

File With _____

SECTION 131 FORM

Appeal NO: ACP 324352-26Defer Re O/H ☐Having considered the contents of the submission dated/ received 6/7/26
from _____PA I recommend that section 131 of the Planning and Development Act, 2000
be not be invoked at this stage for the following reason(s): No new planning issE.O.: Alan RogersDate: 8/7/26

For further consideration by SEO/SAO

Section 131 not to be invoked at this stage. ☐Section 131 to be invoked – allow 2/4 weeks for reply. ☐ – 3 weeksS.E.O.: R. TreherDate: 13/7/26

S.A.O.: _____

Date: _____

M _____

LID- 10/8/26.Please prepare BP 470 - Section 131 notice enclosing a copy of the attached
submissionto: Applicant Task No: 474227-26Allow 2/3/4 weeks – BP 470EQ: Alan RogersDate: 13/7/26AA: Laoise FoleyDate: 13/07/26

File With _____

CORRESPONDENCE FORM

Appeal No: A CP

324352-26

M _____

Please treat correspondence received on 6/7/26 as follows:

1. Update database with new agent for Applicant/Appellant _____

2. Acknowledge with BP RL203. Keep copy of Board's Letter ☐

1. RETURN TO SENDER with BP _____

2. Keep Envelope: ☐3. Keep Copy of Board's letter ☐**Amendments/Comments**PA response to referral by email**4. Attach to file**(a) R/S ☐(d) Screening ☐(b) GIS Processing ☐(e) Inspectorate ☐(c) Processing ☐RETURN TO EO ☒NolanEO: NolanDate: 7/7/26Plans Date Stamped ☐Date Stamped Filled in ☐AA: LaurenceDate: 07/07/26

LID - 7/7/26

FW: Case Ref. ABP-324352-26 (Planning Ref. No. S526/56)

From Communications <communications@pleanala.ie>

Date Mon 06/07/2026 3:45 PM

To Appeals2 <appeals@pleanala.ie>

1 attachment (505 KB)

S5 26.56-Obs to ACP.pdf;

From: JESSICA McCLURE <jmcclure@Donegalcoco.ie>

Sent: Monday, July 6, 2026 3:35 PM

To: Bord <bord@pleanala.ie>

Subject: Case Ref. ABP-324352-26 (Planning Ref. No. S526/56)

Caution: This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

A Chara,

Please find attached the observations of this Council in relation to Case Ref. ABP-324352-26 (Planning Ref. No. S526/56)

Kind Regards,
Jessica

Jessica McClure
Community Development & Planning Services
County House | Lifford | Co. Donegal
E: jmcclure@donegalcoco.ie



Comhairle Contae
Dhún na nGall
Donegal County Council

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W: www.donegalcoco.ie
W: www.ccdhunngall.ie

Planning Services
E: planning@donegalcoco.ie

Our Ref: S526/56
Your Ref: ACP-324352-26

6th July 2026

An Coimisiún Pleanála
64 Marlborough Street,
Dublin 1.

RE: RESPONSE TO APPEAL ACP-324352-26 AGAINST: SECTION 5 DECLARATION IN RELATION TO WHETHER THE CARRYING OUT OF MOTORSPORT EVENTS ON AN OCCASIONAL BASIS NO MORE THAN 29 DAYS AGGREGATE IN ONE CALENDAR YEAR WITH NO EVEN LASTING 4 DAYS IN ANY ONE INSTANCE WITH LESS THAN 5,000 PARTICIPANTS/SPECTATORS AT ANY ONE EVENT IS OR IS NOT DEVELOPMENT AND IS OR IS NOT EXEMPTED DEVELOPMENT. WHETHER THE MOTORSPORT BEING PRIMARILY CAR SHOWING AND CAR DRIFTING EVENTS CONDUCTED ON EXISTING CONCRETE HARDSTANDS, DEFINED ON THE GROUND BY CONCRETE MOVABLE BARRIERS, ALL ASSOCIATED SIGNAGE, PEDESTRIAN ACCESS AND TEMPORARY BARRIERS. THE MAKING OF TEMPORAY SPECTATOR AREAS, THE PLACING OF TEMPORARY TOILETS, FOOD VANS, MOBILE RETAIL UNITS, THE TEMPORARY USE OF LOUDSPEAKER EQUIPMENT, THE TEMPORARY USE OF THE SITE AND ADJOINING LANDS FOR THE PARKING OF VEHICLES ATTENDING THE SAID EVENTS IS OR IS NOT DEVELOPMENT AND IS OR IS NOT EXEMPTED DEVELOPMENT AT TINNEYS COAL, BONAGEE, LETTERKENNY, CO. DONEGAL

A Chara,

I refer to your correspondence dated 10th June 2026 relating to the above appeal. I wish to advise that the above correspondence and the contents of the appeal have been noted.

The Planning Authority set out its position in making its determination on this matter in the planner's Section 5 referral report dated 12th May 2026. In assessing the Section 5 referral the Planning Authority had regard to the location of the motor car rallying event adjacent to the Natura sites of Lough Swilly SAC (002287) and the Lough Swilly SPA (004075) which given the nature and associated noise of the proposed event considered that there was the potential for a significant adverse effect on the qualifying interests of EU Habitat, particularly the otter.

Furthermore, the Planning Authority wishes to advise An Coimisiún Pleanála that the "King of the Cone" event did take place over the June bank holiday International Rally weekend and was monitored by the Authority.

Contd./

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The Planning Authority considered that those in attendance at the event were in excess of 5000 people and therefore the event falls within the category of a prescribed outdoor event that requires an events licence in accordance with Article 183 of the Planning & Development Regulations 2001 (as amended) with any future licence application being accompanied by an Ecological Report or NIS.

The Enforcement Section will be making these observations known to the event organiser in the coming weeks so they can prepare for any future events.

The Planning Authority considers that the Section 5 determination on the request was consistent with planning legislation and respectfully requests that An Coimisiún Pleanála uphold this declaration.

Trusting this is to your satisfaction.

Mise, le meas,



**For Senior Ex. Planner
Planning Services**

/jmcc