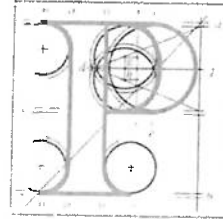


**Our Case Number:** ACP-324272-26

**Your Reference:** John O'Malley



An  
Coimisiún  
Pleanála

Barron O'Donnell LLP Solicitors  
1st Floor  
Cedar House  
Mainstreet  
Ballybofey  
Co. Donegal  
F93 RI58

**Date:** 24 July 2026

**Re:** Proposed TEN-T Priority Route Improvement Project  
all routed along the electoral divisions of Dooish, Stranorlar, Convoy, Lettermore, Magheraboy,  
Letterkenny Rural, Manorcunningham, Kincraig, Treantaghmucklagh, Feddyglass, Clonleugh  
North, and Clonleugh South, all in County Donegal

Dear Sir / Madam,

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

Please note that the proposed road development shall not be carried out unless the Commission has approved it or approved it with modifications.

If you have any queries in relation to this matter please contact the undersigned officer of the Commission at [laps@pleanala.ie](mailto:laps@pleanala.ie)

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

Teil  
Glao Áitiúil  
Láithreán Gréasáin  
Ríomhphost

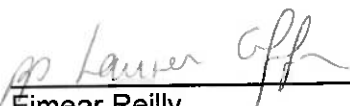
Tel  
LoCall  
Website  
Email

(01) 858 8100  
1800 275 175  
[www.pleanala.ie](http://www.pleanala.ie)  
[communications@pleanala.ie](mailto:communications@pleanala.ie)

64 Sráid Maoilbhríde  
Baile Átha Cliath 1  
D01 V902

64 Marlborough Street  
Dublin 1  
D01 V902

Yours faithfully,



Eimear Reilly  
Executive Officer  
Direct Line: 01-8737184

HA02C

Teil  
Glao Áitiúil  
Facs  
Láithreán Gréasáin  
Ríomhphost

Tel  
LoCall  
Fax  
Website  
Email

(01) 858 8100  
1800 275 175  
(01) 872 2684  
[www.pleanala.ie](http://www.pleanala.ie)  
[communications@pleanala.ie](mailto:communications@pleanala.ie)

64 Sráid Maoilbhríde  
Baile Átha Cliath 1  
D01 V902

64 Marlborough Street  
Dublin 1  
D01 V902

# BARRON O'DONNELL LLP

## SOLICITORS

1st Floor, Cedar House, Main Street, Ballybofey, Co. Donegal, F93 R158, DX 63007 Ballybofey  
Tel: 074 91 89400 | Fax: 074 91 89401 | Email: info@bods.ie | VAT Registration No. 9655389P

An Coimisiun Pleanala  
64 Marlborough Street  
Dublin 1  
D01 V902

|                       |              |
|-----------------------|--------------|
| AN COIMISIUN PLEANALA |              |
| LDG-                  | _____        |
| ACP-                  | _____        |
| 10 JUL 2026           |              |
| Fee: €                | Type: _____  |
| Time: 11/7            | By: bte 11/7 |

Our Ref: EOD/DMcE/OMALMI001.1.6325

9<sup>th</sup> July 2026

**Our Client: John O'Malley**

**Re: Objection/Submission Section 51 of the Roads Act 1993**

Dear Sir/Madam,

We are instructed by John O'Malley of Dunwiley, Stranorlar, County Donegal make the following objection in respect of the application by Donegal County Council to compulsory acquire part of his lands which has been identified as being required in respect of the Donegal County Council TEN-T Priority Route Improvement Project, Donegal Compulsory Purchase Order 2026 and where the lands of which he owns are identified within the schedule to the Compulsory Purchase Order and where he is identified as the owner of the said lands.

Until the documentation was published, our client was unaware that any of his lands were affected or that any of his lands was required as part of the implementation of the said Priority Route Improvement Project.

We are aware that there is an application of Donegal County Council to engage with all persons who are directly and materially affected and our client is aware that the Council have engaged with other landowners both directly and indirectly but our client was not informed of any proposals that his lands were included and that this is a requirement that must be complied with before the making of an application and specifically where the Council intend to compulsory acquire land which our client owns. We cannot understand why our client was not made aware and only through his own investigations did he discover that his lands had been identified as both necessary and appropriate for the implementation of the said scheme.

The scheme requires an environmental impact assessment, and it is a necessary precondition of any such environmental impact assessment report which is required to be prepared by the County Council and that there be consultation and involvement of people affected by the proposal at the earliest possible stage. No such consultation was conducted with our client in respect of the requirements for the preparation of the environmental impact assessment report which must be based in part on a consideration in respect of our client's lands. There was no such engagement and we are at a loss to know why, not only in

respect of the Compulsory Purchase Order but in respect of the approval for the said scheme which a necessary part of which approval is to show compliance with all the County Councils' obligations under the environmental impact assessment directive and that no such consultation or engagement took place. From our reading of the documentation, which is totally confused, it would have been impossible for our client to have discovered that his lands were being contemplated and that he could not have discovered that his lands were to be included until the schedule to the Compulsory Purchase Order was made and published. Therefore, the earliest date that our client could have been aware was sometime in the middle of May 2026.

There appears from what we have set out above, that no consideration of the effect of this acquisition on our client, on his family or on the farm which these lands are to be compulsory acquired from. It also appears that there is no documentation evidencing any engagement with our client as a landowner or considering the effects that any compulsory acquisition or the environmental effects of the scheme would have upon our client's property.

Our client has endeavoured to examine at very short notice the documentation published which appears to relate to separate and distinct schemes and where it is difficult to disentangle in respect of the Ballybofey bypass which is that part of the scheme effecting our client's lands either in the environmental impact assessment report, in the natura impact statement or in the documentation grounding the application to have the Compulsory Purchase Order confirmed or in the application under Section 51 relating to these lands. We say that our client has sought to examine the maps but finds the scale and detail and extent of those maps completely inadequate to deal with the description of the works and specifically how these works are likely to impact on our client's lands and in those circumstances we would require an explanation from Donegal County Council as to why, in respect of a proposal to compulsory acquire part of our client's lands that they have dealt with these lands as if the application for confirmation of the Compulsory Purchase Order was simply a formality that our client did not need to be informed that these lands did not need to be considered and that the Commission would simply rubber stamp their application merely because they requested it.

Because of the lack of any analysis our client is not in a position to engage with the detail of the scheme because that does simply not exist and therefore our client would request the board when they convene an oral hearing to deal with the Compulsory Purchase Order to afford our client an opportunity to clarify why the Council have adopted the approach which they have, to give appropriate and detailed information as to the nature of the scheme works that are being proposed in the vicinity of our client's property, to have these works the subject matter of a proper assessment in accordance with the obligations in the environmental impact assessment directive and that they be considered in the context of the natura impact statement and produce these on a map and in a narrative that is capable

of being understood in accordance with the obligations contained in the non-technical summary requirements of the environmental impact assessment directive.

We understand that our client is not required to pay a fee in those circumstances and that there is no additional fee required for an oral hearing. Therefore, we are formally requesting that our client be given an opportunity to obtain clarification in respect of a fundamentally deficient and unfair procedure that has been adopted by the acquiring authority in respect of our client's lands and in respect of their obligations under the scheme.

We would request that the board treat this as an objection both to the Compulsory Purchase Order and to the approval under Section 51 and treat the submissions as if they were separately made.

Yours faithfully,

Barron O'Donnell LLP  
Barron O'Donnell LLP