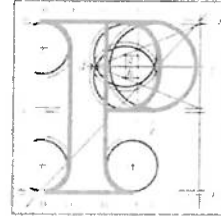


Our Case Number: ACP-324272-26

Your Reference: Michael O'Malley



An
Coimisiún
Pleanála

Barron O'Donnell LLP Solicitors
1st Floor
Cedar House
Mainstreet
Ballybofey
Co. Donegal
F93 R158

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

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

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64 Marlborough Street
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Yours faithfully,



Eimear Reilly
Executive Officer
Direct Line: 01-8737184

HA02C

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An Coimisiun Pleanála
64 Marlborough Street
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AN COIMISIUN PLEANALA
LDS
ACP-
10 JUL 2026
Fee: € Type:
Time: 16:14 By: HM

Our Ref: EOD/DMcE/OMALMI001.1.6325

9th July 2026

Our Client: **Michael O'Malley**
Re: **Objection/Submission Section 51 of the Roads Act 1993**

Dear Sir/Madam,

We act for Michael O'Malley of Ballybofey, County Donegal and we hereby make a submission in respect of an application made under Section 51(3)(a) of the Roads Act, 1993 in relation to an application for approval of a proposed development which development comprises TEN-T Priority Route Improvement Project – Donegal which development is of such size and scale as to require to be the certain matter of an environmental impact assessment under Council Directive 2011/92/EU and to be the certain matter of an appropriate assessment under Council Directive 92/43 and in respect of which a natural impact statement has been submitted.

The grounds of this submission together with the arguments and considerations relating thereto are set out hereunder.

The project the certain matter of the application for approval has been inadequately described in the public notices required to be published under the relevant and domestic and European law provisions wherein the project appears to contemplate three separate and distinct projects in that the project comprises the N15/N13 Ballybofey/Stranorlar urban region, N56/N13 Letterkenny to Manorcunningham and N14 Manorcunningham to Lifford/Strabane and as well as implicit approval for the TEN-T Priority Route Improvement Project – Donegal which must implicitly seek approval or consent in principle for that scheme and whereby the various sections of the road provide for the starting point and terminus of the unsubmitted sections and whereby this approach pre-determines the scheme linking all of these routes without addressing for the purposes of the environmental impact assessment directive and the habitat directive the direct and indirect and cumulative impacts of the overall road scheme.

The proposed scheme therefore as submitted in terms of the project which isolates three separate and distinct projects one from the other and which are at a considerable distance and unrelated even in respect of the extent of roads to which they relate is fundamentally misconceived.

The appropriate approach should have been to identify a section of each of the three routes which have been included in a composite application and allow for the Commission to address through an appropriate environmental impact assessment report and an appropriate natura impact statement the likely environmental effects of this development and carry out the assessment for the purposes of Section 51. This is impossible given the complexity of the exercise that the Commission is now forced to deal with.

It is impossible, for example, to deal with the indirect effects of three separate projects all of which are capable of having to address such a range of impacts within a single application that it is impossible to engage with these issues in the form that the application has now been made.

We respectfully submit that this application in the form that has been submitted, renders any public engagement impossible, creates a level of confusion that is inimitable to proper public participation and requires that the various sections of road be disentangled one from the other and that an environmental impact assessment report and a natura impact statement in respect of each section be submitted.

Our client acknowledges and supports the broad objective of the scheme in terms of improving road safety, connectivity and regional infrastructure but each of these sections located sometimes as far apart as 20 kilometres or longer cannot be lumped together in the way that this application has been formulated, which is entirely unnecessary and inappropriate and for example, our client other than in general terms supporting the broad objectives has no direct interest in the Letterkenny/Manorcunningham or the Lifford/Strabane sections and it is inappropriate and unfair to create this level of complexity in a project which requires to be dealt with given the disparity and impacts within the different regions of the scheme separately. It is submitted respectfully, creates an impossible and very difficult exercise for the commission to adequately comply with its obligations to consider the impacts both direct, indirect and cumulative in respect of the EIA directive and the direct and in combination effects for the purpose of the habitat directive as well as at the same time consider the TEN-T Priority Route Improvement Project and it is submitted makes the position of our client in trying to engage in these matters, virtually impossible.

As a consequence given how far the spread of these projects extend and the extensive impacts that are required to be identified, the impact on our client's lands, on our client as a human being, on our client's material asset namely his farm, has not been addressed adequately or at all and certainly not to the standard that is required under the Environmental Impact Assessment directive. As the commission is aware, the environmental impact assessment report requires an identification of all likely significant effects and when one considers the effect on our client's farm, on his health and wellbeing and on his right to earn a livelihood and the absence of any appropriate consideration of these matters which

would clearly be identified as appropriate levels of consideration given their significance. The extent of the project as now submitted has resulted in only the most superficial analysis of these types of effects and certainly not adequate to comply with the level of detail which the terms "significant effects", and "adverse effects" and "appropriate mitigation measures" which are required to be formulated in respect of any such effects require.

Equally, the issue of alternatives in respect of our client's land has not been addressed and while at an early stage there were proposals to provide overpasses and internal access routes, these do not appear to have found their way into the environmental impact assessment report as real issues and this is particularly serious where the County Council must, at the earliest possible stage, address the issue of alternatives and state the environmental reasons why a particular option was not addressed. While the extensive documentation is very voluminous and we have endeavoured to try to address where these issues are considered, we have not been able to find in an accessible form, any consideration of these issues, relative to our client's farm and we are concerned that this issue appears not to have been addressed.

At the most fundamental level, Donegal County Council needs to explain why it has chosen to put three separate geographically distinct and environmentally very different locations into a single application and why it did not seek to make single separate applications in respect of Ballybofey, in respect of Letterkenny/Manorcunningham and in respect of the Lifford/Strabane scheme and it is in our experience unprecedented that a public authority would seek to require the public to engage in such an extent of an area and request that the commission address the range of effects both direct and indirect across such a spectrum and render it impossible for people in the position of our client to disentangle the impacts stretching to Letterkenny to Strabane to Ballybofey and all points in between as well as considering the status of the TEN-T Priority Route Improvement Project and what its status is for the purposes of this application.

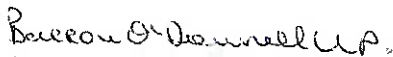
This is a project that requires to be the subject matter of an oral hearing where the Council can explain in respect of the specific issues that arise, the basis upon which they consider this could ever comply with the public participation requirements of the environmental impact assessment directive. Even, if one reads the non-technical summary, it is virtually impossible to understand the nature of this scheme or to get a grasp of the extent of the matters that are effected and the superficial analysis which arises by virtue of the extent of the area which the environmental impact assessment report is required to address as is the case also with the natura impact statement, means that the level of detail which the commission require in terms of the information can never be such as to be complied with. Accordingly, we would respectfully submit specifically in respect of the impact on our client but equally in respect of the totality of the scheme as a whole that this application either be rejected or that the board convene a hearing which seeks to address specifically each of the three areas and allow for public participation in a manner consistent with the environmental impact assessment directive and which as is often the case with the commission create three

modules namely a hearing in respect of Letterkenny/Manorcunningham, a hearing in respect of Lifford/Strabane and a hearing in respect of Ballybofey and our client would be in a position to participate in respect of Ballybofey and would have little or no interest in Letterkenny/Manorcunningham and/or Lifford/Strabane and it is anticipated that the public generally would apart from broad issues on principle be confined to concerns in respect of each of the three areas but to propose that the public will engage with all three in written submissions is simply fundamentally inconsistent with the directive, and it does not have the information provided at a level of detail or in a form that is accessible to permit that engagement. It may be at the discretion of the Board more appropriate to reject the scheme and request that an appropriate submission be made with the three areas properly the subject matter of its own environmental impact assessment which, we would respectfully submit, be equally acceptable.

In those circumstances our preliminary application in respect of this project is for either the application to be rejected or for the board to convene an oral hearing and direct that three modules would be identified for hearing that is, Ballybofey, Letterkenny/Manorcunningham and Lifford/Strabane and our client would fully participate in that part of the scheme that he is directly and adversely effected by but cannot put the matter any further at this stage given the scale and extent of what would be required to properly participate in the schemes environmental impact assessment and appropriate assessment procedures.

We await hearing from you with your decision as to how the ⁶commission wish to proceed.

Yours faithfully,



Barron O'Donnell LLP