and unisex WCs), a Changing Places toilet, accessible washroom, plant room, electrical room and cleaners' store.
 - ii. Safety improvement works to the access lane to Downings Beach, including provision of a 3m wide concrete access road, a 2m wide segregated pedestrian footpath, new railings, kerbing, bollards and associated works.
 - iii. Realignment and upgrading of the existing car park, including resurfacing, formalisation of parking bays (including accessible bays),

- improved circulation, raised crossings and associated traffic management measures.
- iv. Public realm improvements, including new concrete and block-paved footpaths, raised platforms, hard and soft landscaping, benches, low stone planters, wayfinding and informational signage.
 - v. Demolition of the existing single-storey public toilets building.
 - vi. Provision of associated site drainage, including connections to the existing public foul and stormwater networks and surface water management measures.
 - vii. Connection to existing utilities, including public water supply and electricity, and relocation of existing bottle banks into a new stone-walled enclosure.
 - viii. Accommodation and ancillary works, including boundary treatments, railings and retaining structures, advertising totem, cycle parking and traffic signals.
- 3.2 The proposed facility building has a modest floor area arranged in a single storey. The building is set at FFL 3.70m, which is broadly consistent with existing surrounding levels. The roof is a mono-pitch form, sloping gently with an overall ridge height between approximately 4.1m and 4.25m above finished floor level.
- 3.3 Internally, the building provides: multiple shower rooms and changing rooms, unisex and ambulant WCs, a fully compliant Changing Places facility and accessible washroom, together with plant and service rooms to support both the building and external beach-related fittings (e.g. external footwash stations, bottle-filling point and bike repair station).
- 3.4 The scheme incorporates high-quality external finishes appropriate to the coastal environment, including concrete and block paved footpaths, coloured tarmac surfacing, robust precast kerbing and gabion/stone retaining structures, combined with new tree and shrub planting to soften the car park and beach access environment.
- 3.5 A Natura Impact Statement has been prepared and accompanies the application as referenced later in this report.

4.0 Referrals

- 4.1 The following prescribed bodies have been notified.
- National Parks & Wildlife Service
 - National Monuments Service
 - Minister for Climate, Energy and Environment

- Minister for Culture, Communications and Sport
- Minister for Rural and Community Development and the Gaeltacht
- Minister for Agriculture, Food and the Marine
- An Taisce – The National Trust for Ireland
- The Heritage Council
- The Arts Council
- Fáilte Ireland
- The Office of Public Works
- Environmental Protection Agency
- ESB Networks
- EIR Head Office
- Uisce Éireann

4.2 The following Donegal County Council Internal consultees have been notified.

- Senior Engineer – Non-National Roads & Bridges Design
- Senior Engineer – National Road Design Office
- Executive Planner – Planning Service
- Senior Executive Engineer – Area Roads Letterkenny-Milford M.D
- Senior Engineer – Water & Environment

5.0 Third Party Notification

5.1 A copy of the newspaper notice published in the Donegal News dated 11th of December 2025. In addition the lead section for this project; Donegal County Council Community Development held a public information event in Downings from 4.00pm to 7.30pm on Thursday 10th July 2025 to present the emerging design and obtain local feedback, which has informed the final layout and design solution.

6.0 Planning History

Subject Site:

6.1 No record of any planning history on the subject site.

Adjoining Sites:

6.2 The wider village centre of Downings, including the adjoining hotel and caravan parks, has an extensive planning history relating to tourism, hospitality and holiday accommodation uses, reflecting the established tourism role and character of the settlement.

7.0 Policy Context

National and Regional Context

Project Ireland 2040 National Planning Framework

- 7.1 The National Planning Framework (NPF) is the overarching planning policy for the state (published in February 2018 under Project 2040) and contains ten National Strategic Outcomes and 75 National Policy Objectives. This planning framework sets out where development and investment should be guided to shape the national, regional and local spatial development in economic, environmental and social terms to 2040. A National Strategic Outcome prescribed in the NPF is 'Enhanced Amenities and Heritage' with the objective to:

“invest in and enable access to recreational facilities, including trail networks, designed and delivered with a strong emphasis on conservation, allowing the protection and preservation of our most fragile environments and providing a wellbeing benefit for all.”

National Tourism Policy 2015: 'People, Place and Policy: growing Tourism to 2025'

- 7.2 The Department of Transport, Tourism & Sport published national tourism policy in March 2015 entitled "People, Place and Policy: growing Tourism to 2025".

The National Tourism Policy notes that to provide an effective tourism product, there must be a diverse range of activities for visitors. While much of our attractiveness as a tourism destination is down to the natural environment, since the early 1990s, the State has supported the development and improvement of our place by investing in our physical visitor attractions, visitor infrastructure, and facilities for visitor activities.

“Policy Proposal 1.3.3 states: The design of future supports for capital investment in tourism will recognise the need for investment in both physical assets and in other areas that provide a lasting improvement in the overall quality of the visitor experience.”

National Marine Planning Framework

- 7.3 The NMPF contains a vision, objectives, and planning policies for all marine-based human activities. It outlines how those activities will interact with each other in an increasingly pressured ocean space. It is to be the key decision-making tool for Government departments, State agencies, regulatory authorities, and policy makers for decisions on marine activities up to 2040.

The NMPF has numerous objectives and planning policies which supports the development of tourism, tourism facilities and improved access. Key Objectives of the NMPF are to.

- Increase participation in a range of water-based sports and recreation activities for the benefit of public health and wellbeing, as well as developing our tourism offering.
- Position Ireland as a world-class sustainable coastal and marine tourism destination through the sustainable development of coastal and marine recreation activities and industries in Ireland.

A number of planning policies support the proposed development

Tourism Policy 1

Where appropriate, proposals enabling, promoting or facilitating sustainable tourism and recreation activities, particularly where this creates diversification or additional utilisation of related facilities beyond typical usage patterns, should be supported.

Sport & Recreation Policy 1

Proposals that promote sustainable development of water-based sports and marine recreation, while enhancing community health, wellbeing and quality of life, should be supported, provided that due consideration is given to environmental carrying capacities and tourism pressures.

Sport & Recreation Policy 4

Proposals that improve access to marine and coastal resources for tourism activities, and sport and recreation should be supported, where appropriate, at the applicable scale and aligned with existing development plans.

Access Policy 2

Proposals demonstrating appropriate enhanced and inclusive public access to and within the maritime area, and that consider the future provision of services for tourism and recreation activities, should be supported, subject to the outcome of statutory environmental assessment processes and subsequent decision by the competent authority,

Regional Level

- 7.4 The principal statutory purpose of the Regional Spatial Economic Strategy (RSES) is to support the implementation of Project Ireland 2040 and the economic policies and objectives of the Government by providing a long-term strategic planning and economic framework for the development of the Eastern and Midlands, Northern and Western and the Southern Regions. The development of Regional Strategic Outcomes in the RSES is also closely aligned and supportive of both the National Strategic Outcomes (NSOs) prescribed in the NPF and the UN Sustainable Development Goals.
- 7.5 The Northern and Western RSES highlights that the region has a significant share of Ireland's premier tourism resources –both natural and man-made. The

RSES recognises that a successful tourism sector creates significant benefits for the region, of particular relevance is the below Regional Policy Objective:

RPO: 4.2 To support the maintenance of, and enhanced access to state lands, such as National Parks, Forest Parks, Waterways together with Monuments and Historic Properties, for recreation and tourism purposes.

RPO 4.4: That the Wild Atlantic Way (WAW) touring network and visitor attractions within the region shall be upgraded and improved to cater for the growth in visitor cars, buses, and cyclists using the route.

RPO 4.5: To enhance access to our tourist assets, including the development of a Coastal Walking/Cycling Route along the Western Seaboard, which extends generally along the Route of the WAW, and incorporates existing resources, such as beaches, ports, harbours, piers and marinas. This coastal route to be subject to a route option analysis, and feasibility study in Counties Galway, Mayo, Sligo, Leitrim and Donegal. Stakeholders will include Fáilte Ireland, NWRRA, the relevant local authorities and the public.

Relevant Development Plan Policies:

7.6 The current adopted plan is the County Donegal Development Plan 2024-2030 (herein referred to as 'CDDP 2024-2030').

7.7 The subject site is located within the settlement boundary of Downings.

Marine Resource, Coastal Management, and the Islands

7.8 Objective **MRCM-O-1** states that it is an objective of the Council to:

To sustain and enhance the economic, social and cultural, and tourism vitality of Donegal's marine sector, coastal communities and islands communities.

Objective **MRCM-O-2** states that it is an objective of the council to:

To safeguard and enhance the health of Donegal's marine and coastal ecosystems and sustainably manage our coastal environment.

7.9 Policy **MRCM-P-1** states that it is a policy of the Council to:

To ensure that development proposals are consistent with the National Marine Planning Framework including the environmental, economic, social and sectoral objectives and policies detailed therein.

Policy **MRCM-P-2** states that it is a policy of the Council to:

To support and facilitate the provision of:

- *additional wastewater treatment capacity and water supply upgrades*
- *public realm improvements,*

- *new/enhanced civic, cultural, green, amenity, and recreational infrastructure,*
- *initiatives to tackle vacancy and dereliction*
- *active and sustainable transport infrastructure and visitor facilities in our coastal/Wild Atlantic Way settlements*

Policy **MRCM-P-8** states that it is a policy of the Council to:

- To support the maintenance of, and where a there is a demonstrated need, facilitate improved coastal/beach infrastructure and management services at Blue Flag beaches and candidate locations including: pedestrian/cycling access; vehicular parking and management, public conveniences/changing facilities, playgrounds/play areas, pedestrian/cycling infrastructure, waste management, informational signage, water safety, and implementing beach and maritime craft byelaws.*
- Ensure other developments do not have a significant adverse impact on existing public access to coastal areas.*

Policy **MRCM-P-10** states that it is a policy of the Council to:

- To ensure that new marine and coastal developments do not give rise to significant coastal change, nor have a significant adverse impact on:*
- *The visual and scenic amenities of the coastline/seascape and the marine environment in accordance with the natural heritage policies of this plan.*
 - *Sensitive physical coastal environments (e.g. beaches, sand dunes and other soft shorelines) and take appropriate measures to protect same where necessary.*
 - *Coastal Geomorphological processes and systems (e.g. longshore drift, tidal currents, sediment budgets)..*
- Where potential impacts are identified, appropriate evidence-based assessments shall be provided to demonstrate compliance with this policy.*

Community Development

7.10 Objective **CCG-O-1** of the CDDP states that it is an objective of the Council to:

“To create sustainable, healthy, socially inclusive, and culturally vibrant communities with an optimum quality of life and high-quality childcare, education, recreational, and cultural infrastructure and facilities and to integrate the planning and sustainable development of the County with the social, community and cultural requirements of its population.”

7.11 Policy **CC-P-1** of the CDDP states that it is a policy of the Council to:

Support the provision of new social and community infrastructure/service related developments (e.g. childcare, education, healthcare, sports/recreational facilities, playgrounds, community resource centres sheltered housing, residential care/nursing homes, large scale cultural facilities etc) where such proposals are consistent with the zoning objectives of the Plan, and otherwise in accordance with the following locational criteria:

- a. *At locations within the defined boundaries of settlement framework/urban areas which are within safe walking distance (i.e. via an existing or proposed footpath) of local services and residential areas or are accessible by public transport and which would otherwise promote social inclusion.*
- b. *At alternative locations within settlement framework/urban areas where it is demonstrated that there are no suitable sites available which meet the locational criteria in point a) above.*
- c. *In rural locations in close proximity to existing rural infrastructure (e.g. rural schools, Community centres, sports facilities, churches etc) where it is demonstrated that; the development is intended to serve an exclusively rural need, the development is functionally dependent on a specific rural location, or where there are no sites available which meet the abovementioned locational criteria in points a) and b) above.*
- d. *At other rural locations where it is demonstrated that; the development is intended to serve an exclusively rural need, the development is functionally dependent on a specific rural location, or where there are no sites available to meet the abovementioned locational criteria in points (a), (b) and (c) above.*

Policy **CC-P-2** of the CDDP states that it is a policy of the Council to:

Require that social, community cultural development proposals generally comply with the policies and technical standards of this plan and the following specific development management criteria:

- a. *Are compatible with adjacent existing or approved land uses.*
- b. *Do not have a significant impact on adjacent residential amenities.*
- c. *Provide adequate effluent treatment in compliance with the wastewater treatment policies of this plan.*
- d. *Do not cause a traffic hazard and ensure the existing road network can safely handle any extra vehicular traffic generated by the proposed development.*
- e. *Provide adequate parking provision, access arrangements, manoeuvring and servicing areas in line with technical standards and policies of this plan. Specifically in relation to schools and similar education facilities, incorporate measures that de-prioritise set-down/drop-off arrangements.*
- f. *Prioritises, and provides for a high level of, pedestrian and cycling permeability and access.*
- g. *Do not create a noise nuisance and or cause significant environmental emissions.*
- h. *The location siting and design of the development is of a high quality, successfully integrates with the host environment including the landscape and/or built environment of the area and does not negatively impact on the visual and scenic amenities of the area.*
- i. *Provides appropriate boundary treatment and screening of storage areas from public view*
- j. *Does not have a negative impact on the built or natural heritage of the area and complies with the built and natural policies of the plan.*
- k. *Complies with the flood risk management guidelines and the associated flood risk policies of this plan.*

I. Have suitable soil depth and water table (in the case of burial grounds/graveyards).

Tourism

7.12 Objective **TOU-P-1** states that it is an objective of the Council to:

To facilitate the sustainable development of Donegal's tourism product as a key economic driver of, and social catalyst for the County, whilst protecting and enhancing the County's landscape, natural heritage, built heritage, and communities from inappropriate development that would detract from the tourism product.

7.13 Policy **TOU-P-1** states that it is a policy of the Council to:

a) To support the implementation of the WAW Regional Tourism Development Strategy 2023-2027;

b) To facilitate the development of signature/strategic tourism experiences/attractions which are consistent with the brand identity of the Wild Atlantic Way and other similar initiatives, and attractions, for example as identified in Table 10.1, and are generally in accordance with the policies of this Plan; and

c) To work in collaboration with Failte Ireland to ensure the continued maintenance of the 39 Discovery Points, inclusive of the 3 signature Discovery Points, in Donegal and access routes for all users.

Policy **TOU-P-2** states that it is a policy of the Council to:

Not to permit development which would materially detract from visual and scenic amenities along the route of the Wild Atlantic Way.

Policy **TOU-P-3** states that it is a policy of the Council to:

Not to permit developments which would materially detract from the visual/scenic amenities on the approach roads to, the visual setting of, or the views to be had from, significant tourism attractions.

Policy **TOU-P-8** states that it is a policy of the Council that:

That all development proposals for the creation of new, or the extension of existing Tourist Developments (including Resource Related/Activity based Tourism Product Developments, Campervan/Motorhomes and Touring Caravan Stopover Sites, Hotels, Guest Houses, Tourism Hostels, Holiday Resorts, Mobile Homes/Static Caravan Parks Camping Sites, and other Tourist Related Developments) shall comply with the following criteria:

a. The location, siting and design of the development (including associated infrastructure and landscaping arrangements) is of a high quality, integrates

successfully with, and does not, either individually or in combination with existing and permitted developments, have an adverse impact on; the scenic quality, visual amenity, rural character, streetscape, vernacular character or built environment of the area.

b. That there are no significant impacts on designated habitats such as Natura 2000 sites and designated Nature Reserves.

c. The development does not negatively affect sensitive natural environments.

d. The development is significantly set back from, and adequately screened from, coastlines, shorelines and riverbanks.

e. The development will not detract from the visual setting of the coastline or be visually obtrusive from key points along the coastline.

f. Appropriate boundary treatment, landscaping and means of enclosure are provided and any areas of outside storage proposed are adequately screened from public view;

g. The development will not significantly impact on existing residential amenities.

h. There is an adequate means of water supply.

i. There is existing capacity in the public wastewater infrastructure for developments within urban areas or suitable on-site effluent treatment facilities to EPA standards can be provided in rural areas.

j. The development will not cause a traffic hazard, and the existing road network can safely handle any extra vehicular traffic generated by the proposed development.

k. Adequate parking provision, access and maneuvering arrangements (including for touring coaches and motorhomes), and servicing areas are provided in accordance with road safety standards, and the technical standards and policies of this Plan.

l. The layout of the development provides for a high level of, and prioritises, pedestrian permeability and access.

m. The development does not create a noise nuisance and will not cause any significant environmental emissions.

n. The development will not have an adverse impact on the built, scenic, or natural heritage of the area including structures on the RPS/NIAH and designated habitats such as Natura 2000 sites and designated Nature Reserves.

o. The development is not located in an area at flood risk and/or will not cause or exacerbate flooding.

p. The development will not compromise the water quality of water bodies within River Basin Districts designated under the Water Framework Directive or hinder the programme of measures contained within any associated River Basin Management Plan.

Gaeltacht:

7.14 Policy **GAE-P-5** states that it is a policy of the Council to:

Support and facilitate the development of the marine sector in the Gaeltacht including island tourism, marine access and recreational infrastructure, onshore facilities for fishing, seafood processing, aquaculture, seaweed harvesting etc in accordance with the marine coastal and island policies of this plan.

Natural Heritage/Landscape Policies

7.15 The subject site also falls within an area of Especially High Scenic Amenity. L-P-1 states, 'To protect areas identified as 'Especially High Scenic Amenity' on Map 11.1 'Scenic Amenity'. Within these areas, only developments of strategic importance, or developments that are provided for by policy elsewhere in this Plan may be considered'.

7.16 The subject site also falls within an area of 'High Scenic Amenity' in the southern extremity of the site. L-P-2 states, 'to protect areas identified as 'High Scenic Amenity' and 'Moderate Scenic Amenity' on Map 11.1 'Scenic Amenity'. Within these areas, only development of a nature, location and scale that integrates with, and reflects the character and amenity of the landscape may be considered, subject to compliance with other relevant policies of the Plan'.

Biodiversity

7.17 In terms of designated European Natura 2000 Sites, Policy **BIO-P-1** of the CDDP 2024-2030 states 'To require all developments to comply with the requirements of the EU Habitats Directive and EU Bird Directive, including ensuring that development proposals: a. Do not adversely affect the integrity of any European/Natura 2000 site (i.e. Special Areas of Conservation and Special Protection Areas) including effects on ex-situ but functionally linked habitats, and species (e.g. Pearl Mussel) save where a plan must be carried out for imperative reasons of overriding public interest (IROPI). b. Provide for the protection of animal and plant species listed in Annex IV of the EU Habitats Directive. c. Manage features of the landscape (such as rivers, riverbanks, field boundaries, ponds and small woods) which are of major importance for wild fauna and flora and the ecological coherence of the Natura 2000 network....'.

Towns and Villages

7.18 **Objective RV-O-1:** To identify appropriate regeneration and renewal initiatives, primarily through enhancement schemes to strengthen communities in the County's towns and villages including; Churchill, Convoy, Dunkineely, Kilmacrennan, Mountcharles, Newtowncunningham and St. Johnston

Policy TV-P-3: To ensure that development proposals within towns and villages centres:

- a. Provide for distinctive buildings of a high architectural quality which contribute to a distinct sense of place and a quality public realm.
- b. Create strong street frontage by either, adhering to the established building line in the immediate area or establishing a new building line immediately adjoining the public road where a reasonable opportunity exists to do so. A greater setback will be permitted where the development would provide for the creation a high-quality urban place with sufficient landscaping/planning, street furniture etc.
- c. Respect, where appropriate, the context of the adjoining buildings, adjacent streetscape or buildings in the immediate area, in terms of design, height, scale and mass etc.
- d. Respect the architectural character (in terms of design/arrangement of fenestration, facia/soffit treatment, general finishes and materials), eaves height, roof pitch, roof line, and overall building form and height, as appropriate, in areas characterised by traditional vernacular or high-quality streetscape.
- e. Create buildings of a human scale, by providing for a fine grain of development, in terms of overall scale, fenestration, size/proportions, signage, detailing and buildings with a narrow street frontage.
- f. Promote, where appropriate, visual interest through modulation and detailing of architectural elements (e.g., detailing/treatments of eaves, windows, frontages, slight variations in roof lines, setback etc.).
- g. Utilise, where appropriate, adaptable and accessible design on the ground floor to ensure their future re-use for alternative functions (e.g., retail/commercial etc.).
- h. Avoid the use of industrial type cladding, or the glazing of extensive areas of the proposed development.

Core Strategy

- 7.19 Within the core strategy of the CDDP **Policy CS-P-3** states that it is a policy of the Council to:

support and facilitate the provision of:

- a. additional wastewater treatment capacity and water supply upgrades
- b. public realm improvements,
- c. new/enhanced civic, cultural, green, amenity, and recreational infrastructure,
- d. initiatives to tackle vacancy and dereliction
- e. active and sustainable transport infrastructure and visitor facilities in our coastal/Wild Atlantic Way settlements.

Public Rights of Way

- 7.20 The access to Downings beach is an identified right of way and objective **PROW-O-1** states that it is an objective of the Council to:

To preserve public rights of way which give access to seashore, mountain lakeshore, riverbank or other place of natural beauty or recreational utility.

Flooding

7.21 Objective **F-O-1** States that it is an objective of the Council to:
To ensure that development does not give rise to unacceptable new flood risks or does not exacerbate existing flood risk.

7.22 Policy **F-P-1** States that it is a policy of the Council to:

Only permit development where flood or surface water management issues can be successfully addressed and/or where there is no unacceptable residual flood risk for the development, its occupants and/or private property or public infrastructure elsewhere within the catchment. A precautionary approach shall be applied to the consideration of flood risk issues and shall include the application of the 'Avoid', 'Substitute', 'Justify' principles set out in the EU Floods Directive (2007/60/EC) and 'The Planning System and Flood Risk Management - Guidelines for Planning Authorities', November 2009, DoEHLG.

Where appropriate, applicants/developers shall be required to submit:

a an independent 'Flood Risk Assessment' in accordance with the aforementioned Guidelines or any subsequent related publication and/or 'Surface Water Drainage Calculations', from suitably qualified persons; and

b. evidence of compliance with the Justification test set out in Section 5.15 of the aforementioned Guidelines or any subsequent related publication

7.23 Flood Zones types as summarised from Section 2.23 of The Planning System and Flood Risk Management - Guidelines for Planning Authorities (DoEHLG, 2009):
Zone A – High probability of flooding, i.e.) more than 1% probability or 1 in 100 from rivers and more than 0.5% probability or 1 in 200 from coastal flooding.

Zone B – Moderate probability of flooding, i.e.) between 0.1% probability or 1 in 1,000 years and 1% or 1 in 100 years for river flooding and between 0.1% or 1 in 1,000 year and 0.5% or 1 in 200 for coastal flooding.

Zone C – Low probability of flooding, i.e.) less than 0.1% or 1 in 1,000 years for both river and coastal flooding). Flood zone C covers all areas outside of Zones A or B.

7.24 Classification of Vulnerability for different types of development taken from Table 3.1 of The Planning System and Flood Risk Management - Guidelines for Planning Authorities (DoEHLG, 2009)

Vulnerability class	Land uses and types of development which include*:
Highly vulnerable development (including essential infrastructure)	Garda, ambulance and fire stations and command centres required to be operational during flooding; Hospitals; Emergency access and egress points;

	<p>Schools;</p> <p>Dwelling houses, student halls of residence and hostels;</p> <p>Residential institutions such as residential care homes, children's homes and social services homes;</p> <p>Caravans and mobile home parks;</p> <p>Dwelling houses designed, constructed or adapted for the elderly or, other people with impaired mobility; and Essential infrastructure, such as primary transport and utilities distribution, including electricity generating power stations and sub-stations, water and sewage treatment, and potential significant sources of pollution (SEVESO sites, IPPC sites, etc.) in the event of flooding.</p>
Less vulnerable development	<p>Buildings used for: retail, leisure, warehousing, commercial industrial and non-residential institutions;</p> <p>Land and buildings used for holiday or short-let caravans and camping, subject to specific warning and evacuation plans;</p> <p>Land and buildings used for agriculture and forestry;</p> <p>Waste treatment (except landfill and hazardous waste);</p> <p>Mineral working and processing;</p> <p>And Local transport infrastructure.</p>
Water compatible development	<p>Flood control infrastructure;</p> <p>Docks, marinas and wharves;</p> <p>Navigation facilities;</p> <p>Ship building, repairing and dismantling, dockside fish processing and refrigeration and compatible activities requiring a waterside location;</p> <p>Water-based recreation and tourism (excluding sleeping accommodation);</p> <p>Lifeguard and coastguard stations;</p> <p>Amenity open space, outdoor sports and recreation and essential facilities such as changing rooms; and Essential ancillary sleeping or residential accommodation for staff required by uses</p>

	in this category (subject to a specific warning and evacuation plan).
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7.25 Matrix of Vulnerability Versus Flood Zone as taken from Table 3.1 of The Planning System and Flood Risk Management - Guidelines for Planning Authorities (DoEHLG, 2009)

	Flood Zone A	Flood Zone B	Flood Zone C
Highly vulnerable development (including essential infrastructure)	Justification Test	Justification Test	Appropriate
Less vulnerable development	Justification Test	Appropriate	Appropriate
Water-compatible development	Appropriate	Appropriate	Appropriate

Other:

7.26 The relevant development controls and technical guidelines are set out in Chapter 16 of the County Donegal Development Plan 2024-2030, 'Technical Standards'. **Policy TS-P-1**, 'To require compliance with the following technical standards, where applicable, in addition to all other relevant policy provisions of this Plan and relevant Governmental guidance and standards.'

7.27 No other relevant designation considerations apply.

8.0 Assessment

8.1 It is considered that the key issues facing this application include:

- Principle of Development
- Siting and Design
- Residential Amenity
- Access/Traffic Safety
- Public Health
- Appropriate Assessment
- Flooding
- EIA Considerations

Principle of Development

8.2 The site lies within the settlement framework of Downings, a coastal village which functions as an important tourism destination on the Wild Atlantic Way. The existing use of the site as a public car park and toilet block serving the beach is long established. The proposal seeks to upgrade these existing public facilities, provide a modern watersports centre and enhance the beach access and public realm.

8.3 At national level, the NPF National Strategic Outcome "Enhanced Amenities and Heritage" seeks investment in recreational facilities and improved access to amenities, including coastal and marine assets, in a manner consistent with environmental protection. The National Tourism Policy 2015 and NMPF

explicitly support investment in physical visitor infrastructure, water-based recreation and improved public access to the marine area, subject to environmental safeguards. The proposed development directly implements these objectives by providing enhanced public amenities and supporting sustainable coastal tourism and water-based recreation in an established seaside village.

- 8.4 At regional level, the Northern & Western RSES recognises the region's premier tourism resources and seeks to support enhanced access to coastal assets and the upgrading of Wild Atlantic Way visitor infrastructure (Regional Policy Objectives (RPOs) 4.2, 4.4 and 4.5). The proposed upgrade to parking, public realm and beach access in Downings, a WAW settlement, is fully consistent with these objectives.
- 8.5 Locally, the CDDP's Marine Resource, Coastal Management and Islands policies (MRCM-O-1, MRCM-O-2, MRCM-P-1, MRCM-P-2 and MRCM-P-8) support the sustainable development of coastal tourism and recreation infrastructure at Blue Flag beaches, including improved public conveniences, changing facilities, parking and access. The proposal provides such infrastructure, delivering a modern facility centre and associated public realm works at a designated Blue Flag beach. The proposal also accords with Community and Tourism policies. CCG-O-1 and CC-P-1 support provision of recreational and community infrastructure within settlement boundaries at locations accessible on foot from local services. The site is within the heart of Downings, in easy walking distance of surrounding accommodation, services and the beach. TOU-P-1 and TOU-P-8 support development of strategic tourism experiences in line with the Wild Atlantic Way brand, provided landscape and environmental safeguards are met.
- 8.6 The proposal is therefore acceptable in principle and strongly supported by the national, regional and local policy framework, subject to the more detailed considerations below.

Siting and Design

- 8.7 The proposed facility centre for water sports building is located towards the southern half of the car park, set back from the R248 and orientated broadly east–west, with its lower mono-pitch roof form stepping towards the beach. The building height is modest relative to neighbouring buildings, including the adjoining hotel, resource centre and adjacent mobile homes
- 8.8 In terms of detailed design the architecture is contemporary with coastal-appropriate materials (e.g. concrete panels, durable cladding, high-level glazing) and a simple roof profile. The building is integrated into a comprehensive landscape and public realm scheme including tree and shrub planting, low stone planters, benches and high-quality hard surfacing, which will significantly enhance the visual character of what is currently an ad hoc hardstanding car park.
- 8.9 The site lies within an area of Especially High Scenic Amenity / High Scenic Amenity and along the Wild Atlantic Way. Landscape policies L-P-1 and L-P-2 require that only strategic or suitably scaled development that integrates with the landscape be permitted, while TOU-P-2 and TOU-P-3 resist development that would materially detract from scenic amenities along the WAW or from key tourism attractions. The proposal replaces an existing, visually poor toilet block and unstructured car park with a carefully designed, low-profile building and a

coordinated public realm scheme. It will enhance rather than detract from the village's visual character and the visitor experience, and is therefore considered to comply with these policies.

- 8.10 Town and village centre policy TV-P-3 encourages distinctive, high-quality buildings that respect the established streetscape and contribute to a quality public realm. While the building is set back from the R248, it forms part of the wider village centre and reads as a modestly scaled public building that improves legibility at the interface between the village and the beach. Tourism policy TOU-P-8 requires that tourism development be of high quality design, integrate successfully with the surrounding environment, and protect scenic and natural heritage assets. The proposed building and public realm are of high design quality, not visible from the main scenic viewpoints along the beach and coast, and are set within an already developed village context immediately adjacent existing caravan parks. The scheme is therefore considered to comply with TOU-P-8.

Residential Amenity

- 8.11 Considering the physical separation distances between the subject site and the neighbouring holiday park mobile homes no issues arise in relation to loss of privacy, overlooking or residential amenity. There are no windows from habitable rooms in facing elevations that would give rise to significant overlooking.
- 8.12 Community policy CC-P-2 and tourism policy TOU-P-8(g) require that community and tourism developments do not significantly impact on residential amenities, including through noise or traffic. The proposed use is comparable to the existing long-established public use (car park and toilets) and will not introduce new activities. It is therefore considered that the proposal will have no undue adverse impact on residential amenity and complies with CC-P-2 and TOU-P-8. The boundary treatment provided is considered to adequately mitigate and loss of amenity arising from the new building proposed and the upgrading of the car park and defined pedestrian routes and traffic management measures will improve safety and amenity for both residents and visitors.

Access/Traffic

- 8.13 Vehicular access to the site will continue to be taken from the R248. The car park layout has been redesigned to provide clearly delineated parking bays (including accessible spaces), improved circulation, raised platforms and defined pedestrian crossing points linking the village to the beach. The beach access lane is upgraded to provide a minimum 3m wide concrete vehicular route and a 2m wide segregated pedestrian footpath, with protective railings, bollards and high kerbing which significantly improving safety compared to the current shared and poorly surfaced arrangement.
- 8.14 The existing public right of way to Downings Beach is identified under PROW-O-1, which seeks to preserve access to the seashore and other places of natural beauty. The proposal retains and enhances this right of way through improved surfacing, segregation and accessibility, thereby fully complying with PROW-O-1.
- 8.15 Community policy CC-P-2(d), (e) and (f) and tourism policy TOU-P-8(j), (k) and (l) require that developments do not cause a traffic hazard, that the road

network can safely accommodate additional traffic, that adequate parking and manoeuvring areas are provided, and that a high level of pedestrian permeability and access is achieved. The proposal slightly reduces the amount of existing car parking spaces but significantly improves layout and pedestrian safety. Given the established level of use of the beach and village, the proposal will not materially increase traffic volumes, but will manage them more safely and efficiently and the enhanced pedestrian accessibility and provision of cycle space can help support modal shift. On this basis, the development is considered to be consistent with the above policies and with the technical standards of TS-P-1.

Public Health

- 8.16 The development will connect to existing public water supply and foul sewer networks, with new foul and stormwater pipes linking into the existing public systems as shown on the layout plan. Modern, accessible sanitary and changing facilities will significantly improve public hygiene and user welfare compared to the existing dated toilet block, particularly during peak tourism periods. Accordingly, the development is considered to comply with the relevant public health and servicing policies of the Plan.

Appropriate Assessment

- 8.17 The site directly adjoins Sheephaven SAC and lies within the zone of influence of other designated sites. In accordance with BIO-P-1 and the requirements of the Habitats and Birds Directives, a Natura Impact Statement (NIS) has been prepared to inform An Coimisiún Pleanála's Appropriate Assessment.
- 8.18 Having regard to the nature and scale of the development (replacement and enhancement of existing infrastructure on a brownfield site), the water-compatible character of the uses, the limited footprint of works and the mitigation measures proposed, the NIS concludes that the project will not, either alone or in combination with other plans or projects, adversely affect the integrity of any European site in view of their conservation objectives.
- 8.19 The Planning Authority accepts the findings of the NIS and is satisfied that, subject to the implementation of the identified mitigation measures the proposal complies with BIO-P-1 and with the requirements of Article 6(3) of the Habitats Directive.

Flooding

- 8.20 The Council's Strategic Flood Risk Assessment (SFRA) and OPW flood mapping indicate that the site lies within Flood Zone A, reflecting the coastal location and proximity to the tidal waters of Sheephaven Bay.
- 8.21 Under the Planning System and Flood Risk Management Guidelines (2009), the proposed use, car park, public realm, beach access and water sports facilities are categorised as water-compatible development, including "water-based recreation and tourism (excluding sleeping accommodation)" and "amenity open space, outdoor sports and recreation and essential facilities such as changing rooms". These uses are considered appropriate in Flood Zone A and are not subject to the Development Management Justification Test.
- 8.22 The CDDP policies F-O-1 and F-P-1 require that development does not give rise to unacceptable new flood risks or exacerbate existing risk, and that a precautionary approach be adopted utilising the "Avoid-Substitute-Justify-

Mitigate” sequence. In this case it is noted that the location at the interface between the village and the beach is functionally required for the proposed water-based recreation use. The development represents the replacement and upgrading of an existing toilet block, car park and beach access within the same footprint and flood zone, with no increase in vulnerability class and no significant change to ground levels or displacement of flood storage.

- 8.23 Given the water-compatible nature of the development, the like-for-like replacement of existing infrastructure and the absence of any intensification of flood-vulnerable use, it is considered that the proposal does not introduce any unacceptable additional flood risk nor exacerbate existing risks elsewhere within the catchment. In this context, and having regard to the “where appropriate” wording of F-P-1, a separate standalone site-specific Flood Risk Assessment is not considered necessary. Flood risk has been appropriately addressed through the design process, the setting of finished floor levels. The development is therefore considered to comply with F-O-1, F-P-1 and the Flood Risk Management Guidelines.

Environmental Impact Assessment

- 8.24 Having regard to the limited scale of the proposed development and location of the site, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

9.1 Conclusion

- 9.1 Having regard to the location of the subject site within the settlement of Downings, and its long-established use as a public car park and toilet block, the modest scale and high quality of the proposed water sports facility building and associated public realm, it is considered that the proposed development would not injure the amenities of the area, would not be prejudicial to public health and would not endanger public safety by reason of a traffic hazard. Accordingly it is considered that the proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.
- 9.2 The proposal will deliver a much-needed upgrade to public sanitary and changing facilities, provide a dedicated water sports hub, enhance public realm and beach access, and improve the overall visitor and community experience in Downings, thereby supporting the economic, social and tourism vitality of the area in a manner consistent with environmental protection.
- 9.3 Accordingly, the 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. It is therefore recommended that An Coimisiún Pleanála approves the proposed development under Section 177AE of the Planning and Development Act 2000 (as amended), with such conditions as it considers appropriate.



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