

SECTION 5 APPLICATION

FOR DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Completed application form & supporting documentation to be returned to the Planning Authority by email to planning@donegalcoco.ie

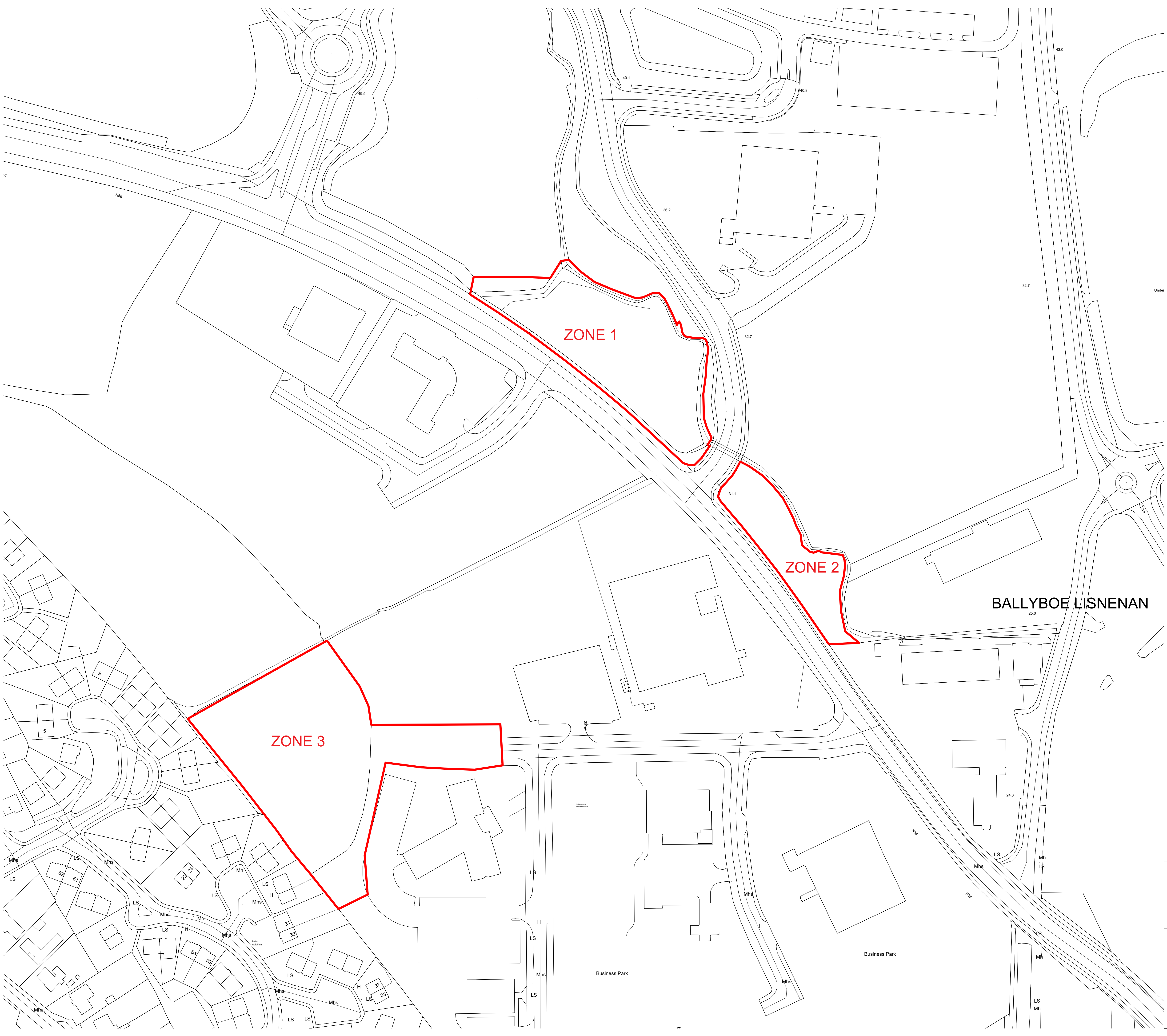
Name of Applicant(s):	IDA Ireland
Agent Name: (if applicable)	Robert Hunt C/O Cunnane Stratton Reynolds
Location of Proposed Development / Works: (Townland or postal address as appropriate and Eircode if available)	LETTERKENNY BUSINESS PARK, BALLYRAINE, LETTERKENNY, CO. DONEGAL
Description of Proposed Development including details of works (where applicable): (Only works listed below will be assessed under <u>this</u> section 5 application)	
<p>IDA Ireland wishes to undertake a series of Biodiversity enhancement projects throughout the Letterkenny Business Park. Three zones have been identified for Biodiversity enhancement projects and the design and intent for each of these zones are outlined in the attached reports. To summarise:</p> <p>ZONE 1: An undeveloped area of scrub land to the front of the Business Park, surrounded by mature Trees and hedgerows with a clearing of overgrown scrub and bramble. Our proposal is to create an informal self binding gravel pathway of max 2m in width through the space, a small informal seating space on a self binding gravel surface with associated educational signage highlighting the biodiversity features present on site. Additional ecological features such as Log Piles, Bug hotels etc will be placed throughout the space in key locations.</p> <p>ZONE 2: An area of existing open space / Landscaped frontage to north of the N56 and at the front of the Business Park. The proposal is to plant a drift of native wildflower planting as a feature at the netrance to the business park.</p> <p>ZONE 3. This space is an existing predominately native Irish woodland with existing clearings through the woodland for overhead power lines. The proposal is to use this clearing to create an informal self-binding gravel pathway through the space (Max 2m width) as outlined in the attached design sketch proposal. Two spaces for informal seating and Educational signage with additional ecological features such as Log Piles, Bug hotels etc will be placed throughout the space in key locations. There are no Trees to be removed for this proposal.</p>	



**Comhairle Contae
Dhún na nGall**
Donegal County Council

Is the development a Protected Structure or within the curtilage of a Protected Structure?	Yes	No
		NO.
Has a declaration under Section 57 of the Planning and Development Act 2000 (as amended) been requested or issued in respect of the property.	Yes	No
		NO
Applicant(s) Interest in the site:	OWNER OF THE SITE	
If not the Owner of the site, please provide the name of the Landowner:		
Please list types of plans, drawings etc. submitted with this application:	LANDSCAPE DESIGN RATIONAL REPORT inc. Site Location, Survey, and Design Proposals.	
Planning History - list any relevant planning application reference numbers:	N/A	
Are you aware of any enforcement proceedings connected to the site? If so, please supply details:	N/A	

I hereby certify that the information provided is true and accurate	
Signature of Applicant/Agent:	<i>Robert Hunt</i>
Date:	12-11-2025



Application Site Boundaries

Total Site Area 20139m2

- Zone 1 6865 m2
- Zone 2 2727m2
- Zone 3 10547m2



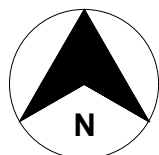
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Dhún na nGall
Donegal County Council

Planning Services

RECEIVED DATE: 13/11/2025

REV	DATE	AMENDMENT
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CUNNANE STRATTON REYNOLDS
LAND PLANNING & DESIGN



DUBLIN, CORK & GALWAY
GAINSBORO HOUSE, 24 SUFFOLK STREET, DUBLIN 2, D02 KF65
TEL 01 661 0419
EMAIL info@csrlandplan.ie

PROJECT: IDA LETTERKENNY BUSINESS PARK	DATE:	NOVEMBER 2025
	SCALE:	1:1000 @ A1
	DRAWN:	RH
	CHECKED:	RH
DRAWING: BIODIVERSITY ENHANCMENT PROJECT SITE LOCATION AND BOUNDARIES	DWG NO:	25259-CSR-DR-1-0110



Comhairle Contae

Dhún na nGall

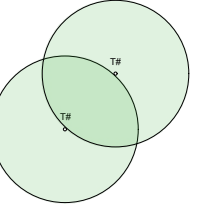
Donegal County Council

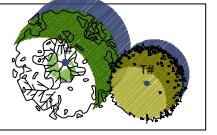
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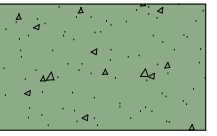
LANDSCAPE LEGEND


- 

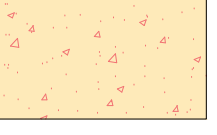
Existing Trees Retained
(Locations approximate)
- 

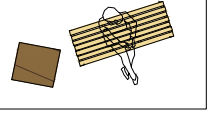
- **Proposed Native Trees**


- Pollinator Friendly


- Irish Origin
- 


Native wildflower grass mix
- www.irishwildflowers.ie
- 

Mown Amenity Grass
- 

Self Binding Gravel Pathways
Ballylusk or similar
- 

Seating
Timber and metal
- 

Biodiversity Features
Timber log piles sourced from site or locally from naturally fallen trees
- 

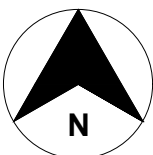
Biodiversity Features
Boulders or Bug Hotels
- 

Biodiversity Signage
Recycled plastic educational signage / boards

REV	DATE	AMENDMENT
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CUNNANE STRATTON REYNOLDS
LAND PLANNING & DESIGN

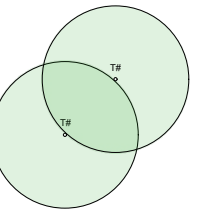
DUBLIN, CORK & GALWAY
GAINSBORO HOUSE, 24 SUFFOLK STREET, DUBLIN 2, D02 KF65
TEL 01 661 0419
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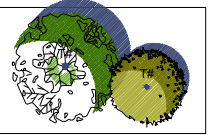
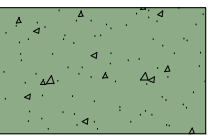



PROJECT: IDA LETTERKENNY BUSINESS PARK	DATE:	NOVEMBER 2025
	SCALE:	1:350@A1
	DRAWN: CHECKED:	RH RH
DRAWING: BIODIVERSITY ENHANCMENT PROJECT ZONE 3 SKETCH DESIGN	DRAWING NO:	25259-CSR-DR-1-0100

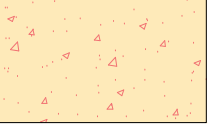


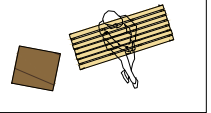
LANDSCAPE LEGEND

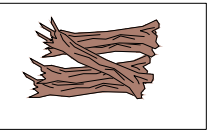
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Existing Trees Retained
(Locations approximate)
- 
 - **Proposed Native Trees**
 - Pollinator Friendly
 - Irish Origin
- 


Native wildflower grass mix
- www.irishwildflowers.ie
- 

Mown Amenity Grass
- 

Self Binding Gravel Pathways
Ballylusk or similar
- 

Seating
Timber and metal
- 

Biodiversity Features
Timber log piles sourced from site or locally from naturally fallen trees
- 

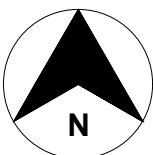
Biodiversity Features
Boulders or Bug Hotels
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Biodiversity Signage
Recycled plastic educational signage / boards

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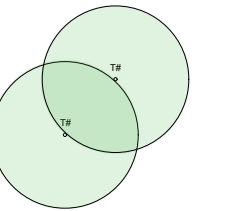
PROJECT: IDA LETTERKENNY BUSINESS PARK	DATE:	NOVEMBER 2025
	SCALE:	1:250@A1
	DRAWN:	RH
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DRAWING: BIODIVERSITY ENHANCMENT PROJECT ZONE 2 SKETCH DESIGN	DRAWING NO:	25259-CSR-DR-1-0101



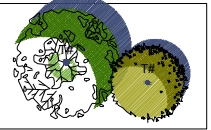
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LANDSCAPE LEGEND

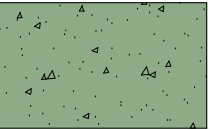


Existing Trees Retained
(Locations approximate)



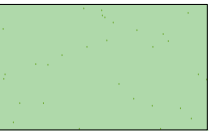
Proposed Native Trees

- Pollinator Friendly
- Irish Origin

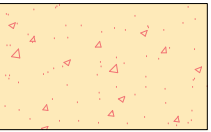


Native wildflower grass mix

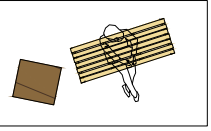
- www.irishwildflowers.ie



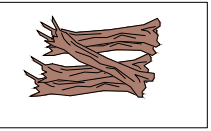
Mown Amenity Grass



Self Binding Gravel Pathways
Ballylusk or similar



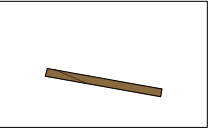
Seating
Timber and metal



Biodiversity Features
Timber log piles sourced from site or locally from naturally fallen trees



Biodiversity Features
Boulders or Bug Hotels



Biodiversity Signage
Recycled plastic educational signage / boards

REV	DATE	AMENDMENT
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TEL 01 661 0419
EMAIL info@csrlandplan.ie



PROJECT:	DATE:	NOVEMBER 2025
IDA LETTERKENNY BUSINESS PARK	SCALE:	1:250@A1
DRAWING:	DRAWN:	RH
BIODIVERSITY ENHANCMENT PROJECT	CHECKED:	RH
ZONE 1 SKETCH DESIGN	DRAWING NO:	25259-CSR-DR-1-0102



**Comhairle Contae
Dhún na nGall**
Donegal County Council

Planning Services

RECEIVED DATE: 13/11/2025

CUNNANE STRATTON REYNOLDS

LAND PLANNING & DESIGN

IDA LETTERKENNY

LANDSCAPE BIODIVERSITY PROJECT PROPOSAL
25259-CSR-RP-1-0001

PROJECT NO. 25259

September 2025



CONTENTS

1.0 Introduction

- Introduction & Context Page 3
- Survey Zone Areas Page 5

2.0 Survey Sites

- Area 1 Page 7
- Area 2 Page 8
- Area 3 Page 9

3.0 Landscape Infrastructure / Site Circulation

- 1. Site Analysis Page 10

4.0 Design Concept

- Zone 1 Concept Page 14
- Zone 2 Concept Page 15
- Zone 3 Concept Page 16

LAND PLANNING & DESIGN

01. INTRODUCTION & CONTEXT

INTRODUCTION

Cunnane Stratton Reynolds have been appointed by the IDA Ireland to review The Business and Technology Park in Letterkenny with the following aims:

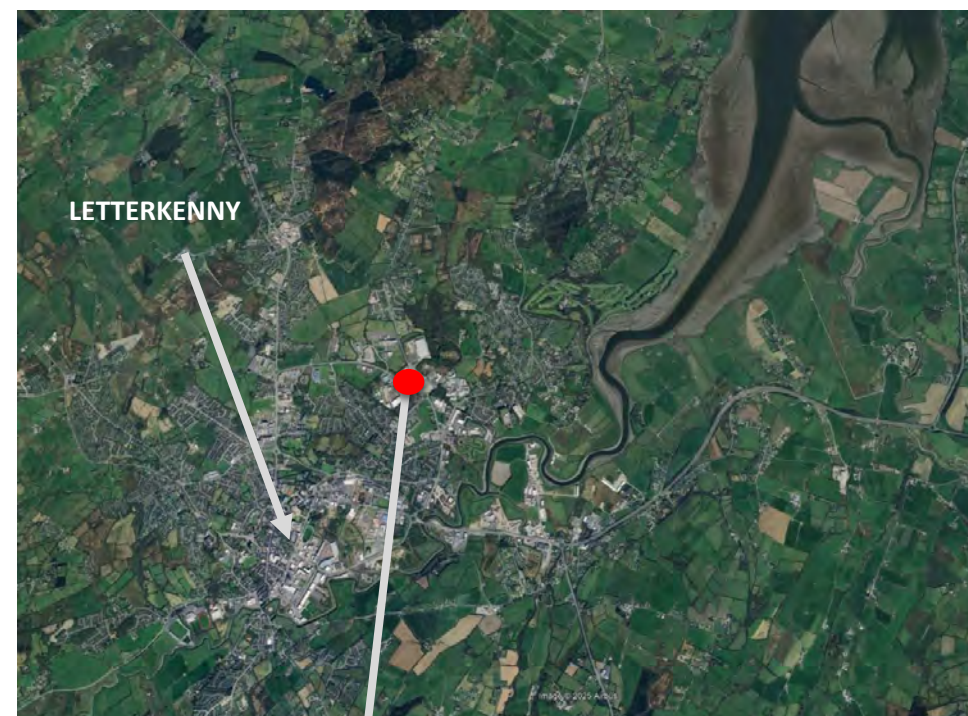
- To review and assess the current attenuation pond infrastructure landscaping
- To recommend a bio-diversity enhancement project with respect to same
- Following approval of the recommendations, to design, tender, supervise and certify the enhancement works as necessary

SITE CONTEXT

The IDA Business and Technology Park in Letterkenny is located on the northern side of Letterkenny and is dissected by the N56 Letterkenny ring road. South of the N56 the business park has several business units of varying scale / size, and a Native Woodland along the western boundary.

To the North side of the N56 the business park has several business units with further under construction. There is a large inaccessible area between the N56 and the park which appears to be overgrown with scrub, Bramble and Native Trees.

Throughout the site there are areas which have been rewilded and have associated signage.



Letterkenny and Site Location



IDA Survey Area Site & Surrounds



02. SURVEY ZONE SITES

SURVEY ZONE AREAS

ZONE 1. This is a large inaccessible area between the N56 and the park which appears to be overgrown with scrub, Bramble and Native Trees. To the North and East of this space there is a Stream / River running under deep undergrowth which provides part of the boundary to the site. There is an agricultural gated access from the N56 to this space, which is also overgrown.

ZONE 2. This area is a small space of maintained open space adjacent to the entrance to the Northern side of the IDA Business Park, and running along side the N56 route. There are several mature Trees planted in clusters and small section of rewilding under the tree clusters. To the rear of the zone a steep embankment runs down to a local stream or river which forms the rear boundary to this zone.

ZONE 3. This area is a small space of maintained open space adjacent to the entrance to the Northern side of the IDA Business Park, and running along side the N56 route. There are several mature Trees planted in clusters and small section of rewilding under the tree clusters. To the rear of the zone a steep embankment runs down to a local stream or river which forms the rear boundary to this zone.



ZONE 1



ZONE 2



ZONE 3



Zone 1



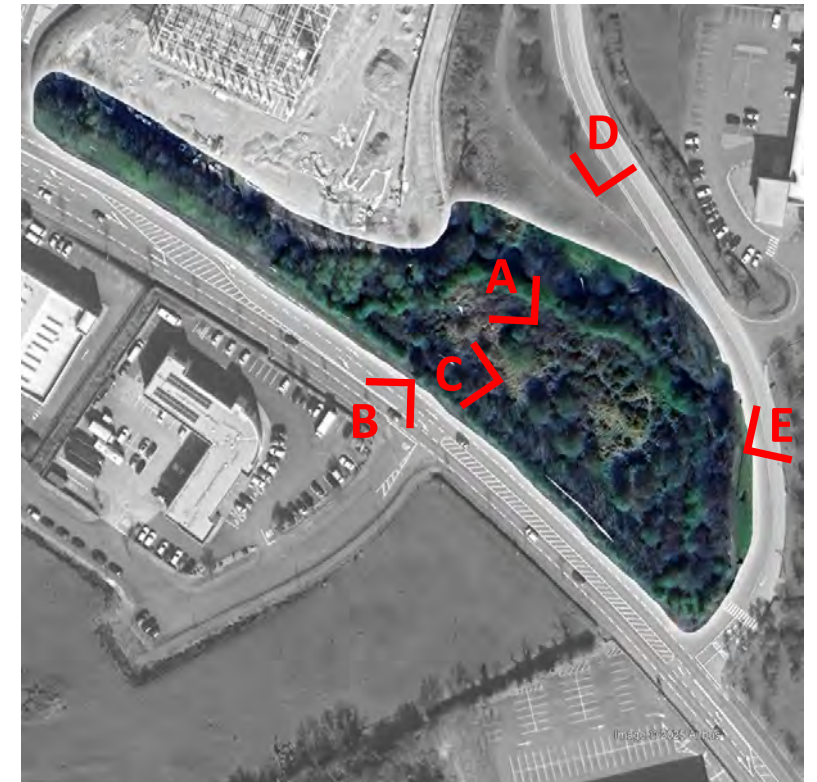
A: Ariel Views of Zone 1



C: Panoramic view from inside the Access Gate



B: Access Gate From N56



D: View towards Zone 1 from the IDA Park looking over Stream



E: Over Stream / Himalayan balsam invasive plants

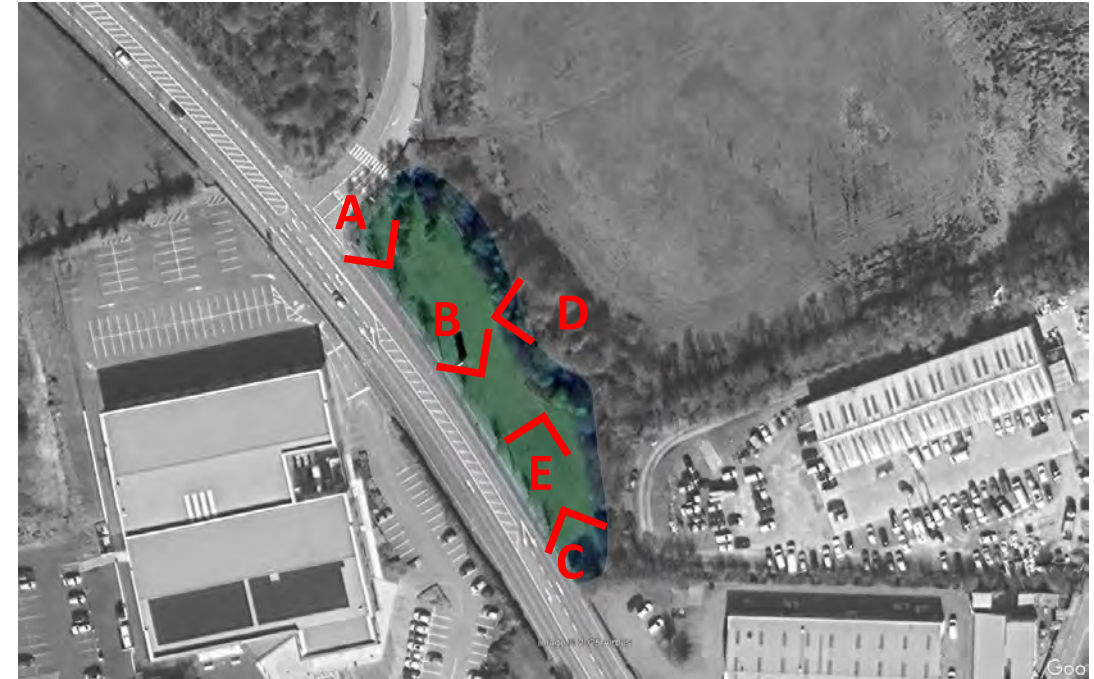
Zone 2



A: Rewilding swatches under Betula tree cluster



B: Looking south towards bottom of the space.



C: Looking towards the park entrance along N56



D: Looking from rear boundary towards N56 and park entrance



E: Rear boundary with mixed native and semi native planting. Some signs of Himalayan balsam present

Zone 3



A: Looking from zone towards
IDA Business Park



B: Looking east from centre
of zone through east
west clearing



C: Rocky outcrops / Natural features
on the east / West clearing









D: Natural Clearing
under Tree Canopy's



E: North South Clearing looking
North

Landscape Infrastructure - Site Circulation



-  Native Woodland with dense woodland understorey
-  Native hedgerow / biodiversity corridors
-  Native Woodland / Tree Planting
-  Pedestrian Routes
-  Vehicular Routes
-  Biodiversity Project Areas

04. DESIGN CONCEPT

Zone 1

Irish Wildflower Meadow Planting
from irish harvested wildflower seed.
www.wildflower.ie



Bug Hotels
and
Hibernaculum
's in
appropriate
locations



Site specific educational
signage



Seating
opportunities
for users
using natural
materials



Native Tree Planting
providing food source



Self Binding Gravel
Pathways

Zone 2



Swales of Irish Wildflower Meadow with mown Amenity Grass. High Visual impact in front of the Business Park. Existing Trees retained.



Irish providence Apple Trees

Zone 3



Seating opportunities for users using natural materials



Native Tree Planting providing food source



Bug Hotels and Hibernaculum's in appropriate locations



Seating opportunities for users using natural materials



Site specific educational signage



Self Binding Gravel Pathways





**Comhairle Contae
Dhún na nGall**
Donegal County Council

Áras an Chontae,
Leifear,
Contae Dhún na nGall, F93 Y622

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Our Ref: S525/102

14th November, 2025

IDA Ireland
C/o Robert Hunt MILI
Cunnane Stratton Reynolds
Land Planning & Design
Dublin, Cork & Galway
Gainsboro House,
24 Suffolk Street,
Dublin 2, D02 KF65

Re: Section 5 - Application to undertake a series of Biodiversity enhancement projects throughout the Letterkenny Business Park, Ballyraine, Letterkenny.

A Chara,

I wish to acknowledge receipt of your application received on 13th November, 2025 in relation to the above.

Yours sincerely,

Martina Parke

Donegal County Council
Planning Services

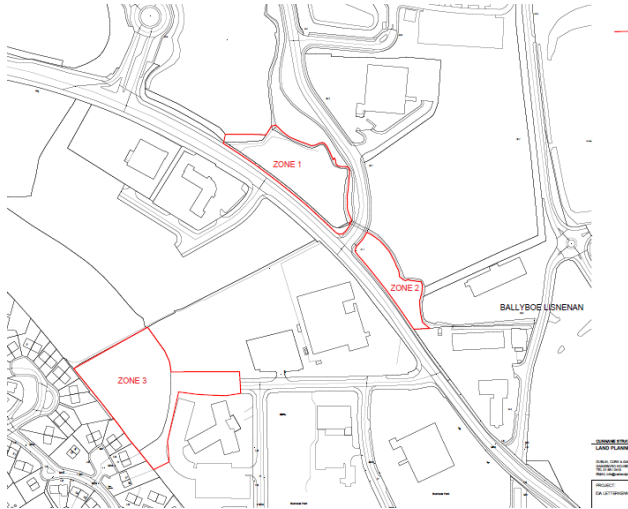


SECTION 5 REFERRAL REPORT – Ref. No: S5 25/102

1.0 BACKGROUND

1.1 Location:

Letterkenny Business Park, Ballyraine, Letterkenny, County Donegal



1.2 Site Description:

The IDA Business and Technology Park in Letterkenny is located on the northern side of Letterkenny and is dissected by the N56 Letterkenny ring road. South of the N56 the business park has several business units of varying scale / size, and a Native Woodland along the western boundary.

To the North side of the N56 the business park has several business units with further under construction. There is a large inaccessible area between the N56 and the park which appears to be overgrown with scrub, Bramble and Native Trees. Throughout the site there are areas which have been rewilded and have associated signage.

ZONE 1. This is a large inaccessible area between the N56 and the park which appears to be overgrown with scrub, Bramble and Native Trees. To the North and East of this space there is a Stream / River running under deep undergrowth which provides part of the boundary to the site. There is an agricultural gated access from the N56 to this space, which is also overgrown.



ZONE 2. This area is a small space of maintained open space adjacent to the entrance to the Northern side of the IDA Business Park, and running along side the N56 route. There are several mature Trees planted in clusters and small section of rewilding under the tree clusters. To the rear of the zone a steep embankment runs down to a local stream or river which forms the rear boundary to this zone.



ZONE 3. This area is a small space of maintained open space adjacent to the entrance to the Northern side of the IDA Business Park, and running along side the N56 route. There are several mature Trees planted in clusters and small section of rewilding under the tree clusters. To the rear of the zone a steep embankment runs down to a local stream or river which forms the rear boundary to this zone.



1.3 Planning History

Zone 1

Year	Number	Decision	Description
97	1035	Conditional	CONSTRUCTION OF ACCESS ROAD AND PROVISION OF ASSOCIATED SERVICES FOR NEW BUSINESS PARK

2.0. THE QUESTION

The agent Robert Hunt c/o Cunnane Stratton Reynolds, on behalf of the applicant IDA Ireland, has made a submission to Donegal County Council seeking a Declaration on development and exempted development. A number of questions have arisen pursuant to Section 5 of the Planning and Development Act 2000 as amended, as follows:

1. Whether the construction of a self-binding gravel pathway of max 2m in width is or is not development and is or is not exempted development.



2. Whether the creation of a small informal seating space on the self-binding gravel surface is or is not development and is or is not exempted development.



3. Whether the erection of educational signage highlighting biodiversity features on site is or is not development and is or is not exempted development.



4. Whether the placement of ecological features such as log piles, bug hotels etc. is or is not development and is or is not exempted development.



Zone 1



Zone 3



5. Whether planting a drift of native wildflower planting is or is not development and is or is not exempted development.

Zone 2



For convenience the Planning Authority will group questions 1, 2, 4 and 5 together and consider them collectively as a park/private open space/ornamental garden.

Question 3 will be considered separately.

3.0 STATUTORY PROVISIONS

3.1 Planning and Development Act, 2000 (as amended)

Section 2(1) – Interpretation

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) - Development

"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 4 – Exempted Development

Section 4(1) of the Act sets out various forms and circumstances in which development is exempted development for the purposes of the Act, including Section 4 (1)(i) providing for development consisting of the thinning, felling or replanting of trees, forests or woodlands or works ancillary to that development, but not including the replacement of broadleaf high forest by conifer species.

Section 4 (2) (a) of the Act provides that the Minister may, by regulations provide for any class of development to be exempted development for the purposes of this Act.

Section 4(4) provides that development shall not be exempted development if an Environmental Impact Assessment (EIA) or an Appropriate Assessment (AA) of the development is required.

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 (as amended)

Article 6(1) – Exempted Development

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 (1) – Restrictions on Development

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, inter alia—
 - (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, 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.

'Exempted Development - General'

Class 13 – Part 1 of Schedule 2 –

Development consisting of the repair or improvement of any private street, road or way, being works carried out on land within the boundary of the street, road or way, and the construction of any private footpath or paving.

Conditions and Limitations

The width of any such private footpath or paving shall not exceed 3 metres.

Class 33(a) – Part 1 of Schedule 2 –

Development consisting of the laying out and use of land as a park, private open space or ornamental garden

Exempted Development – Advertisements'

Class 7 – Part 2 of Schedule 2 –

Advertisements exhibited on land wholly or for the most part enclosed within a hedge, fence, wall or similar screen or structure (not being land which is a public park, public garden or other land held for the use and enjoyment of the public, or a part of a railway undertaking's enclosed

land normally used for the carriage of passengers or goods by rail) and not readily visible from land outside the enclosure wherein it is exhibited.

4.0 ASSESSMENT

4.1 Is or is not development

- The construction of a park/private open space/ornamental garden constitute works, in accordance with Section 2 and which is development in accordance with Section 3 of the Planning and Development Act 2000, as amended.
- The erection of educational signage highlighting biodiversity features on site constitute works, in accordance with Section 2 and which is development in accordance with Section 3 of the Planning and Development Act 2000, as amended.

4.2 Is or is not exempted development

- The construction of a park/private open space/ornamental garden comes within the scope of Class 33 Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) and can be considered to be exempted development by virtue of this section.
- The erection of educational signage highlighting biodiversity features are considered to come within the scope of Class 7 Part 2 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) and can be considered to be exempted development by virtue of this section.

4.3 Article 9(1) de-exemptions

1. The construction of a self-building gravel pathway within the park/private open space is considered against Article 9 (1) which provides restrictions on exempted development, specifically Article 9(1)(a)(ii) insofar as it consists 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.

The construction of a self-building gravel pathway within Zone 1 would therefore contravene the above condition as it provides a means of access to a national road therefore the development in Zone 1 is de-exempted under Article 9(1)(a)(ii) of the Planning and Development Regulations 2001, as amended.

5.0 AA SCREENING

- Consideration has been given to the site's proximity to the nearest Natura 2000 site being the Lough Swilly SAC and Lough Swilly located approx. 1.1km away. A watercourse runs along the northeastern boundaries of zones 1 and 2 which provides a hydrological link to the above-mentioned Natura sites.

- The attached AA Screening Report concludes that the Planning Authority has determined that full Appropriate Assessment of the proposed development is not required in this instance, as it can be excluded on the basis of objective scientific information that the proposed development individually or in combination with other plans/projects will have a significant effect on the aforementioned Natura 2000 site.
- In arriving at this conclusion, consideration has been given to the nature and scale of the development, physical distance between the subject site and the aforementioned SAC/SPA, and dilutions factors.

6.0 **RECOMMENDATION**

6.1 IT IS HEREBY RECOMMENDED THAT A DECLARATION BE MADE AS FOLLOWS -

- (a) The construction of a park/private open space/ornamental garden constitute works, in accordance with Section 2 and therefore **IS Development** in accordance with Section 3 of the Planning and Development Act 2000, as amended.
- (b) The erection of educational signage highlighting biodiversity features on site constitute works, in accordance with Section 2 and therefore **IS Development** in accordance with Section 3 of the Planning and Development Act 2000, as amended.

&

SPLIT DECISION

6.2 IT IS HEREBY RECOMMENDED THAT A DECLARATION BE MADE AS FOLLOWS -

- (a) The construction of a park/private open space/ornamental garden on Zones 2 & 3 **IS Exempted Development**
- (b) The erection of educational signage highlighting biodiversity features **IS Exempted Development**

WITHIN THE MEANING OF THE ABOVE ACT

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

Sections 2, 3, 4 and 177U of the Planning and Development Act, 2000 (as amended), and Articles 6(3), 9(1), 10(6), Class 33 of Part 1 & Class 7 of Part 2 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).

and concludes that:

The construction of a park/private open space/ornamental garden on Zones 2 & 3 and the erection of educational signage highlighting biodiversity on Zones 2 & 3 IS DEVELOPMENT within the meaning of Planning and Development Act, 2000 (as amended) and IS EXEMPTED DEVELOPMENT as it comes within the scope of Class 33 of Part 1 & Class 7 of Part 2 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).

6.3 IT IS HEREBY RECOMMENDED THAT A DECLARATION BE MADE AS FOLLOWS -

(a) The construction of a park/private open space/ornamental garden on Zone 1 **IS NOT Exempted Development**

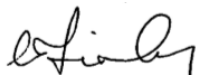
WITHIN THE MEANING OF THE ABOVE ACT

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

Sections 2, 3, 4 and 177U of the Planning and Development Act, 2000 (as amended), and Articles 6(3), 9(1), 10(6), and Class 33 of Part 1 of Part 2 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).

and concludes that:

The construction of a park/private open space/ornamental garden on Zone 1 IS DEVELOPMENT within the meaning of Planning and Development Act, 2000 (as amended) and IS NOT EXEMPTED DEVELOPMENT as it contravenes Article 9, Sub-article (a)(1)(ii) of the Planning and Development Regulations, 2001(as amended).



Signed: _____

Position: Assistant Planner

Date: 9th December 2025



Frank Sweeney
Senior Executive Planner
Community Development & Planning Services
09/12/2025

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

Applicant Name: Robert Hunt c/o Cunnane Stratton Reynolds, on behalf of the applicant IDA Ireland

Plan. Reg. No: S5 25/102

1.0 Description of Project

The subject site is located in Letterkenny Co. Donegal. The applicant is seeking a section 5 declaration for a park/private open space/ornamental garden and signage.

2.0 Natura 2000 sites

The subject site lies approx. 1.1km from the Lough Swilly SAC (site code 002287 refers) and Lough Swilly SPA (site code 004075). A watercourse runs along the northeastern boundaries of zones 1 and 2 which provides a hydrological link to the above mentioned Natura sites. The site does not appear to be linked to any other Natura 2000 sites by hydrology or other, accordingly, no screening has been carried out of any other Natura 2000 site.

2.1 Lough Swilly SAC – site code 002287

The Lough Swilly SAC comprises the inner part of Lough Swilly. It extends from below Letterkenny to just north of Buncrana. Lough Swilly is a long sea-lough, cutting through a variety of metamorphic rocks on the west side of Inishowen.

The site is estuarine in character with shallow water and intertidal mud flats being the dominant habitats. At low tide, extensive sand and mud flats are exposed especially at the mouths of the Swilly and Lenan rivers. The shoreline above the flats varies from bedrock to shingle or cobbles. Salt marshes are well represented in the inner sheltered areas of the site also.

Lakes which are lagoonal in character occur at Inch and Blanket Nook. Inch Lough is a good example of a large shallow lagoon with very low salinity in most of the lagoon. The vegetation in Inch is diverse and typically lagoonal, with well developed charophyte communities, including a large population of *Chara cabescens* (a red data book species). It also supports Horned Pondweed (*Zannicellia palustris*) and a mixed Pondweed/ Tassleweed Community (*Potamogeton pectinatus*/ *Ruppia maritima*). The green alga *Chaetomorpha linum* occurs at Blanket Nook. The aquatic fauna at Inch is rich and diverse and includes *Lekanesphaera hookeri*, *Palaemonetes varians*, *Conopeum seurati*, *Sigaara stagnalis*, *S. concinna*, *Jaera nordmanni*, *Neomysis integer* and *Cordyllophora caspia*. Inch Lough is regarded as of significant conservation value for ectonotal coleopteran with several species indicative of well developed shoreline habitats including two that are apparently rare: *Bembidion bipunctatum* and *Bembidion aeneum*. Although artificial in habitat this site is one of the largest and best examples of shallow, low salinity lagoon habitat in the country.

Two woodlands occur adjacent to the northwestern shore of Lough Swilly, namely Rathmullen and Carrodoan woods, with a further woodland, scrub and heath area occurring above the northeast shore at Crockacashel and at Porthaw.

The site also supports a population of Otter, a species listed in Annex II of the EU habitats Directive.

Lough Swilly is an important site for waterfowl in autumn and winter. The shallow waters provide suitable habitat for grebes and diving duck, while the intertidal flats are used by an excellent diversity of wildfowl and waders. At high tide, the duck and wader species roost on the salty marshes and shorelines with some species moving to the adjacent pasture and arable fields. In the three winters 1994/95 to 1996/97, 16 species occurred in nationally important numbers as follows : Great Crested Grebe (274), Shelduck (646), Wigeon (1,673), Teal (1,381), Mallard (1,255), Shoveler (58), Scaup (143), Goldeneye (169), Red breasted Merganser (103), Coot (335), Oystercatcher (1,459), Knot (327), Dunlin (7,995), Curlew(1,716), Redshank (1,080) and Greenshank (30).

Other species which occur in regionally or locally important numbers and at times may exceed the threshold for national importance include Brent Goose, Pochard, Tufted Duck, Lapwing, Ringed Plover, Grey Plover, Bar-tailed Godwit and Turnstone. The site is also an important area of the Great Northern Diver and rare Slavonian Grebe.

The adjacent pasture and arable polders at Inch, Bid Isle and Blanket Nook support internationally important populations of Whooper Swans, Greenland White-fronted Geese and Greylag Geese. Inch Lough is an important roosting area of these birds and at times they utilise other parts of Lough Swilly for roosting.

The site is of conservation importance as it contains good examples of at least four habitats listed in Annex I of the EU habitats Directive (estuaries, Lagoons, Atlantic salt meadows, old oak woods) and support a population of Otter. In addition, it is of high ornithological importance for wintering waterfowl , with 16 species occurring within the site and on adjacent polders in numbers of international importance.

2.2 Lough Swilly SPA- site code 004075

Lough Swilly SPA comprises of the inner part of Lough Swilly, a long inlet of the sea that cuts through a variety of metamorphic rocks on the west side of the Inishowen Peninsula.

Lough Swilly is an important site for waterfowl in autumn and winter. The shallow waters provide suitable habitat for grebes and diving duck, while the intertidal flats are used by an excellent diversity of wildfowl and waders. At high tide the duck and wader species roost on salt marshes and shorelines with some species moving to the adjacent pasture and arable fields. In the three winters 1994/95 to 1996/97, 16 species occurred in nationally important numbers as follows : Great Crested Grebe (274),

Shelduck (646), Wigeon (1,673), Teal (1,381), Mallard (1,255), Shoveler (58), Scaup (143), Goldeneye (169), Red breasted Merganser (103), Coot (335), Oystercatcher (1,459), Knot (327), Dunlin (7,995), Curlew(1,716), Redshank (1,080) and Greenshank (30).

Other species which occur in regionally or locally important numbers and at times may exceed the threshold for national importance include Brent Goose, Pochard, Tufted Duck, Lapwing, Ringed Plover, Grey Plover, Bar-tailed Godwit and Turnstone. The site is also an important area of the Great Northern Diver, rare Slavonian Grebe and Golden Plover.

Lough Swilly supports internationally important number of Greenland White-fronted Geese, Whooper swans and Greylag Geese. The Inch Levels are used by same.

The site is of major ornithological importance for wintering waterfowl, with 16 species occurring regularly in numbers of national importance and 3 species occurring within the site in numbers of international importance. The site is regularly used by in excess of 20,000 waterfowl and thus qualifies as of international importance. The site is used by several species that are listed in Annex I of the EU Birds Directive.

2.3 Conservation Objectives for Lough Swilly SAC:

- To maintain the favourable conservation condition of Estuaries in Lough Swilly SAC
- To restore the favourable conservation condition of Lagoons in Lough Swilly SAC
- To restore the favourable conservation condition of Atlantic Salt meadows in Lough Swilly SAC
- To restore the favourable conservation condition of Otter in Lough Swilly SAC
- To restore the favourable conservation condition of Old oak woodland with Ilex and Blechnum in Lough Swilly SAC

2.4 Conservation Objectives for Lough Swilly SPA

To restore the favourable conservation condition of the bird species listed as special conservation interests for this SPA :

- Great crested Grebe (*Podiceps cristatus*)
- Grey Heron (*Ardea cinerea*)
- Whooper Swan (*Cygnus cygnus*)
- Greylag Goose (*Anser anser*)
- Shelduck (*Tadorna tadorna*)
- Wigeon (*Anas penelope*)
- Teal (*Anas crecca*)
- Mallard (*Anas platyrhynchos*)
- Shoveler (*Anas clypeata*)
- Scaup (*Aythya marila*)
- Golden Eye (*Bucephala clangula*)
- Red Breasted Merganser (*Mergus serrator*)
- Coot (*Fulica atra*)
- Oystercatcher (*Haematopus ostralegus*)
- Knot (*Calidris canutus*)

- Dunlin (*Calidris alpina*)
- Curlew (*Numenis arquata*)
- Redshank (*Tringa totanus*)
- Greenshank (*Tringa nebularia*)
- Black Headed Gull (*chroicocephalis ridibundus*)
- Common Gull (*Larus Canus*)
- Sandwich Tern (*Sterna sandvicensis*)
- Common Tern (*Sterna hirundo*)
- Greenland white fronted goose (*anser albifrons flavirostris*)
- Wetland and water birds.

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 or SPA
Fragmentation	Duration or permanence, level in relation to original extent	N/A
Disturbance	Duration or permanence, distance from site	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;
- Having regard to the minor nature of the development; and dilution factors;

the Planning Authority is of the opinion that the proposed development would not have a significant effect on the Lough Swilly Special Area of Conservation (site code 002287 refers) and Lough Swilly Special Protection Area (site code 004075).

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 that the proposed development individually or in combination with other plans/projects will have a significant effect on a European Site – Lough Swilly SAC and Lough Swilly SPA.



Assistant Planner
9th December 2025



Frank Sweeney
Senior Executive Planner
Community Development & Planning Services
09/12/2025

Chief Executive's Order No: 2025PH3605

Planning and Development Acts 2000 (as amended)

SECTION 5:-

Request received 13th November 2025 from IDA Ireland C/o Robert Hunt – Cunnane Stratton Reynolds, Gainsboro House, 24 Suffolk St., Dublin 2 D02 KF65 in relation to a series of biodiversity enhancement projects through 3 zones – Zone 1 – creation of an informal self-binding gravel pathway of max 2m in width, small informal seating space with associated educational signage. Zone 2 – plantation of a drift of native wildflower planting and Zone 3 creation of two spaces for informal seating and educational signage with additional ecological features at Letterkenny Business Park, Ballyraine, Letterkenny, Co. Donegal.

SUBMITTED:-

Written request received 13th November 2025 as above and report date 9th December 2025 from the Assistant Planner (Ref. No: S5 25/102 refers).

ORDER:-

Having considered the said request, the report of the Assistant Planner and the record forwarded to the Council by An Bord Pleanála 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.


SENIOR EX. PLANNER

DATED THIS 10th DAY OF DECEMBER 2025

KMG

SCHEDULE

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

IS Development
IS IN PART Exempted Development
IS IN PART **NOT** Exempted Development

WITHIN THE MEANING OF THE ABOVE ACT

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

- Sections 2, 3, 4 and 177U of the Planning and Development Act, 2000 (as amended), and Articles 6(3), 9(1), 10(6), Class 33 of Part 1 & Class 7 of Part 2 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).
- Class 33 of Part 1 of Part 2 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).

And concluded that:

THE PROPOSAL:

The construction of a park/private open space/ornamental garden on Zones 2 & 3 and the erection of educational signage highlighting biodiversity on Zones 2 & 3 **IS DEVELOPMENT** within the meaning of Planning and Development Act, 2000 (as amended) and **IS EXEMPTED DEVELOPMENT** as it comes within the scope of Class 33 of Part 1 & Class 7 of Part 2 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).

AND THE PROPOSAL:

The construction of a park/private open space/ornamental garden on Zone 1 **IS DEVELOPMENT** within the meaning of Planning and Development Act, 2000 (as amended) and **IS NOT EXEMPTED DEVELOPMENT** as it contravenes Article 9, Sub-article (a)(1)(ii) of the Planning and Development Regulations, 2001(as amended).

ys 10/12

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

DECLARATION

Chief Executive's Order No: 2025PH3605

Reference No: S5 25/102

Name of Requester: IDA IRELAND
C/O ROBERT HUNT – CUNNANE STRATTON REYNOLDS
GAINSBORO HOUSE
24 SUFFOLK ST.
DUBLIN 2
D02 KF65

Summarised Description of development the subject matter of request:

A series of biodiversity enhancement projects through 3 zones – Zone 1 – creation of an informal self-binding gravel pathway of max 2m in width, small informal seating space with associates' educational signage. Zone 2 – plantation of a drift of native wildflower planting and Zone 3 creation of two spaces for informal seating and educational signage with additional ecological features

Location of Development: Letterkenny Business Park, Ballyraine, Letterkenny, Co. Donegal.

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

IS	Development
IS IN PART	Exempted Development
IS IN PART	NOT Exempted Development

WITHIN THE MEANING OF THE ABOVE ACT

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

- Sections 2, 3, 4 and 177U of the Planning and Development Act, 2000 (as amended), and Articles 6(3), 9(1), 10(6), Class 33 of Part 1 & Class 7 of Part 2 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).
- Class 33 of Part 1 of Part 2 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).

And concluded that:

THE PROPOSAL:

The construction of a park/private open space/ornamental garden on Zones 2 & 3 and the erection of educational signage highlighting biodiversity on Zones 2 & 3 **IS DEVELOPMENT** within the meaning of Planning and Development Act, 2000 (as amended) and **IS EXEMPTED**

DEVELOPMENT as it comes within the scope of Class 33 of Part 1 & Class 7 of Part 2 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).

AND THE PROPOSAL:

The construction of a park/private open space/ornamental garden on Zone 1 **IS DEVELOPMENT** within the meaning of Planning and Development Act, 2000 (as amended) and **IS NOT EXEMPTED DEVELOPMENT** as it contravenes Article 9, Sub-article (a)(1)(ii) of the Planning and Development Regulations, 2001(as amended).

DATED THIS 10th DAY OF DECEMBER 2025



For Senior Ex. Planner
Planning Services

/JMCC



**Comhairle Contae
Dhún na nGall**
Donegal County Council

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Contae Dhún na nGall, F93 Y622

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Ref. No: S5 25/102

10th December 2025

IDA IRELAND
C/O ROBERT HUNT – CUNNANE STRATTON REYNOLDS
GAINSBORO HOUSE
24 SUFFOLK ST.
DUBLIN 2
D02 KF65

Re: A series of biodiversity enhancement projects through 3 zones – Zone 1 – creation of an informal self-binding gravel pathway of max 2m in width, small informal seating space with associates' educational signage. Zone 2 – plantation of a drift of native wildflower planting and Zone 3 creation of two spaces for informal seating and educational signage with additional ecological features at Letterkenny Business Park, Ballyraine, Letterkenny, Co. Donegal.

A Chara,

I refer to your request received on 13th November 2025 as above 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 Pleanála 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 Senior Ex. Planner
Planning Services**

/JMCC