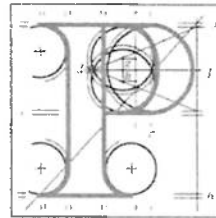


Our Case Number: ACP-324568-26



**An
Coimisiún
Pleanála**

Marie McManus
Corveen
Lough Eske
Donegal Town
County Donegal

Date: 21 September 2026

Re: Proposed Development of the Barnesmore Gap Greenway Project
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.

Yours faithfully,

Lauren Griffin
Executive Officer
Direct Line: 01-8737244

HA02C

Tel
Glaó Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

Tel
LoCall
Facs
Website
Email

(01) 858 8100
1800 275 175
(01) 872 2684
www.pleanala.ie
communications@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

To:

An Coimisiún Pleanála
64 Marlborough Street
Dublin 1
D01 V902

AN COIMISIÚN PLEANÁLA	
LDG-	_____
ACP-	_____
21 SEP 2026	
Fee: €	Type: _____
Time: 9:15	By: Reg post

Date: 17 September 2026

Re: Donegal County Council (Barnesmore Gap Greenway Project) Compulsory Purchase Order 2026

Property: Corveen, Lough Eske, Donegal Town, County Donegal.

Land Owner Reference: 1127

FORMAL OBJECTION TO THE COMPULSORY PURCHASE ORDER

Dear Sir/Madam,

We hereby make a formal objection to the confirmation of the Donegal County Council (Barnesmore Gap Greenway Project) Compulsory Purchase Order 2026 ("the CPO") insofar as it affects our property at Corveen Lough Eske Donegal Town.

We respectfully request that this objection be treated as an objection to the necessity, extent, justification and proportionality of the proposed compulsory acquisition, and to the proposed works and arrangements insofar as they materially affect our property, access, privacy, safety and residential amenity.

We do not consider that the information presently available adequately demonstrates that the compulsory acquisition of the land and/or rights affecting our property is necessary for the proper delivery of the stated project, or that the particular impacts upon our property have been adequately addressed.

1. Statutory context and necessity for compulsory acquisition

We understand from the published CPO notice that the Council seeks compulsory acquisition of lands and rights for the purposes of the proposed Barnesmore Gap Greenway, which is described as an active travel route between Donegal Town and Ballybofey/Stranorlar, together with associated amenities and ancillary and consequential works.

Compulsory acquisition is an exceptional interference with private property rights. In circumstances where the Council is seeking to take land and/or acquire rights compulsorily, we submit that it should be required to demonstrate clearly:

- precisely what land and rights are required;
- the precise purpose for which each acquisition is required;
- why each acquisition is necessary for that purpose;

- why the proposed extent of acquisition is no greater than reasonably necessary;
- why alternative alignments or arrangements have been rejected;
- how existing property access will be maintained;
- how the substantial impacts on the affected property will be mitigated; and
- why the interference with our property rights is justified and proportionate.

We do not believe that these matters have been adequately demonstrated in relation to our property.

2. Fundamental lack of clarity concerning the extent and practical effect of the CPO

A fundamental concern is the lack of clarity regarding the precise physical extent of the proposed works and their practical effect on our property.

On 30 August 2026, we contacted Donegal County Council and specifically requested that the Council physically mark out on site the intended works. See email attached.

This was an entirely reasonable request given the nature and extent of the proposed intervention and the potentially permanent consequences for our property.

To date, we have received no acknowledgement of that request, and no action has been taken.

We are therefore being required to object to a compulsory acquisition which will have potentially permanent consequences for our property without having been provided with an adequate opportunity to establish the precise physical extent of the proposed works on the ground. We believe the CPO map provided is confusing and incorrect when compared to the map for folio DL49615F and requires correction.

We respectfully submit that this is a material matter for the Commission when considering whether the proposed acquisition is necessary, proportionate and sufficiently defined.

We specifically request that the Commission require the Council to identify clearly:

1. the exact boundaries of the land proposed to be acquired;
2. the precise location and width of the proposed Greenway;
3. the location of fencing, walls, gates and other boundary treatments;
4. the location of all access points;
5. proposed construction access;
6. temporary land requirements;
7. the proposed arrangements for our existing access;
8. the proposed alterations to the Lough Eske bridge and adjoining road;
9. any proposed drainage, lighting, signage or other infrastructure; and
10. all other permanent or temporary works that may affect our property.

Until these matters are clearly established, we submit that it is difficult to demonstrate that the particular extent of compulsory acquisition proposed is necessary.

3. The particular route through the Lough Eske area requires specific justification

We understand that the overall purpose of the Barnesmore Gap Greenway is to provide an active travel route between Donegal Town and Ballybofey/Stranorlar.

However, our property lies on the Lough Eske loop/section of the proposed route.

This section does not simply utilise an abandoned railway alignment. Instead, the proposed route in this area is for a large part through private property and, as we understand it, includes land associated with the Lough Eske/Ardnamona Special Area of Conservation.

The Council should therefore be required to demonstrate why this particular alignment is necessary and why alternative alignments capable of achieving the stated project objective have not been adopted.

The fact that a wider Greenway between two towns may be desirable does not, of itself, establish that every particular parcel of privately owned land along the selected alignment must be compulsorily acquired.

We respectfully ask the Commission to examine whether the proposed acquisition of our land is genuinely necessary to achieve the project objective, or whether the same objective could reasonably be achieved by an alternative alignment or alternative engineering solution involving materially less interference with private property.

4. Proportionality and interference with private property

The proposed works would represent a substantial and permanent change to the relationship between our home and the surrounding land.

At present, our property is situated in a quiet rural environment with a significant degree of privacy.

The proposed Greenway would introduce a permanent public route running parallel to the full frontage of our property.

This would expose our home and private residential space to continuous public activity immediately adjacent to it.

The resulting effects include:

- loss of privacy;
- increased pedestrian and cycling activity;
- increased noise and disturbance;

- increased potential for trespass;
- increased potential for inappropriate parking;
- increased traffic movements;
- changes to established access;
- construction disturbance; and
- a fundamental alteration of the rural residential character of the property.

We submit that these impacts require particular consideration when determining whether the proposed acquisition is proportionate.

5. Existing access to the rear of our property

We have used access to the rear of our property for 20 years.

The proposed changes associated with the Lough Eske bridge and road arrangements give rise to serious concerns regarding our continued ability to use this access safely and practically.

Any interference with this established access would materially affect the use and enjoyment of our property.

We request that the Council be required to provide a clear, legally enforceable and physically workable proposal demonstrating that our existing access will be retained or, if that is not possible, that an equivalent alternative access will be provided.

A general assurance that access will be maintained would not be sufficient. The precise access arrangements should be identified on the plans and established before the CPO is confirmed.

6. Proposed reduction of Lough Eske bridge to single-lane traffic

We strongly object to the proposed reduction of the existing two-lane Lough Eske river bridge to a single lane for vehicular traffic insofar as it affects our property and our ability to safely access and use our home.

The existing bridge is already constrained and, in our experience, is barely capable of accommodating two cars passing.

We use this bridge regularly by vehicle, on foot and by bicycle.

Reducing the bridge to a single lane will inevitably introduce additional traffic management and queuing.

This concern is particularly significant because the Greenway itself will introduce additional pedestrian and cycling activity into an already constrained location.

We ask the Commission to require the Council to provide a detailed assessment addressing:

- existing traffic volumes;
- existing bridge capacity;
- anticipated future traffic;
- anticipated Greenway pedestrian and cycling numbers;
- vehicle queuing;
- emergency vehicle access;
- pedestrian safety;
- cyclist safety;
- school and bus traffic where relevant;
- HGV movements; and
- the effect of the proposed single-lane arrangement on adjoining residential properties.

7. Anticipated traffic queues and disturbance immediately outside our home

The proposed single-lane arrangement creates a foreseeable risk of traffic being stopped and queued in front of our property.

During busy periods, cars, buses and trucks could be required to wait for the controlled flow of traffic.

This would create an ongoing source of:

- noise;
- vehicle emissions;
- obstruction;
- visual disturbance;
- pedestrian and traffic safety concerns; and
- interference with our ability to enter and leave our property.

This is not merely a temporary construction impact. It would arise from the permanent operational arrangement proposed for the road.

We therefore request that the Commission specifically consider the effect of this arrangement on our residential amenity and property access.

8. Permanent loss of privacy

The proposed Greenway will run alongside the full frontage of our property.

This is of particular concern because people using the Greenway will have direct views towards our home.

People will be able to see into areas of the property that are currently private, while users of the Greenway will themselves be visible from our home, including from our front living room and bedrooms.

The effect is therefore a permanent loss of privacy rather than a temporary inconvenience.

We submit that this impact should be properly assessed as part of the consideration of whether this particular alignment and acquisition are justified.

We request that consideration be given to alternative alignments and/or appropriate screening and separation measures.

9. Two public access points immediately adjacent to our property

We understand that two public entry points to the Greenway are proposed adjacent to our property.

This creates particular concerns regarding:

- parking;
- obstruction of our property;
- noise;
- litter;
- anti-social behaviour;
- trespass; and
- general disturbance.

Trespass onto our private property has occurred previously.

The creation of two public access points immediately adjacent to our home creates a foreseeable increased risk of such incidents.

We therefore ask the Commission to require the Council to demonstrate precisely how these access points will operate, including:

- parking arrangements;
- signage;
- enforcement;
- fencing;
- boundary protection;
- opening/access arrangements;
- pedestrian movements;
- provision for emergency access; and
- measures to prevent vehicles and Greenway users interfering with our property.

10. Construction impacts

We are also seriously concerned about the construction phase.

If the area in front of our property is used for construction access, we will be subjected to potentially prolonged:

- heavy vehicle movements;
- noise;
- dust;
- vibration;
- lighting;
- construction traffic;
- temporary obstruction; and
- general disruption.

The Council's published information indicates that, subject to the necessary statutory and procurement processes, construction is not anticipated to commence before 2028.

Given the anticipated duration and scale of the project, these impacts cannot reasonably be regarded as insignificant.

We request that detailed construction access and traffic management arrangements be provided, including proposed working hours, construction routes, temporary land requirements and measures to protect our property and residential amenity.

11. Environmental and European-site considerations

We understand that the proposed route in the Lough Eske area has a relationship with lands associated with the Lough Eske/Ardnamona Special Area of Conservation.

The statutory project documentation includes both an Environmental Impact Assessment Report and a Natura Impact Statement.

We ask that the Commission carefully consider whether the particular alignment and works affecting our property have been adequately assessed in the environmental documentation, including the cumulative effects of:

- the Greenway;
- increased public access;
- associated road alterations;
- bridge works;
- construction activity;
- parking/access arrangements; and
- increased human activity in this sensitive rural environment.

We reserve the right to make a separate and more detailed submission on the environmental and Natura matters if required.

12. Need to consider alternatives

We respectfully request that the Commission consider whether reasonable alternatives have been adequately examined in relation to this particular section of the route.

This is especially important because the proposed alignment through this area would impose a substantial and permanent burden on our property.

The question is not simply whether the Greenway as a whole has a public benefit.

The relevant question is whether this particular acquisition of this particular property, in this particular form, is necessary to achieve the stated public objective, and whether the same objective could reasonably be achieved with less interference with private property rights.

We respectfully submit that the Council has not adequately demonstrated this.

13. Public benefit versus private impact

We recognise the general public benefits that may arise from walking and cycling infrastructure.

However, those general benefits must be considered against the very substantial and site-specific impact on our property.

In our case, the proposed works would transform the immediate environment of our home from a quiet rural setting into one directly adjoining a public pedestrian and cycling route, with associated road and traffic changes.

The impact would be permanent and would extend beyond the land physically acquired.

It would affect the enjoyment, privacy, security, access and residential amenity of the retained property.

The fact that a project may provide wider public benefits does not remove the need to establish that the particular compulsory acquisition affecting our property is necessary and proportionate.

14. Diminution in amenity and value of retained property

The proposed works will substantially alter the characteristics of our retained property.

The combination of:

- permanent public access immediately alongside our home;
- loss of privacy;

- increased noise and disturbance;
- increased pedestrian and cyclist activity;
- increased traffic;
- potential vehicle queues;
- changes to the bridge;
- potential interference with established access;
- increased risk of trespass;
- additional public access points; and
- construction impacts

will materially diminish the amenity and enjoyment of our property.

We anticipate that these factors will also result in a significant diminution in the market value of our retained property.

We acknowledge that the determination of compensation is a separate matter from the Commission's consideration of whether to confirm the CPO. Our point here is not to invite the Commission to determine compensation, but to demonstrate the substantial nature of the interference with our retained property and the importance of properly considering whether the acquisition and proposed alignment are justified and proportionate in the first place.

15. Request for an Oral Hearing

Given the number and significance of the issues raised in this objection, including the questions concerning the precise extent of the acquisition, access, road safety, bridge arrangements, privacy, environmental considerations, alternative routes and the permanent impact on our property, we respectfully request that An Coimisiún Pleanála exercise its discretion to hold an oral hearing.

We believe that an oral hearing would provide an appropriate opportunity for these site-specific matters to be examined properly and for the Council to answer questions concerning the necessity and extent of the proposed acquisition.

16. Information and documentation requested

Before the Commission determines the CPO, we respectfully request that the Council be required to provide or identify clearly:

1. The precise CPO map and land take affecting our property;
2. The exact proposed Greenway alignment;
3. Detailed cross-sections showing the relationship between the Greenway and our property;
4. Details of all permanent and temporary land acquisition;
5. Details of all proposed rights of way;

6. Details of all proposed public access points;
7. Detailed proposals for maintaining our existing rear access;
8. Detailed proposals for the Lough Eske bridge;
9. Traffic and road safety assessments;
10. Construction traffic and access proposals;
11. Proposed mitigation for noise, dust and disturbance;
12. Proposed fencing, screening and privacy measures;
13. Details of parking arrangements associated with the Greenway;
14. Details of how trespass and inappropriate parking will be addressed;
15. The relevant environmental assessment of the works affecting this location; and
16. The alternatives considered for this section of the route and the reasons for rejecting them.

17. Conclusion and formal objection

For all of the reasons set out above, we strongly object to the confirmation of the Donegal County Council (Barnesmore Gap Greenway Project) Compulsory Purchase Order 2026 insofar as it affects our property and associated rights.

We respectfully submit that the Council has not adequately demonstrated that the proposed compulsory acquisition of our property and/or rights is necessary, that the extent of the acquisition is no greater than reasonably required, or that the particular interference with our property is justified and proportionate having regard to the significant permanent impacts identified above.

In particular, we ask the Commission to give careful consideration to:

- the absence of a response to our request of 30 August 2026 for the works to be physically marked out;
- the lack of sufficient clarity regarding the precise extent of the proposed works;
- the necessity for this particular route through the Lough Eske area;
- the availability of alternative alignments;
- the impact on our established access;
- the proposed single-lane arrangement at Lough Eske bridge;
- the resulting traffic and safety implications;
- the permanent loss of privacy;
- the two proposed public access points adjacent to our home;
- the increased risk of parking, nuisance and trespass;
- the construction impacts;
- the environmental sensitivity of the area; and
- the substantial permanent impact on the amenity and enjoyment of our retained property.

We therefore respectfully request that the Commission refuse to confirm the CPO insofar as it affects our property, or alternatively that the affected lands, rights and/or works be materially modified so as to avoid or substantially reduce the interference with our property and existing access.

We further request that, should the Commission be minded to consider confirmation of any part of the CPO affecting our property, the Council be required to provide the detailed information and assurances requested above and that the matter be considered at an oral hearing.

We reserve all rights in respect of the CPO, the proposed development, our property and any existing rights of access and other rights attaching to or benefiting our property.

Yours faithfully,

Marie McManus. 17/9/26

Marie McManus

Corveen, Lough Eske, Donegal Town, County Donegal.

Mobile 087 6215515

Email michaelpmcmanus@gmail.com



Michael McManus <michaelpmcmanus@gmail.com>

Barnesmore Gap Greenway. Landowner Ref 1127

1 message

Michael McManus <michaelpmcmanus@gmail.com>

Sun, Aug 30, 2026 at 12:22 PM

To: Brian.Reid@dnrdo.ie

Dear Sir,

With reference to your correspondence on the 12th of August regarding the Barnesmore Gap Greenway CPO. For clarity, I request that the Council physically mark out on site the exact location and extent of the impact to my property by this CPO.

Yours sincerely Marie McManus 087 6215515

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Thank you and Best Regards.

Michael McManus.