

11th January 2023

Re: Planning Appeal against Decision against Donegal County Council
against a refusal to entertain my Section 5. Request.

My Ref: P.K.M. 01/23

Donegal County Council Ref: S5. 82/40

Re: Placing of a New Golf Tee at Narin and Portnoo

AN BORD PLEANÁLA	
LDG-	060431-23
ABP-	
13 JAN 2023	
Fee: €	220
Type: cheque	
Time:	
By: post	

Golf Links, NARIN
Portnoo, Co. Donegal.

A Charr,

I refer to the above. I have attempted to
fill in on your own Web site template the Appeal
form but the copy has not come out the best.
If it is illegible to read from your point of view I
can re submit.

Enclosures Attached.

Thanking you in anticipation

- i) Appeal Application
- ii) Decisions of D.C.C.
- iii) 2 Maps & Area.

- iv) Correspondence re planning enforcement by D.C.C.
- v) Cheque

Patrick K. Moore

Click or tap here to enter text.

Your details

Click or tap here to enter text.
PATRICK K. MOORE

Click or tap here to enter text.
GLEBE HOUSE, PORTNOO . CO. DONEGAL. F94 ED25

Agent's details

N/A

Click or tap here to enter text.

Click or tap here to enter text.

Postal address for letters

GLEBE HOUSE , PORTNOO . CO. DONEGAL. F94 ED25

Details about the proposed development

REFUSAL of A Section 5(3)(a) Application

Click or tap here to enter text.

①

Donegal County Council Ref NO. S5 20140

Click or tap here to enter text.

Chief Executive Order NO. 2022 PH3208

Development

new Building (On Hold Down)

Click or tap here to enter text.

NARIN AND PORTNOO GOLF CLUB, NARIN, PORTNOO, CO DONEGAL

Appeal details

THE REFUSAL OF DONEGAL County Council Planning Dept.
to allow Narin & Portnoo Golf Club to place a golf tee
in such a position as to pose a Health & Safety Danger
to Persons using my field. THE CONSTRUCTION OF THE
TEE interfered with the delicate eco system, and
MARRAM GRASS growing in this location.

Supporting material

I attach correspondence from Donegal County Council
I attach also correspondence from Donegal County
Council which shows a complete disregard the
enforcement procedures pertaining to multiple Planning
law breaches on said Golf Course

I have no confidence in Liam WARD, and his planning
Acknowledgement from planning authority (third party appeals)

Department when it comes to
making impartial planning Rulings.

Fee

Please make sure that the correct fee is included with your appeal.
To find out the correct fee to include in our Fees and Charges section.



Ref. No: S5 22/40

21st December, 2022

Patrick K. Moore
Glebe House
Portnoo
Co Donegal

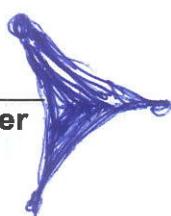
Re: Reconfiguration of golf course (location of tee) and associated orientation of play at Narin, Portnoo, Co Donegal

A Chara,

I refer to your request received on 7th December, 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,

E. Keid
For A/Senior Ex. Planner
Planning Services



/mp

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

DECLARATION

Chief Executive's Order No: 2022PH3208

Reference No: S5 22/40

Name of Requester: Patrick K. Moore
Glebe House
Portnoo
Co Donegal

Summarised Description of development the subject matter of request:

Reconfiguration of golf course (location of tee) and associated orientation of play

Location: Narin, Portnoo, 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, 4 and 177U of the Planning and Development Act, 2000 (as amended), and
- Article 6, 9 and Class 34 of Part 1 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 is coming within scope of Article 6, 9 of the Planning & Development Regulations, 2001 (as amended) and with regard to Class 34 of Part 1 of Schedule 2 of the Planning & Development Regulations, 2001 (as amended).

Dated this 21st day of December, 2022

E. Reid
For A/Senior Planner
Planning Services

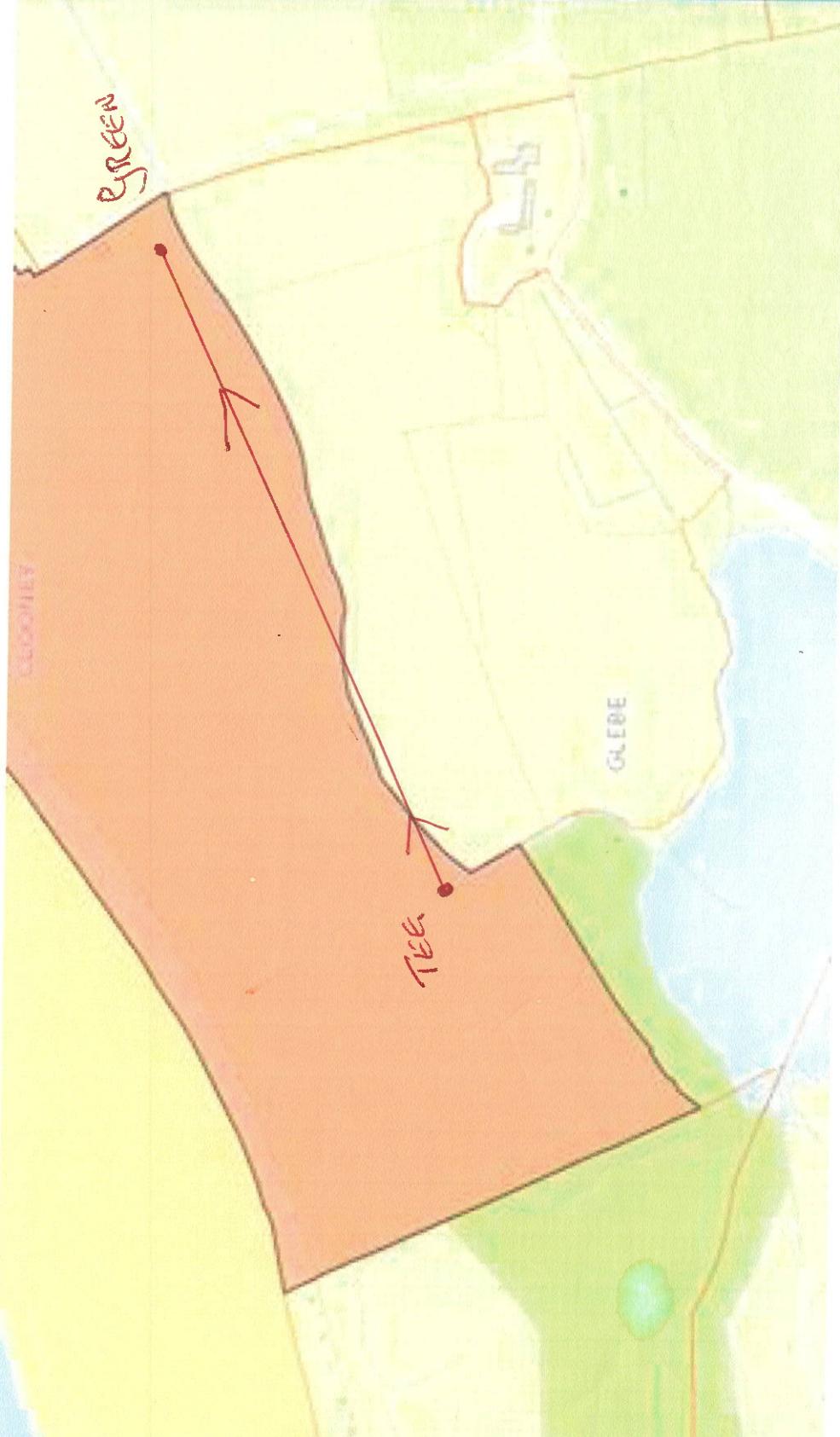
≡

> Back

Folio Number	DL68768F
Title Level	Freehold
Plan Number	C0W744
Property Number	1
Area of selected plans	45.00 Hectare
Number of Plans on this folio:	2
Address	Not Available

[View Folio PDF](#) [Request Copy](#)

* Folio Boundaries and Plan Area are not
conclusive See Section 62(2) of
Registration of Title Act 2005 and
of the Land Registration Rules 21



 Print Current View

Help



An Roinn Talmhaíochta,
Bain agus Mara
Department of Agriculture,
Food and the Marine

For Basic Payment Scheme,
Areas of Natural Constraint Scheme and
other Area-Based Schemes Purposes only

Year:

2020

Scale:

1:5000

Name: Kevin Moore
Address: Glebe House
Clooney
Portnoo
Co Donegal

Townland Code: E21406

Townland Name: GLEBE

Parcel

Digitised

NEA*

Claimed

0.27

0.27

0.25

0.25

0.21

13.59

0.20

0.11

0.20

E21406024

X01

0.101

60%

0.04

Scrub/Rock

E21406024

X05

0.011

100%

0.00

Farm Road

E21406024

X07

0.022

100%

0.00

Baled Silage Area

E21406024

X08

0.191

60%

0.08

Scrub

E21406024

X09

0.0650

100%

0.00

Baled Silage Area

E21406024

X10

0.07

100%

0.00

Area fenced off

E21406024

X11

0.215

60%

0.09

Scrub

Deductions

Parcel

Manual

Reason

1%

Scrub

Ortho Used:

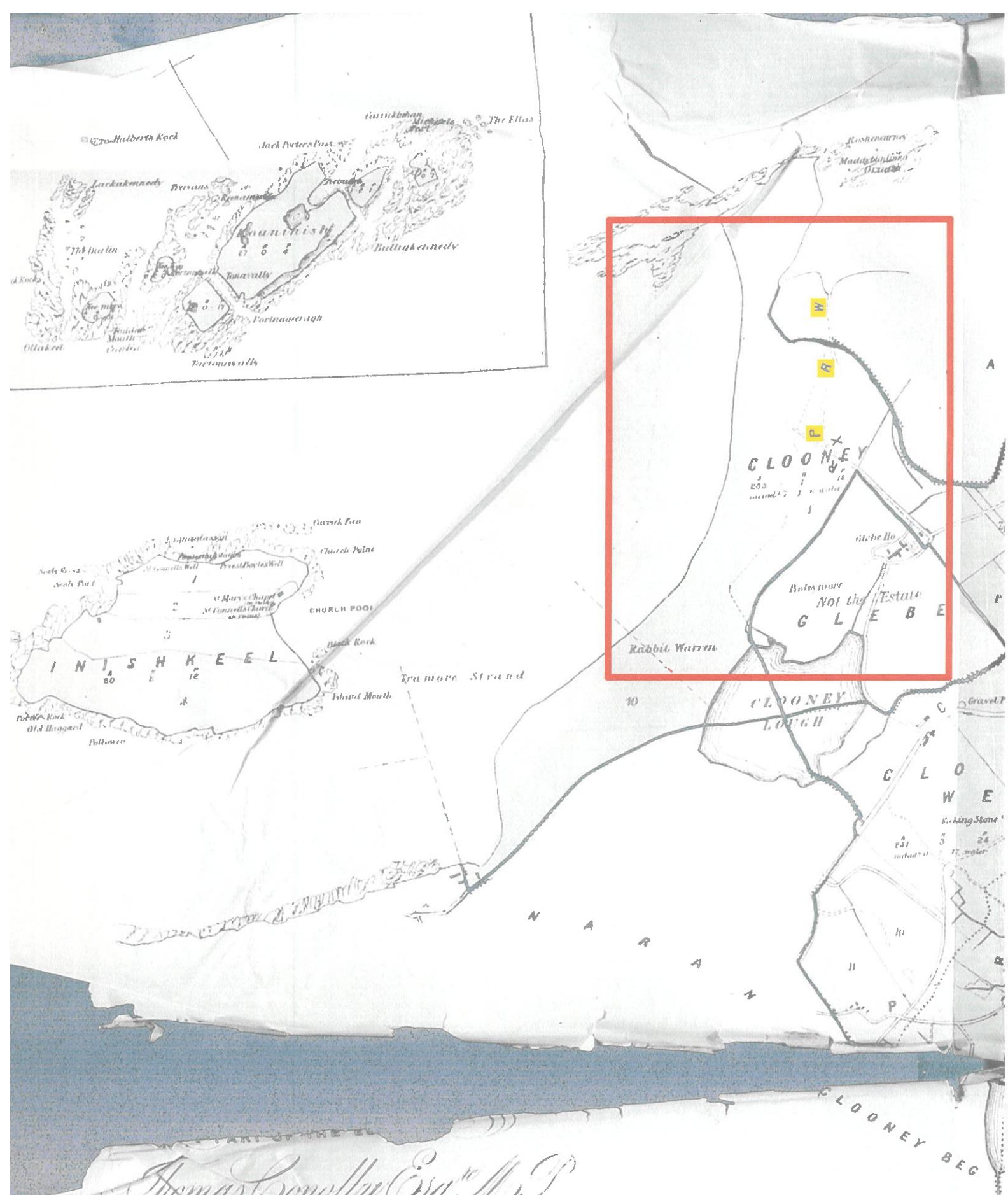
Color Ortho Full Coverage



All areas displayed above are in hectares.
* NEA calculation available online via agf.ie
07/05/2017 ©Bluesty International Ltd. 2017
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E2140385 1 of 1 - Tue Dec 01 08:57:13 GMT 2020



Thomas Connelly Esq. M.P.

Situé in the

COUNTY DONEGAL.

Lithographed by Thomas Nuttall
109, Grattan Street, Dublin

UD18280

GENOCKO

Planning Enforcement - Location Map



Comhairle Contae
Dhún na nGall
Donegal County Council

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- b. Remove the water tank and all associated site works and return the land to its original state prior to the commencement of development.

DATED THIS 4TH DAY OF NOVEMBER 2020

Signed: Paula Murphy
Assistant Staff Officer

NOTE -

- (i) This Notice takes effect immediately on the date of service hereof on you.
- (ii) In relation to the costs and expenses above referred to, the Council may recover these from you as a simple contract debt or by charging the lands concerned or where you are the owner thereof by Instrument vesting the ownership of the land in the Council subject to a right of redemption by you within five years (on payment of all the costs and expenses incurred including those further costs associated with the charging/vesting of the land).
- (iii) On conviction for an offence of failing to comply with this Notice you may be liable to fines up to €12.69 million or imprisonment up to two years or both on prosecution on indictment and €5000.00 or imprisonment up to six months or both on summary prosecution.



Ref: UD18280

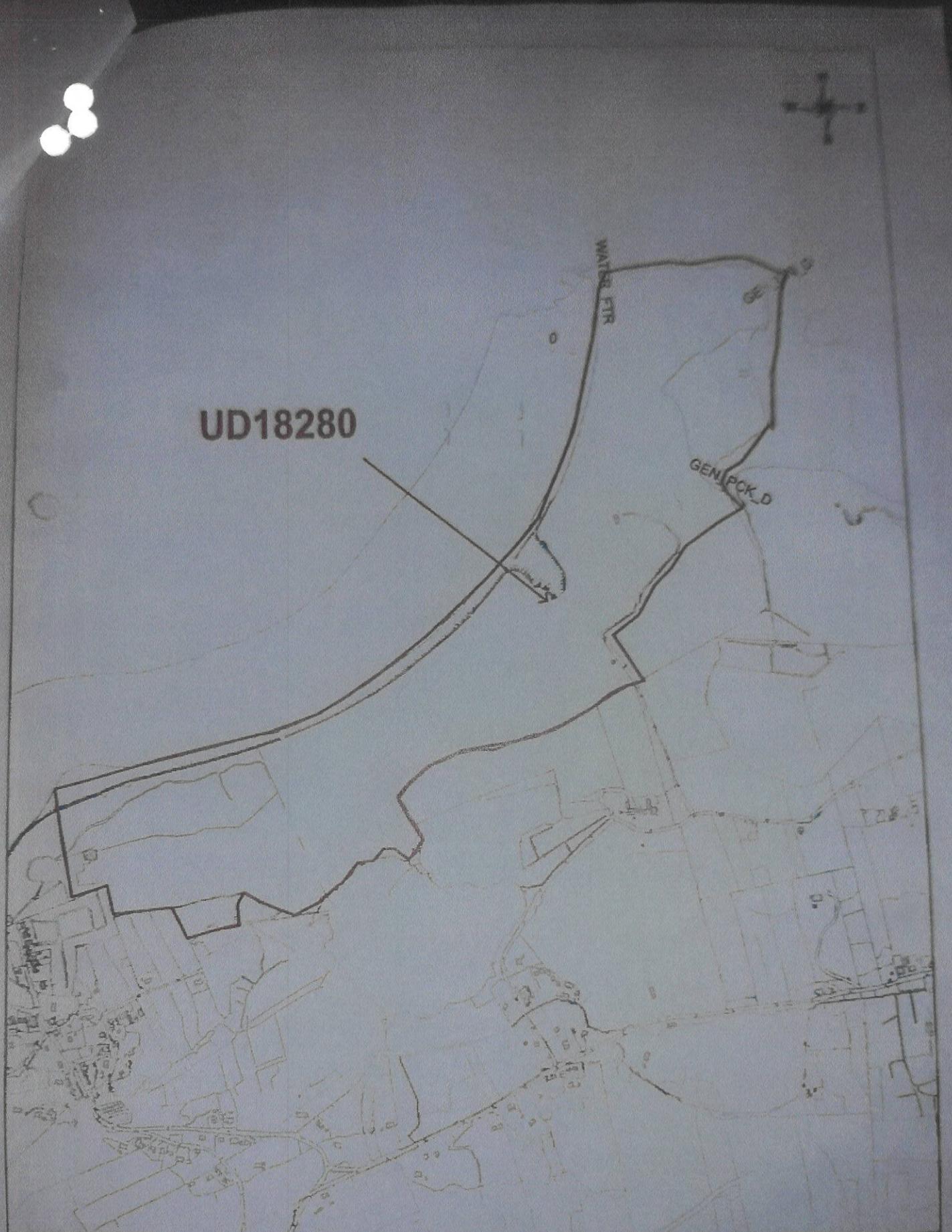
25th May 2022

PLANNING AND DEVELOPMENT ACT 2000 (as amended) ("the Act")
SECTION 152 WARNING LETTER

A Chara,

I refer to lands/premises situated at **Narin & Portnoo Golf Club, Clooney, Portnoo, Donegal P.O., Co. Donegal F94F433** and as further particularly described by the lands outlined in red and annotated 'UD18280' thereof on the site location map annexed hereto, and;

- (a) It has come to the attention of this Council that unauthorised development *may have been, is being or may be carried out* thereon being –
 - (i) **The erection of an agricultural gate at the south-eastern portion of the Narin and Portnoo Golf Links land without the benefit of planning permission.**
- (b) You may make submissions or observations in writing to the Council regarding the purported offence not later than **FOUR WEEKS** from the date of service of this warning letter.
- (c) If the Council considers that unauthorised development *has been, is being or may be carried out*, an Enforcement Notice may be issued.
- (d) Officials of the Council may at all reasonable times enter on the land/premises for the purposes of inspection.
- (e) On conviction for an offence in relation to the unauthorised development concerned you may be liable on prosecution on indictment to a fine not exceeding €12.697 million or to imprisonment for a term not exceeding two years or both and on summary of prosecution to a fine not exceeding €5,000 or to imprisonment for a term not exceeding six months or both.



Comhairle Contae
Dhún na nGall
Donegal County Council

Planning Enforcement - Location Map

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COMHAIRLE CHONTAE DHUN NA NGALL
DONEGAL COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT 2000 (as amended) ("the Act")

SECTION 154 & 155

ENFORCEMENT NOTICE

Ref: UD18280

To:

TAKE NOTICE that the above named Council being the Planning Authority for the County of Donegal hereby -

1. REFERS to the lands specified in the First Schedule on which the developments specified in the Second Schedule have been carried out without a grant of planning permission, AND
2. REQUIRES the said developments to cease,
3. REQUIRES the steps specified in the Third Schedule hereto be taken within the period of 4 WEEKS from the date of service hereof.
4. WARNS you that if within the said period or within such extended period as this Council may allow the said steps specified in the Third Schedule hereto are not taken, the Council may enter on the land and take such steps and may recover any expenses reasonably incurred in that behalf.
5. REQUIRES you to refund to the Council the costs and expenses reasonably incurred by it in relation to the investigation, detection and issue of this notice notice (and any warning letter previously issued to you under Section 152 of the Act) including costs incurred in respect of the remuneration and other expenses of employees, consultants and advisers details whereof will be given to you on the other requirements of this Notice being complied with and the Council may recover the costs and expenses so incurred.
6. FURTHER WARNS you that if within the said period, or such extended period as the Council may allow, the said steps specified to be carried out by you, in the Third Schedule hereto, are not taken you may be guilty of an offence.

FIRST SCHEDULE

All those lands at Narin & Portnoo Golf Club, Clooney, Portnoo, Donegal P.O., Co. Donegal F94F433, as outlined in red and annotated with reference number "UD16260" thereof on the map annexed herewith.

SECOND SCHEDULE

1. The extension of the golf course into what was formerly part of the hard-surfaced clubhouse car park without the benefit of planning permission.
2. The construction of planted screening berms over a height of 2 metres in proximity to the extended area of the golf course referred to in Point 1 above without the benefit of planning permission.
3. The construction of a service/access route and service yard to the south of the planted screening berms referred to in Point 2 above without the benefit of planning permission.
4. The erection of fencing within areas designated in the County Donegal Development Plan 2018 -2024 as Especially High Scenic Amenity without the benefit of planning permission.
5. The extension of the golf course to facilitate the relocation of the 4th Tee, the construction of a new 5th Tee and the change in direction of play without the benefit of planning permission.
6. The erection of a water tank and associated site works within the maintenance storage yard without the benefit of planning permission.

THIRD SCHEDULE

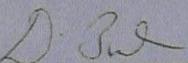
1. Restore the car park to its original state prior to the commencement of development.
2. Remove the planted screening berms and restore the land to its original state prior to the commencement of development.
3. Remove the service/access route and service yard and restore the land to its original state prior to the commencement of development.
4. Remove the fencing within the area designated in the County Donegal Development Plan 2018 -2024 as Especially High Scenic Amenity.
5. Reinstate the original layout of the 4th and 5th Tees and restore the land to its original state prior to the commencement of development.

- (f) Any costs reasonably incurred by the Council in relation to Enforcement Proceedings may be recovered from you or any person on whom an Enforcement Notice is served or where Court Action is taken.

NOTE: This letter is issued without prejudice to the Council's powers under Section 155 and 160 of the Act if at any time it deems it necessary to take urgent action with regard to the unauthorised development.

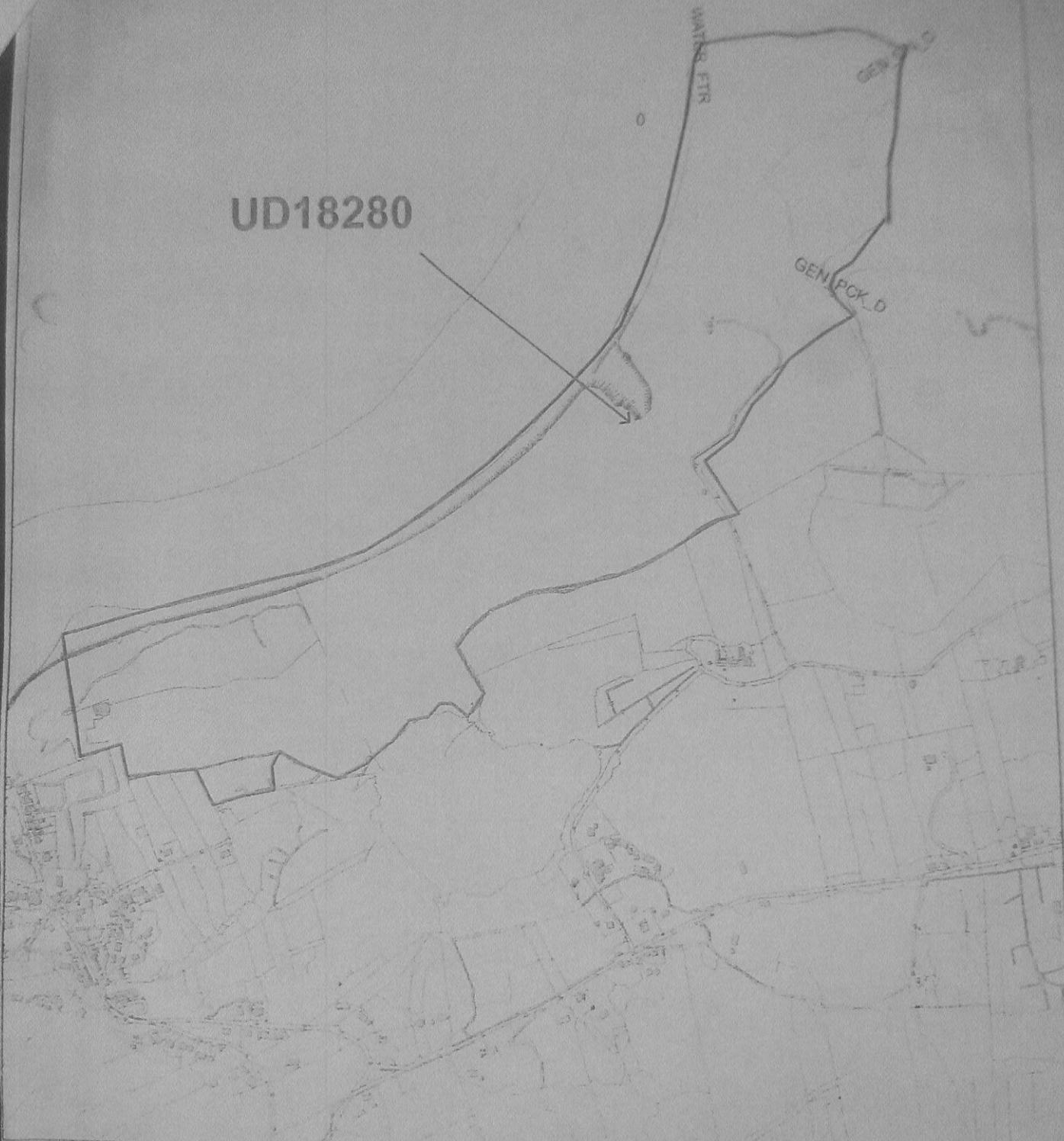
I look forward to hearing from you.

Mise le meas,



For Carol Margey
Senior Executive Planner
Planning Enforcement Unit

UD18280



Comhairle Contae
Dhún na nGall
Donegal County Council

Planning Enforcement - Location Map

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MARY

Brothers Séan (cant be with us)

Packie

Conal.

Neighbors + friends

lead a Happy, Contented life

Struck down by M.S 23 years ago

Woman of Prayer + Faith

Parish Newsletter



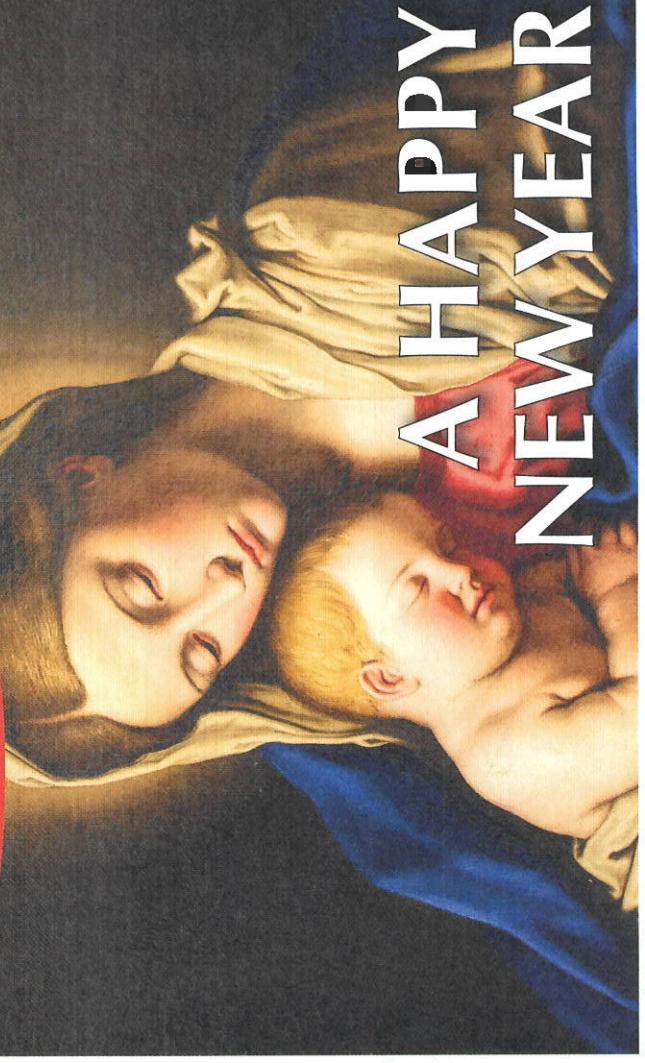
'resolution' – or did you? For 2023 like every other year will be the same but different, just like us.

Let us lose the weight of these sad times, embrace what is most noble in humanity, dare to believe in love, to embrace life and to simply have faith – in self, in others and in God. Lose the slab of accumulated layers of indifference to what is truly good for us and for all and feel the song of yearning of the people who live in our common and most beautiful home: Earth. The appointed time has come (Second Reading). Like Mary, let us ponder and treasure all these things, and may it be a year of happy return to God glorifying and praising!

(Gospel) ■
– Tom Cox

o simply live on what they have. Businesses will flourish, and some will quietly close. For success has many friends; defeat is an orphan. The slab of the past needs to be shed, the tired slabs of nationalistic divisions need to be lowered and the self-righteous slounds of politicians and people rattling in bitter opposition need to quieten and support the people they claim to serve.

In 2023 some will do well, while others will do good; some will be all for self, while others will be other-centred. Shepherds greeted the newborn King of this Sunday's Gospel. The lowest of society had a special audience with God made flesh, while we dare to put up barriers between rich and poor. It will be different this year, we will chirp, but will it? I made a



A HAPPY NEW YEAR

on like many of the bad news stories that another new reader brings wearily to us in endless bulletins of woe. Almost lost in it all will be the sheer, pure moment of joy and what is true and bright and beautiful.

These are the treasures we must mine and guard in 2023. We will see the human body triumph on fleeting fields of glory and bodies of loved ones or our own ill-health.

The focus today is on Mary, she who mothers us all in a dawning year of possibility. We will murmur 'Happy New Year' – for what else can you say? It's a ritual memory, and we dare hope again. Goals will be set, achieved and missed. Posts will be struck and last posts played in many a graveyard. The war in Ukraine may grind on and

Next Sunday's Readings

Isaiah 42:1-4,6-7
Psalm 28
Acts 10:34-38
Matthew 3:13-17



This Week (2-8 January)

- 2 M Ss Basil the Great & Gregory Nazianzen, bishops
- 3 T The Most Holy Name of Jesus
- 4 W St Elizabeth Ann Seton, religious
- 5 T St John Neumann, bishop
- 6 F THE EPIPHANY OF THE LORD
- 7 S St Raymond of Peñafort, priest
- 8 S THE BAPTISM OF THE LORD



In which ways have you recognised the presence of Jesus, 'God with us' in your life?

Lesson

Jesus is the fulfilment of the hopes of Israel. He is the Messiah, for whom the people waited.

Prayer

Lord bless us through the intercession of our Mother Mary.



PLEASE HANDLE WITH CARE

AFFIX POSTAGE



^P.

To P.
THE SECRETARY,
An Bord Pleanála,
64, MARLBOROUGH ST.
DUBLIN 1
DOL V90Z.

 PREMAIL®

PS
www.premier-stationery.com