AN BORD PLEANÁLA
LDG- 055001-22
ABP-
04 JUN 2022
Fee: € 220 Type:
Time: By: Regpost

Sean O'Carroll Street
Ardee
Co. Louth
A92 PP48

29.06.2022

The Secretary,
An Bord Pleanala,
64 Marlborough Street,
Dublin 1,
D01 V902

Re : Section 5 Declaration issued by Donegal County Council (Ref. S5 22/13) for a roofed structure for the housing of donkeys and associated dry storage at Ballycharry, Lecamey, Culdaff, Co. Donegal.

Dear Sirs,

Further to my telephone conversation with your Mr Pierce Dillon on the 9th of May 2022, I write to refer the above Declaration of Exempted Development issued by Donegal County Council to me under Section 5 of the Planning and Development Act 2000 (as amended) to you for your consideration.

I enclose my Letter of Application for Referral with the following Appendices :

1. 1.1 Location Map (S5 22/13)
   1.2 Site Map (S5 22/13)
   1.3 Elevation (S5 22/13)
2. 2.1 Declaration Letter (S5 22/13)
   2.2 Declaration Letter and Case File (S5 21/05)
   2.3 Site Map (S5 21/05)
   2.4 Elevations (S5 21/05)
3. Maps highlighting Scenic Amenity Designation
4. Photographs of Site & Inishowen 100 Route Map
5. 5.1 Planning Rejection (20/51034)
   5.2 Planning Rejection (22/50522)
6. Photographs of Site Access
7. Map highlighting Special Area of Conservation
8. Map highlighting Adjacent Watercourse
9. Lighting Guidelines for Stables
10. Screenshot of Listing For Sale
11. €220 in respect of your Fee

AN BORD PLEANÁLA
LDG- 055001-22
ABP-
04 JUL 2022
Fee: € 220 Type:
Time: By: Regpost

I trust all is in order. Please get in touch if I can be of any further assistance.

Regards,

Dr DC Matthews

Sean O'Carroll Street
Ardee
Co. Louth
A92 PP48

29.06.2022

The Secretary,
An Bord Pleanala,
64 Marlborough Street,
Dublin 1,
D01 V902

Re : Section 5 Declaration issued by Donegal County Council (Ref. S5 22/13) for a roofed structure for the housing of donkeys and associated dry storage at Ballycharry, Lecamey, Culdaff, Co. Donegal.

Dear Sirs,

I write to refer the above Declaration of Exempted Development issued by Donegal County Council (DCC) to me for your consideration. There has been a previous Declaration (Ref. S5 21/05) issued in this matter to a third party. However, following discussions with Mr. Pierce Dillon of your Legal Team, I understand referring a Declaration issued to me is the only mechanism available to challenge this decision outwith a Judicial Review.

My Location Map, Site Layout, Architect's Drawings (Appendix 1) and Copy of Declaration issued to me (Appendix 2.1) are attached together with Copies of the previous Declaration and Case Files furnished to me by DCC relating to that application (Ref. S5 21/05) (Appendix 2.2, 2.3, 2.4). You may wish to obtain copies of the case files relating to my Declaration (Ref. S5 22/13) yourselves - I trust they are equivocal and see no value in my delaying this referral further to obtaining copies myself.

In essence, I disagree with the opinion that the above development is exempt from planning permission on the following grounds :

1. Development in an Area of High Scenic Amenity.

The subject stable and barn lie within a designated area of High Scenic Amenity and abuts an area of Especially High Scenic Amenity (Appendix 3). There has been no such structure in this or any adjacent land previously. This building would be very conspicuous, visible from the adjacent road (part of the ever popular Inishowen 100 Tourist Trail) in both directions (Appendix 4) and would in no way complement or enhance the surrounding vernacular.

It is explicit in DCCs County Development Plan (CDP) that development in these areas should 'conserve, protect and enhance the County's natural … heritage'. Failing to

preserve/enhance scenic amenity as per the CDP was cited as one of the reasons why a prior planning application (Planning Ref 20/51034) (Appendix 5.1) by this landowner was refused in a location close to the current site. It too was in an area of High Scenic Amenity.

DCCs assessment of this case does not acknowledge that it lies in an Area of High Scenic Amenity, fails to reference recent similar refused planning applications (Planning Refs 20/51034 & 22/50522) (Appendix 5.1 & 5.2) in the locale and contravenes the objectives of their own CDP.

2. Lack of design and material details.

The plans submitted to DCC suggest that the proposed development would have a 'fine dash finish to walls', 'grey metal cladding roof and partial side walls' and 'transparent panel inserts in cladding'. No further detail of the materials to be used or potential construction methods have been provided to or sought by DCC.

Following on from (1.), any proposed development in an area of High Scenic Amenity should receive a greater degree of material scrutiny than demonstrated here. I am concerned that the proposed building would be totally incongruous with its surroundings. There has been no effort to ensure that the design and materials used in this structure will enhance or at least minimally impact the scenic amenity of the surrounding area.

As detailed in (7.) below, a recent application (Planning Ref. 22/50522) (Appendix 5.2) on this site was refused citing that an unnatural and non-traditional building would be deleterious to an otherwise unspoilt landscape. Does this not apply to concrete stables?

3. Poor and dangerous site access.

Access into this field is currently through a gap in a dry stone wall closed off with temporary timber/wire fencing (Appendix 6). If there was to be stables and a barn built here, there would need to be adequate access for the appropriate vehicles, ie. horse boxes, trailers etc. I am not convinced that the current access is adequate for such and would need to be adjusted to provide safe sightlines. Otherwise, this could pose a threat to public safety - of particular importance as this field opens onto a bend in the road, on a slope beside the entrance to a busy public car park and beach (Appendix 6). There has been no consideration of access to this site by DCC.

4. No provision for utilities on this site.

There is currently no provision for either open, mains or pumped private water supply on this site. The design of the proposed stables shows four stable doors suggesting it will house that many equines. They will require a ready supply of water. There is no water source on site. If not mains or pumped, I fear temporary water tanks may be installed further detracting from the scenic amenity of the area.

There is no provision for electricity on this site. If required, it will either need unsightly pylons or a buried supply to be installed. Both would be intrusive in their own right. There has been no consideration of the provision and impact of utilities by DCC.

5. Potential for pollution (water, light, noise) in an area adjacent (and irrevocably connected via a watercourse) to a protected environment.

The site in question lies adjacent to a protected NATURA 2000 area, the North Inishowen Coast Special Area of Conservation (SAC) (Appendix 7). The Appropriate Assessment conducted by DCC (Appendix 2.2) states that the proposed building lies 45m from the SAC and would have no impact on it. I question this assessment and I am concerned that both the construction and use of a stables on this site would negatively impact this important and biologically sensitive area.

The barn would be built on a hill. The hill slopes away from the sea towards a small river which flows through adjacent landowners' property, through the SAC and into Tremone Bay (Appendix 8). Typically construction of agricultural buildings rely on heavy earth works and the laying of concrete slabs. I would be concerned that run off from this could reach the adjacent water course, polluting it and the SAC.

Similarly, there are no details provided to or sought by DCC regarding the collection, storage and disposal of effluent from this site. I would be concerned that there could be potentially prolonged runoff into the adjacent river damaging its biodiversity, its use by adjacent landowners and harming the SAC through which it flows to reach the sea.

A stable will need lighting (Appendix 9). This will cause light pollution in an area relatively devoid of such. It may also pose a hazard to passing cars at night. This has not been considered by DCC.

There may be excessive noise from farm animals kept in stables. If lighting is not powered by mains electricity will it rely on a generator? How noisey would this be? Excessive noise could detract from the enjoyment of the nearby beach and public car park.

6. Setting of precedent for further development.

Building new standalone agricultural infrastructure in undeveloped, unspoilt greenfield land would set a new precedent for the area. There are many adjoining small landowners who could follow suit and the resulting 'ribbon' development of farm buildings would irreparably destroy the natural beauty of the area. A point acknowledged by DCC themselves in considering a recent planning application in the same field (Planning Ref. 22/50522) (Appendix 5.2).

7. Previous refusal for developments.

There is no acknowledgement by DCC of a similar application (Planning Ref. 20/51034) (Appendix 5.1) made by the same landowner to build a barn further back on their land 12 months previously. The development that has been granted exempted status would be equally as visible, if not moreso. Several of the grounds that the previous application was refused on would appear to also apply in this case. Should that precedent not be considered?

A more recent planning application (Planning Ref. 22/50522) (Appendix 5.2) for 162 m^2 of polytunnel immediately adjacent to the proposed stables was refused by DCC citing that they would 'result in the imposition of prominent unnatural and non-traditional structures which would fail to integrate into the otherwise pristine and undeveloped landscape.....to grant permission would set an undesirable precedent for future development'.

It seems illogical that a permanent concrete building could be considered exempt from planning permission whereas plastic tunnels in the same field are refused planning permission on the above grounds.

There have been numerous planning applications refused in this area over the past twenty or so years. I question why an exemption for development was granted in an area that has previously been protected in this way. There would appear to be an inconsistency in DCCs decision making here.

8. True intentions of the landowners.

The land in question has recently been advertised for sale as 'having planning for a barn/stables and could be used for a variety of uses'. Screenshot from McCauleys Estate Agents website taken on the 27th of April 2022 attached (Appendix 10) for background information. The Estate Agents will be able to verify their authenticity if required.

The two recently rejected planning applications made on this site (Planning Refs 20/51034 & 22/50522) (Appendix 5.1 & 5.2) by the current owners together with the above listing for sale is enough for me to question whether the intent here is to obtain planning permission (or exempted development status) for a structure in an area of extremely appealing scenic amenity solely to increase its resale value.

Why donkeys and horses need such scenic accommodation and why a (non-native, non-farming) smallholder who has just recently acquired this small folio of land with no viable agricultural business to speak of should be allowed to install a new farmstead in a previously protected area is beyond my comprehension. I would expect DCC to be more stringent in their assessing whether a development is actually needed in an area or not. I would argue that this building is not needed and should go through the full planning process to allow public consultation and comment.

9. Strong local opposition to development.

From previous planning applications and refusals in this area it is clear that there is strong local opposition to development in Tremone Bay. This Declaration debars local residents from being consulted and commenting on significant development in their area. Common sense would suggest that this case deserves public consultation.

For the reasons outlined above, I disagree with Donegal County Councils decision that the above development is exempt from planning permission. I would urge you to overturn this Declaration and set a new precedent limiting the scope for clandestine development in an unspoiled area of our increasingly vulnerable natural heritage.

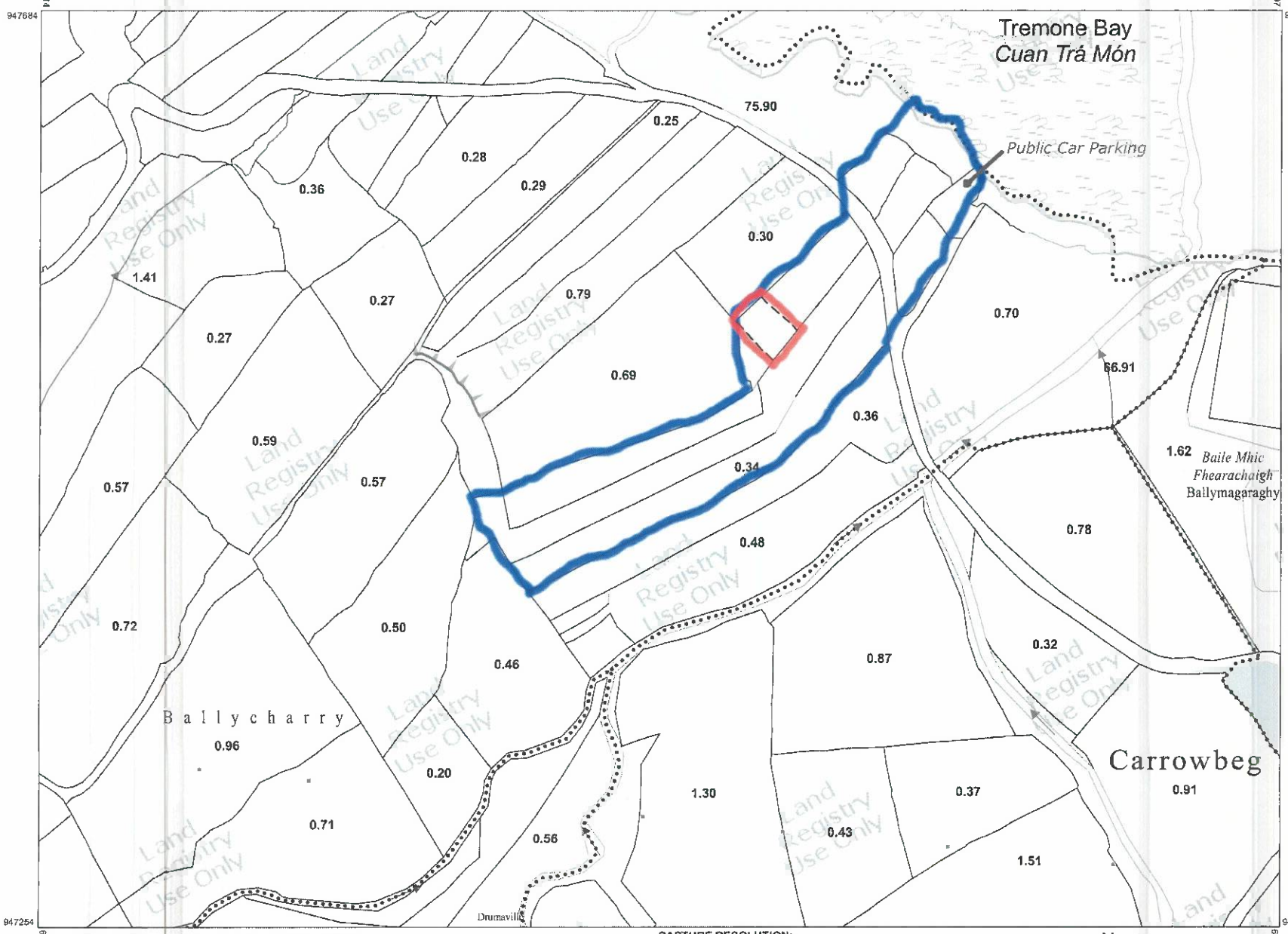
Regards,

Dr DC Matthews

APPENDIX 1.1

Land Registry Compliant Map

Location Map



0 25 50 75 100 metres

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OUTPUT SCALE: 1:2,500

CAPTURE RESOLUTION:
The map objects are only accurate to the resolution at which they were captured.
Output scale is not indicative of data capture scale.
Further information is available at:
http://www.osi.ie; search 'Capture Resolution'

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National Mapping Agency

CENTRE COORDINATES:
ITM 658906,947469

PUBLISHED: 29/05/2022
ORDER NO.: 50271210_1

MAP SERIES: 1:2,500
MAP SHEETS: 0036-B

David Matthews

Works at:
Ballycharry
Lecamey
Culdaff

COMPILED AND PUBLISHED BY:
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Dublin 8,
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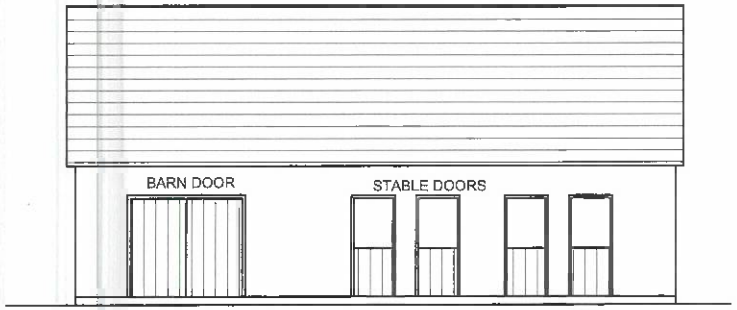
LEGEND:
http://www.osi.ie;
search 'Large Scale Legend'

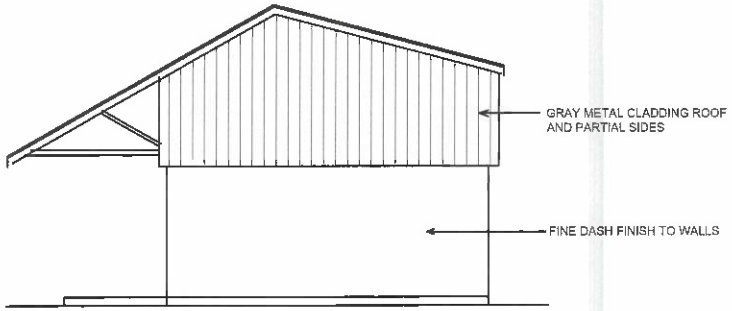
APPENDIX 1.2

STAGE	Planning Stage
CLIENT	DAVID MATTHEWS
PROJECT	Development at Ballychamy Lecamey Culdaff Co. Donegal
SCALE 1/500	DATE JUNE 2022
TITLE	SITE LAYOUT PLAN

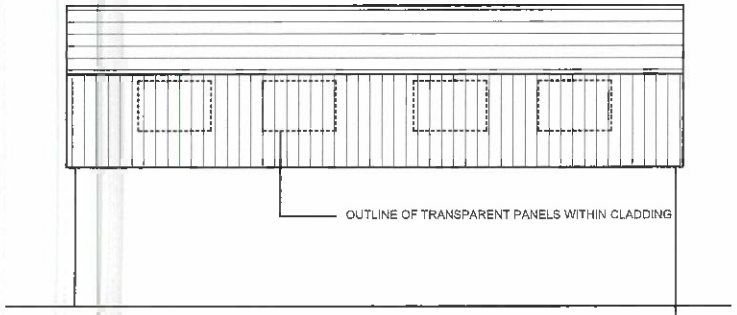
APPENDIX 1.3



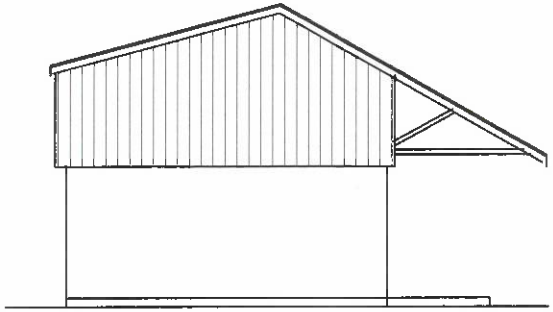
SOUTH WEST ELEVATION



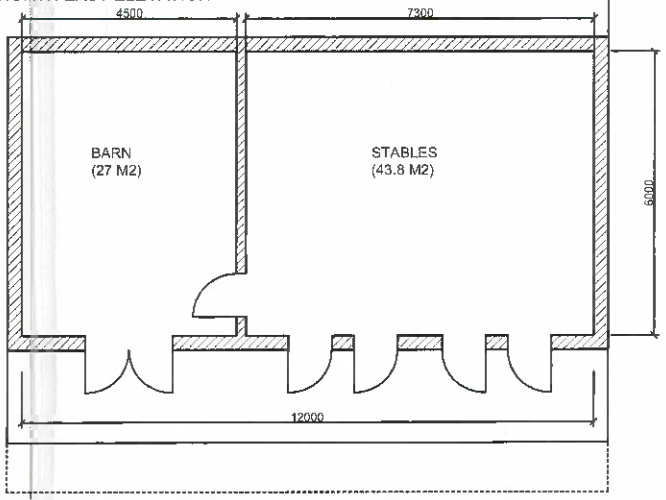
SOUTH EAST ELEVATION



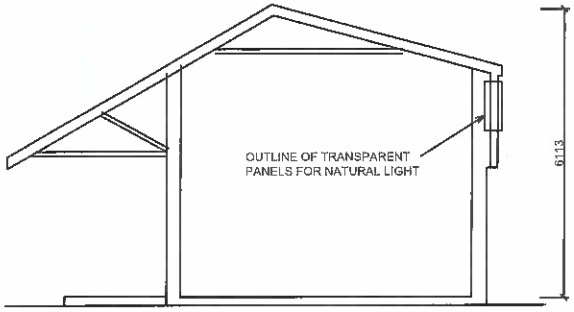
NORTH EAST ELEVATION



NORTH WEST ELEVATION



FLOOR LAYOUT
72 M2



SECTION

STAGE	Planning Stage
CLIENT	DAVID MATTHEWS
PROJECT	Development at Ballycharry Lecamey Culdaff Co. Donegal
SCALE 1/100	DATE JUNE 2022
TITLE	PLAN, ELEVATIONS AND SECTION

APPENDIX 21 (1/2)

Comhairle Contae
Dhún na nGall
Donegal County Council

www.ccdhunnangall.ie www.donegalcoco.ie

Ref. No: S5 22/13

23rd June, 2022

David Matthews
Sean O'Carroll Street
Ardee
Co Louth

Re: Roofed structure for the housing of donkeys and associated dry storage at Ballycharry, Lecamey, Culdaff, Co Donegal

---

A Chara,

I refer to your request received on 4th May, 2022 (FIC 3rd June, 2022) under Section 5 of the Planning and Development Act, 2000 (as amended). Same has now been decided and I now issue to you herewith the Council's Declaration thereon. You are now advised that, in accordance with Section 5 (3) (a) of the Planning & Development Act, 2000 (as amended) where a Declaration is issued, any person issued with such a Declaration may, on payment to An Bord Pleanala of such fee as may be prescribed, refer a Declaration for review by the Board within 4 weeks of the date of issuing of the Declaration.

Mise, le meas,

Yours sincerely

For A/Senior Ex. Planner
Planning Services
/mp

Cuir freagra chuig: Áras an Chontae, Leifear, Contae Dhún na nGall, Éire F93 Y622
Please reply to: County House, Lifford, Co. Donegal, Ireland F93 Y622

Guthán/Tel: 074 9153900 | Facs/Fax: 074 9172812 | Ríomhphost/Email: info@donegalcoco.ie

APPENDIX 2.1 (2/2)

Planning and Development Acts, 2000 (as amended)
(Declaration and Referral on Development and Exempted Development)

DECLARATION

Chief Executive's Order No: 2022PH1668

Reference No: S5 22/13

Name of Requester: David Matthews
Sean O'Carroll Street
Ardee
Co Louth

Summarised Description of development the subject matter of request:

Roofed structure for the housing of donkeys and associated dry storage

Location
Ballycharry, Lecamey, Culdaff, Co Donegal

IT IS HEREBY DECLARED THAT THE SUBJECT MATTER OF THE REQUEST AS ABOVE

IS Development

IS Exempted Development

WITHIN THE MEANING OF THE ABOVE ACT

The Planning Authority in considering this referral, had regard particularly to:

- Section 2, 3, and 177U of the Planning and Development Act, 2000 (as amended), and
- Articles 6(3), 9(1) and Classes 6 & 9 of Part 3 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).

And concluded that:

The proposal **IS DEVELOPMENT** within the meaning of the Planning and Development Act, 2000 (as amended) and **IS EXEMPTED DEVELOPMENT** as it comes within the scope of Classes 6 & 9 of Part 3 of Schedule 2 of the Planning & Development Regulations 2001 (as amended) and complies with relevant limitations to the Class exemptions.

Dated this 23rd day of JUNE, 2022

J. Boyle

For A/Senior Ex. Planner
Planning Services

APP 2.2 (1/20)

Comhairle Contae
Dhún na nGall
Donegal County Council

www.ccdhunnangall.ie www.donegalcoco.ie

Ref. No: S5 21/05

25th March, 2021

Elizabeth Bauman,
C/O Mark Carlin & Assoc Ltd,
[redacted]

Re: Roofed structure for the housing of donkeys and associated dry storage at Ballycharry, Lecamey, Culdaff, Co Donegal

---

A Chara,

I refer to your request received on 3rd March, 2021 under Section 5 of the Planning and Development Act, 2000 (as amended). Same has now been decided and I now issue to you herewith the Council's Declaration thereon. You are now advised that, in accordance with Section 5 (3) (a) of the Planning & Development Act, 2000 (as amended) where a Declaration is issued, any person issued with such a Declaration may, on payment to An Bord Pleanala of such fee as may be prescribed, refer a Declaration for review by the Board within 4 weeks of the date of issuing of the Declaration.

Mise, le meas,

for A/Senior Ex. Planner
Planning Services
/Mw

Cuir freagra chuig: Áras an Chontae, Leifear, Contae Dhún na nGall, Éire F93 Y622
Please reply to: County House, Lifford, Co. Donegal, Ireland F93 Y622

Guthán/Tel: 074 9153900 | Facs/Fax: 074 9172812 | Ríomhphost/Email: info@donegalcoco.ie

APP 2.2 (2/20)

Planning and Development Acts, 2000 (as amended)
(Declaration and Referral on Development and Exempted Development)

DECLARATION

Chief Executive's Order No: 2021PH0675

Reference No: S5 21/05

Name of Requester: Elizabeth Bauman,
C/O Mark Carlin & Assoc Ltd,
[redacted]

Summarised Description of development the subject matter of request:

Roofed structure for the housing of donkeys and associated dry storage

Location
Ballycharry, Lecamey, Culdaff, Co Donegal

IT IS HEREBY DECLARED THAT THE SUBJECT MATTER OF THE REQUEST AS ABOVE

IS Development

IS Exempted Development

WITHIN THE MEANING OF THE ABOVE ACT

The Planning Authority in considering this referral, had regard particularly to:

- *Section 2, 3, and 177U of the Planning and Development Act, 2000 (as amended) and Articles 6(3), 9(1) and Classes 6 & 9 of Part 3 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).*

And concluded that:

*The proposal **IS DEVELOPMENT** within the meaning of the Planning and Development Act, 2000 (as amended) and **IS EXEMPTED DEVELOPMENT** as it comes within the scope of Classes 6 & 9 of Part 3 of Schedule 2 of the Planning & Development Regulations 2001 (as amended) and complies with relevant limitations to the Class exemptions.*

Dated this 25th day of MARCH, 2021

for A/Senior Ex. Planner
Planning Services

(05\5) 5.5 ৭৭৯

APP 2.2 (3/20)

Chief Executive's Order No: 2021PH0675

Planning and Development Acts 2000 (as amended)

SECTION 5:- Request received 3rd March, 2021 from Elizabeth Bauman, C/O Mark Carlin & Assoc Ltd, [redacted] in relation to a roofed structure for the housing of donkeys and associated dry storage at Ballycharry, Lecamey, Culdaff, Co Donegal.

SUBMITTED:- Written request received 3rd March, 2021 as above and report dated 22nd March, 2021 from the Assistant Planner (Ref. No: S5 21/05 refers).

ORDER:- Having considered the said request, the report of the Assistant Planner, and the record forwarded to the Council by An Bord Pleanala in compliance with Sub-Section 6(c) of the said Section I have concluded that a declaration on the questions in the said request should be made in the terms of that in the Schedule to this Order, the main reasons and considerations therefore being detailed therein. I therefore Order that the declaration issue to the said requester and the owners/occupiers of the land concerned and, further, that it be entered in the Council's Planning Register in compliance with Sub-Section (5) of the said Section.

DATED THIS 25th DAY OF MARCH, 2021

Frank Sweeney

A/SENIOR EX. PLANNER

APP 22/4/20

SECTION 5 REFERRAL REPORT – Ref. No: S5 21/05

1.0 BACKGROUND

1.1 Location:

Ballycharry, Lecamey, Culdaff, Co. Donegal.

1.2 Site Description:

This is a green field site located in a coastal area.

1.3 Planning History

No planning history.

1.4 Proposed Development:

Provision of roofed structure for housing donkeys and associated dry storage.

2.0. THE QUESTION

The agent Mark Carlin, on behalf of the applicant Elizabeth Bauman, has made a submission to Donegal County Council seeking a Declaration of Exemption under Part 1, Section 5, Planning and Development Act 2000.

3.0 EVALUATION

3.1 Planning and Development Act, 2000

Section 2(1)

In this Act, except where the context otherwise requires -

"structure" means any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined, and

(a) where the context so admits, includes the land on, in or under which the structure is situate ...

"works" includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal ...

Section 3(1)

AFF S.S (4/50)

APP 2.2 (5/20)

"Development" in this Act means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.

Section 177U

"In deciding upon a declaration for the purposes of Section 5 of this Act a planning authority or the Board, as the case maybe, shall where appropriate, conduct a screening for appropriate assessment in accordance with the provisions of this Section."

3.2 Planning and Development Regulations, 2001

Article 6(1)

Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

Article 9

Restrictions on Exemption include inter alia:- .

9. (1) Development to which article 6 relates shall not be exempted development for the purposes of the Act—

(a) if the carrying out of such development would—

(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,

(ii) consist of or comprise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width,

(iii) endanger public safety by reason of traffic hazard or obstruction of road users,

(vi) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

(vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or,

APP 2.2(6/20)

pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan, save any excavation, pursuant to and in accordance with a licence granted under section 26 of the National Monuments Act, 1930 (No. 2 of 1930),

(viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use,

Schedule 2 Part 3 Exempted Development - General
Class 6

Works consisting of the provision of a roofed structure for the housing of cattle, sheep, goats, donkeys, horses, deer or rabbits, having a gross floor space not exceeding 200 square metres (whether or not by extension of an existing structure), and any ancillary provision for effluent storage.

Conditions and Limitations (Column 2)

1. No such structure shall be used for any purpose other than the purpose of agriculture

2. The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate.

3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution.

4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.

5. No such structure within 100 metres of any public road shall exceed 8 metres in height.

6. No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.

APP 2.2 (7/20)

7. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.

Schedule 2 Part 3 Exempted Development - General Class 9

Works consisting of the provision of any store, barn, shed, glass-house or other structure, not being of a type specified in class 6, 7 or 8 of this Part of this Schedule, and having a gross floor space not exceeding 300 square metres.

Conditions and Limitations (Column 2)

1. No such structure shall be used for any purpose other than the purpose of agriculture or forestry, but excluding the housing of animals or the storing of effluent.

2. The gross floor space of such structures together with any other such structures situated within the same farmyard complex or complex of such structures or within 100 metres of that complex shall not exceed 900 square metres gross floor space in aggregate.

3. No such structure shall be situated within 10 metres of any public road.

4. No such structure within 100 metres of any public road shall exceed 8 metres in height.

5. No such structure shall be situated within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.

6. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.

4.0 ASSESSMENT

Following consideration of this proposal it is considered that the development falls within the scope of the said Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended) in that:

- The gross floor space of the stables will be 43.8m^2 and there are no other structures within 100m of the proposed shed.
- No effluent storage facilities are proposed.
- The structure will be > 10m from the public road.
- No existing residential developments are situated within 100m of proposed development.

APP 2.2 (8/20)

- The proposed structure will not exceed 8m in height.
- The proposed structure will not use unpainted metal sheeting (and shall have grey metal cladding on the roof and partial sides)

Following consideration of this proposal it is considered that the development falls within the scope of the said Class 9 of Part 3 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended) in that:

- The gross floor space of the barn will be 27m^2 and there are no other structures within 100m of the proposed shed.
- No effluent storage facilities are proposed.
- The structure will be > 10m from the public road.
- No existing residential developments are situated within 100m of proposed development.
- The proposed structure will not exceed 8m in height.
- The proposed structure will not use unpainted metal sheeting (and shall have grey metal cladding on the roof and partial sides)

The subject site is determined to be agricultural and it is considered that the scope of the exemptions provide for construction of agricultural structures in such a context.

5.0 CONCLUSION

- The Planning Authority is satisfied that the provision of roofed structure for housing donkeys and associated dry storage would constitute 'works' and would constitute 'development', as defined in Sections 2 & 3 of the Act respectively.

- It is considered that the proposed roofed structure for housing donkeys and associated dry storage is considered to be exempted development in that it complies with the conditions and limitations of Classes 6 and 9 of Part 1 of Schedule 2 of the Planning & Development Regulations, 2001 (as amended).

- Consideration has also been given to the proximity to the site to any Natura 2000 sites. It is noted that the site is situated 45m away from the North Inishowen Coast SAC (at the closest point). Having regard to the minor nature of the development and lack of hydrological link to a Natura 2000 site, no Appropriate Assessment issues arise, and it is not considered that the proposed development would have a significant effect individually or in combination with other plans or projects on a European site (see attached screening report). It is not considered that any potential for de-exemption on ecology grounds arises.

APP 2.2 (9/20)

- The subject site is located in a coastal rural environment just outside an area zoned as having an Especially High Scenic Amenity Value. The development will not create an obstruction to the view of persons using the road nor will it cause a traffic hazard. There is no recorded monument or archaeology within the vicinity of the site. It is not considered that any potential for de-exemption on amenity or other such grounds arises.

6.0 RECOMMENDATION

IT IS HEREBY RECOMMENDED THAT A DECLARATION BE MADE THAT THE SUBJECT MATTER OF THE REQUEST AS ABOVE -

IS Development

&

IS Exempted Development

WITHIN THE MEANING OF THE ABOVE ACT

The proposal to:

Provide a roofed structure for the housing of donkeys and associated dry storage at Ballycharry, Lecamey, Culdaff, Co Donegal.

The Planning Authority, in considering this referral, had regard particularly to -

Section 2, 3, and 177U of the Planning and Development Act, 2000 (as amended) and Articles 6(3), 9(1) and Classes 6 & 9 of Part 3 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).

and concluded that:

The proposal IS DEVELOPMENT within the meaning of the Planning and Development Act, 2000 (as amended) and IS EXEMPTED DEVELOPMENT as it comes within the scope of Classes 6 & 9 of Part 3 of Schedule 2 of the Planning & Development Regulations 2001 (as amended) and complies with relevant limitations to the Class exemptions.

Signed: _____

Position: Assistant Planner

Date: 22nd March 2021

23/03/21

APP 2.2 (10/20)

- The subject site is located in a coastal rural environment just outside an area zoned as having an Especially High Scenic Amenity Value. The development will not create an obstruction to the view of persons using the road nor will it cause a traffic hazard. There is no recorded monument or archaeology within the vicinity of the site. It is not considered that any potential for de-exemption on amenity or other such grounds arises.

6.0 RECOMMENDATION

IT IS HEREBY RECOMMENDED THAT A DECLARATION BE MADE THAT THE SUBJECT MATTER OF THE REQUEST AS ABOVE -

IS Development

&

IS Exempted Development

WITHIN THE MEANING OF THE ABOVE ACT

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Signed: _____

Position: Assistant Planner

Date: 22nd March 2021

23/03/21

(05/01) S.S 99A

APP 2.2 (11/20)

Chief Executive's Order No: 2021PH0675

Ref.No: S5 21/05

SCHEDULE

IT IS HEREBY DECLARED THAT THE SUBJECT MATTER OF THE REQUEST AS ABOVE -

IS Development

IS Exempted Development

WITHIN THE MEANING OF THE ABOVE ACT

The Planning Authority in considering this referral, had regard particularly to:

- *Section 2, 3, and 177U of the Planning and Development Act, 2000 (as amended) and Articles 6(3), 9(1) and Classes 6 & 9 of Part 3 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).*

And concluded that:

*The proposal **IS DEVELOPMENT** within the meaning of the Planning and Development Act, 2000 (as amended) and **IS EXEMPTED DEVELOPMENT** as it comes within the scope of Classes 6 & 9 of Part 3 of Schedule 2 of the Planning & Development Regulations 2001 (as amended) and complies with relevant limitations to the Class exemptions.*

JB 25/03

(05\11) 5.5 99A

APP 2.2 (12/20)

APPROPRIATE ASSESSMENT SCREENING FOR THE PURPOSES OF ARTICLE 6 OF THE HABITATS DIRECTIVE

Applicant Name: Elizabeth Bauman

Plan.Reg.No: S5 21/05

1.0 Description of Project

The subject site is located at Ballycharry, Lecamey, Co. Donegal. The applicant seeks a Section 5 declaration of exemption regarding the provision of a roofed structure for housing donkeys and associated dry storage.

2.0 Natura 2000 sites

The site is located approx. 45m east of the North Inishowen Coast Special Area of Conservation (Site Code: 002012 Refers).

2.1 North Inishowen Coast SAC – site code 002012

The North Inishowen Coast SAC stretches from Crummies Bay in the west up to Malin Head and back down to Inishowen Head to the east. It encompasses an excellent variety of coastal habitats including high rocky cliffs, offshore islands, sand dunes, saltmarsh, a large intertidal bay, and rocky, shingle and sand beaches. There are excellent raised beaches along the east coast including the oldest and best preserved late-glacial fossil coast in Ireland (between Ineuran Bay and Esky Bay). Indeed it is the only well preserved such coast in Europe and so is of international importance. Also of geomorphological interest is the small area of stone polygons near Malin Tower.

The site is a Special Area of Conservation (SAC) selected for the following habitats and/or species listed on Annex I / II of the E.U. Habitats Directive (* = priority; numbers in brackets are Natura 2000 codes):

[1140] Tidal Mudflats and Sandflats
[1220] Perennial Vegetation of Stony Banks
[1230] Vegetated Sea Cliffs
[2130] Fixed Dunes (Grey Dunes)*
[21A0] Machairs*
[4030] Dry Heath
[1014] Narrow-mouthed Whorl Snail (*Vertigo angustior*)
[1355] Otter (*Lutra lutra*)

Sea cliffs are a feature of the site, with the best examples found in the west of the site (Dunree to Leenan Head and Dunaff Head) and in the area to the north-west of Glengad Head. Cliffs are often less than 50 m in height, though they reach over 200 m at Dunaff and to the north-west of Glengad Head. The dominant rock type is quartzite which is particularly hard and unyielding. The vegetation cover of the cliffs is variable, depending on factors such as underlying geology, aspect and the degree of exposure to winds and sea spray. Common plant species of the rocky cliffs are Thrift (*Armeria maritima*), sea-spurrey (*Spergularia* spp.), Sea Aster (*Aster tripolium*), Red Fescue (*Festuca rubra*), Common Scurvygrass (*Cochlearia officinalis*), Sea Campion (*Silene vulgaris* subsp. *maritima*) and Buck's-horn Plantain (*Plantago coronopus*). In addition to the higher plants, the saxicolous lichen *Ramalina siliquosa* is a very characteristic feature of cliffs throughout the site. The cliffs contain a number of rare plant species, notably Scots Lovage (*Ligusticum scoticum*), a legally protected species. Two other scarce species recorded at the site, Moss Campion (*Silene acaulis*)

APP 2.2 (13/20)

and Purple Saxifrage (*Saxifraga oppositifolia*), are listed in the Red Data Book. Ivy Broomrape (*Orobanche hederae*), a locally rare species that is parasitic on Ivy (*Hedera helix*), has been recorded from sea cliffs to the north of Leenan Bay. The striking succulent species Roseroot (*Rhodiola rosea*), which is largely restricted to high mountain cliffs and sea cliffs in the west and the north of the country, is frequent throughout the site. In many parts of the site sea cliff areas support dry heath and grassland vegetation.

Shingle beaches are well represented at the site, with the best examples at Rockstown harbour/Tullagh Point and along the north-western shoreline of Malin Head promontory. These areas contain good examples of raised beaches, characterised by large mounds of shingle, which may be interspersed by low cliffs (as seen at Tullagh Point). Although the vegetation of these shingle areas is usually quite sparse, plant species such as Sea Sandwort (*Honkenya peploides*), Sea Mayweed (*Matricaria maritima*) and Curled Dock (*Rumex crispus*) are locally frequent. The rare species Oysterplant (*Mertensia maritima*), which is listed in the Flora (Protection) Order, 1999, has been recorded growing on shingle substrate within the site.

Sand dune systems occur within the site at several locations, with good examples of fixed dunes and machair. The dune habitat at the Isle of Doagh is by far the most extensive. Typical species of the fixed dunes include Marram (*Ammophila arenaria*) and Red Fescue, accompanied by Common Bird's-foot-trefoil (*Lotus corniculatus*), Sand Sedge (*Carex arenaria*), mouse-ears (*Cerastium* spp.), Wild Thyme (*Thymus praecox*), Smooth Meadow-grass (*Poa pratensis*) and Mouse-ear Hawkweed (*Hieracium pilosella*). Bryophyte cover is usually well developed, with species such as *Rhytidiadelphus squarrosus, Hypnum cupressiforme* and *Calliergon cuspidatum* being frequent. Although much of the botanical character of the machair habitat at Doagh Isle has been modified due to agricultural reclamation, re-seeding and over-grazing, significant areas with a typical machair flora remain. The sward is typically dominated by low herb species such as Red Fescue, Ribwort Plantain (*Plantago lanceolata*), Daisy (*Bellis perennis*), Red Clover (*Trifolium repens*) and Lady's Bedstraw (*Galium verum*).

Shifting dunes and fixed dunes also occur above the rocky shore at Meallalaghtra/ Lenan Head. This area also contains marsh with Mare's-tail (*Hippuris vulgaris*), Brookweed (*Samolus valerandi*) and sedges (*Carex* spp.). *Hygrocybe* species, fungi that are indicators of unimproved grassland, occur in the coastal grassland sward.

Significant areas of dry heath occur in the site at both low and high altitudes. The best-developed and most extensive areas are to be found at Dunaff Head, Binnion Hill and in the Urris Hills from Mamore Gap, south-west to Lough Fad and beyond to Crockfadda. However the habitat is also encountered at sea level where it tends to form a mosaic with grassland vegetation. Typically the vegetation develops on shallow peats less than 50 cm deep and is dominated by Heather (*Calluna vulgaris*). Other frequent shrub species include Bell Heather (*Erica cinerea*), Cross-leaved Heath (*Erica tetralix*), Crowberry (*Empetrum nigrum*) and Bilberry (*Vaccinium myrtillus*). Fir Clubmoss (*Huperzia selago*) and the diminutive Lesser Twayblade (*Listera cordata*) are present in the heath on the Urris Hills. In addition to the dwarf ericoid component, acid grassland species such as Mat-grass (*Nardus stricta*), Velvet Bent (*Agrostis canina*), Tormentil (*Potentilla erecta*) and Heath-grass (*Danthonia decumbens*) are frequent components. This combination of plant species gives rise to a mosaic of dwarf heath and acid grassland, the relative proportion of which depends on factors such as degree of exposure, grazing intensity and the frequency of fire. Often there is much outcropping rock present and invasion by Bracken (*Pteridium aquilinum*) is a frequent feature of the habitat (as seen at Binnion Hill). At Dunaff Head the habitat forms a mosaic with blanket bog, containing Common Cottongrass (*Eriophorum angustifolium*), Hare's-tail Cottongrass (*E. vaginatum*), Cross-leaved Heath and Eared Willow (*Salix aurita*). The main threats to the heath habitat at present are over-grazing and uncontrolled burning.
A diverse fern flora is found on damp, north-facing rock outcrops in the Urris Hills, including Wilson's Filmy-fern (*Hymenophyllum wilsonii*), Broad Buckler-fern (*Dryopteris dilatata*), Hay-scented Buckler-fern (*D. aemula*), Black Spleenwort (*Asplenium adiantum-nigrum*) and polypody ferns (*Polypodium*

APP 2.2 (14/20)

spp.). The Urris Hills also contain the oligotrophic lakes Crunlough and Lough Fad, and on their lower slopes dry and wet acid grassland, Hazel (*Corylus avellana*) scrub, dense Bracken, blanket bog and wet heath occur.

Trawbreaga Bay is a very sheltered sea bay with a narrow strait to the open sea at the north end. It is fed by a number of small rivers or streams. An estimated 80% of the bay area is exposed at each low tide to expose a mixture of mudflats, sandbanks and stony/rocky substrates. In the inner reaches of the bay, the substrate consists of muddy sand and coarse sediments with an infaunal community of polychaetes, oligochaetes and crustaceans. Within the narrow strait, the community is comprised of bivalves and polychaetes within a sandy substrate. The polychaete *Arenicola marina* is a conspicuous species within the intertidal soft sediments of the bay. Beds of Dwarf Eelgrass (*Zostera noltii*) display temporal variation in occurrence within the bay; they were recorded on the shore at Doaghmore and currently present south west of Glassagh Point. Mats of green algae occur on the open flats. Some areas of saltmarsh fringe the bay.

Throughout the site, exposed sandy beaches occur in embayments and in coves bordered by bedrock and in the outer reaches of Trawbreaga Bay. Here a sand community with crustaceans and polychaetes occurs. Where the intertidal reef is present on exposed shores the community consists of the bivalve *Mytilus edulis* and barnacles. In such areas where reef extends into the subtidal the kelp *Laminaria hyperborea* occurs. In the less exposed areas and within Trawbreaga Bay the brown algae *Pelvetia canaliculata, Fucus vesiculosus, F. spiralis* and *Ascophyllum nodosum* are found.

Otter are regularly seen along the shoreline and may breed within the site. Otter is a species listed on Annex II of the E.U. Habitats Directive. Another Annex II species, the tiny whorl snail *Vertigo angustior*, is also known from this site.

This site has important bird interests. An internationally important population of Barnacle Goose occurs in the area, with Trawbreaga Bay their most important haunt. For the four winters 1994/95 - 1997/98 the mean peak count was 673 birds. Barnacle Goose is listed on Annex I of the E.U. Birds Directive. A range of other waterfowl species winter at Trawbreaga Bay, with an internationally important population of Brent Goose (338 in winters 1994/95-97/98). Other species which occur in regionally or locally important numbers include Wigeon, Mallard, Oystercatcher, Ringed Plover, Dunlin, Curlew and Redshank.

Two Annex I E.U. Birds Directive species breed within the site. There are up to 12 breeding territories of Peregrine and 12 pairs of Chough. Both of these species are associated with the rocky sea cliffs, with the Choughs utilising the heath and sandy habitats for feeding.

Several species of seabird breed on the cliffs and islets. These include Fulmar (150+ pairs), Cormorant (270+ pairs), Shag (330+ pairs), Kittiwake (<500 pairs), Guillemots (approx. 1,000 individuals), Razorbills (approx. 1,000 individuals) and Black Guillemots (approx. 80 individuals) (All data from 1970s). The machair and dunes at Doagh Isle and elsewhere support breeding waders. In 1996 the following were recorded: Oystercatcher (2+ pairs), Ringed Plover (7 pairs), Lapwing (15 pairs) and Snipe (3 pairs).

This northern site is of high conservation value because of the extensive area of relatively unspoilt coastal and heath habitats and the range of plant and animal species that these habitats support. Of particular note is the presence of good examples of two E.U. Habitats Directive Annex I priority habitats, fixed dunes and machair. Very good examples of several other Annex I habitats are found, notably sea cliffs, vegetated shingle banks, dry heath and intertidal sand and mudflats. There are two legally protected plant species and a range of scarce species. The diversity of bird species is of particular note, with wintering waterfowl, breeding seabirds and breeding waders. Important populations of three E.U. Birds Directive Annex I species occur - Barnacle Goose, Peregrine and Chough.

APP 2.2 (15/20)

2.2 Conservation Objectives for North Inishowen Coast SAC:

To maintain or restore the favourable conservation condition of Annex I habitat(s) and/or the Annex II species for which the SAC has been selected:

Vertigo angustior
Mudflats and sandflats not covered by sea water at low tide
Perenial vegetation of stony banks
Vegetated sea cliffs of the Atlantic and Baltic Coasts
Lutra lutra
Fixed coastal dunes with herbaceous vegetation
Machairs
European dry heaths

3.0 Assessment of Likely effects:

Potential Impact Types and Significance

Impact type	Significance indicator	Comments
Loss of habitat area	Percentage of loss	None – the site is not located within the SAC
Fragmentation	Duration or permanence, level in relation to original extent	N/A
Disturbance	Duration or permanence, distance from site	Given the relatively limited scale of the proposed development, no significant disturbance effects are envisaged.
Species population density	Timescale for replacement	It is not considered that the development will have any impact on the population density of protected species.
Water resource	Relative change	It is not considered that the proposed development will have any significant impact on water resources.
Water quality	Relative change in key indicative chemicals and other elements	No significant impacts on water quality are envisaged.

Further to an assessment of the proposed development and on the basis of the following principle reasons:

- The fact that the development would not result in any direct loss or fragmentation of any Natura 2000 site;
- No means of effluent storage are proposed; and
- No direct hydrological link exists;

the Planning Authority is of the opinion that the proposed development would not have a significant effect on the North Inishowen Coast Special Area of Conservation.

4.0 Screening Determination:

The Planning Authority has determined that an appropriate assessment of the proposed development is not required as it can be excluded on the basis of objective scientific information

A99 5.5 (15/50)

APP 2.2 (16/20)

that the proposed development individually or in combination with other plans/projects will have a significant effect on a European Site – North Inishowen Coast Special Area of Conservation.

Assistant Planner
22nd March 2021

JS
23/03/21

APP 2.2 (17/20)

Mark Carlin and Associates Ltd

HOUSE PLANNING AND DESIGN

[redacted]

Our Ref: MCA/MC/EB

1st March 2021

Donegal County Council
Planning Department
Lifford
Co. Donegal

RECEIVED
03 MAR 2021
DONEGAL COUNTY COUNCIL
PLANNING

Dear Sir or Madam,

Re: Elizabeth Bauman – Provision of Roofed Structure for housing of Donkeys and associated Dry Storage, at Ballycharry, Lecamey, Culdaff, Co. Donegal.

Our client, Elizabeth Bauman, owns above property, being a farm of land, and needs to accommodate shelter for her animals.

Elizabeth is in possession of the relevant registration paperwork from the Department of Agriculture, and is proposing to build a roofed structure, for agricultural use, compliant with Class 6 and Class 9 of the relevant Regulations, Exemption.

I am writing to seek a Declaration of Exemption under Part 1, Section 5, Planning and Development Act 2000. The section of the Planning and Development Regulations 2001, which covers the proposed roofed structure, is provided under Schedule 2, Part 3, Class 6 'works consisting of the provision of a roofed structure for housing of cattle, sheep, goats, donkeys, horses, deer of rabbits, having a gross floor space not exceeding 200m2.....' and Class 9 'works consisting of the provision of any store, barn, shed, glass-house or other structure, not being of a type specified in class 6,7 or 8 of this Part of this Schedule, and having a gross floor space not exceeding 300m2'.

I enclose the following for your consideration:

1. Application Form – Declaration on Development & Exempted Development, duly completed.
2. Application fee of €80, payable to Donegal County Council.
3. 2no copies of Location Map.
4. 2no copies of Site Layout Plan.
5. 2no copies of relevant floor plans, section and elevation drawings.

I trust the above to be in order, but should you have any query please do not hesitate to contact me.

Yours sincerely,

Mark Carlin

Directors
Mark Carlin BA (Hons) Architecture ICIOB, COMMISSIONER FOR OATHS
Sarah Carlin BA (Hons) EA
Construction Studies - Practicing since 1992
Company Registration Number 418209

[redacted]

APP 2.2 (18/20)

Comhairle Contae
Dhún na nGall
Donegal County Council

SECTION 5 APPLICATION

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

1.	Applicant's Name	Elizabeth Banman	
	Contact details must be supplied at the end of this form		
2.	Name of Agent	Mark Carlin & Assoc. LTD.	
	Contact details must be supplied at the end of this form		
3.	Location of Proposed Development:	Ballycharry, Lecamey, Carndoff, Co. Donegal	
4.	Description of Proposed Development:	Roofed structure for Donkeys & storage barn.	
5.	Is development a Protected Structure or within the curtilage of a Protected Structure?	Yes	
	(Indicate as appropriate)	No	✓
6.	If the answer to question no 5 is yes has a declaration under Section 57 of the Planning and Development Act 2000(as amended)been requested or issued in respect of the property by the Planning Authority	N/A.	
7.	Applicants Interest in site:	OWNER.	
	If applicant is not the owner of the site please provide the Name and Address of the owner	N/A.	
8.	List of plans, drawings etc. submitted with this application:	· Location Map x 2. · Site Plan x 2 · Building plans x 2.	
9.	Are you aware of any enforcement proceedings connected to the site? If so please supply details	No.	

APP 2.2 (19/20)

10.	Please provide details of works (where applicable) or proposed development (Only works listed and described under this section will be assessed under this section 5 application)
	As per cover letter.
11.	Signature of Applicant (or Agent):
12.	Dated: 01-03-2021

NOTES: (a) **Application must be accompanied by fee of €80.00**

(b) **Application must be accompanied by:**
- (i) **site location map,**
- (ii) **site layout plan,**
- (iii) **elevations (if applicable).**

OFFICE USE ONLY	
Ref. No.	
Date Received	
Fee Paid	
Receipt Number	

(OS\P1) S.S 99A.

Land Registry Compliant Map (LOCATION MAP)

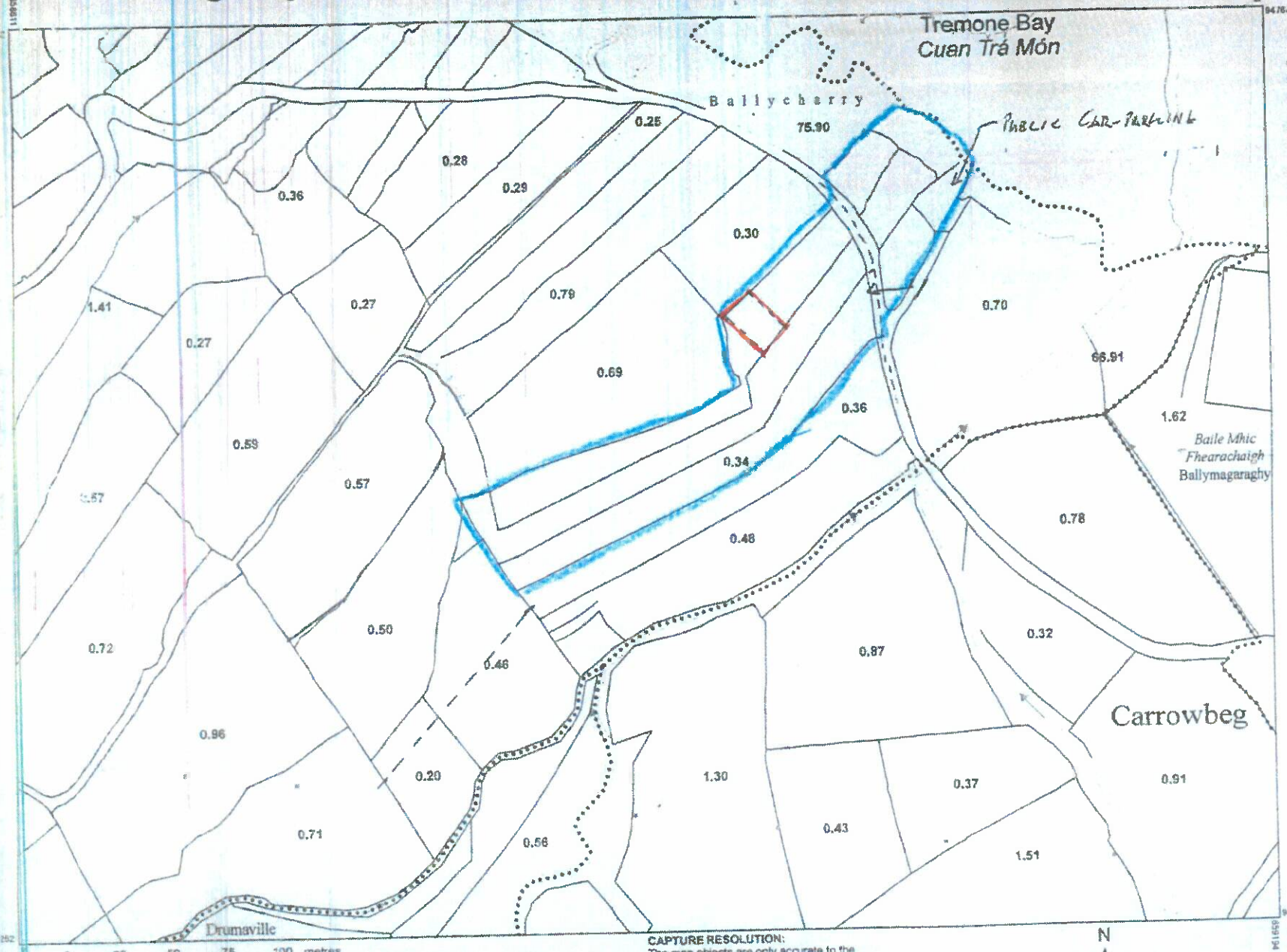
Ordnance Survey
National Mapping Agency

CENTRE COORDINATES:
ITM 658903,947467

PUBLISHED: 29/07/2020
ORDER NO.: 50132571_1

MAP SERIES: 1:2,500
MAP SHEETS: 0036-B

APP 2.2 (2020)



ELIZABETH BAUMAN
WORKS @
BALLYCHARRY
LECANRY
CLONAKILTY

0 25 50 75 100 metres
0 50 100 150 200 250 Feet

OUTPUT SCALE: 1:2,500

CAPTURE RESOLUTION:
The map objects are only accurate to the resolution at which they were captured.
Output scale is not indicative of data capture scale.
Further information is available at:
http://www.osi.ie; search 'Capture Resolution'

N

LEGEND:
http://www.osi.ie;
search 'Large Scale Legend'

APPENDIX 2.3

Stage
Planning Stage

MARK CARLIN and ASSOCIATES Ltd
house planning and design

[redacted]

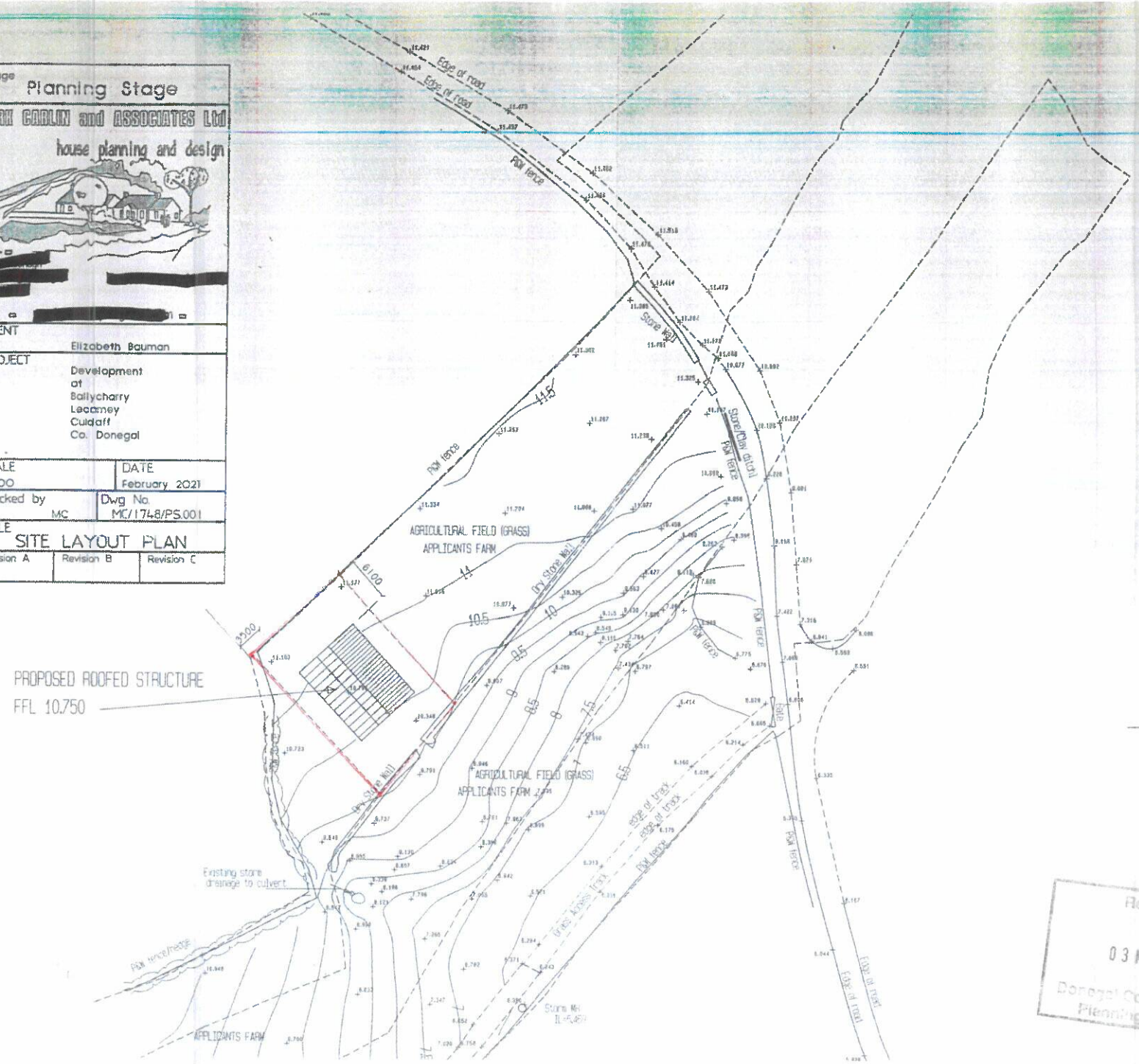
CLIENT
Elizabeth Bauman

PROJECT
Development
at
Ballycharry
Lecamey
Culdaff
Co. Donegal

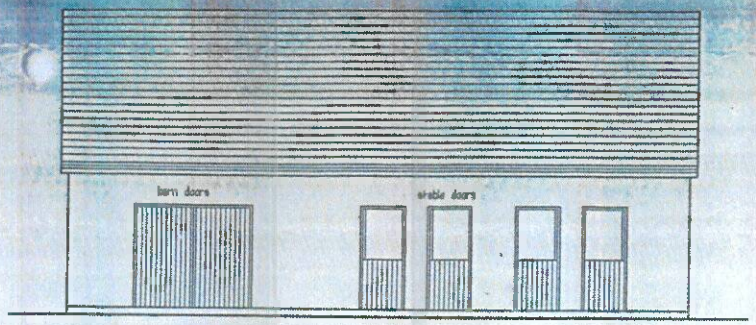
SCALE	DATE
1/500	February 2021
Checked by MC	Dwg No. MC/1748/PS.001

TITLE
SITE LAYOUT PLAN

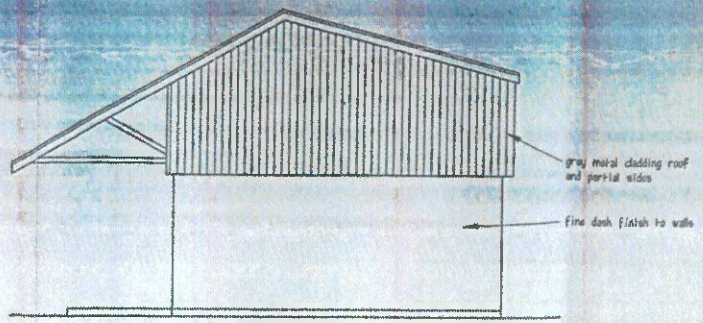
Revision A	Revision B	Revision C



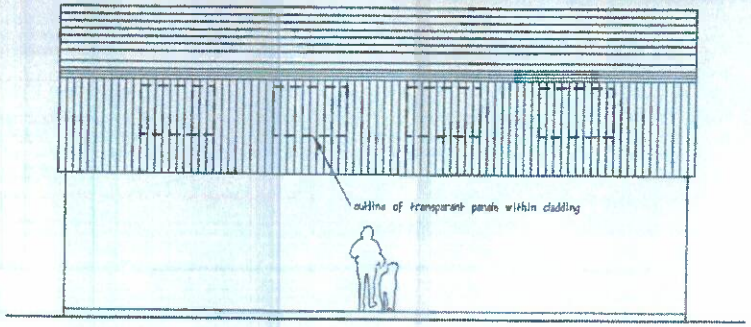
APPENDIX 2.4



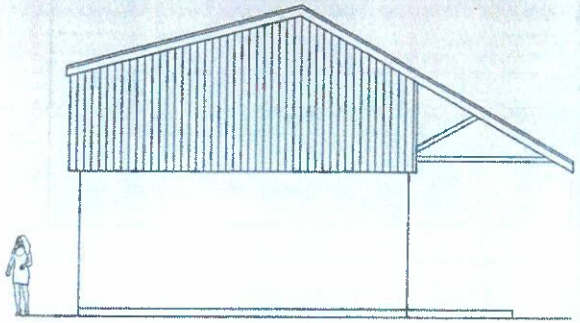
South West Elevation



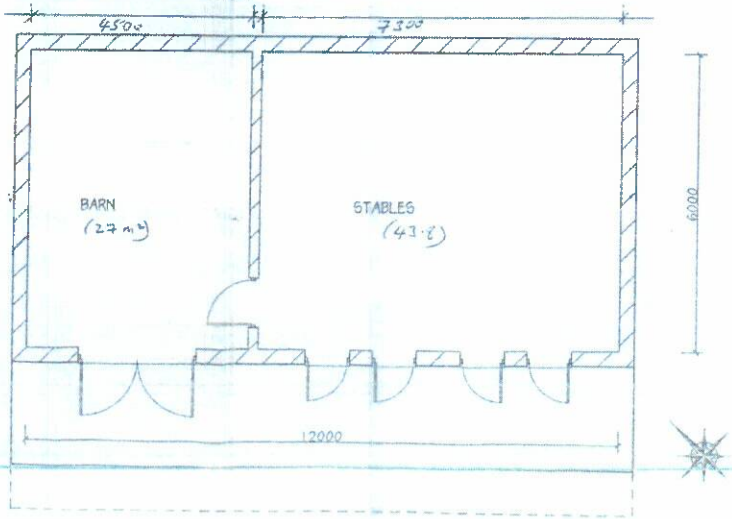
South East Elevation



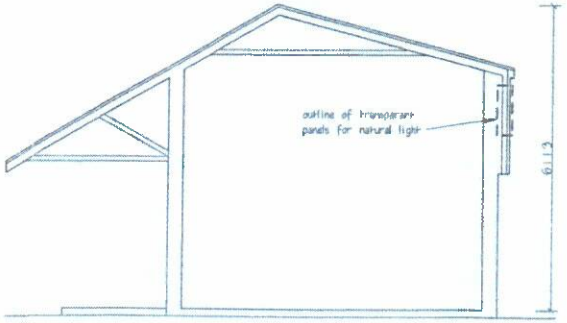
North East Elevation



North West Elevation



Floor Layout 72m²



Section

Stage
Planning Stage

MARK CARLIN and ASSOCIATES Ltd
house planning and design

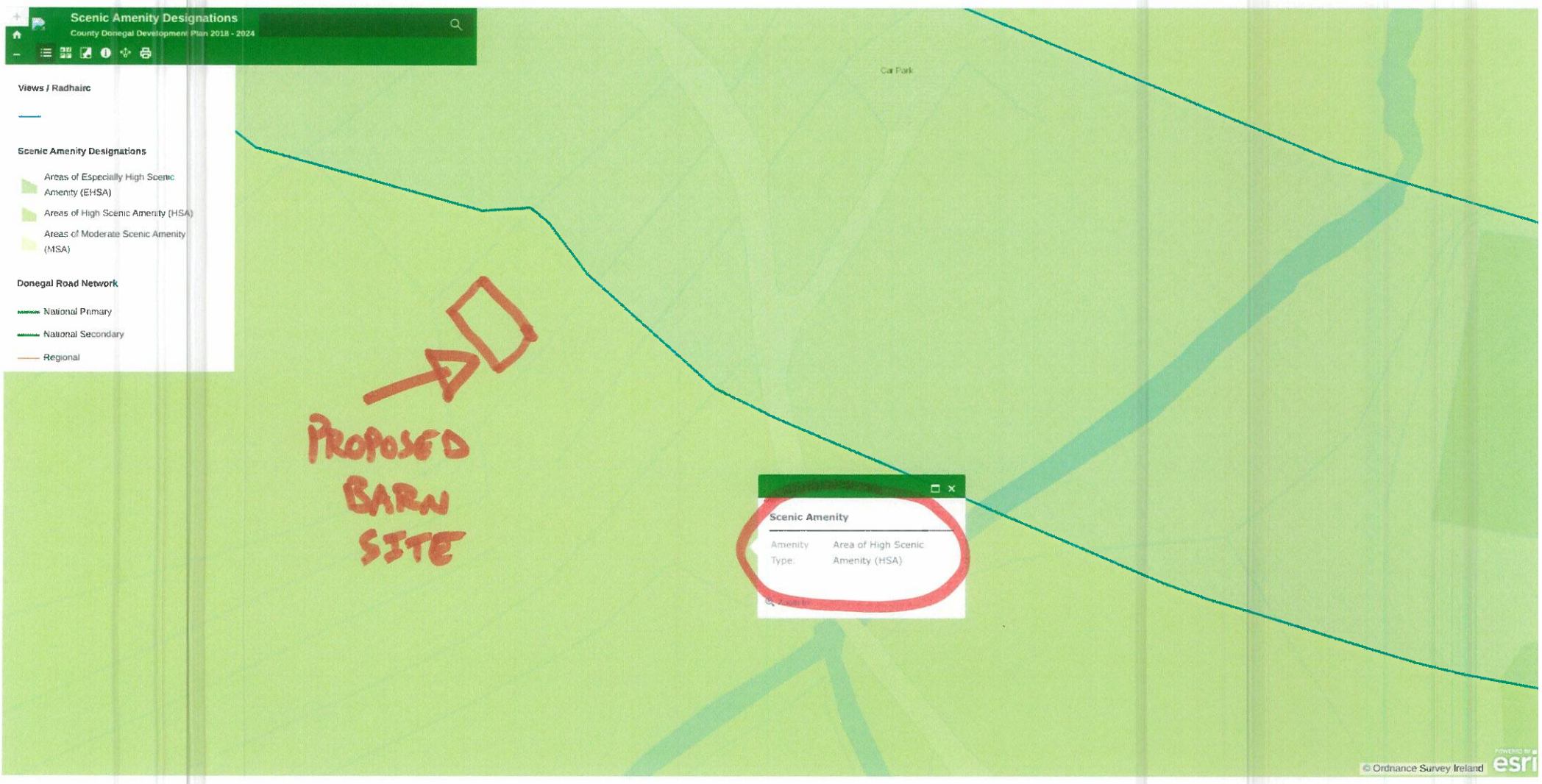
CLIENT
Elizabeth Bauman

PROJECT
Proposed stables with barn
at
Ballycharry
Lecamey
Culdaff
Co. Donegal

SCALE	DATE
1/100	July 2020
Checked by MC	Dwg No MC/1739/PS.002

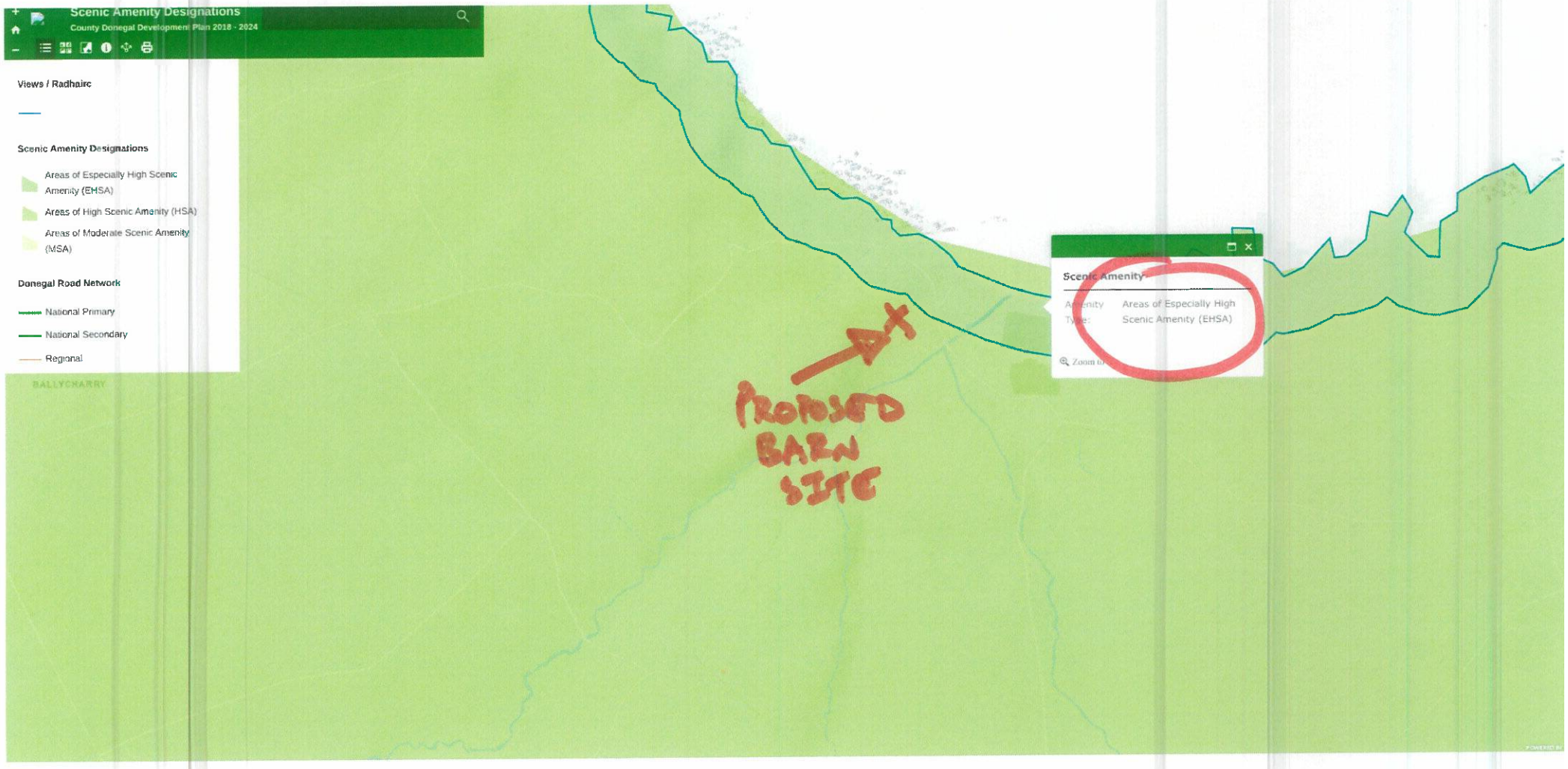
TITLE
plan, elevations and section

Revision A	Revision B	Revision C



APPENDIX 3 (1/2)

Appendix 2 (1/5)

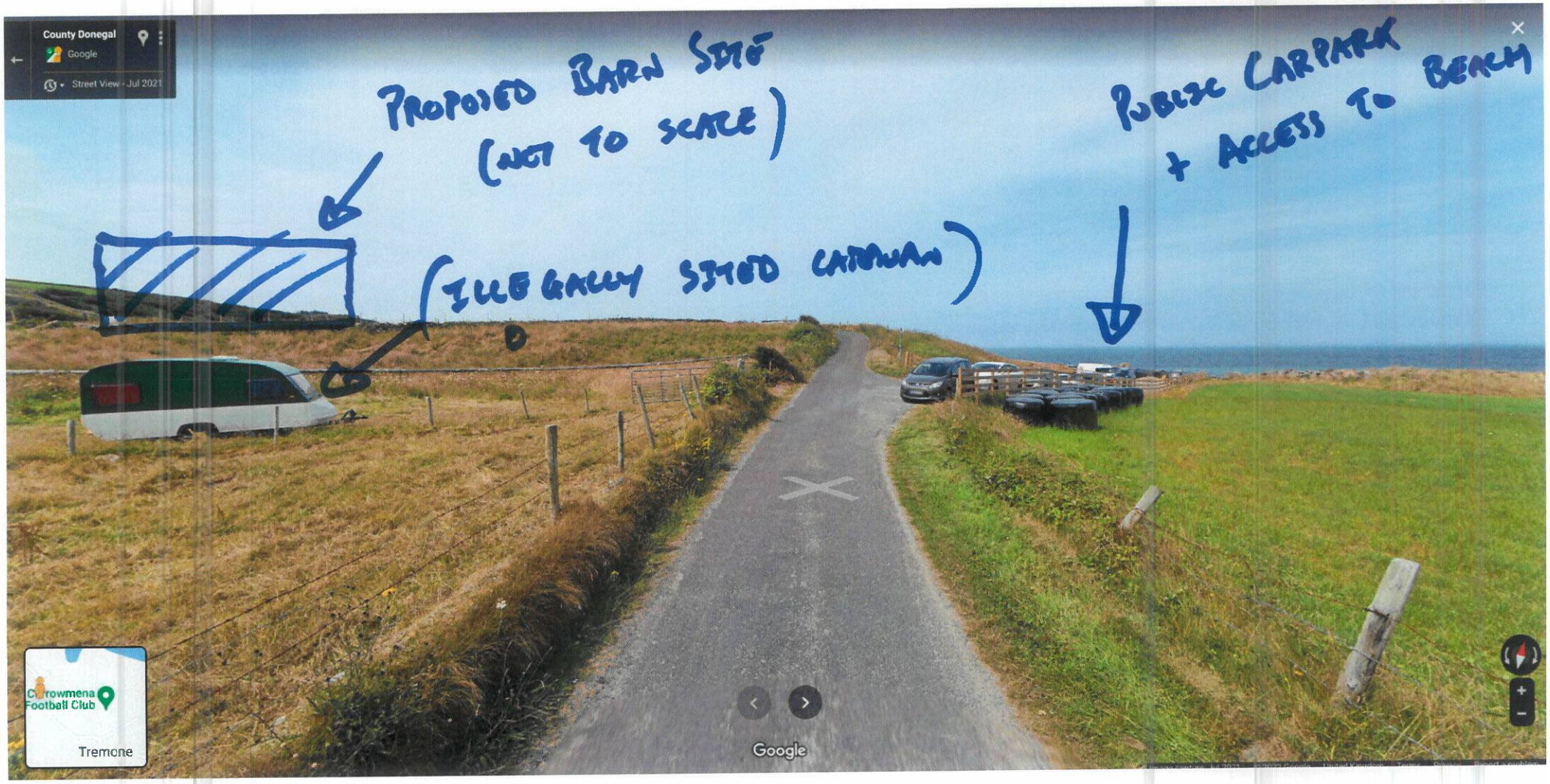


APPENDIX 3 (2/2)

APPENDIX 3 (S/S)

APP 4 (1/5)

L·1331-1 NORTHBOUND



APP 4 (2/5)

L-1331-1 NORTHBOUND.

Page 9A

(2/5)

Photosensitive - 1331 - 1

APP 4 (3/5) L-1331-1 SOUTHBOUND

ผลิตภัณฑ์
ชุดสีเขียว
ของ
(ผลิตภัณฑ์ ใหม่)
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APP 4 (4/5) L-1331-1 SOUTHBOUND

ऊपरी मंजिल
(छत)
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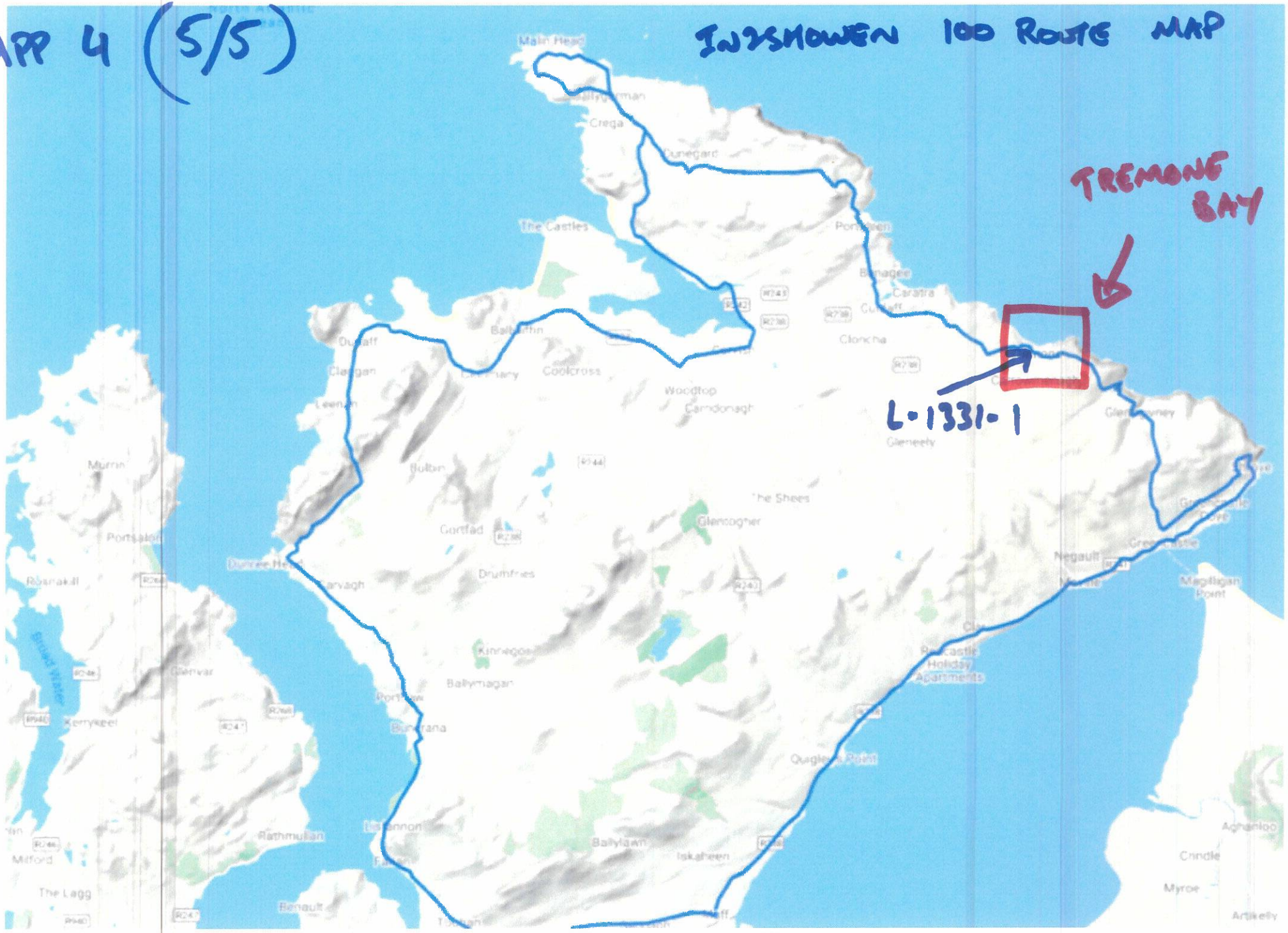
APP 4 (5/5)

INISHOWEN 100 ROUTE MAP



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APP 5.1 (1/12)

Comhairle Contae Dhún na nGall
Donegal County Council

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

Planner's Report and Recommendation

Plan.Reg.No:	20/51034
Applicant:	ELIZABETH BAUMAN
Development:	MOBILE UNIT FOR AGRICULTURAL USE AS TACK ROOM, CHANGING ROOM, WET ROOM, OFFICE AND REST AREA, TOGETHER WITH ACCESS LANEWAY AND PERMISSION FOR (1) CONSTRUCTION OF AN AGRICULTURAL BUILDING COMPRISING A BARN AND STABLES (2) COMPLETION OF ALL ASSOCIATED SITE WORKS INCLUDING SCREENING MEASURES
Location:	BALLYCHARRY, LECAMEY, CULDAFF, CO. DONEGAL
Agent:	C/O MARK CARLIN AND ASSOCIATES LTD

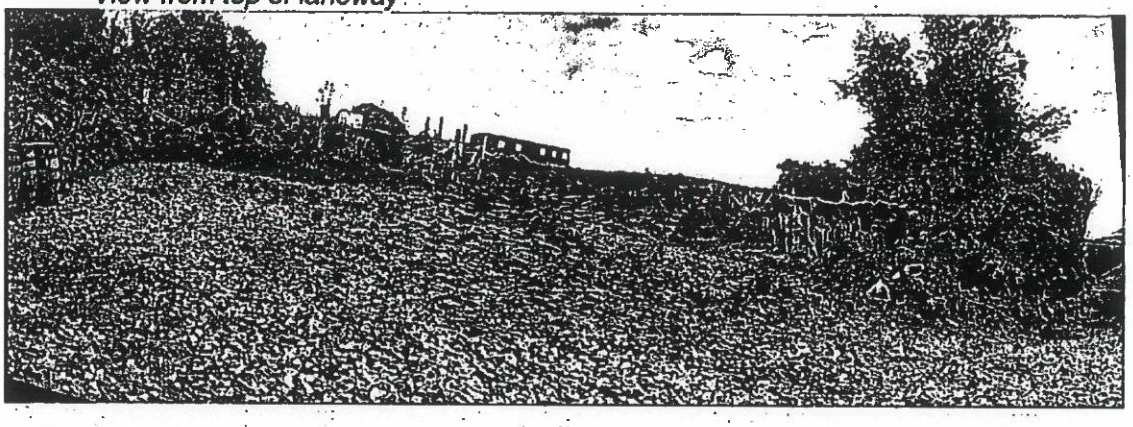
Special Notice:	

APP 5.1 (2/12)

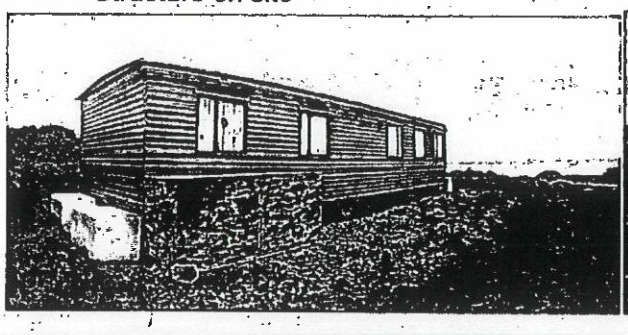
1.0 Site Location and Description

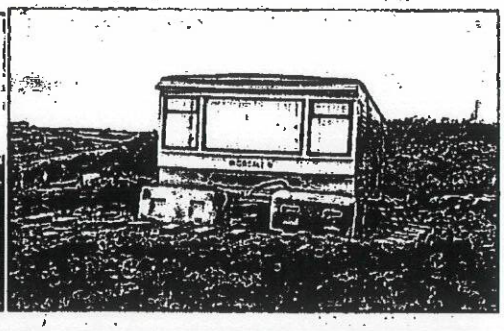
1.1 The subject site is located within the townland of Ballycharry approx. 5.8km SE of the Layer 3 Rural Town of Culdaff in an area of High Scenic Amenity. Part of the laneway close to the public road falls within an EHSA. The site is located some 110m away from the public road and is accessed via an existing access laneway for which retention permission is being sought. The access laneway inclines from a level of approx. 8m to a height of approx. 32.5. The site itself then also slopes moderately upwards in a general NW direction to a maximum height of approx. 40m. A thick band of mature vegetation cover exists between the NE boundary and the existing access laneway. The nearest Natura 2000 site is located just 4.5m on the opposite side of the public road that being the North Inishowen Coast SAC. An existing stream runs parallel to the site and existing access laneway approx. 30-40m to the south which discharges into Tremore Bay and the SAC.

View from top of laneway



Structure on site





2.0 Proposed Development

2.1 Retention permission is being sought for a mobile unit (11.22m x 3.6m with a height of 2.95m from GL) for agricultural use as a tack room, changing room, wet room, office and rest area and an access laneway. Permission is also being sought for the construction of an agricultural building (12m x 6m with a height of 6.113 from FFL) comprising a barn and stables and completion of all associated site works including screening measures. The proposed agricultural building has an extended roof overhang providing a covered porch

APP 5.1 (3/12)

area along the SW elevation. Screen cladding is proposed along the SE and NE elevations of the mobile unit.

3.0 Reports (Internal)

EE ROADS	No report received
SEC	No report received

4.0 Prescribed Bodies

DoCHG (wildlife)	No report received
An Taisce	No report received

5.0 Third Party Submissions

Name: Dr D C Matthews
Date Received: 2nd September 2020

Point of Submission:	Response of Planning Authority
1: Detrimental development in an environmentally sensitive area	Noted – considered in Para. 9.3 (siting and design)
2: Inadequate provision for water supply and sewage collection/disposal	Agree that it has not been demonstrated that there is sufficient water supply to meet the needs of the development nor has it been demonstrated that the subject site can cater for the safe and effective treatment and disposal of effluent in accordance with the Environmental Protection Agency codes of practice
3: Further destruction of hedgerows/wildlife habitats	It is acknowledged that some trees may have been removed to facilitate the access laneway however this is not considered to have a significant impact
4: Building by non-indigenous landowner	Link to the area not required for non-residential development
5: Development currently being advertised as holiday accommodation	Booking.com advertising accommodation at the Eco Village at Rescue Ranch in Ballymagaraghy. None of the photos suggest that the advertisement relates to the development in Ballycharry.

Name: Mary McIntyre
Date Received: 28th August 2020

Point of Submission:	Response of Planning Authority
1: Notice was not visible on site until 6th August 2020	Site Notice was erected at the time of the site inspection on 19th August therefore the

APP 5.1 (4/12)

	application was deemed to be valid.
2: Construction of any building in a HSA would be visually intrusive	Policy NH-P-7 facilitates development within areas of HSA of a nature, location and scale that allows the development to integrate with a reflect the character and amenity designation of the landscape.
3: Hazardous access on the corner of a blind bend, on a very narrow road	Noted – significant land required for the provision of visibility splays
4: Potential pollution of stream (containing brown trout and eels) from effluent from barn and stables	Agree that it has not been demonstrated that the subject site can cater for the safe and effective treatment and disposal of effluent in accordance with the Environmental Protection Agency codes of practice
5: The creation of a crude access up the steep side of the small hazel wood has disturbed and destroyed wildlife habitat of local and EU species of interest	It is acknowledged that some trees may have been removed to facilitate the access laneway however this is not considered to have a significant impact. This area is not afforded any EU protection nor was there evidence of protected species.
6: There is no potable water supply on the site	Agree that it has not been demonstrated that there is sufficient water supply to meet the needs of the development
7: The "mobile unit" has been used as lodgings for paying guests (booking.com and AirBnB)	Booking.com advertising accommodation at the Eco Village at Rescue Ranch in Ballymagaraghy. None of the photos suggest that the advertisement relates to the development in Ballycharry. No evidence found on Air BnB.
8: Mobile unit situated on the highest point of the site and is visually intrusive in a high scenic amenity area	Noted – considered in Para. 9.3 (siting and design)
9: No facility for disposal of effluent/waste	Agree it has not been demonstrated that the subject site can cater for the safe and effective treatment and disposal of effluent in accordance with the Environmental Protection Agency codes of practice
10: What purpose is the rest room?	Application lacks sufficient detail about the exact nature and use of the development
11: The completion of all site works including screening measures is very vague	It appears that the screening referred to is the proposed screen cladding along the SE and NE elevations of the mobile unit.

Name: Mervyn & Joyce Norris
Date Received: 26th August 2020

Point of Submission:	Response of Planning Authority

APP 5.1 (5/12)

1: Site notice was not erected until a date after the 7th August 2020	Site Notice was erected at the time of the site inspection on 19th August therefore the application was deemed to be valid.
2: Proposed stable building a new build structure far removed from any existing cluster of buildings in a high scenic amenity area and will be visually obtrusive in the landscape. To permit this building would set a precedent whereby the scenic landscape would come under pressure from further development in the future	Noted – considered in Para. 9.3 (siting and design)
3: Applicant is already advertising an Eco Village and Rescue Ranch on this site. This is a clear indication of how the applicant intends to develop this site	It is acknowledged that the website www.rescueranch.co.uk relates to the subject site. The application lacks sufficient detail/evidence about the exact nature and use of the development
4: Mobile unit would detract from the intrinsic rural nature of this highly scenic coastal landscape. The intention is to use the mobile unit as tourist accommodation (booking.com)	Noted – considered in Para. 9.3 (siting and design) Booking.com advertising accommodation at the Eco Village at Rescue Ranch in Ballymagaraghy. None of the photos suggest that the advertisement relates to the development in Ballycharry.
5: Intention to discharge storm water/run off to land drain and nearby river. There is no existing land drain in the site area therefore is a new drain being made all the way to the river? Unacceptable for run off to be discharged directly into river. River has "high water quality" status with a healthy population of wild brown trout	Agree it has not been demonstrated that storm / surface waters can be appropriately collected, managed and disposed of to an appropriate discharge point.
6: There is an additional caravan in close proximity to the river which has not been included for retention permission on this application	This additional caravan does not fall within the remit of this planning application and is subject of a separate enforcement investigation
7: Is the line of sight adequate to traffic approaching from the northerly direction on the main Inishowen 100 route?	Required visibility splays have not been indicated on the site layout plan.
8: The public car park across the road is shown in blue land however this car park is owned by Donegal County Council	Noted – not a material consideration as the car park does not form part of the planning application

A99 2.1 (5/15)

APP 5.1 (6/12)

6.0. Representations

6.1 No representations received.

7.0 Planning History

7.1 Subject Site:
UD/19248 Alleged unauthorised 1) Mobile Home and 2 caravans 2) Access Road and 3) Hard cored yard

7.2 Adjoining Site(s):
No relevant histories

8.0 Policy Context

8.1 Development Plan/Local Area Plan

The site is located within an Area of High Scenic Amenity (HSA). Areas of High Scenic Amenity are landscapes of significant aesthetic, cultural, heritage and environmental quality that are unique to their locality and are a fundamental element of the landscape and identity of County Donegal. These areas have the capacity to absorb sensitively located development of scale, design and use that will enable assimilation into the receiving landscape and which does not detract from the quality of the landscape, subject to compliance with all other objectives and policies of the plan.

Policy NH-P-7 of the County Donegal Development Plan 2018-2024 states, *'Within areas of 'High Scenic Amenity' (HSC) and 'Moderate Scenic Amenity' (MSC) as identified on Map 7.1.1: 'Scenic Amenity', and subject to the other objectives and policies of this Plan, it is the policy of the Council to facilitate development of a nature, location and scale that allows the development to integrate within and reflect the character and amenity designation of the landscape'.*

Policy ED-P-8 of the aforementioned policy states, *"It is a policy of the Council to consider proposals for economic development uses in the countryside including An Gaeltacht which comply with the following provisions, subject to compliance with Policy ED-P-14 and the protection of areas designated as being of Especially High Scenic Amenity (EHSA):-*

- *Farm Diversification schemes – provisions set out in Policy ED-P-9.*
- *Expansion or redevelopment of an existing economic development use – provisions set out in Policy ED-P-10.*
- *Major industrial Development – provisions set out in Policy ED-P-11.*
- *Businesses in rural areas that could benefit the local economy/tourism offering and Home Based Working – provisions set out in Policy ED-P-13.*

All other proposals for economic development in the countryside will only be permitted in exceptional circumstances where the proposal comprises a development of regional or national significance and no suitable site exists within a settlement in the locality which can accommodate the proposal (Policy ED-P-12 refers).

APP 5.1 (7/12)

Policy ED-P-13 states, *"It is a policy of the Council to consider proposals for businesses in rural areas that (a.) Could serve as a valuable addition to the local economy and/or tourism offering in an area, such as those relating to food (particularly value-added products such as artisan food), forestry (e.g. wood products), crafts, creative industries, ecotourism and agritourism (e.g. farmhouse accommodation, pet farms, farm holidays, health farms, equestrian activities, bird-watching holidays, painting and photography tuition, angling tourism, field studies cycling and hill-walking) or (b.) Comprise a home-based business of limited scale (circa 1-5 employees), located within the curtilage of an existing dwelling house; subject to compliance with Policy ED-P-14 and having regard to all other material planning considerations."*

Policy ED-P-14 states, *'It is a policy of the Council that any proposal for economic development use, in addition to other policy provisions of this Plan, will be required to meet all the following criteria;*
(a) It is compatible with surrounding land uses existing or approved;
(b) It would not be detrimental to the character of any area designated as being of especially high scenic amenity (ehsa);
(c) It does not harm the amenities of nearby residents;
(d) There is existing or programmed capacity in the water infrastructure (supply and/or effluent disposal) or suitable developer-led improvements can be identified and delivered;
(e) The existing road network can safely handle any extra vehicular traffic generated by the proposed development or suitable developer-led improvements are identified and delivered to overcome any road problems;
(f) Adequate access arrangements, parking, maneuvering and servicing areas are provided in line with the development and technical standards set out in this plan or as otherwise agreed in writing with the planning authority;
(g) It does not create a noise nuisance;
(h) It is capable of dealing satisfactorily with any emission(s);
(i) It does not adversely affect important features of the built heritage or natural heritage including natura 2000 sites;
(j) It is not located in an area at flood risk and/or will not cause or exacerbate flooding;
(k) The site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity;
(l) Appropriate boundary treatment and means of enclosure are provided and any areas of outside storage proposed are adequately screened from public view;
(m) In the case of proposals in the countryside, there are satisfactory measures to assist integration into the landscape;
(n) It does not compromise water quality nor conflict with the programme of measures contained within the current north western river basin (nwirbd) management plan.'

No other designations apply, and the site is not within a Natura 2000 site, NHA, or other relevant designation consideration.

9.0 Assessment

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9.1 It is considered that the main issues of the application can be dealt with under the following headings:

- Principle of development
- Siting and Design
- Access
- Public Health
- Appropriate Assessment

9.2 Principle of Development

- Section 2 of the Planning and Development Act 2000, as amended defines agriculture to include, *'horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the training of horses and the rearing of bloodstock, the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and "agricultural" shall be construed accordingly.'*
- A letter from the Department of Agriculture, Food and the Marine has been submitted with the application dated 12th March 2020 confirming that the applicant has an equine premises registration number. This neither confers nor infers ownership of the equines or of the premises.
- The proposed consists of constructing a new building (barn and stables) and retaining a mobile unit for use as a tack room, changing room, wet room, office and rest area. This is an agricultural development in a rural area therefore, taking the application at face value, the principle of development is acceptable.

9.3 Siting and Design

- Justification for the location and need for the development have not been provided. Considering the safety and security of the horses it is questionable why they will be located on this isolated site.
- The subject site accesses off the Inishowen 100~~0~~ route therefore particular care and consideration should be given to development at this location.
- The existing mobile unit is finished in green metal sheeting and has the appearance of a static mobile home. It is proposed to erect screen cladding along the SE and NE elevations. The need for the cladding is demonstrates the unsuitability of the building to be retained. The design, form and finishes are considered unacceptable and the mobile unit is considered to be a substandard form of development in the rural area. The proposed cladding not considered sufficient to mitigate against the visual impact of the mobile unit The building will be partly visible therefore this type of development should be refused.
- Finishes for the proposed barn/stable building are typical of agricultural buildings (mix of fine dash and 'grey' profiled metal sheeting).
- Part of the access has been hard cored and it is bounded by post and wire fencing. The access appears to use the contours of the land and integrates satisfactorily when viewed from the public road. Should a grant be forthcoming a condition could be attached to ensure the road shall be

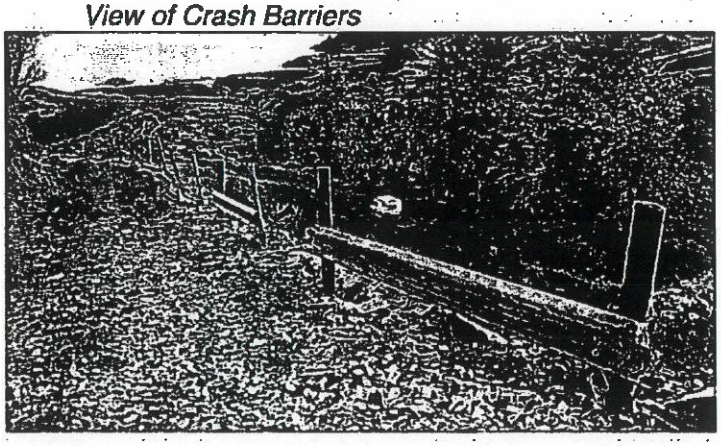
APP 5.1 (8/15)

APP 5.1 (9/12)

surfaced with natural or coloured aggregate gravel and shall not be bound by bituminous or concrete material.

- At the top of the laneway there is a significant drop to the south and it appears that crash barriers are being installed here. These will be visually intrusive and not in keeping with the rural area therefore would need amended to a more aesthetically pleasing type of crash barrier should a grant be forthcoming.
- The mobile unit is located along the highest contours of the site and has a FFL of 38.08m. Glimpses of the mobile unit will be visible when travelling along the surrounding road network. Given this type of sub-standard development the mobile unit, if granted, would have a detrimental impact on the visual amenity of the surrounding area.
- The proposed barn/stable building will have a FFL similar to the mobile unit (38m) however, will sit 3.25m higher. The proposed barn/stable building will therefore be clearly visible when travelling along the surrounding road network and has the potential to skyline in parts.
- This area is largely undeveloped and unspoilt and abuts the EHSA. To grant this development would have a serious adverse impact on the visual amenity of the surrounding area.
- Given the contours of the site I am not convinced there is scope within the site to relocate the proposed barn/stable building to a position that would not be visible from the surrounding road network.
- As a rule of thumb 1 ½ - 2 acres of land is required per horse. The proposed stable block shows 4 stable doors. Further information would therefore be required on the number of horses and how all their foraging needs will be met.

View of Crash Barriers



9.4 Access

- Access is onto the county road L-1331-1 which is part of the Inishowen 100 route. Splays of 2.4m x 160m are required however, none have not been indicated. Third party land will be required on both sides to achieve the full extent of splays required.

APP 5.1 (10/12)

Before (Google Street View)

After (construction of access)

9.5 Public Health

- The cover letter states that no sewage system is in place or intended to be put in place. A portable toilet and holding tank (both within mobile unit) area used. This is a substandard form of waste disposal and not one appropriate for a permanent use. Notwithstanding that the application does not include any detail on when and where the holding tank will be emptied.
- The site layout plan is annotated to say 'Storm water to land drainage (run-off to stream / river). The site layout plan does not show the full extent of the route of surface water run-off, the final point of discharge and whether it will be piped.
- The existing water supply is sourced from the river. Free standing rain water tanks are to be used as secondary supply, from roofing. This is not considered to be an acceptable permanent means of water supply to the development.

9.6 Appropriate Assessment

- The nearest Natura 2000 site is located just 4.5m away on the opposite side of the road. The existing land drains will discharge directly into the River to the south which discharges into the designated SAC (North Inishowen Coast). Given the sites proximity to the SAC there is potential for the development to have an impact. An ecological assessment would be required to enable the Planning Authority to carry out AA screening of the proposed development.

10.0 Recommendation

10.1

It is recommended that the application for PERMISSION be refused subject to the reasons stipulated in the schedule hereto.

10.2 Reasons

Reasons:

APP 5.1 (11/12)

1. On the basis of the information submitted in support of the planning application, and in particular in the absence of any ecological assessment and competent statement on the likely impact of the proposed development on the conservation objectives and qualifying interests of the North Inishowen Coast SAC (site code 002012), the Planning Authority is not satisfied that the proposed development would not have a significant impact on the integrity of the Natura 2000 site. Accordingly to permit the proposed development would materially contravene Policy NH-P-1 of the County Development Plan 2018-2024 (which, *inter alia,* seeks to protect Natura 2000 sites), and would thus be contrary to the proper planning and sustainable development of the area.

2. It is a policy of the County Donegal Development Plan 2018-2024 that "*all development proposals comply with the Development and Technical Standards set out in Appendix 3 to promote road safety*" – (Policy T-P-15 refers). Having regard to the failure of the particulars submitted with the application to demonstrate visibility splays where the site access road meets the county road L-1331-1 in accordance with the requirements of Figure 2 and Table 3 of the said Appendix 3 of Part B of the said Plan, the Planning Authority is not satisfied on the basis of the information submitted that safe visibility splays can be provided in each direction to the required standards. Accordingly to permit the proposed development would result in dangerous traffic cross-over movements into and out of the site, would endanger public safety by reason of a traffic hazard, would be contrary to Policy T-P-15 of the said Plan and would thereby be contrary to the proper planning and sustainable development of the area

3. The proposed mobile unit by reason of its design, form and external appearance constitutes an inappropriate and substandard form of development in this rural area resulting in a detrimental impact on the visual amenity of the surrounding area. Therefore to grant permission would set an undesirable precedent for future development and would be contrary to the proper planning and sustainable development in the area.

4. The proposed barn/stable building is inappropriate for the site and its locality and, if granted would result in the imposition of a prominent building which would fail to integrate into the landscape and would impact on the visual amenities of the surrounding rural area, particularly having regard to the elevated position of the building. Therefore to grant permission would set an undesirable precedent for future development and would be contrary to the proper planning and sustainable development in the area.

5. The use of the metal crash barriers along the access is considered inappropriate for this scenic rural area and would create a prominent, incongruous access that would have a detrimental impact on the visual amenity of the surrounding area. Therefore to grant permission would set an undesirable precedent for future development and would be contrary to the proper planning and sustainable development in the area.

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APP 5.1 (12/12)

6. The proposal is contrary to Policy WES-P-8 of the County Donegal Development Plan 2018-2024, in that it has not been demonstrated that the subject site can cater for the safe and effective treatment and disposal of effluent in accordance with the 2009 Environmental Protection Agency Code of Practice, "Wastewater Treatment and Disposal Systems Serving Single Houses," and accordingly, to permit the proposed development would be prejudicial to public health and would therefore be contrary to the aforementioned policy of the County Development Plan and thereby contrary to the proper planning and sustainable development of the area.

7. The proposal is contrary to Policy F-P-4 of the County Donegal Development Plan 2018-2024, in that it has not been demonstrated that storm / surface waters can be appropriately collected, managed and disposed of to an appropriate discharge point. Accordingly, to permit the proposed development would be prejudicial to public health and the proper planning and sustainable development of the area.

8. The proposal is contrary to Policy WES-P-2 of the County Donegal Development Plan 2018-2024, in that it has not been demonstrated that there is an adequate supply of water to meet the anticipated demands of the development. Accordingly, to permit the proposed development would be prejudicial to public health and the proper planning and sustainable development of the area.

Assistant Planner
Development Applications Unit
15/09/2020

15/09/2020

99A 2.1 (51/51)

App 5.2 (1/3)

Comhairle Contae
Dhún na nGall
Donegal County Council

www.ccdhunnangall.ie www.donegalcoco.ie

Ref. No: 22/50522

12th May 2022

TO: DAVID MATTHEWS
SEAN O'CARROLL STREET
ARDEE
CO. LOUTH
A92 PP48

Re: ***Planning and Development Act 2000 (as amended)***
ELIZABETH BAUMAN

A Chara

I refer to letter of correspondence received from you in connection with an application by ELIZABETH BAUMAN for PERMISSION for ERECTION OF 3 NO. POLY TUNNELS TOGETHER WITH ALL ASSOCIATED WORKS at BALLYCHARRY LECAMY CULDAFF CO. DONEGAL and am to advise that Donegal County Council by Order dated 12th May 2022 having taken your submission into consideration has made a decision on the application. I am attaching for your information a copy of the Council's decision.

Please note that you have the right of appeal to An Bord Pleanála against the Council's decision on this application. Your appeal should be addressed to The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1 and should include, your name and address, details of the nature and site of the proposed development, the name of the Planning Authority, the planning register number, the applicants name. In the case of third party appeals the acknowledgement by the Planning Authority of receipt of the submission or observation made by the person to the Planning Authority at application stage must also be submitted (a copy of the notification of decision or similar is not accepted by the Board as an acknowledgement of the receipt of the submission or observation). The appeal must be received by An Bord Pleanála within **four weeks** beginning on the date of Order (see above).

The **full** grounds of appeal and supporting material and arguments must be submitted from the start. The correct **appeal fee** must also be enclosed (See Attached Schedule). If an appeal does not meet **all** the legal requirements, it will be **invalid** and **cannot** be considered by the Board.

Mise, le meas

For A/Senior Ex. Planner
Planning Services

/MP

Cuir freagra chuig: Áras an Chontae, Leifear, Contae Dhún na nGall, Éire F93 Y622
Please reply to: County House, Lifford, Co. Donegal, Ireland F93 Y622

Guthán/Tel: 074 9153900 | Facs/Fax: 074 9172812 | Ríomhphost/Email: info@donegalcoco.ie

AM 2.5 (1/2)

APP 5.2 (2/3)

DONEGAL COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

NOTIFICATION OF DECISION TO REFUSE

TO: ELIZABETH BAUMAN
C/O MARK CARLIN AND ASSOCIATES LTD
MALIN STREET
CARNDONAGH
CO. DONEGAL

Planning Register Number: 22/50522

Valid Application Received: 23/03/2022

Further Information Received Date:

In pursuance of the powers conferred upon them by the above-mentioned Acts, Donegal County Council has by Order dated 12/05/2022 decided to REFUSE TO GRANT PERMISSION for development of land, namely:-

ERECTION OF 3 NO. POLY TUNNELS TOGETHER WITH ALL ASSOCIATED WORKS AT BALLYCHARRY LECAMY CULDAFF CO. DONEGAL IN ACCORDANCE WITH THE PLANS SUBMITTED WITH THE APPLICATION.

For the reasons set out in the Schedule hereto.

Signed on behalf Donegal County Council
County House
Lifford
Tel: 074 9153900

for A/Senior Ex. Planner
Date: 12th May 2022

See final page for details of appeal procedures.

AM 2.5 (5/2)

APP 5.2 (3/3)

Ref. No. 22/50522 - Chief Executive's Order No. 2022PH1241

SCHEDULE

1. The proposed polytunnels would be inappropriate for the site and its locality and, if granted would result in the imposition of prominent unnatural and non-traditional structures which would fail to integrate into the otherwise pristine and undeveloped landscape and would impact negatively on the visual amenities of the surrounding rural area, particularly having regard to the Especially High Scenic Amenity designation pertaining to the application site as per Map 7.1.1 of the County Donegal Development Plan, 2018-2024 (as varied). Therefore to grant permission would set an undesirable precedent for future development and would be contrary to the proper planning and sustainable development in the area.

APPENDIX 6 (1/4)

L- 1331- 1 NORTHBOUND.

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SITE ENTRANCE

APPENDIX 6 (2/4)

L-1331-1 NORTHBOUND.

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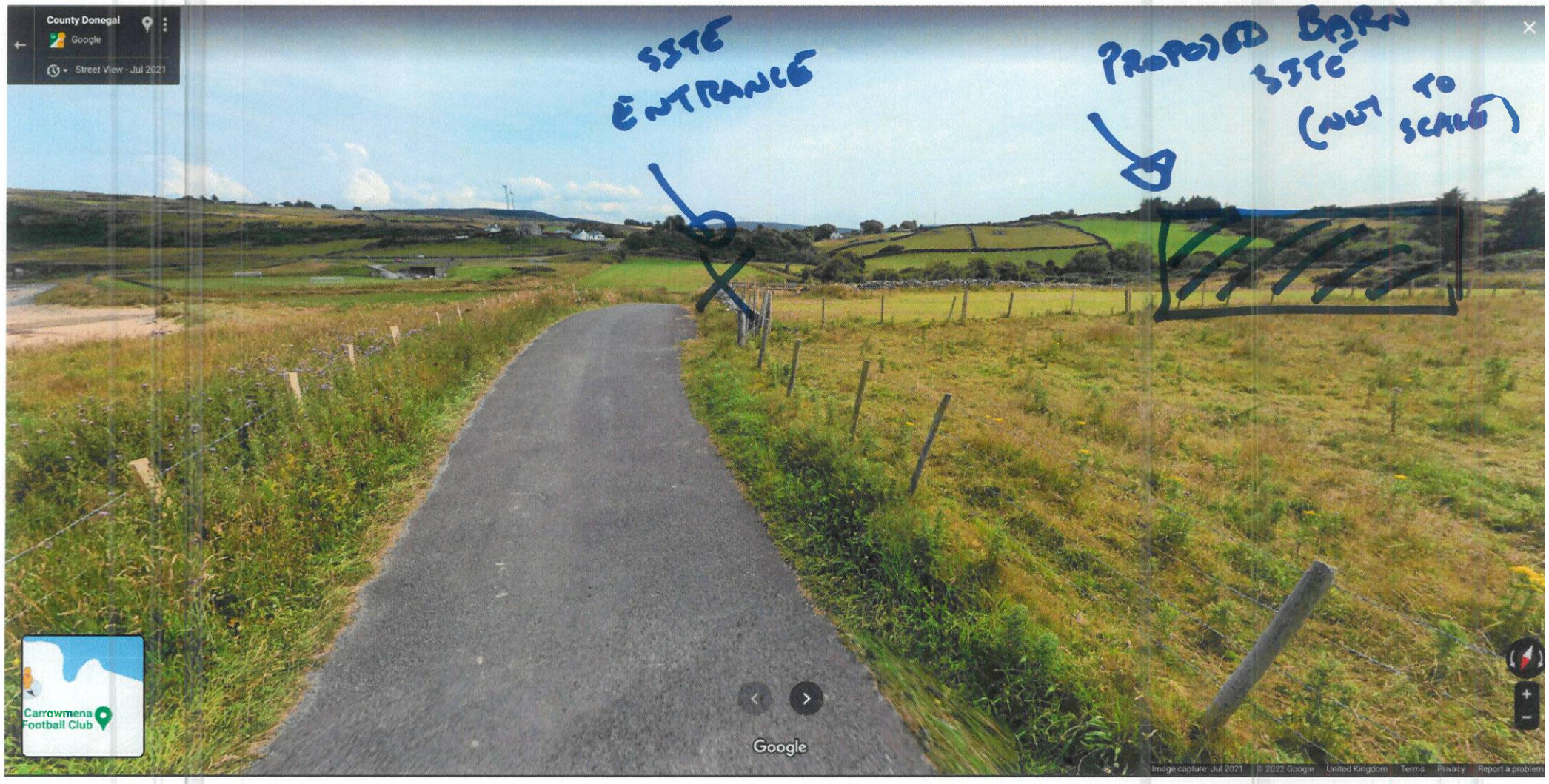

APPENDIX 6 (3/4)

L-1331-1 SOUTHBOUND.

L- 1331-1 NORTHBOUND

APPENDIX 6 (4/4)

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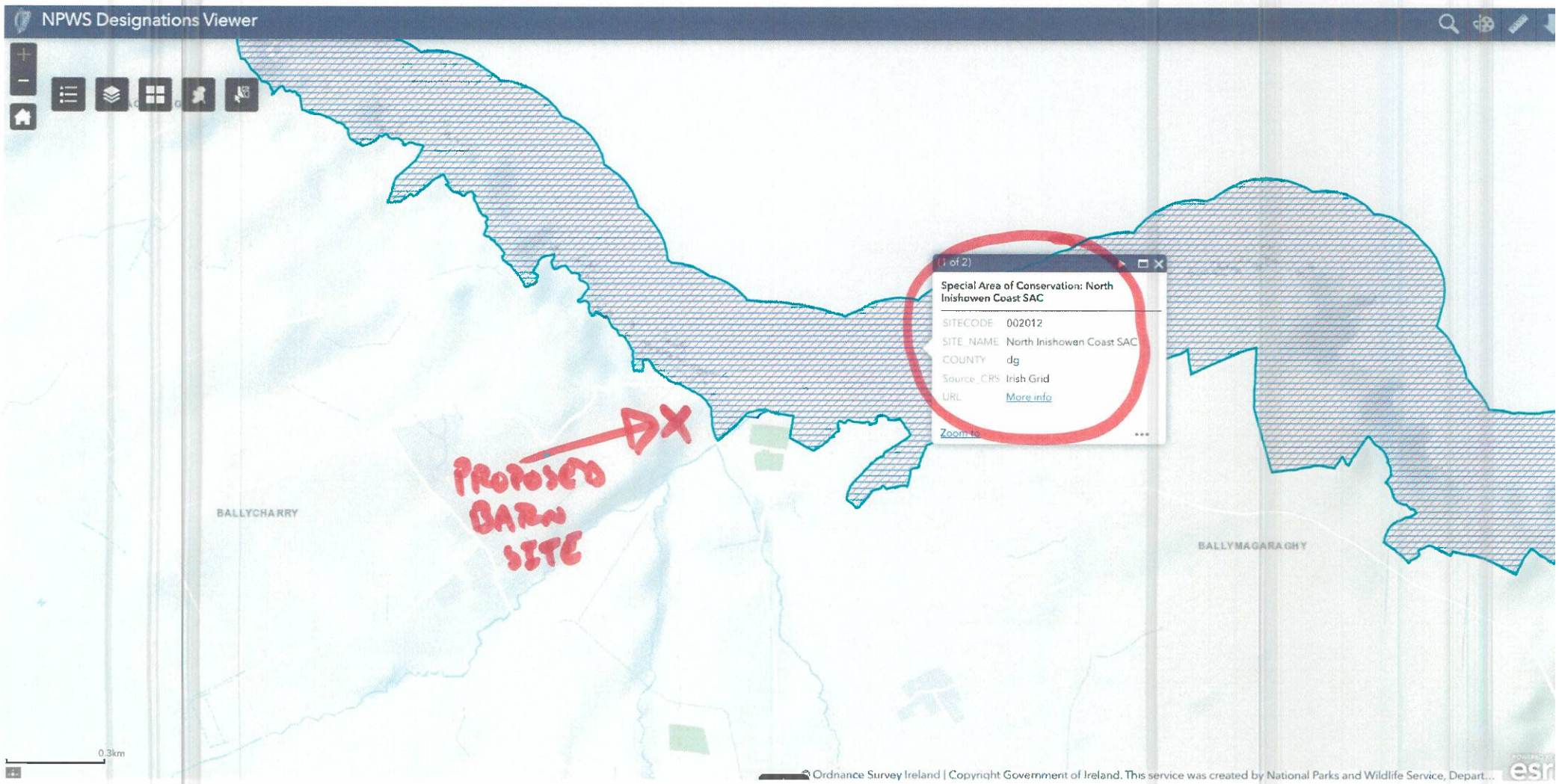
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SITE_NAME North Inishowen Coast SAC
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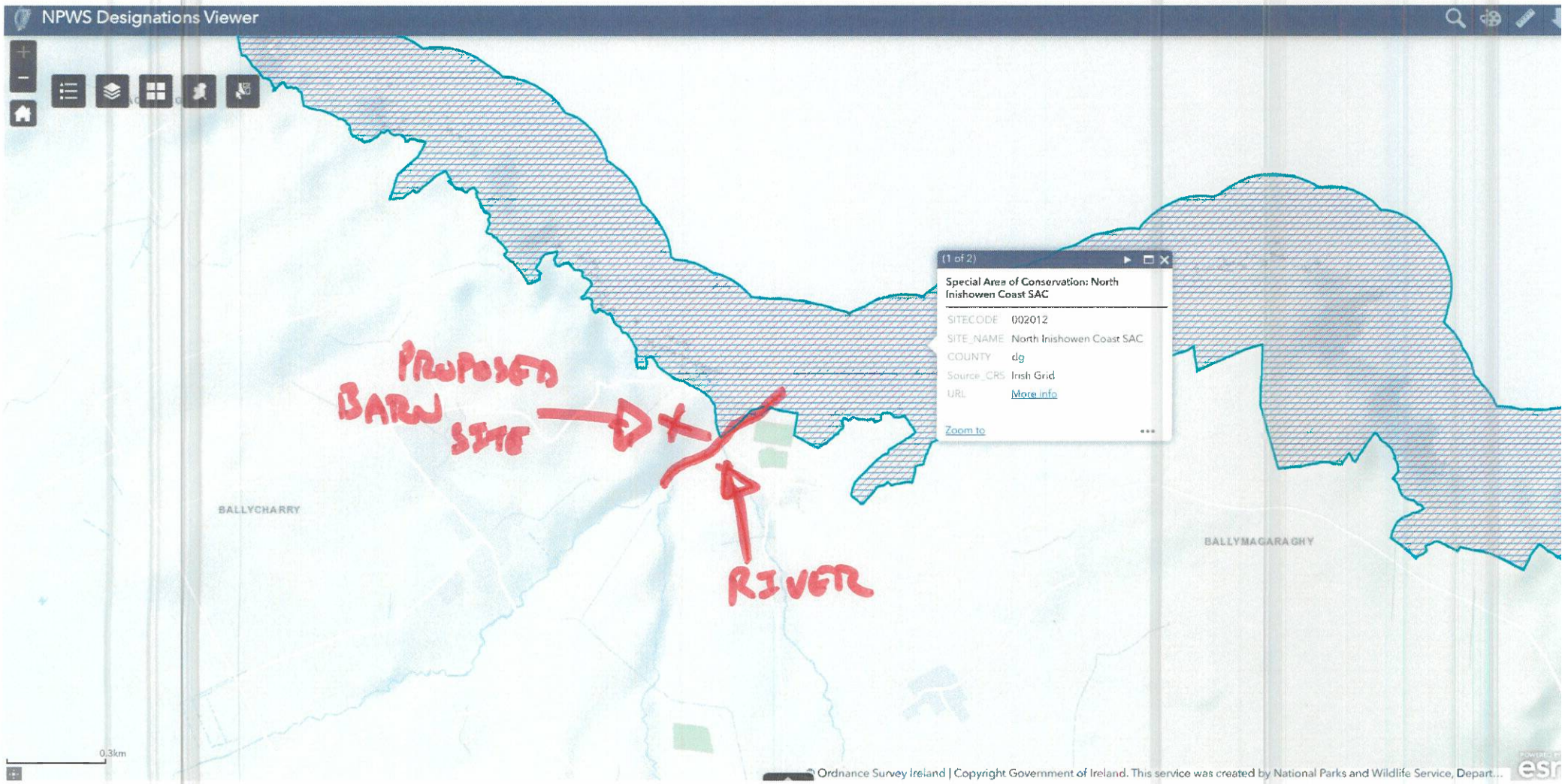
Source_CRS Irish Grid
URL More info
Zoom to
PROPOSED BARN SITE
BALLYCHARRY
BALLYMAGARAGHY
0.3km
Ordnance Survey Ireland | Copyright Government of Ireland. This service was created by National Parks and Wildlife Service, Depart...

APPENDIX 7.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SITE_NAME North Inishowen Coast SAC
COUNTY dg
Source_CRS Irish Grid
URL More info
Zoom to
PROPOSED BARN SITE
RIVER
BALLYCHARRY
BALLYMAGARAGHY
0.3km
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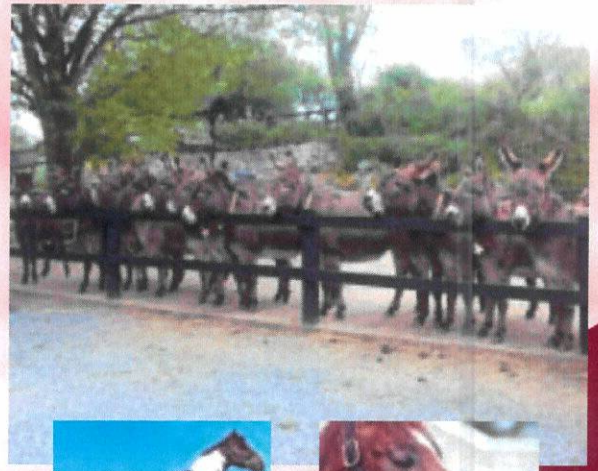
APPENDIX 8.

APPENDIX 9 (1/2)

Farm Animal Welfare Advisory Council



Animal Welfare Guidelines for Horses, Ponies and Donkeys

For further information please contact:
The Secretary
Farm Animal Welfare Advisory Council
Animal Health and Welfare Division
Agriculture House
Kildare Street, Dublin 2
Telephone: 01-607 2049
Email: fawac@agriculture.gov.ie
www.agriculture.gov.ie/fawac

THE DEPARTMENT OF AGRICULTURE & FOOD
AN ROINN TALMHAIOCHTA AGUS BIA

APPENDIX D

(5/1)

APPENDIX 9 (2/2)

STABLE SIZE

In a loose box, the horse must have sufficient room to lie down, readily rise and turn around in comfort, without the risk of injury. The recommended minimum box sizes are 3.66m x 3.66m (12ft x 12ft) for horses and 3.05m x 3.05m (10ft x 10ft) for ponies. Boxes for foaling, and for mares with a foal at foot, should be a minimum of 4.6m x 4.6m (15ft x 15ft). Loose boxes constructed smaller than these minimums may increase the risk of injury to both the horse and its handler.

Any aisles or passageways should be of sufficient width to enable horses to be led safely past other horses and provide sufficient room to enable a horse to be comfortably turned around.

VENTILATION

Ventilation systems in horse stables/housing should be capable of maintaining an air change rate to prevent excessive heat and moisture levels and to remove major dust and gas contaminants that can be damaging to the respiratory system of horses and humans. Mechanically ventilated stables should be equipped to introduce and uniformly distribute fresh air/or to exhaust foul, moisture-laden air. Stables may be adequately ventilated through the use of air intakes and exhaust openings to give reasonable air exchange without creating draughts. The use of a half door solely as a means of ventilation is not adequate. Air movement should not cause discomfort to horses in stables.

LIGHTING

Horse stables/housing should be well lit to permit proper observation of all horses. Any light source within a stable should be positioned so that it is inaccessible to the reach of horses. It should be fitted with waterproof protective covering, as required under National Rules for electrical insulation. Natural light sources should be utilised as much as possible in the design of the facility. (See Appendix 3: S156, Point 4 of Department of Agriculture and Food, Minimum Specifications for Horse Facilities and Fencing).

BEDDING MATERIAL

Adequate suitable bedding material is necessary to provide warmth and protection from draughts, to prevent injury and jarring of the legs, to enable the horse to lie down in comfort, to reduce the risk of the horse becoming cast and to encourage the horse to stale (urinate). Bedding material must be non-toxic and provide effective drainage (and/or be absorbent), to maintain a dry bed and to keep the air free from dust and ammonia.

Various types of bedding material are available, such as straw, wood shavings, paper, and hemp. Whichever bedding material is used, it must be of good quality and well managed. The effectiveness of all bedding material diminishes if they are poorly maintained or if insufficient quantities are used.

APPENDIX 10.

McCAULEY PROPERTIES

Market Square, Moville – Inishowen Co. Donegal Phone: +353 74 93 82110 Email: info@mccauleyproperties.com PSRA No: 002017

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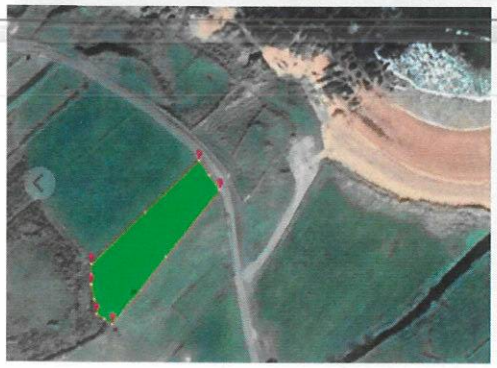
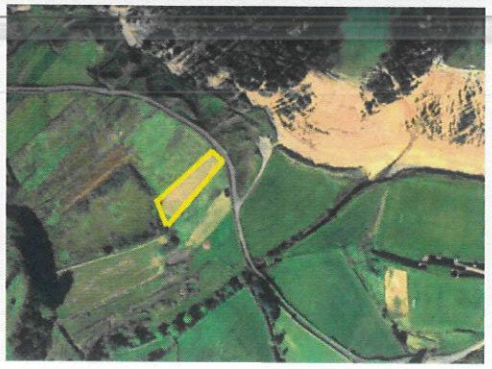
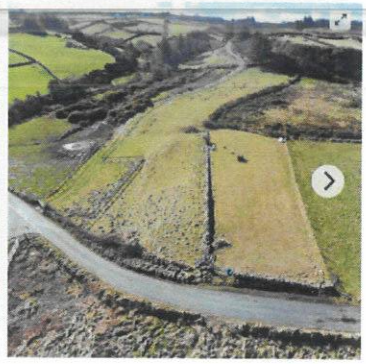






BALLYHARRY, LECAMY

PRICE €49,000

TYPE Site-individual

STATUS For Sale

Agent Information

McCAULEY PROPERTIES

Privacy Policy

Description

This 0.5 acre plot is located on a prime scenic setting "a stones throw" from the beautiful Tremone Bay.

Description

This 0.5 acre plot is located on a prime scenic setting "a stones throw" from the beautiful Tremone Bay. The plot comprising part of Folio DL84418F, is excellent arable land with planning for a barn/stables and could be used for a variety of uses and is being offered for sale "as is"

Features

- Scenic plot beside Tremone Bay
- Planning granted for stables

Accommodation

Note:
Please note we have not tested any apparatus, fixtures, fittings, or services. Interested parties must undertake their own investigation into the working order of these items. All measurements are approximate and photographs provided for guidance only.

Directions

From Moville: Drive out Carndonagh c.3 miles take right at Noone's Bridge, drive approx. 1.4 miles towards Carrowmeana drive into Carrowmena Village turn left after Tremone Bar drive c.0.5 miles to T-junction turn left, drive 500 metres, the plot is on left hand side just past access road to Tremone Bay car park.

Moville Neighbourhood Guide

Explore prices, growth, people and lifestyle in Moville

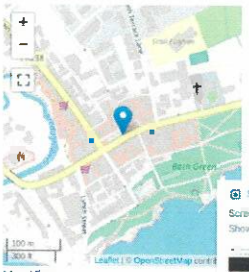
Explore Moville

McCAULEY PROPERTIES

Leo McCauley

info@mccauleyproperties.com

074 938 2110



Map View

Satellite

First Name *

Last Name *

Email *

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EDIT DELETE

Appendix 10.