



## HARLEY PLANNING CONSULTANTS LTD.

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Planning Section  
Donegal County Council  
County House  
Lifford  
Co. Donegal  
28<sup>th</sup> March 2025



Comhairle Contae  
Dhún na nGall  
Donegal County Council

Planning Services

RECEIVED DATE: 31/03/2025

Our Ref: Andrew Coyle Coal Ltd.

### **RE : Declaration under Section 5 of the Planning & Development Act 2000 (as amended).**

Dear Sir/madam

On behalf of my client Andrew Coyle Coal Ltd., I wish to seek a declaration from Donegal County Council that development on the lands at Bauville Keeloges and Clonglash is development and is exempted development. The development consists of the installation of plant/ machinery for industrial purposes.

I have enclosed

- (a) a completed application form,
- (b) a location map,
- (c) a layout plan,
- (d) a detailed drawing of the plant/machinery and
- (e) the appropriate fee of €80.00.

### **1. Background**

1.1 Andrew Coyle Coal Ltd. have operated a coal import & wholesale supply business from the site for over twenty years and several planning permissions for the expansion of the business have been granted over that time. However, since the introduction of the new solid fuel regulations in October 2022 the business diversified and now they are a



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manufacturer of solid fuel ovoids (briquettes) in Maydown Derry. With this diversification came a transfer of a substantial part of the business, including the bagging of coal, to the company's base in Maydown, outside Derry and only a skeleton operation continues in Buncrana.

- 1.2 From a staff complement of over 30 employees, only 3 people work in the Buncrana yard. Where previously there were a total of 6,000 HGV trips per annum into and out of the yard, this has now been reduced to 200 HGV trips per annum.
- 1.3 As part of the company's restructuring, a coal segregation plant was installed on to the Buncrana site, which segregates poor and good quality coal. No liquid waste or water is discharged from this process.
- 1.4 The plant accepts multi-grade raw coals, which have already been washed of dust at the company's base in Maydown, Derry. Raw coal is fed into a reception hopper and delivered by belt conveyor up to a pre-wash screen for removal of super fines, which are compacted, then discharged into containers in a ground storage bay. The super fines, which have a very low moisture content (-22%), are then transferred to the Maydown base, for processing into briquettes.
- 1.5 The remaining pre-rinsed coal (typically 6mm x 100mm) is fed into a dense medium washer drum, where the quality coal is separated from the poorer coal (sinks products) by a dense medium magnetite media process. This magnetite media is totally contained within the system and recirculated for maximum efficiency.
- 1.6 The clean quality coal is then discharged via a draining and rinsing screen to a ground storage bay. The poor quality coal is discharged out onto a separate side of the drain and rinse screen and discharged to a ground storage bay. The diluted magnetite media solution is collected and pumped to a wet drum magnet, which recovers the magnetite concentrate for re-use within the dense medium washer system.
- 1.7 No liquid waste or water is discharged from this process, which is totally self-enclosed. Only good and poorer quality coal and super fines are discharged from the segregation process. These finished products are then transferred to the Maydown site for further processing, prior to distribution.



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### 2. Declaration request.

- 2.1 Andrew Coyle Coal Ltd. seek a declaration under Section 5 of the Planning and Development Act, 2000 (as amended) as to whether the installation by way of addition of plant or machinery is or is not development, or is or is not exempted development.
- 2.2 In this regard consideration is given to Sections 2(1), 3(1) and 177(U)(9) of the Planning and Development Act, 2000 (as amended) and Articles 6(1), 9(1) and Class 21 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

### 3. Statutory Provisions

- 3.1 **Section 2(1)** of the Planning and Development Act states  
*In this Act, except where the context otherwise requires – “development” has the meaning assigned to it by Section 3...*  
**Section 3 (1)** of the Planning and Development Act 2000 (as amended) states  
*In this Act “development” means except where the context otherwise requires, the carrying out of works on/in/over or under land or the making of any material change in the use of any structures or other land.*
- 3.2 **Section 177U(9)** of the Planning and Development Act 2000 (as amended) confirms that  
*In deciding upon a declaration or a referral under section 5 of this Act a Planning Authority or the Board, as the case may be, shall where appropriate, conduct a screening for appropriate assessment in accordance with the provisions of this section.*
- 3.3 The following articles in the Planning and Development Regulations 2001 (as amended) are also considered relevant to the referral.
- 3.4 **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.
- 3.5.1 **Article 9(1) :-** Development to which Article 6 relates shall not be exempted development for the purposes of the Act, if the carrying out of such development would



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result in a range of issues. These issues, outlined in article 9(1)(a), (b), (c) and (d), are set out and addressed in Appendix A of this declaration. In addition Appendix B elaborates further with respect to interference with the character of a landscape [Issue-9(1)(a)(vi)], while Appendix C presents an Appropriate Assessment Screening in relation the likelihood of a significant effect on the integrity of a European site [Issue-9(1)(a)(viiB)]. Finally Appendix D addresses noise, light and dust emissions, conditioned in planning permission (PL05E.248403), which regulated the overall operations on the site, even though most of the permitted uses no longer take place on the site [Issue-9(1)(a)(vi)].

- 3.6 **Class 21(a) of Schedule 2, Part 1 of the P&D Regulations 2001-23** below confirms that development for industrial purposes described in column 1 is exempted development, subject to compliance with conditions and limitations in column 2. The emphasis in bold is inserted by the writer.

Column 1 Description of Development	Column 2 Conditions and Limitations
<i>Development for industrial purposes</i> <i>Class 21 (a)</i> Development of the following descriptions, carried out by an industrial undertaker on land occupied and used by such undertaker for the carrying on, and for the purposes of, any industrial process, or on land used as a dock, harbour or quay for the purposes of any industrial undertaking— (i) the provision, rearrangement, replacement or maintenance of private ways or private railways, sidings or conveyors, (ii) the provision, rearrangement, replacement or maintenance of sewers, mains, pipes, cables or other apparatus, (iii) <b>the installation or erection by way of addition or replacement of plant or machinery, or structures of the nature of plant or machinery.</b>	1. Any such development shall not <b>materially</b> alter the external appearance of the premises of the undertaking. 2. The height of any plant or machinery, or any structure in the nature of plant or machinery, shall not exceed 15 metres above ground level or the height of the plant, machinery or structure replaced, whichever is the greater.





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### 4. Assessment

- 4.1 It is acknowledged by reference to Section 2(1) and 3(1) of the Act, that the industrial plant/machinery is development. The question is whether or not the development constitutes exempted development.
- 4.2 It is respectfully considered that the relevant class of development in this declaration case, is Class 21(a)(iii) of Part 1 of Schedule 2 in the Planning and Development Regulations 2001-2023, as the proposal is “*the installation or erection by way of addition of plant or machinery*”. It is concluded that the subject plant satisfies the description and limits within Class 21 of Part 1 of Schedule 2 in the Planning and Development Regulations 2001-23.
- 4.3 In relation to conditions and limits in column 2, the plant does not materially alter the external appearance of the site and the height of the plant, at 10.75m does not exceed the 15m limit above ground level.
- 4.4 In relation to Article 9(1), which restricts the exempted development status afforded to development under Article 6(1) the assessment in Appendix A sets out how the plant complies with all the issues listed under Article 9(1). In this respect, Appendix B contains a photographic assessment of the visual impact of the plant/machinery on the local landscape, while Appendix C contains an Appropriate Assessment Screening report. Appendix D presents an assessment of noise, light and dust emissions, confirming compliance with conditions imposed on the development of the business.

### 5. Conclusion

- 5.1 While it is not relevant to the declaration request, Andrew Coyle Coal Ltd. considers that it is important to highlight the operational duration of the segregation plant.
- 5.2 The company’s coal supply, 30,000 tonnes per annum, is imported through Lisahally Port in Derry and transported to the company’s Maydown yard, which is circa 1.5km from the port. Only 10% of this total (3,000 tonnes) is transported to Buncrana for segregation, and the remainder remains in Maydown to be manufactured into smokeless ovoids.



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- 5.3 The coal segregation plant processes 30 tonnes per hour. Accordingly, assuming an eight hour working day, the plant will only operate for 100hrs p.a., or 13 days p.a., to process the 3,000 tonnes.
- 5.4 Andrew Coyle Ltd. would welcome an inspection of the plant on site by the planning officials, when the plant can be temporarily operated for their consideration.
- 5.5 The installation by way of addition of the plant/machinery is considered to be exempted development having regard to the statutory planning provisions set out above. I would be grateful therefore if the planning authority could confirm that the plant/machinery as described, is development and exempted development.

Yours sincerely

Jim Harley



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## APPENDIX A

Issues in article 9(1)(a) to 9(1)d inclusive of the Planning &  
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### Planning & Development Regulations 2001-23.

#### Article 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—	Comment
(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,	The installation of the plant/machinery does not contravene a condition attached to any planning permission, or be inconsistent with any use specified in any planning permission. In this respect, conditions restricting the storage height to 2.4m has been adhered to, noise, light and dust emission levels have been met (see Appendix D below) and vision lines have been provided at the entrance to the site (see Appendix E below). Planning permission PL05E.248403 (16/51749) regularised the overall business operation before the move to Maydown. It is noted that details of the drainage arrangements under condition 11 was submitted (26 <sup>th</sup> April 2019) to DCC, but no response was issued. The company proceeded with the installation of the silt traps and attenuation tank, as per the submission.
(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,	The installation of the plant/machinery does not involve the 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,	The installation of the plant/machinery does not endanger public safety by reason of traffic hazard or obstruction of road users. Vehicular traffic associated with the Andrew Coyle Coal Ltd. Buncrana operation, has been reduced by 96%, as a result of the business re-location to Maydown, Derry. Full visibility is available at the entrance to the site (see Appendix E below).
(iiia) endanger public safety by reason of hazardous glint and/or glare for the operation	Not applicable. Glare for operation of airports, aerodromes or aircraft does not



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of airports, aerodromes or aircraft,	arise.
(iv) except in the case of a porch to which class 7 specified in column 1 of Part 1 of Schedule 2 applies and which 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, comprise the construction, erection, extension or renewal of a building on any street so as to bring forward the building, or any part of the building, beyond the front wall of the building on either side thereof or beyond a line determined as the building line in a development plan for the area 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,	The installation of the plant/machinery does not bring forward the building line, as it is located to the rear of the Andrew Coyle Coal Ltd site, behind existing buildings.
(v) consist of or comprise the carrying out under a public road of works other than a connection to a wired broadcast relay service, sewer, water main, gas main or electricity supply line or cable, or any works to which class 25, 26 or 31 (a) specified in column 1 of Part 1 of Schedule 2 applies,	The installation of the plant/machinery does not involve works under a public road.
(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,	The installation of the plant/machinery does not 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 the Donegal CDP 2024-30. In the Donegal County Development Plan 2024-30, the Andrew Coyle Coal Ltd site at Bauville Keeloges and Clonglash is designated as an 'Area of Moderate Scenic Amenity' and no special views are identified in the Plan. Areas of Moderate Scenic Amenity, are the lowest grade of landscape quality in the county and have the capacity to absorb additional development that is suitably located, sited and designed. In a decision by An Bord Pleanála (PL05E. 248403), the Board's Inspector dealing with the impact of the depot on the landscape confirmed that "...the



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	<p><i>landscape is relatively robust and its scenic amenity is not particularly vulnerable”.</i></p> <p>The attached photographs (see Appendix B below), from locations within 1km of the Andrew Coyle Coal Ltd site, demonstrate that the plant, which is located within the existing yard and surrounded by industrial and agricultural buildings, does not have an adverse impact on the landscape. The plant/machinery is not visible from points beyond 1km and from many locations within 1km.</p>
(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, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan,	<p>Not applicable. No places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest exist within the Andrew Coyle Coal Ltd. site. The closest designated item is a kiln (code 40902933, over 0.5kms to the north.</p>
(viiA) consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12 (1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works, pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended,	<p>Not applicable. No archaeological monument exists within or in the vicinity of the Andrew Coyle Coal Ltd site.</p>
(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment	<p>An Appropriate Assessment screening is attached (see Appendix C below). The screening concludes that the installation of the plant/machinery will not have any significant negative impacts on the</p>

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because it would be likely to have a significant effect on the integrity of a European site,	integrity of any Natura 2000 site and no further assessment is necessary.
(viiC) consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000.	Not applicable. The plant/machinery is not located in an area designated as a natural heritage area.
(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,	The installation of the plant/machinery does not comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use.
(ix) consist of the demolition or such alteration of a building or other structure as would preclude or restrict the continuance of an existing use of a building or other structure where it is an objective of the planning authority to ensure that the building or other structure would remain available for such use and such objective has been specified in a development plan for the area 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,	The erection of the plant will not preclude or restrict the continuance of an existing use of a building or other structure, where it is an objective of the planning authority to ensure that the building or other structure would remain available for such use.
(x) consist of the fencing or enclosure of any land habitually open to or used by the public during the 10 years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility,	No fencing or enclosure of habitually open land is involved in the installation of the plant/machinery.
(xi) obstruct any public right of way,	The installation of the plant/machinery does not obstruct any public right of way,
(xii) further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area 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	The plant/machinery is not within an architectural conservation area.



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development plan and the development would materially affect the character of the area,	
(b) in an area to which a special amenity area order relates, if such development would be development:— (i) of class 1, 3, 11, 16, 21, 22, 27, 28, 29, 31, (other than paragraph (a) thereof), 33 (c) (including the laying out and use of land for golf or pitch and putt or sports involving the use of motor vehicles, aircraft or firearms), 39, 44 or 50(a) specified in column 1 of Part 1 of Schedule 2, or (ii) consisting of the use of a structure or other land for the exhibition of advertisements of class 1, 4, 6, 11, 16 or 17 specified in column 1 of Part 2 of the said Schedule or the erection of an advertisement structure for the exhibition of any advertisement of any of the said classes, or (iii) of class 3, 5, 6, 7, 8, 9, 10, 11, 12 or 13 specified in column 1 of Part 3 of the said Schedule, or (iv) of any class of Parts 1, 2 or 3 of Schedule 2 not referred to in subparagraphs (i), (ii) and (iii) where it is stated in the order made under section 202 of the Act that such development shall be prevented or limited,	No special amenity area order exists at the location of the plant/machinery.
(c) if it is development to which Part 10 applies, unless the development is required by or under any statutory provision (other than the Act or these Regulations) to comply with procedures for the purpose of giving effect to the Council Directive,	The industrial plant does not fall within the categories set out in Schedule 5 of the planning regulations and so is not subject to a requirement for environmental impact assessment.
(d) if it consists of the provision of, or modifications to, an establishment, and could have significant repercussions on major accident hazards.	The installation of the plant/machinery does not consist of the provision of, or modifications to, an establishment, which could have significant repercussions on major accident hazards.





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## APPENDIX B

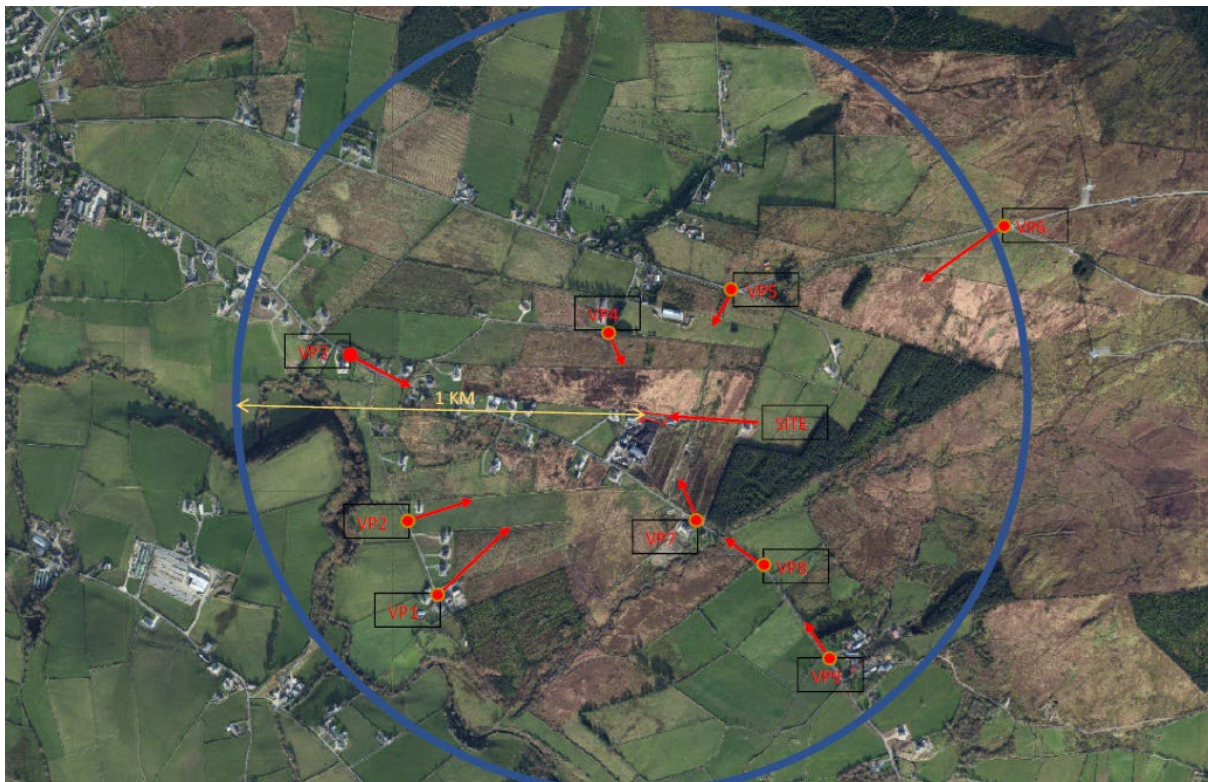
### Photographic Evidence of Visual Impact of the Plant/machinery on the Landscape



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- A series of photographs were taken at strategic locations within 1km of the Coyle Fuel Ltd site, to determine if any adverse visual impact arises from the installation of the plant/machinery on the local landscape, which is designated an Area of Modest Scenic Amenity.
- The locations of the 9 selected viewpoints are shown on the attached ariel photograph sketch. The Planning Authority is invited to review the viewpoint locations and advise if any additional viewpoints should be included.
- Each viewpoint photograph is shown below with a comment on the visual impact from each location.
- Apart from a 55m stretch of road from Viewpoint 7 towards the Andrew Coyle Coal Ltd. depot, where visual impact of the plant/machinery on the landscape is moderate, it is respectfully considered that overall the visual impact of the plant/machinery is negligible.





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### Viewpoint 1:



This viewpoint is located at the termination of county road L-17811-0.

No part of the Andrew Coyle Coal Ltd. buildings or the plant/machinery are visible, due to the dense tree stand between the viewpoint and the Andrew Coyle Coal Ltd. depot.

It is considered that the impact of the plant/machinery on the landscape from this viewpoint is non-existent.





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### Viewpoint 2:



Viewpoint 2 is taken from a point midway along county road L-17811-0 from its junction with county road L-1781-1.

No part of the Andrew Coyle Coal Ltd.. depot, or the plant/machinery is visible from this viewpoint.

It is considered that the impact of the plant/machinery on the landscape from this viewpoint is non-existent.



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### Viewpoint 3:



Viewpoint 3 is taken from the junction of county roads L-1781-1 and L-17811-0.

No part of the Andrew Coyle Coal Ltd. depot or the plant/machinery are visible from this viewpoint due to the aspect and a bend in the road. It is considered that the impact of the plant/machinery on the landscape from this viewpoint is non-existent.



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### Viewpoint 4:



Viewpoint 4 is taken from a sharp bend on county road L-7121-1.

Only the upper tip of the plant/machinery along with the roofs of agricultural buildings adjacent to the Andrew Coyle Coal Ltd. depot, which is located on lower ground. It is considered that the impact of the plant/machinery on the landscape from this viewpoint is negligible.





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### Viewpoint 5:



Viewpoint 5 is taken from county road L-71211-0 on elevated ground directly north of the Andrew Coyle Coal Ltd. depot. The plant/machinery is visible among the industrial yard buildings and adjoining agricultural sheds. However, it is considered that the impact of the plant/machinery on the landscape from this viewpoint is negligible.



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### Viewpoint 6:



Viewpoint 6 is taken from county road L-71211-0 at the entrance to the wind farm northwest of the Andrew Coyle Coal Ltd.. depot. The depot and plant/machinery is visible in the distance. It is considered that the impact of the plant/machinery on the landscape from this viewpoint is negligible.





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### Viewpoint 7:



Viewpoint 7 is the closest viewpoint to the Andrew Coyle Coal Ltd. depot, approximately 180m along county road L-1781-1 to the east. The plant/machinery, loose coal stacks, the Andrew Coyle Coal Ltd. buildings and adjoining agricultural buildings are visible from this viewpoint. However, they are only visible for a distance of 55m towards the depot from the viewpoint. It is considered that the impact of the plant/machinery on the landscape from this viewpoint is modest to negligible.



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### Viewpoint 8:



Viewpoint 8 is taken from county road L-1781-1. The Andrew Coyle Coal Ltd. depot is not visible from this viewpoint. It is considered that the impact of the plant/machinery on the landscape from this viewpoint is non-existent.



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### Viewpoint 9:



Viewpoint 9 is taken from county road L-1781-1 further west from viewpoint 8. Again, the Andrew Coyle Coal Ltd. depot is not visible from this viewpoint. It is considered that the impact of the plant/machinery on the landscape from this viewpoint is non-existent.



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## APPENDIX C

### Appropriate Assessment Screening Report





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## APPENDIX D

### Assessment of Noise, Light and Dust Emissions



**HARLEY PLANNING CONSULTANTS LTD.**

1 MELMOUNT PARK, STRABANE, CO TYRONE, BT82 9SU  
**T:** +44-2871886570 **M:** +44-7463541149  
**E:** JHARLEY@STERNWIND.CO.UK

## APPENDIX E

Visibility from the entrance to Andrew Coyle Coal Ltd.



## HARLEY PLANNING CONSULTANTS LTD.

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T: +44-2871886570 M: +44-7463541149  
E: JHARLEY@STERNWIND.CO.UK

- Full visibility of 70 metres, measured from a point 2.4 metres from the rear of the carriageway at a height of 1.05 metres, is available to the east of the entrance.
- Visibility splay is within ownership of Andrew Coyle Coal Ltd.

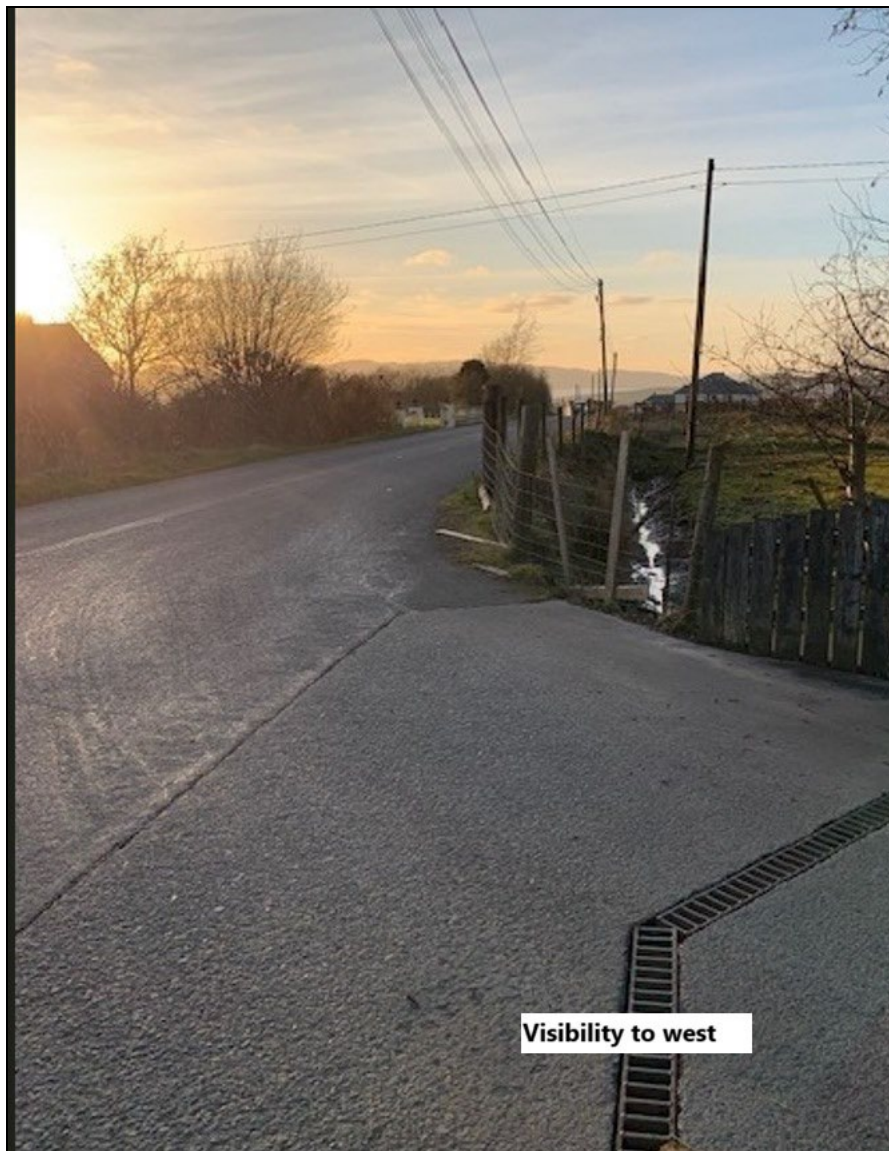




## HARLEY PLANNING CONSULTANTS LTD.

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E: JHARLEY@STERNWIND.CO.UK

- Full visibility of 70 metres, measured from a point 2.4 metres from the rear of the carriageway at a height of 1.05 metres, is available to the west of the entrance.
- Consent from landowner is attached.







Technical site plan showing the proposed road layout, existing stream, drainage channel, and vision lines. The plan includes elevation data points, a lorry weigh bridge, and a staff cut. The road is labeled "To Aghilly" and "EXISTING 70M VISION LINES".

TO WHOM IT MAY CONCERN,

Signed

\* Pro. & Copy NEIL COYLE.

J HARLEY BA DIP TCP (QUB)  
1 MELMOUNT PARK, STRABANE, CO TYRONE, BT82 9SU  
**T:** +44-2871886570 **MOB.** +44-7463541149  
**E:** JHARLEY@STERNWIND.CO.UK



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



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

**Planning Services**

**RECEIVED DATE: 31/03/2025**

## 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](mailto:planning@donegalcoco.ie)**

<b>Name of Applicant(s):</b>	Andrew Coyle
<b>Agent Name:</b> (if applicable)	Harley Planning Consultants
<b>Location of Proposed Development / Works:</b> (Townland or postal address as appropriate and Eircode if available)	BAUVILLE KEELOGES AND CLONGLASH, BUNCRANA.
<b>Description of Proposed Development including details of works (where applicable):</b> (Only works listed below will be assessed under <u>this</u> section 5 application)	
PLANT/MACHINERY ASSOCIATED WITH COAL BUSINESS	



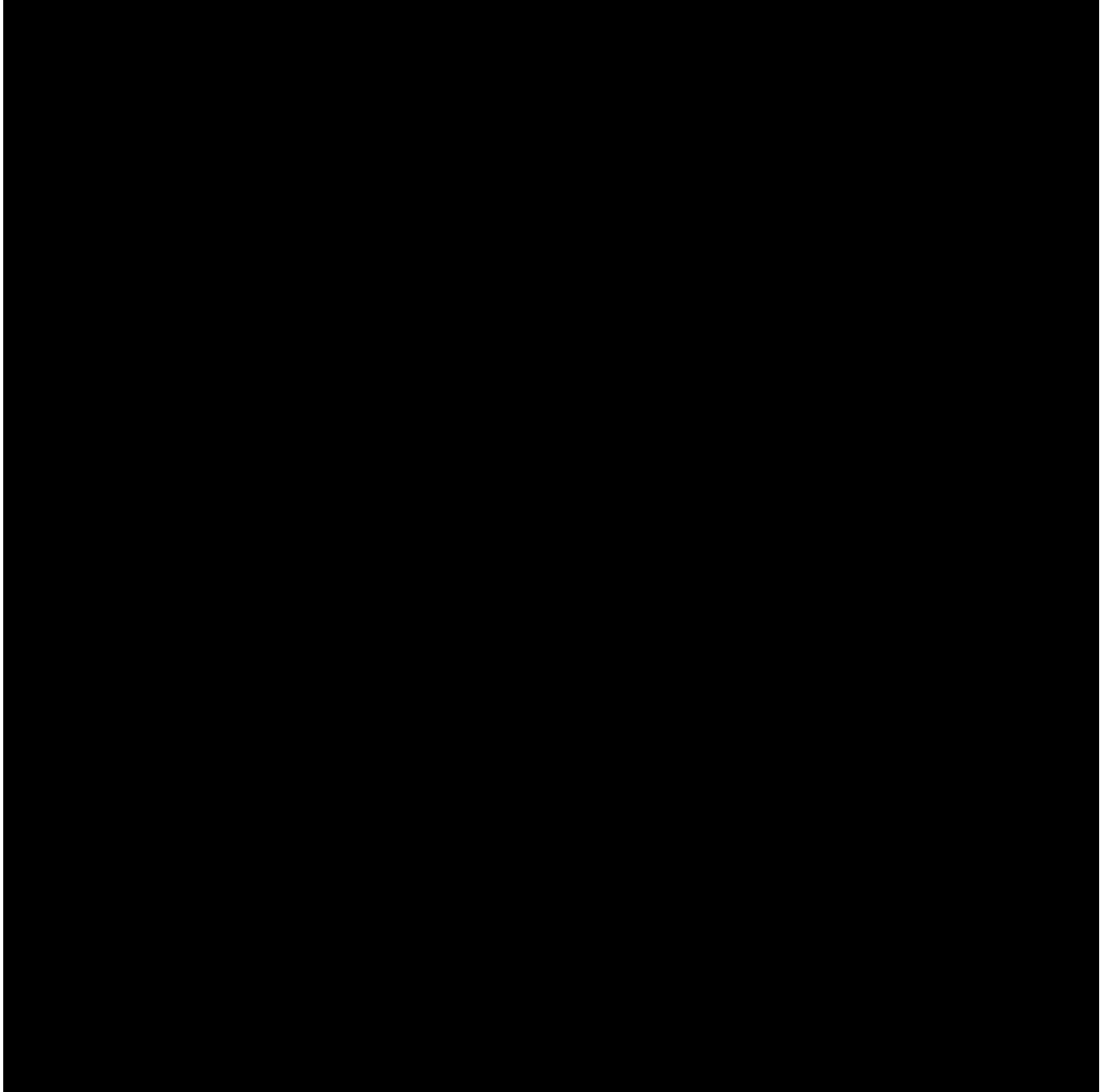
<b>Is the development a Protected Structure or within the curtilage of a Protected Structure?</b>	<b>Yes</b>	<b>No</b>
		X
<b>Has a declaration under Section 57 of the Planning and Development Act 2000 (as amended) been requested or issued in respect of the property.</b>	<b>Yes</b>	<b>No</b>
		X
<b>Applicant(s) Interest in the site:</b>	OWNER	
<b>If not the Owner of the site, please provide the name of the Landowner:</b>	N/A	
<b>Please list types of plans, drawings etc. submitted with this application:</b>	1. DRAWINGS OF PLANT 2. LOCATION MAP 3. LAYOUT PLAN	
<b>Planning History - list any relevant planning application reference numbers:</b>	24/62075	
<b>Are you aware of any enforcement proceedings connected to the site? If so, please supply details:</b>	UD24196	

<b>I hereby certify that the information provided is true and accurate</b>	
<b>Signature of Applicant/Agent:</b>	<i>Jim Harley</i>
<b>Date:</b>	14/3/2025



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Donegal County Council

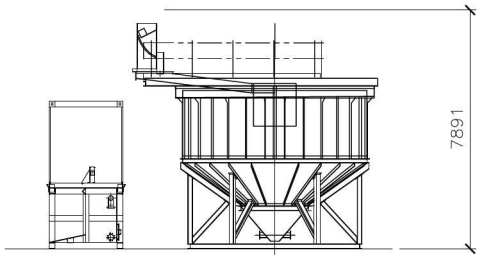
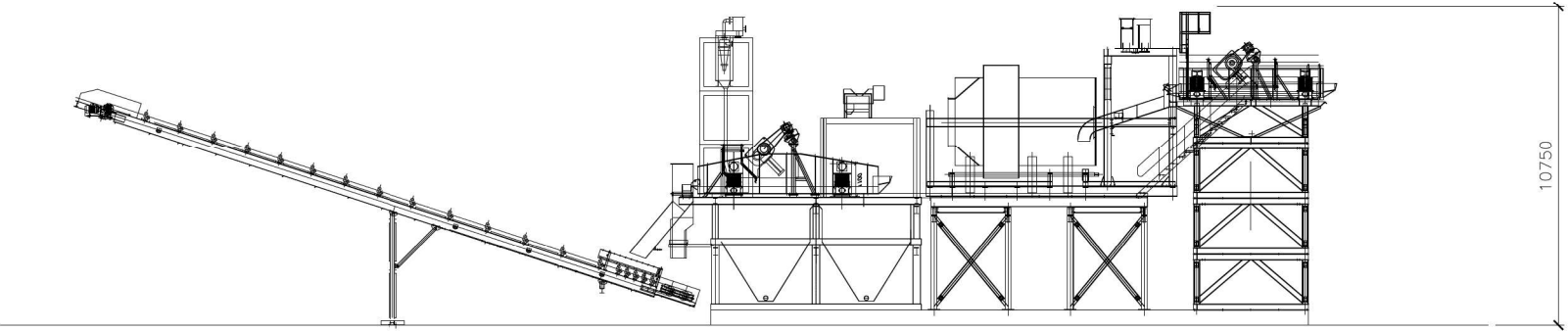
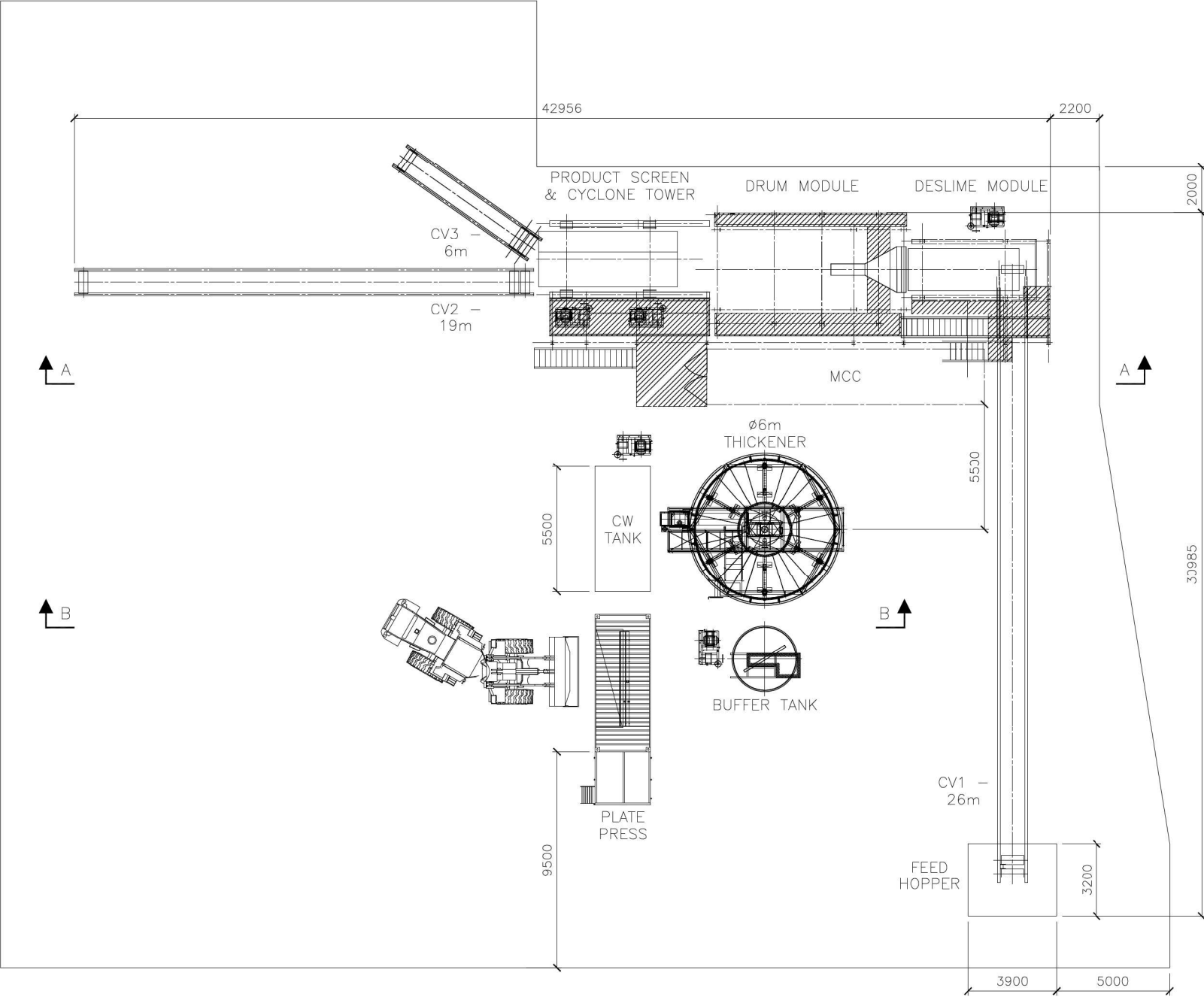
## **Additional Contact Information**



### **Advice to Applicant**

- (a) **Prescribed Fee** - €80.00 - You may wish to pay the fee by card by ringing the cash office on 074 9153900. Please note the receipt number in your cover email with the form.
- (b) Application must be accompanied by:
- **Site location map** with site clearly outlined in red (to a scale of not less than 1:1000 in built up areas and 1:2500 in all other areas).
  - **Site layout plan** (Site or layout plans shall be drawn to a scale (which shall be indicated thereon) of not less than 1:500 or such other scale as may be agreed with the planning authority prior to the submission of the application, the site boundary shall be clearly delineated in red).
  - **Elevations** (if applicable) – (plans, elevations and sections drawn to a scale of not less than **1:200**).
  - **Other details** (e.g. landowner consent (if applicable), photographs as appropriate).
- (c) Completed application form & supporting documentation to be returned to the Planning Authority **by email** to [planning@donegalcoco.ie](mailto:planning@donegalcoco.ie)
- (d) More information on exempted development can be found on the OPR planning leaflets available at <https://www.opr.ie/planning-leaflets/>

IF IN DOUBT, ASK!

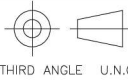


NOTES

1. STEELWORK FINISH TO BE AS MARKED. IF NO FINISH IS MARKED PLEASE CHECK TO CONFIRM WITH PARNABYS. REFER TO DRAWING 16418 FOR REQUIRED DRAINAGE NOTCHES IF GALVANIZED
2. ALL DIMENSIONS ARE IN MILLIMETRES
3. ALL HOLES Ø19 UNLESS NOTED OTHERWISE (U.N.O.)
4. ALL WELDING TO BS EN1011-1:2009 (6 C.F.W. U.N.O.)
5. ALL STEELWORK MATERIAL TO BE TO BS EN 10025:1993 S275 (U.N.O.)
6. REMOVE ALL SHARP CORNERS.
7. DRAWING No. & ITEM No. TO BE MARKED CLEARLY ON ALL COMPONENTS. e.g. <12345/1>
8. PARNABY CYCLONES RESERVES THE RIGHT TO MAKE CHANGES TO THIS DRAWING AS REQUIRED AND WHERE NECESSARY.

THIS DRAWING IS THE PROPERTY OF DEREK PARNABY CYCLONES INTERNATIONAL LIMITED AND MUST NOT BE USED, LOANED OR COPIED WITHOUT WRITTEN PERMISSION FROM THE COMPANY.

REVISION	D - GA UPDATED TO SUIT ERECTION OF PLANT
DATE	09.09.24
BY	LM



TOLERANCES TO BE AS SPECIFIED BELOW (U.N.O.)							
MACHINING			FABRICATION AND PLATEWORK				ANGLES
UP TO 100mm	100mm TO 300mm	300mm TO 1000mm	UP TO 300mm	300mm TO 1000mm	1000mm TO 2000mm	OVER 2000mm	
±0.15mm	±0.40mm	±0.80mm	±1mm	±2mm	±3mm	±4mm	±1°

ESTIMATED WEIGHT =

STEELWORK FINISH = BARE STEEL ☐ SHOT BLASTED, PRIMED & FINISHED COAT - RAL ☐ GALVANIZED ☐

DEREK PARNABY CYCLONES INTERNATIONAL LIMITED

CHILTON INDUSTRIAL ESTATE  
COUNTY DURHAM  
DL17 0SH (UK)

Tel: +44 (0)1388 720849  
Fax: +44 (0)1388 721415  
Email: design@parnaby.co.uk  
Web: www.parnaby.co.uk

Company Reg. 1124062 (England)

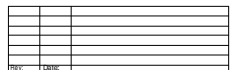
CUSTOMER	COYLE COAL	DRAWN	JT	DATE	17.07.24	
		CHECKED	RC	DATE	17.07.24	
LOCATION	R.O.I	APPROVED	-	DATE	-	
		SCALE (IF PRINTED A1)	1 : 125	CONTRACT NUMBER	-	
TITLE		DRAWING NUMBER		SHEET	REVISION	
GA OF DMD MODULE WITH CLOSED LOOP EFFLUENT TREATMENT		21831		1	D	



Drg. No.: 2365 S5-02



RECEIVED DATE: 31/03/2025



Client:	ANDREW COYLE COAL LTD
Job:	DEVELOPMENT AT BAUVILLE KEELOGES AND CLONGLASH, BUNCRANA, CO. DONEGAL

Project Stage:	
	Survey Drawings
	Scheme Design Drawings
	Section 5 Application
	Construction Stage Drawings
	Fire Safety Drawings
	Disability Access Cert.

Title:		SITE LOCATION MAP	
Date:	MARCH 2025	X Y Co-ordinates:	637545, 931265
Scale:	1:2500	Site Area:	1.526 Ha
Drg. No.:		2365_S5-01	





RECEIVED DATE: 31/03/2025






MLLBRAEHOUSE, LOWER MAIN STREET,  
BUNCRANA, CO. DONEGAL, F93 P27H.  
T: 074 93 62300, E: info@mgarchitects.ie,  
W: www.mgarchitects.ie

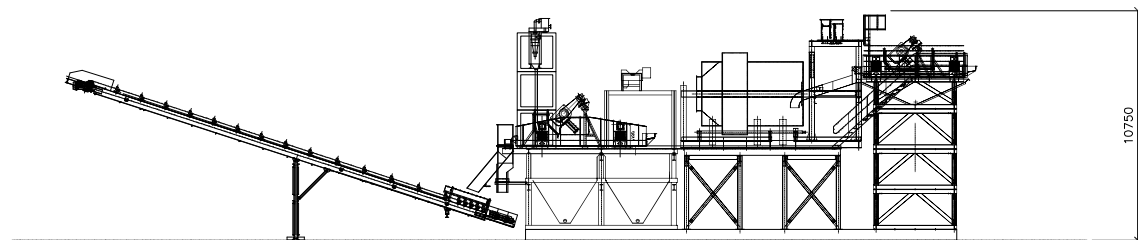
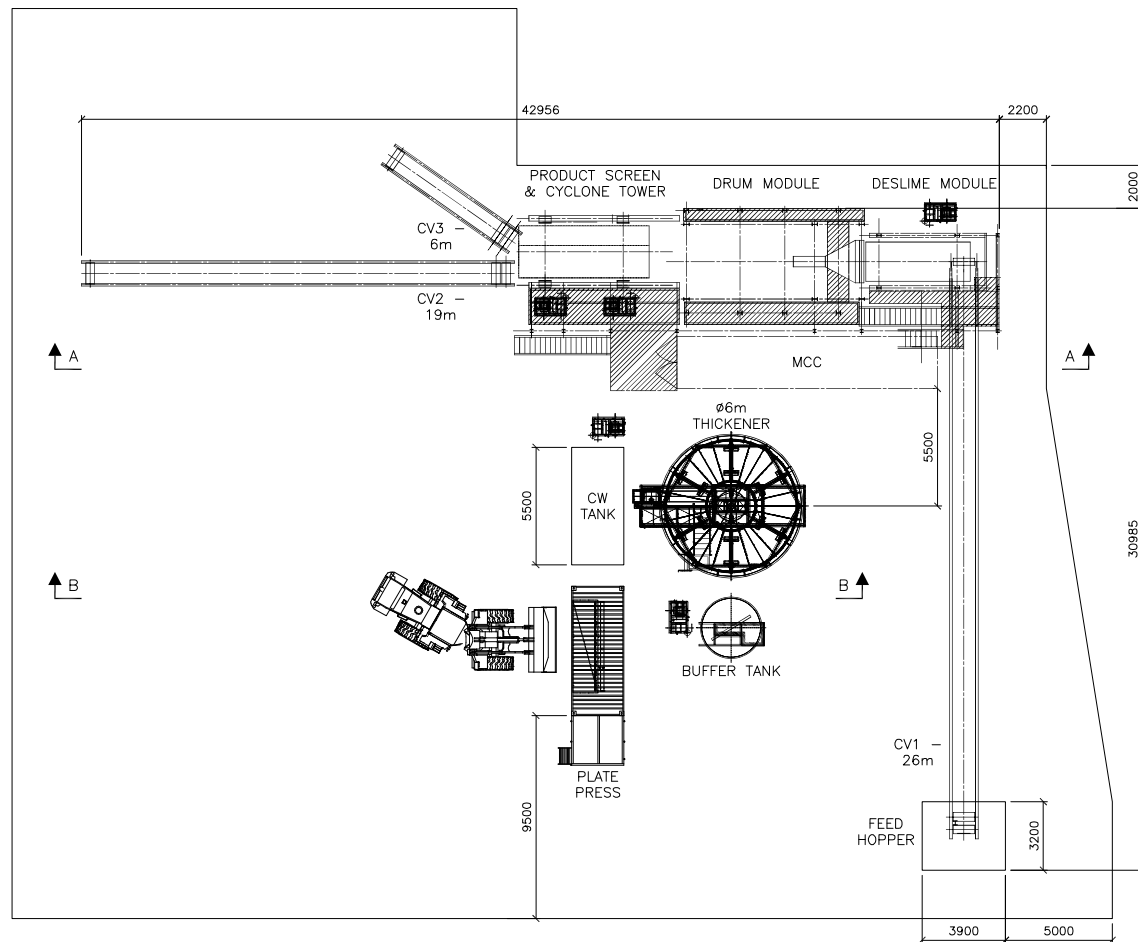


Client:	ANDREW COYLE COAL LTD
Job:	DEVELOPMENT AT BAUVILLE KEELOGES AND CLONGLASH, BUNCRANA, CO. DONEGAL

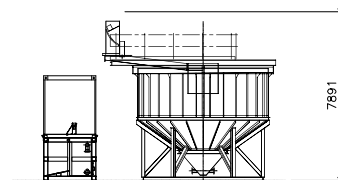
Project Stage:	Survey Drawings
	Scheme Design Drawings
	Section 5 Application
	Construction Stage Drawings
	Fire Safety Drawings
	Disability Access Cert.

Title:		SITE LOCATION MAP	
Date:	MARCH 2025	X, Y Co-ordinates:	637545, 931265
Scale:	1:2500	Site Area:	1.526 Ha
Dwg. No.:		2365_S5-01	

IF IN DOUBT, ASK!



A-A



B-B

#### NOTES

1. STEELWORK FINISH TO BE AS MARKED, IF NO FINISH IS MARKED PLEASE CHECK TO CONFIRM WITH PARNABY'S, REFER TO DRAWING 16418 FOR REQUIRED DRAINAGE NOTCHES IF GALVANIZED
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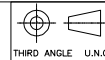
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REVISION	DATE	BY	LM
D - GA UPDATED TO SUIT ERECTION OF PLANT	09.09.24		

LM

2

3



THIRD ANGLE U.N.O.

4

TOLERANCES TO BE AS SPECIFIED BELOW (U.N.O.)					
MACHINING			FABRICATION AND PLATEWORK		
UP TO 10mm	10mm TO 20mm	20mm TO 50mm	UP TO 30mm	30mm TO 100mm	OVER 100mm
±0.1mm	±0.05mm	±0.05mm	±1mm	±2mm	±3mm

5

ESTIMATED WEIGHT =					
STEELWORK FINISH = BARE STEEL <input type="checkbox"/> SHOT BLASTED, PRIMED & FINISHED COAT - RAL <input type="checkbox"/> GALVANIZED <input type="checkbox"/>					
<b>DEREK PARNABY CYCLONES INTERNATIONAL LIMITED</b>					
CHILTON INDUSTRIAL ESTATE CHILTON COUNTY DURHAM DL17 0SH (UK)			Tel: +44 (0)1388 720849 Fax: +44 (0)1388 721415 Email: design@parnaby.co.uk Web: www.parnaby.co.uk Company Reg. 1124062 (England)		
CUSTOMER <b>COYLE COAL</b>		DRAWN JT	DATE 17.07.24		
LOCATION <b>R.O.I</b>		CHECKED RC	DATE 17.07.24		
		APPROVED -	DATE -		
		SCALE (IF PRINTED AT)	1 : 125	CONTRACT NUMBER	-
TITLE <b>GA OF DMD MODULE WITH CLOSED LOOP EFFLUENT TREATMENT</b>		DRAWING NUMBER <b>21831</b>	SHEET <b>1</b>	REVISION <b>D</b>	

6

Title:		SITE LAYOUT	
Date:	MARCH 2025	X, Y Co-ordinates:	637545, 931265
Scale:	1:500	Site Area:	1.526 Ha
Drg. No.:		2365 S5-02	

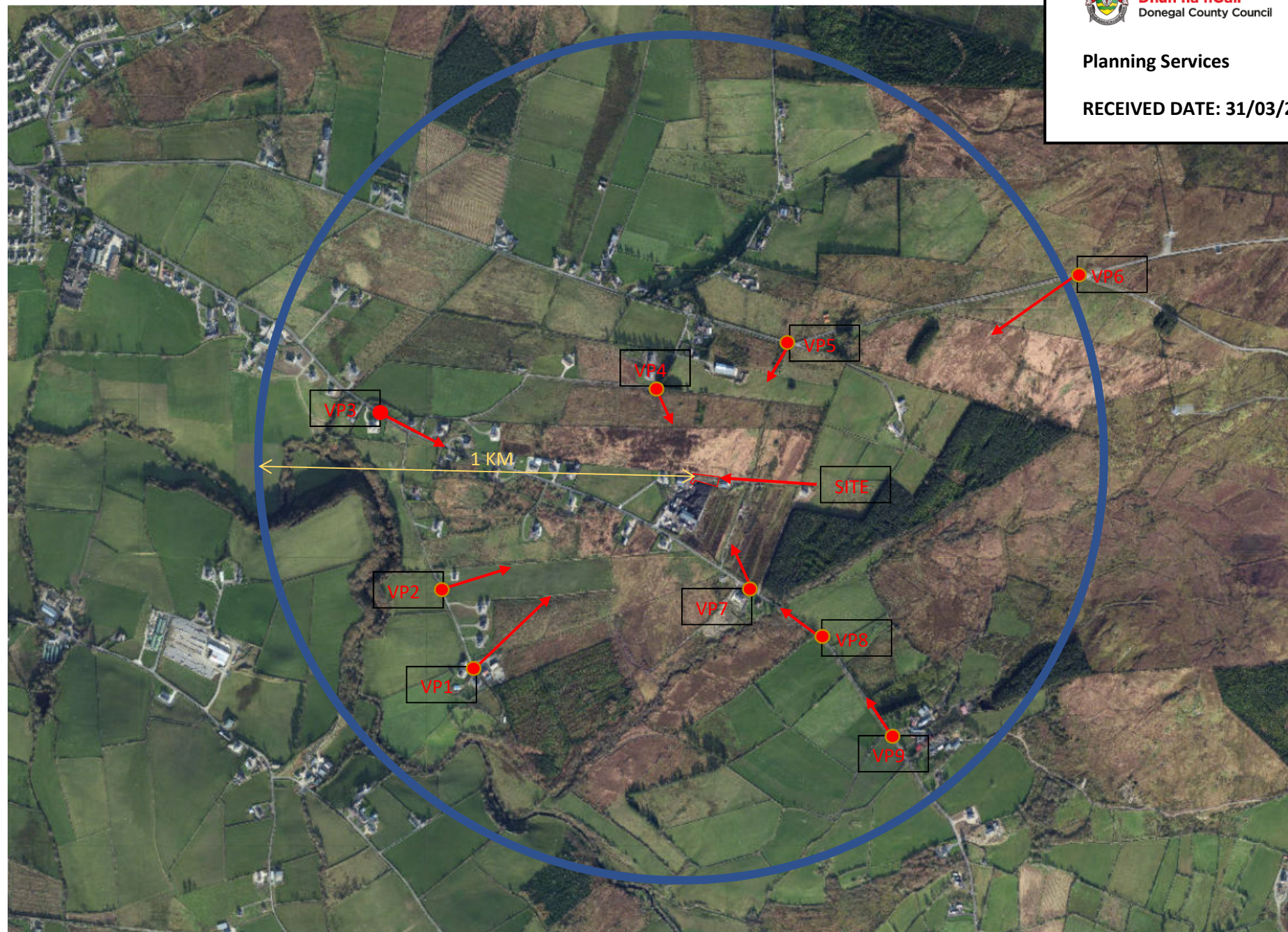




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**Planning Services**

**RECEIVED DATE: 31/03/2025**





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**magnus**

ENVIRONMENTAL & SAFETY CONSULTANTS

## **Appropriate Assessment Screening**

**Report for a**

**Coal Segregation plant at**

**Bauville Keeloges and Clonglash, Buncrana,  
Co. Donegal**

**Compiled by Magnus Environmental & Safety Consultants Ltd.**

**On behalf of**

**Andrew Coyle Coal Ltd**

**March 2025**

# Stage 1: Appropriate Assessment Screening

## 1. Introduction

1.1 This document provides information necessary to support that assessment to be made by the local authority. It describes the proposed project and the receiving environment. Any possible negative direct or indirect impacts on the qualifying interests (QI) of any Natura 2000 sites will be identified and the significance of the impacts will be assessed. This information will then be used to determine the need for a Stage 2 Assessment - a Natura Impact Assessment (NIS).

1.2 The report follows the methodology and Guidance set out in “Appropriate Assessment of Plans and Projects in Ireland; Guidance for planning Authorities” published by the DEHLG (2009).

1.3 This document has been prepared by Richard McElroy (B.Eng Environmental Engineering, HETAC Environmental Engineering, MIOA) from Magnus Environmental & Safety Consultants Ltd in order to provide an assessment of the likely significant effects, if any, on the Natura 2000 network arising from the developments at Andrew Coyle Coal Ltd, Bauville, Keeloges and Clonglash, Buncrana, Co. Donegal.

1.4 It is a Screening Report for Appropriate Assessment and is in line with the requirement of Article 6(3) of the European Union (EU) Habitats Directive (Directive 92/43/EEC). As such, this report provides information required in order to establish whether or not the proposed development is likely to have a significant impact on any Natura 2000 sites known in the vicinity, in the context of their conservation objectives and specifically on the habitats and species for which the Natura 2000 conservation sites have been designated.

1.5 This information will then be used to determine the need for a Stage 2 Assessment; a Natura Impact Assessment (NIS).

1.6 Natura 2000 sites are those identified as sites of European Community importance designated under the Habitats Directive as Special Areas of Conservation (SACs) or under the Birds Directive as Special Protection Areas (SPAs).



## **2 Legislation**

2.1 The Habitats Directive (Council Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna) formed a basis for the designation of Special Areas of Conservation (SACs). Special Protection Areas (SPAs) are legislated for under the Birds Directive (Council Directive 79/409/EEC on the Conservation of Wild Birds). Collectively, SACs and SPAs are referred to as Natura 2000 sites.

2.2 Under Article 6(3) of the Habitats Directive an Appropriate Assessment must be undertaken for any plan or project that is likely to have a significant effect on the conservation objectives of a Natura 2000 site. An Appropriate Assessment is an evaluation of the potential impacts of a plan on the conservation objectives of a Natura 2000 site, and the development, where necessary, of mitigation or avoidance measures to preclude negative effects.

2.3 The main aim of the EU Habitats Directive is to “contribute towards ensuring biodiversity through the conservation of natural habitats of wild fauna and flora in the European territory of the Member States to which the treaty applies”. The Directive was transposed into Irish law by the European Communities (Natural Habitat) Regulations, S1 94/1997.

## **3 Description of Development and Process**

3.1 Andrew Coyle Coal Ltd operate a smokeless fuel manufacturing plant in Maydown Industrial Estate in Derry Northern Ireland. One of the processes of this business is carried out at their ROI site in Buncrana, Co Donegal. Previously this site had been used for all their operations, but since Andrew Coyle Coal Ltd has moved to Northern Ireland, only 5% of the overall business activities now take place in ROI. The plant in Buncrana is used now only for the segregation of raw coals and storage of bagged coal and timber blocks for distribution to retailers in Inishowen.

3.2 The plant consists of a series of connected conveyor belts and washing drums and forms an integral part of Andrew Coyle Coal Ltd. overall coal processing operation, before it is sold on to distributors. The highest point of the plant is 10.75m above ground level.

3.3 The plant accepts multi-grade raw coals, which have already been screened of dust at the company’s base in Maydown, Derry. Raw coal is fed into a reception hopper and delivered by belt conveyor up to a pre-segregation screen for removal of fines <3mm, which are then discharged to a ground storage bay. The fines are then delivered to the Maydown yard, for processing into briquettes.

3.3 The pre-rinsed coal (typically 6mm x 100mm) is fed into a dense medium washer drum,

where the quality coal is separated from the poorer coal (sinks products) by a dense medium magnetite media process. This magnetite media is totally contained within the system and recirculated for maximum efficiency. The diluted magnetite media solution is collected and pumped to a wet drum magnet, which recovers the magnetite concentrate for re-use within the dense medium washer system.

3.4 The clean quality coal is then discharged via a draining and rinsing screen to a ground storage bay. The poor quality coal is discharged out onto a separate side of the drain and rinse screen and discharged to a ground storage bay.

3.4 No liquid waste or water is discharged from this process, which is totally enclosed. Only good and poorer quality coal and fines are discharged from the system. These finished products are then transferred to the Maydown site for further processing.

3.5 The company's coal supply, 30,000 tonnes per annum, is imported through Lisahally Port in Derry and is transported to the Maydown yard, which is circa 1.5km from the port. Only 10% of this total (3,000 tonnes) is transported to Buncrana for segregation, as the remainder is smokeless anthracite coal.

3.6 The coal segregation plant processes 30 tonnes per hour and accordingly the plant will only operate for 100hrs per annum, or 13 days p.a. assuming an eight hour working day.

3.7 Drawings of the coal segregation plant and its location within the Andrew Coyle Coal Ltd site are attached below under Appendix A.

## **4 Development site**

4.1 The site, on which the industrial plant is located is circa 1km from the Buncrana Town boundary. It extends to 1.526ha. and is the operations base for Andrew Coyle Coal Ltd.

4.2 The site, which is totally paved, is generally flat with a slight slope to the southern (roadside) boundary. The offices of the business, a former coal bagging shed, a fuel oil storage area and a fuel dispensing pump and island are all accommodated on the site. Adjacent to the site are large agricultural sheds, owned by the Coyle family.

## **5 Designated sites**

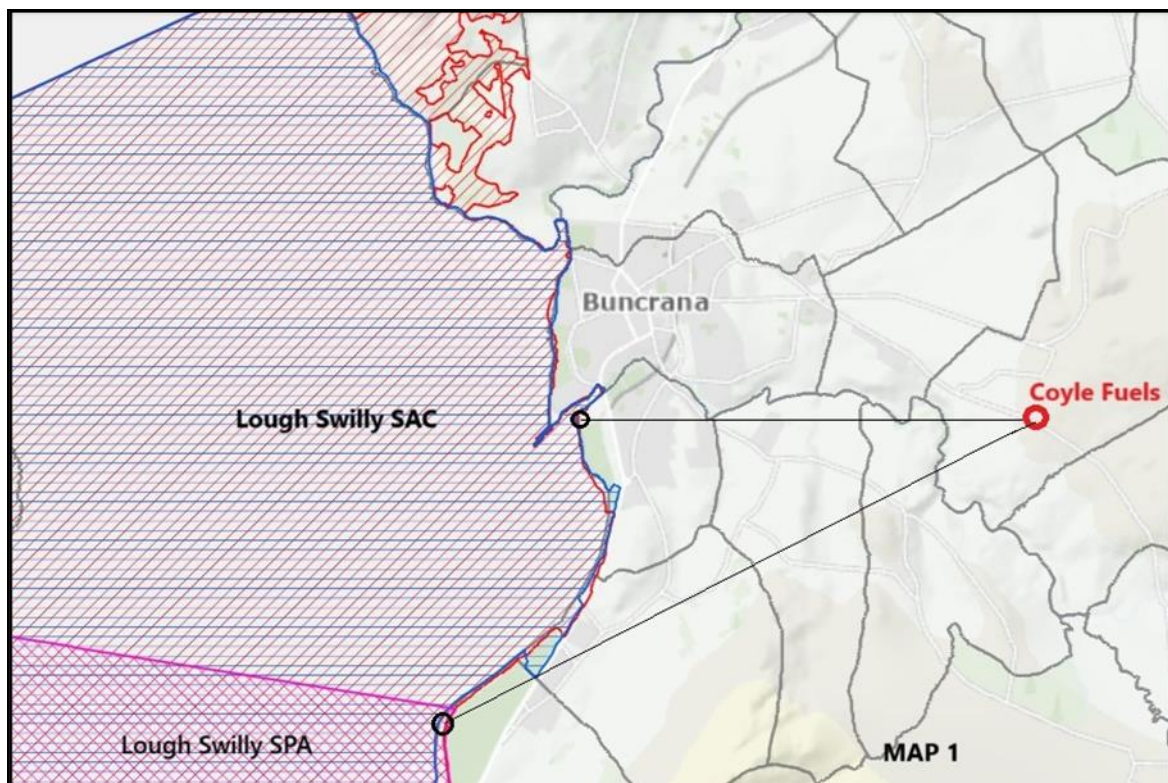
5.1 All SACs and Special Protection Areas (SPAs) located within a 10km radius of the proposed development site have been compiled and are shown on Map 1 and listed on Table 1.

5.2 Lough Swilly SAC is a large site (9261ha) extending from south of Letterkenny to just north of Buncrana and whose main conservation value is for being a fine example of a large



natural sea inlet, which is estuarine in character and where extensive intertidal sand and mud flats are exposed at low tides. Salt marshes of the Atlantic salt meadow type are also well represented. Two other habitats of importance occur within the shores of the Lough, namely low salinity lagoons and old oak woods. The site also supports a population of otters (*Lutra lutra*).

5.3 Lough Swilly SPA (3734ha) comprises all the habitats described within the SAC as well as improved grasslands and extensive cereal cultures found in the polders at Blanket Nook and Big Isle. The site supports an excellent diversity of wintering waterfowl. It is of international importance as total numbers easily exceed 20,000 birds and it contains an important population of the protected species of Whooper Swan, Greylag Goose, Golden Plover and Greater White-fronted Goose.



**Table 1: List of all Natura 2000 sites within 10km of the proposed development.**

Natura sites in the vicinity of development	Distance from development at closest point
Lough Swilly SPA (004075)	3.0 km west
Lough Swilly SAC (002287)	4.48 km southwest

## 6 Identification of potential impacts

6.1 The development is not directly connected with the management of any of the conservation sites identified above.

6.2 Only those features of the development that have the potential to impact on features and conservation objectives of the identified Natura 2000 sites are considered. The following issues were examined in relation to the potential impacts of the development of the site (either alone or cumulative) on the identified sites.

- Deterioration of the water quality downstream in the Owenkillev River and Lough Swilly resulting from pollution from surface water run-off from activities related to the development.
- Disturbance to birds (directly via noise and light pollution and indirectly via habitat disturbance)

6.3 Impacts on water quality:-

The development does not pose any risks to the Water Framework Directive status of either the Owenkillev River or Lough Swilly, because no liquid waste or water is discharged from the process associated with the coal segregation plant. There are no excavation works with potential sediment run-off associated with the installation of the plant and the discharge of all existing storm water drains is via a sediment/oil interceptor system on the site.

6.4 Impacts on birds:-

Lough Swilly SPA has been assessed to be of excellent or good value for conservation of migratory bird species. As many as 283 Whooper Swan and 824 White-fronted Geese have been recorded to use the site in the winter (NPWS). The Conservation Objectives Supporting Documents describes the disturbance assessment of birds in Lough Swilly SPA as moderate. It is concluded that the development will not negatively impact on migrating birds due to noise or lighting, as no lighting is associated with the plant and the development is a considerable distance from the SPA.

6.5 These conclusions are supported by An Bord Pleanála, in its assessment and grant of permission PL05E.248403 for the retention of the Coyle Fuels Ltd operation in 2017 which confirmed that

*The development does not fall within the categories set out in schedule 5 of the planning regulations and so is not subject to a requirement for environmental impact assessment. The*

*development is not in, or adjacent to any Natura 2000 site and it would not involve processes that would lead to emissions that would have downstream effects on such a site. It would not, therefore, be likely to have significant effects on a Natura 2000 site and is not subject to a requirement for an appropriate assessment.(Paragraph 8.2 Inspector's report PL05E.248403).*

## **7 Recommendations**

7.1 The following recommendations are to be taken into consideration

1. At all times, all bulk fuel storage tanks should be properly bunded with a bund capacity of at least 110% of that of the fuel tanks and that underground oil pipes are properly installed and protected.
2. Post construction surface water run-off from hardcore/concreted/tarmacadam areas, including car parking areas, should be treated via the existing sediment and oil interceptor traps, prior to discharge into any stream/drainage channels.
3. Under no circumstances should waste waters enter drains and adjacent water bodies.

## **8 Cumulative or in-combination impacts**

8.1 The other principal activities within or nearby the Natura sites are farming, private dwellings, industrial activities and aquaculture in Lough Swilly itself.


8.2 The Conservation Objectives Supporting Documents describes the disturbance assessment of birds in Lough Swilly SPA as moderate. In addition, a series of risk assessments relating to the main pressures on waters were carried out during the Water Framework Directive (WFD) implementation process to identify pressures 'at risk' of impacting the surrounding water environment ([www.wfdireland.ie](http://www.wfdireland.ie)). The latest risk assessment information available indicates that Lough Swilly SAC is of 'high status'.

8.3 The rivers that join the Lough at Buncrana are also of good water quality (Q4-5, [www.epa.ie](http://www.epa.ie)). From the Donegal Planning Enquiry system, no proposed developments are likely to negatively impact on the Owenkillew River.

8.4 Therefore, it is concluded that no cumulative or in-combination impacts associated with this development are foreseen on the Lough Swilly SAC and SPA.

## 9 Appropriate Assessment Screening Statement

9.1 From the information listed in this Appropriate Assessment document it can be said that the proposed industrial plant will not have any significant negative impacts on the integrity of any Natura 2000 site in the area. Therefore, in the opinion of the author, the project screens out for a Stage 2 Natura Impact Statement (NIS) and no further assessment is necessary.

Richard McElroy   
Magnus Environmental & Safety Consultants Ltd

## APPENDIX A

- (1) Location map
- (2) Coal Segregation Plant
- (3) Layout plan of Andrew Coyle Coal Ltd site





Comhairle Contae  
Dhún na nGall  
Donegal County Council

Planning Services

RECEIVED DATE: 31/03/2025



# magnus

ENVIRONMENTAL & SAFETY CONSULTANTS

NOISE, DUST DEPOSITION & LIGHT MONITORING

ANDREW COYLE COAL LTD

Bauville Keellogues, Buncrana, Co Donegal

Report Prepared By: Richard Mc Elroy

B.Eng Environmental Engineering, HETAC Environmental Engineering, MIOA

Report Number: CF-Q4-24

Magnus Environmental & Safety Consultants Ltd

Company Representation No: 644912

[www.magnusehs.ie](http://www.magnusehs.ie)

## Document Information

### Project Details

Location	Andrew Coyle Coal Ltd, Bauville Keellogues, Buncrana, Co Donegal
Details	Noise, Dust Deposition & Lighting Monitoring at two noise sensitive locations
Report No.	CF-Q4-24
Client	Coal Fuel Ltd

### Authors

	Name	Company
Author	Richard Mc Elroy	Magnus Environmental & Safety Consultants

### Revision History

Version	Date	Description
0.00	-	Final Report

Status	
Initial Version	
Final Version (Internal document)	
Final Version (approved)	X

## 1 Introduction

This report presents the results of the environmental noise monitoring, dust deposition levels and light emissions associated with the operation of Andrew Coyle Coal Ltd facility at Bauville Keellogues, Buncrana, Co. Donegal

## 2 Dust Monitoring

Dust Deposition Rate is normally measured by gravimetrically determining the mass of particulates and dust deposited over a specified surface area over a period of one month (30 days +/- 2 days). The results are expressed as dust deposition rate in mass per unit area per day ( $\text{mg}/\text{m}^2$  -day).

Dust Deposition Limit Criteria A value of  $350 \text{ mg}/\text{m}^2$  -day (as measured using Bergerhoff type dust deposit gauges as per German Standard Method for determination of dust deposition rate, VDI 2129) shall be applied as monthly limit value. This guideline limit value of  $350 \text{ mg}/\text{m}^2$  -day is obtained from the commonly applied German TA Luft Air Quality Standard emission limit value, which was established to protect against damage or impairments to property or amenities and it is to this standard that the results of each monthly survey shall be assessed.

### 2.1 Dust Deposition Equipment

The procedure employed for dust deposition monitoring is the Standard Method VDI 2129 (Determination of Dust fall using Bergerhoff Instrument)

Dust deposition gauges are located on the site boundaries at 2 (No) locations in proximity to local residential development as shown in Figure 1.

**Figure 1** *Dust deposition monitoring locations D1 & D2*



### 3 Dust Deposition Results

Dust deposition results at D1 and D2 are shown below in Table 1.

**Table 1 Dust Deposition Results**

Sampling Period	Sample ID	Sample Type	Test Description	Results/Units
07-11-2024 to 11-12-2024	D1	Dust Deposition	Bergerhoff Dust	78.2mg/m <sup>2</sup> /day
07-11-2024 to 11-12-2024	D2	Dust Deposition	Bergerhoff Dust	86.5mg/ m <sup>2</sup> /day
11-12-2024 to 15-01-2025	D1	Dust Deposition	Bergerhoff Dust	75.2mg/ m <sup>2</sup> /day
11-12-2024 to 15-01-2025	D2	Dust Deposition	Bergerhoff Dust	84.2mg/ m <sup>2</sup> /day

Certificates of Analyses in Appendix 1

#### 3.1 Evaluation of Dust Monitoring Results

The dust deposition was carried out from 07-11-2024 to 11-12-2024 and 11-12-2024 to 16-01-2025 on the site boundaries at 2 (No) locations in proximity to local residential development. The analyses were carried out by an external Laboratory accredited to IS EN ISO/IEC 17025:2017.

At both location D1 and D2 the results where below the limit value of 350mg/m<sup>2</sup>/day as indicated above in Table 1. Tthese results confirm compliance with condition 5 of planning permission PL 05E,248403 allowing the overall development of the Andrew Coyle Coal Ltd. business at this location.

## 4 Noise Monitoring

The monitoring locations are at 2 (No.) noise sensitive receptors as shown in Figure 1. These receptors are located opposite the southern boundaries of the facility and noise levels shall be measured during normal site operations to assess compliance imposed by condition 6 of planning permission PL 05E.248403. The noise monitoring surveys will be located at the external boundary of each receptor with reference to the guidelines in ISO 1996-2 2017 Acoustics – Description, Measurement and Assessment of Environmental Noise Parts 1-3 and the 2016 EPA publication, “Guidance Note for Noise: Licence Applications, Surveys and Assessments in Relation to Scheduled Activities (NG4).

Environmental noise monitoring at 2 (No) Noise Sensitive Locations as shown in Figure 2.

**Figure 2** *Noise monitoring locations NSL1 & NSL2*



The recorded noise levels at each of the 2 closest receptors shall be assessed with regard to Condition 6 of ABP Decision Ref PL 05E.248403 which states that noise levels from the development shall not exceed:

- LAeq, 1hr value of 55dB(A) between 08:00 – 18:00hrs Monday to Friday & 08:00 – 18:00hrs on Saturday.
- LAeq, 15min value of 55dB(A) at any other time and shall not contain a tonal component.
- Site generated noise shall not increase background noise levels by more than 10dB(A) at any time.



## 4.1 Noise Equipment Used

The following equipment was used for sound level measurements throughout the survey

Item	Manufacturer	Model	Serial No.	Calibration Cert.
Sound Level Meter	Sonitus Systems	EM2030	00967	2100967
Acoustic Calibrator	National Instruments PXI-4461	CR511ES	60871	16004

Measurement conditions were within the tolerances defined in IEC 61672-1 and IEC 60942.

- Barometric Pressure: 1010 hPa
- Temperature: 16.7 °C
- Relative Humidity: 35.0 %

Calibration Certificates in Appendix 2

## 4.2 Noise Monitoring Results

The free-field noise measurements were conducted on the 11<sup>th</sup> November 2024 when all site activities were occurring normally.

The prevailing local weather conditions at the time of the surveys were as follows:

Date	Precipitation	Mean Temperature °C	Mean Windspeed m/s	Mean Wind Direction
11-11-2024	None	10	2.5	N

Windspeed and temperature were determined using a WeatherFlow WFANO-02 handheld vane anemometer. Meteorological conditions were as observed during the monitoring intervals. Prevailing wind directions were obtained from Met Eireann.

The noise surveys were conducted the equivalent continuous A-Weighted Sound Pressure Level, LAeq, T, over 60-minute monitoring intervals with a Fast time weighting. The LAfmax parameter was similarly recorded. A statistical analysis of the measurement results was also simultaneously completed so that the percentile levels, LAN, T, for N = 90% and 10% over the specific measurement intervals were also recorded. A 1/3 octave band frequency analysis was also conducted simultaneously during each noise monitoring interval to determine the presence or not, of tonal components associated with site generated noise.

The environmental noise measurement results recorded on 30<sup>th</sup> December are presented in Table 1 below.

The recorded 1/3 octave band spectra are presented below in Appendix I of this report and demonstrate that there were no tonal components associated with recorded noise measurements as determined according to ISO 1996-2 2007 Acoustics – Description, Measurement and Assessment of Environmental Noise Part 2 – Annex D. The presence of tonal components was assessed by determining if any 1/3 octave band exceeded the levels of adjacent bands as follows:

- 15dB in low frequency one third octave bands (25Hz to 125Hz);
- 8dB in middle frequency bands (160Hz to 400Hz), and;
- 5dB in high frequency bands (500Hz to 10,000Hz)

No tonal components were recorded during the noise surveys conducted at monitoring locations N1 or N2.

**Table 2 Noise Monitoring Results**

Monitoring Location	Date/Time	L <sub>Aeq</sub> , 60min dB(A)	L <sub>A10</sub> , 60min dB(A)	L <sub>A90</sub> , 60min dB(A)	Tonal Component	Observations
<b>NSL1</b>	11-11-24 14:00 –15:00	52.11	55.34	44.73	None	<ul style="list-style-type: none"> <li>• Local road traffic</li> <li>• Traffic associated with Andrew Coyle Coal Ltd</li> <li>• Trees rustling from slight breeze</li> </ul>
<b>NSL2</b>	11-11-24 15:15– 16:15	48.36	51.32	42.64	None	<ul style="list-style-type: none"> <li>• Local road traffic</li> <li>• Traffic associated with Andrew Coyle Coal Ltd</li> <li>• Trees rustling from slight breeze</li> </ul>

### 4.3 Evaluation of Noise Monitoring Results

The results of the monitoring surveys are presented above in Table 2. The recorded LAeq values at NSL1 and NSL2 of 50.87(A) LAeq, 60mins and 50.71(A) LAeq, 60mins respectively are below the 55 dB(A) LAeq, 60mins limit criteria. The recorded LA90 values which range from 55.34dB(A) & 51.32 dB(A) would indicate that the noise climate in the vicinity of the closest houses to the facility is not adversely impacted by a dominant or continuous loud noise source and is representative of an environment that is not dominated or adversely impacted by industrial or commercial noise.

No tonal components associated with site activities were detected during the surveys.

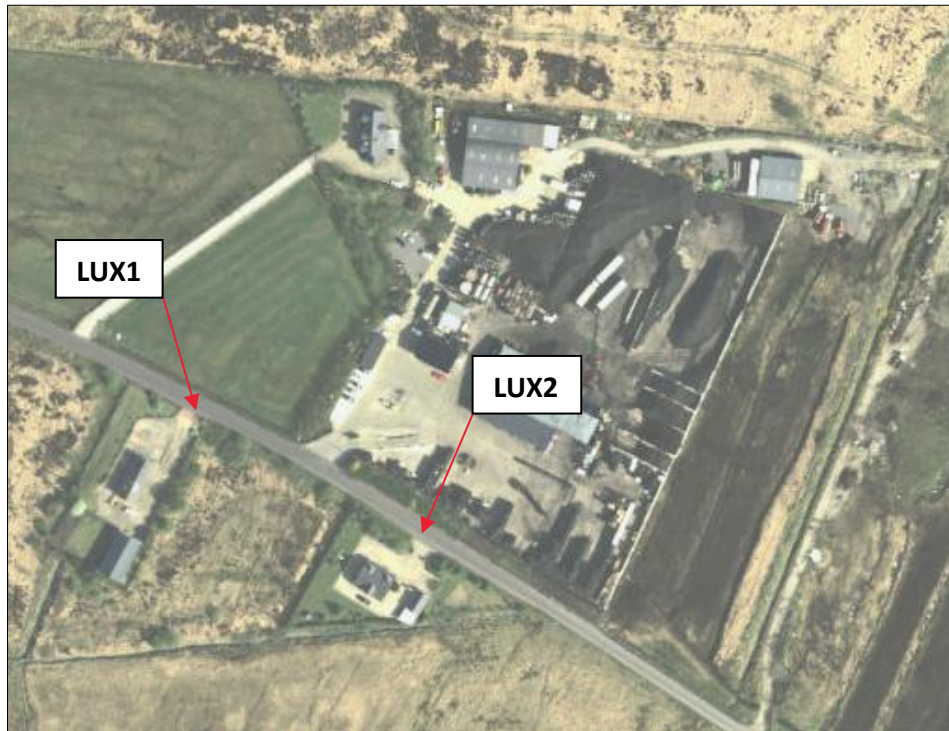
## 4.4 Conclusion

Based on the noise monitoring levels recorded and observations made at the closest noise sensitive receptors to the Andrew Coyle Coal Ltd facility during the specified monitoring interval, it may be concluded that site activities comply with commonly applied Local Authority and EPA daytime noise limit values and imposed by condition 6 of planning permission PL 05E.248403

## 4.5 Light Monitoring

Condition 4 of Condition 5 of PL 05E.248403 states that lighting at the facility shall not generate a glare on the public road or light spillage on or at any residential property in the vicinity. Light levels shall be observed and measured using a Luxmeter at the closest residential properties to assess compliance with Condition 4.

**Figure 3** *Lux Levels at locations LUX 1 & LUX 2*



Luxmeter equipment used was a Delta OHM HD 8366 Luxmeter.

**Table 3** **Lux Levels**

Monitoring Location	Date/Time	Lux Level	Observations
<b>LUX1</b>	07-11-24 17:30	2.1	There was no glare on the public road or light spillage on or at any residential property in the vicinity
<b>LUX2</b>	07-11-24 17:35	1.8	There was no glare on the public road or light spillage on or at any residential property in the vicinity

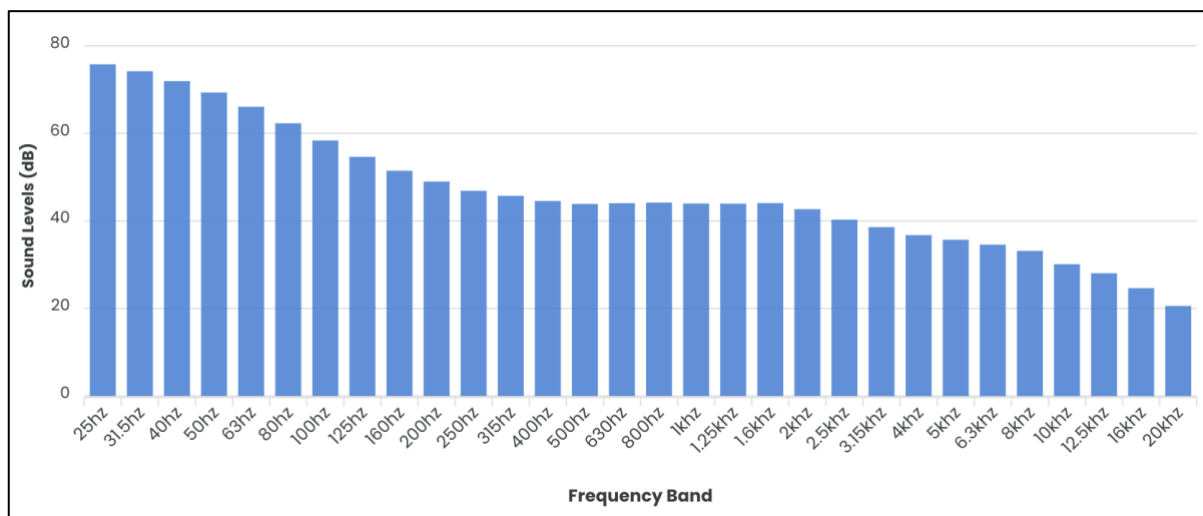
## 4.6 Evaluation of Light Monitoring Results

There was no significant glare on the public road or light spillage on or at any residential property in the vicinity of Andrew Coyle Coal Ltd and the emissions comply with condition 4 of planning permission PL 05E.248403.

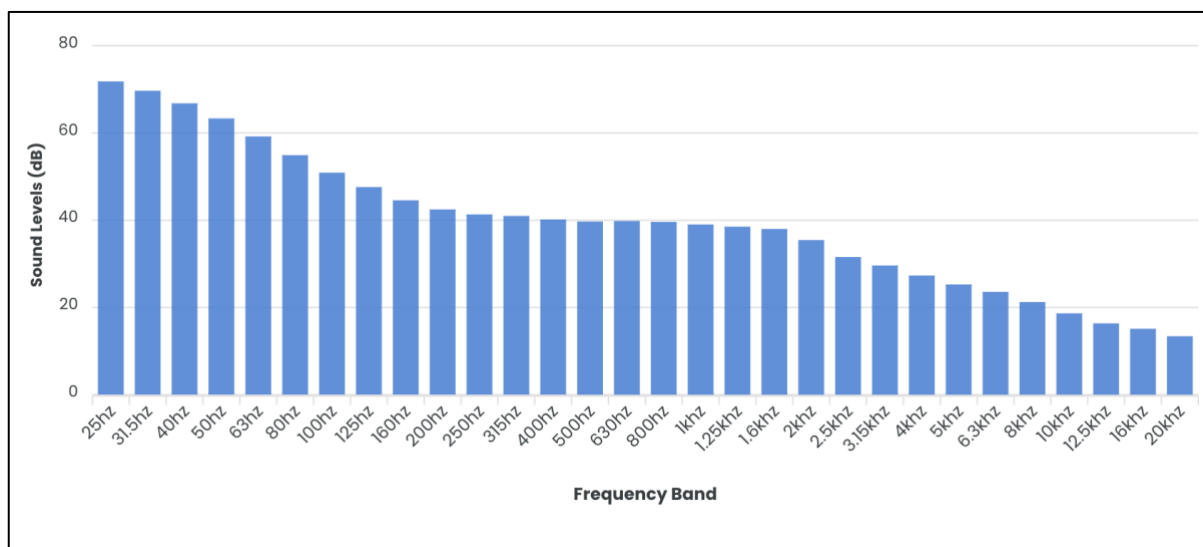


## Appendix 1

### NSL1



### NSL2



## Appendix 2

### Certificate of Analyses- Dust Deposition



Donegal Road  
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IRELAND  
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(E) [aqualab.killybegs@pelagia.com](mailto:aqualab.killybegs@pelagia.com)

#### CERTIFICATE OF ANALYSIS

Page 1 of 1

<b>Customer:</b> Magnus Environmental & Safety Con 28 Glenview , Clonbeg, Buncrana , Co Donegal.	<b>Report no.:</b> 24-11921 <b>No. of samples:</b> 2 <b>Acceptance date:</b> 12/12/2024 <b>Analysis date:</b> 16/12/2024 <b>Date of issue:</b> 16/12/2024 <b>Contact:</b> Richard McElroy
--	--

#### Comments

2 x sample water ex Coyle Fuels  
Dates: 07/11/24-11/12/24

Sample ID	Sample type	Client reference	Test method	Test description	Result / Units
24-11921-(01)	Water	D1 - Coyle Fuels	E-128	Bergerhoff Dust	78.2 mg/m <sup>2</sup> /day
24-11921-(02)	Water	D2 - Coyle Fuels	E-128	Bergerhoff Dust	86.5 mg/m <sup>2</sup> /day

The results in this electronically produced test report have been checked and approved. The test report meets the requirements of IS EN ISO/IEC 17025:2017 and is also valid without signature.

Report authorised by:

*J Cassidy*

In Test Method - 'Subcontracted A' tests are accredited; 'Subcontracted U' tests are unaccredited.

Tests are unaccredited if prefixed by # or if INAB logo is not visible on the report.

Unless otherwise stated in the comments section, samples were accepted for testing in a satisfactory condition.

This report relates only to the item(s) tested and shall not be reproduced, except in full, without the prior agreement of AQUALAB.

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## CERTIFICATE OF ANALYSIS

Page 1 of 1

<b>Customer:</b>	<b>Magnus Environmental &amp; Safety Con</b> 28 Glenview , Clonbeg, Buncrana , Co Donegal.	<b>Report no.:</b>	<b>25-00231</b>
		<b>No. of samples:</b>	2
		<b>Acceptance date:</b>	22/01/2025
		<b>Analysis date:</b>	23/01/2025
		<b>Date of issue:</b>	23/01/2025
		<b>Contact:</b>	Richard McElroy

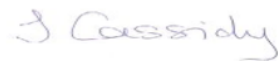
### Comments

2 x sample water ex Coyle Fuels  
Dates: 11/12/24-15/01//25

Sample ID	Sample type	Client reference	Test method	Test description	Result / Units
25-00231-(01)	Water	D1 - Coyle Fuels	E-128	Bergerhoff Dust	75.2 mg/m <sup>2</sup> /day
25-00231-(02)	Water	D2 - Coyle Fuels	E-128	Bergerhoff Dust	84.2 mg/m <sup>2</sup> /day

The results in this electronically produced test report have been checked and approved. The test report meets the requirements of IS EN ISO/IEC 17025:2017 and is also valid without signature.

Report authorised by:



## Appendix 3

### Certificates of Calibration – Noise Monitor



#### Statement of Calibration

#### Calibration Reference

2300967

**Test Date:** 02-03-2023

#### Equipment

<b>Sound Level Monitor:</b>	EM2030	<b>Serial Number:</b>	00967
<b>Microphone Assembly:</b>	378B02	<b>Serial Number:</b>	318227

#### Calibration Procedure

The sound level meter was calibrated by carrying out the verification tests detailed in IEC 61672-3 (2006), Periodic tests, specification of sound level meters. Tolerances for verification procedures are specified in IEC 61672-1 (2003).

#### Measurement Results

Test	Result
Self-generated noise	PASS
Frequency and Time Weightings	PASS
Frequency Weighting – A	PASS
Frequency Weighting – C	PASS
Level Linearity	PASS
Toneburst Response	PASS
Acoustical Tests of Frequency Weighting	PASS
Peak C Response	PASS
Overload Indication	PASS
Sensitivity Calibration	PASS

**Signed on behalf of Sonitus Systems:**

*Sarah Cullen*



## Calibration Report

### Equipment Description

<b>Model:</b>	EM2030	<b>Microphone Model:</b>	378802
<b>Serial Number:</b>	00967	<b>Microphone Serial Number:</b>	318227
<b>Microphone Type:</b>	1/2" free field	<b>Pre-amplifier Number:</b>	062537
		<b>Pre-amplifier Set:</b>	144847

### Ambient Conditions

Measurement conditions were within the tolerances defined in IEC 61672-1 and IEC 60942.

<b>Barometric Pressure:</b>	1038	hPa
<b>Temperature:</b>	22	°C
<b>Relative Humidity:</b>	39	%

### Calibration Equipment

<b>Description:</b>	National Instruments PXI-4461 (INST-41)	
<b>Serial Number:</b>	148F7F9	<b>Calibration Due Date:</b> 06-05-2023
<b>Calibrator:</b>	CR511ES (INST-31)	
<b>Serial Number:</b>	60871	<b>Calibration Due Date:</b> 15-02-2024

The standards used in this calibration are traceable to NIST and/or other National Measurement Institutes (NMI's) that are signatories of the International Committee of Weights and Measures (CIPM) mutual recognition agreement (MRA).

### Results

Self-generated noise  
SLM Measuring mode: SPL

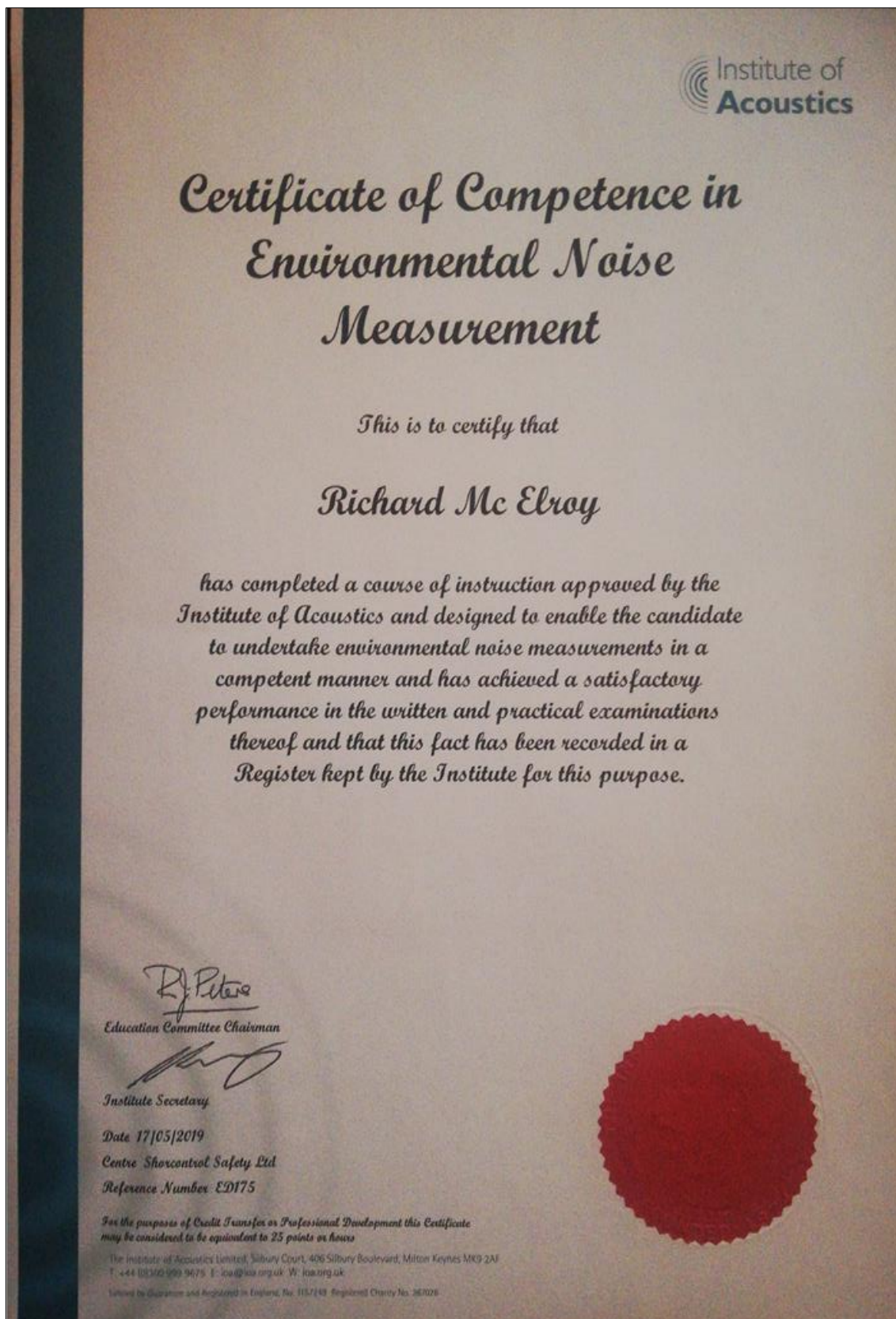
SLM Configuration	Freq. Weighting Network	SLM Reading
Microphone Installed	A	19
Microphone replaced	A	16.7
by electrical signal device	C	17.7
and fitted with short circuit	Z	

Test Result **PASS**



## Appendix 4

### Institute of Acoustics Certificate



**From:** [planning mailbox](#)  
**To:** [jharley@sternwind.co.uk](mailto:jharley@sternwind.co.uk)  
**Subject:** RE: Section 5 Declaration Application  
**Date:** 01 April 2025 12:09:00  
**Attachments:** [image001.png](#)

---

Jim

I wish to acknowledge receipt of your application for a Section 5 Declaration which was received on 31<sup>st</sup> March 2025 - Ref.No: S525/35 refers.

Regards  
Teresa

---

**From:** Jim Harley <[jharley@sternwind.co.uk](mailto:jharley@sternwind.co.uk)>  
**Sent:** 28 March 2025 18:25  
**To:** planning mailbox <[Planning@Donegalcoco.ie](mailto:Planning@Donegalcoco.ie)>  
**Cc:** FRANK SWEENEY (PLANNING) <[FRANKSWEENEY@DONEGALCOCO.IE](mailto:FRANKSWEENEY@DONEGALCOCO.IE)>  
**Subject:** Section 5 Declaration Application

**CAUTION:** This email originated from outside of Donegal County Council. Do not click links or open attachments unless you recognise the sender and are sure that the content is safe.

Dear Sir/madam

Please find attached documents in support of a Section 5 Declaration Application.

I would be grateful if you could acknowledge receipt of this application.

Jim Harley



**HARLEY PLANNING CONSULTANTS LTD.**

**1 MELMOUNT PARK, STRABANE, CO TYRONE, BT82 9SU**  
**M: +44-7463541149**  
**E: [jharley@sternwind.co.uk](mailto:jharley@sternwind.co.uk)**

## **SECTION 5 REFERRAL REPORT – Ref. No: S5 25/35**

### **1.0 BACKGROUND**

#### **1.1 Location:**

Lands at Bauville Keeloges and Clonglash, Co.Donegal

#### **1.2 Site Description:**

The site is currently occupied by Coyle Coal and Fuels. The site consists of approx. 5 no. sheds in use for the commercial business. The site is fenced off and screened by mature hedgerows and trees and access via a lockable security gate.

#### **1.3 Planning History**

19	50606	Application Finalised	Refused	26/04/2019 00:00:00	ANDREW COYLE OF COYLE FUELS LTD	BAUVILLE KEELOGES AND CLONGLASH BUNCRANA CO. DONEGAL	AN AMENDMENT OF CONDITION 2 OF PERMISSION REF: 05/70314 AND OF CONDITION 2 OF PERMISSION REF:16/51749 (PL05E.248403) IN ORDER TO ALLOW FOR VEHICLE/TRUCK/HGV ACCESS AND EGRESS BY DEPOT STAFF TO THE DEPOT BETWEEN 06.00 HOURS AND 20.00 HOURS MONDAY TO FRIDAY AND BETWEEN 06.00 HOURS AND 16.00 HOURS ON SATURDAY AT EXISTING ESTABLISHED FUEL DEPOT
19	51284	Application Finalised	Conditional	23/08/2019 00:00:00	ANDREW COYLE OF COYLE FUELS LTD	BAUVILLE KEELOGES AND CLONGLASH BUNCRANA CO. DONEGAL	AN AGRICULTURAL CONCRETE YARD AND CHANGE OF USE OF THE YARD FOR STORAGE OF BAGGED COAL
22	51358	Application Finalised	Conditional	8/2022 00:00:00	ANDREW COYLE OF COYLE	BAUVILLE, KEELOGES AND CLONGLASH	(1) DEVELOPMENT OF A NEW VEHICULAR ENTRANCE TO



#### **1.4 Proposed Development:**

Plant/ Machinery associated with Coal Business.

#### **2.0. THE QUESTION**

The applicant Andrew Coyle, has made a submission to Donegal County Council requesting that a Declaration be made under Section 5 of the Planning and Development Act, 2000 (as amended) as to whether or not the following is exempt from planning permission

- (i) The installation of plant/ machinery for industrial purposes i.e the placement of a coal segregation plant.

#### **3.0 EVALUATION**

##### **3.1 Planning and Development Act, 2000 (as amended)**

###### **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 define, 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”** 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(9)**

Section 4(1) of the Act sets out various forms and circumstances in which development is exempted development for the purposes of the Act. This includes Section 4(1)(h) i.e:

- Development consisting of the carrying out of works for the maintenance, improvement or alteration of any structure, being works which only affect the interior of the structure or which do not materially affect the external appearance so as to render it inconsistent with the character of the structure or neighbouring structures.

###### **Section 4(2)(a)**



The Minister may by **regulations** provide for any class of development to be exempted development for the purposes of this Act where he or she is of the opinion that –

- (i) “by reason of the size, nature, or limited effect on its surroundings.....”
- (ii) “the development is authorised, or is required to be authorised, by or under any enactment....”

**Section 4(2)(b)**

“**Regulations** under paragraph (a) maybe subject to conditions and be of general application or apply to such area or place as may be specified in the regulations.”

**Section 4(2)(c)**

“**Regulations** under this subsection may, in particular and without prejudice to the generality of paragraph (a) provide, in the case of structures or other land used for a purpose of any specified class, for the use thereof for any other purposes being exempted development for the purposes of this Act”.

**Section 177U(9)**

“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)**

Subject to Article 9, development of 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)**

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 -

Sub-paragraphs (i) – (xii) (inclusive)

**Class 21(a) of Part 1 of Schedule 2** (*Development for Industrial purposes*)

Class 21 (a) Development of the following descriptions, carried out by an industrial undertaker on land occupied and used by such undertaker

for the carrying on, and for the purposes of, any industrial process, or on land used as a dock, harbour or quay for the purposes of any industrial undertaking—

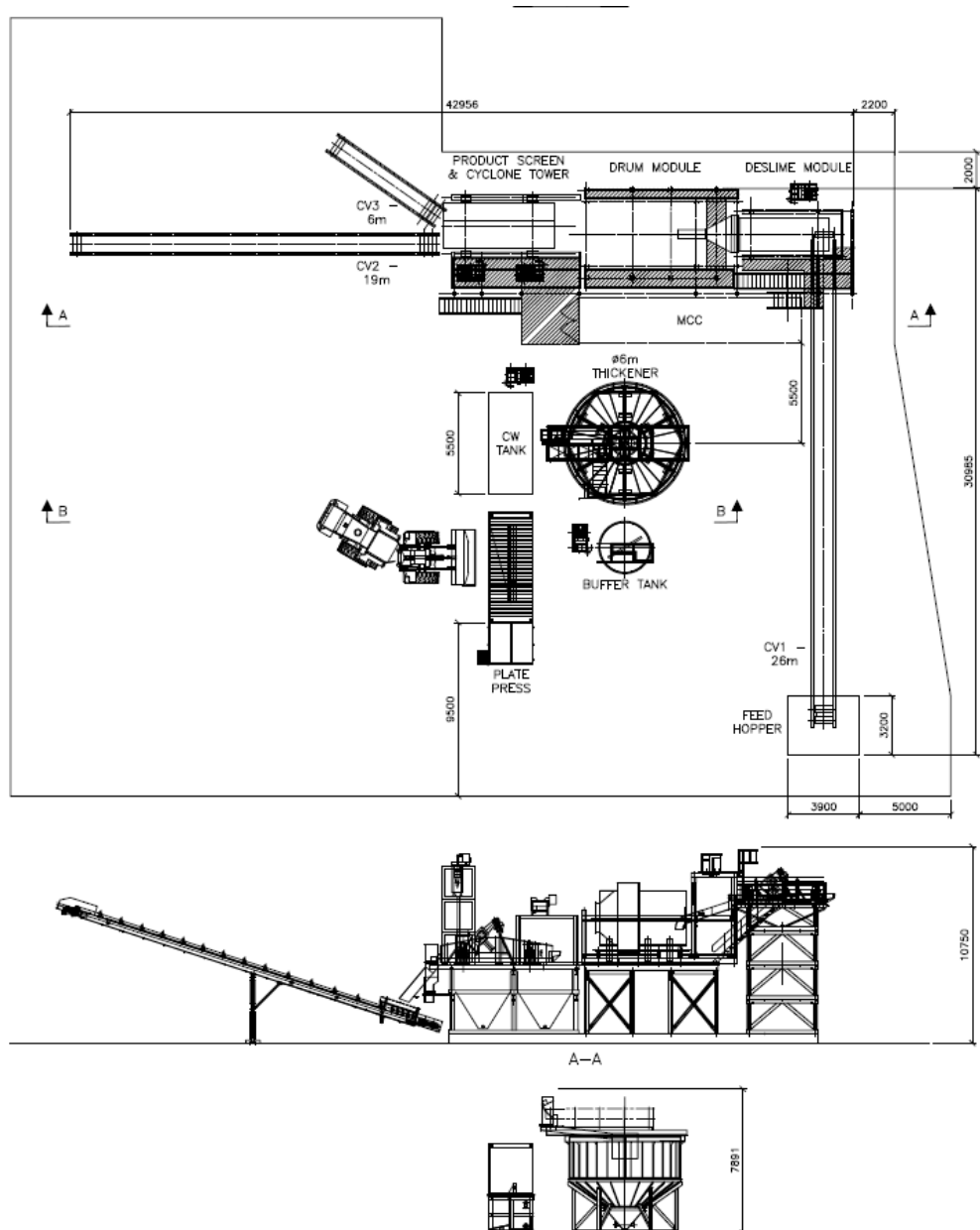
- (i) the provision, rearrangement, replacement or maintenance of private ways or private railways, sidings or conveyors,
- (ii) the provision, rearrangement, replacement or maintenance of sewers, mains, pipes, cables or other apparatus,
- (iii) the installation or erection by way of addition or replacement of plant or machinery, or structures of the nature of plant or machinery.

#### **Conditions and Limitations:**

- 1. Any such development shall not materially alter the external appearance of the premises of the undertaking.
- 2. The height of any plant or machinery, or any structure in the nature of plant or machinery, shall not exceed 15 metres above ground level or the height of the plant, machinery or structure replaced, whichever is the greater.

#### **4.0 ASSESSMENT**

- 4.1 floorplans and elevations of the proposed coal segregation plant have been submitted, (see below). The coal segregation plant is considered development however the plant does not materially alter the site and is below the conditioned 15m in height being at 10.75m.



- 4.2 Having regard to the exemptions for development for industrial purposes under Part 1 of Schedule 2 of the Planning & Development Regulations 2001 (as amended), the coal segregation plant is covered by exempted development rights.
- 4.4 Consideration has also been given to the proximity to the site to any Natura 2000 sites, the closest being the Lough Swilly SAC/SPA located approx. 3.5km away. Having regard to the scale and nature of the proposed development, within an established residential development, alongside the physical distances from the nearest Natura 2000 site, and no known direct hydrological links, it is not considered that the proposed development would be likely to have any significant effect, individually or in combination with any other plan or project, and it is considered that Screening for Appropriate Assessment is not required in this instance.

#### **4.0 Conclusion:**

It is considered that:

- (i) The installation of plant/ machinery for industrial purposes i.e the placement of a coal segregation plant constitutes “development” within the meaning of the Act, being works, and is exempted development under the scope of Class 21(a) of Part 1 of Schedule 2 of the Planning & Development Regulations 2001 (as amended)

It should also be noted that in determining the subject section 5 referral regard was had to recent Section 5 referrals to An Bord Pleanala for determination.

#### **5.0 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:**

- (i) The installation of plant/ machinery for industrial purposes i.e the placement of a coal segregation plant The installation of plant/ machinery for industrial purposes i.e the placement of a coal segregation plant

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

- (a) Section 2 (i), 3 (i), 177U (9) of the Planning and Development Act 2000 (as amended) and
- (b) Articles 6(3), 9(1) and Class 21(a) 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 does come within the scope of Class 21(a) of Part 1 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).

**Signed:**



**Position:** Executive Planner  
**Date:** 24<sup>th</sup> April 2025



---

Frank Sweeney  
Senior Executive Planner  
Community Development & Planning Services  
24/04/2025



**Chief Executive's Order No: 2025PH1103**

**Planning and Development Acts 2000 (as amended)**

**SECTION 5:-**

Request received 31<sup>st</sup> March 2025 from Andrew Coyle C/o Harley Planning Consultants, 1 Melmount Park, Strabane, Co. Tyrone BT82 9SU in relation to the installation of plant/machinery for industrial purposes at Bauville, Keelogs and Clonglash, Buncrana, Co. Donegal.

**SUBMITTED:-**

Written request received 31<sup>st</sup> March 2025 as above and report dated 24<sup>th</sup> April 2025 from the Executive Planner (Ref. No: S5 25/35 refers).

**ORDER:-**

Having considered the said request, the report of the Executive 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 25<sup>th</sup> DAY OF APRIL 2025

**Chief Executive's Order No: 2025PH1103**

**Ref.No: S5 25/35**

**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 (i), 3 (i), 177U (9) of the Planning and Development Act 2000 (as amended) and
- Articles 6(3), 9(1) and Class 21(a) 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 does come within the scope of Class 21(a) of Part 1 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).

JS 25/04

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

**DECLARATION**

**Chief Executive's Order No:** 2025PH1103

**Reference No:** S5 25/35

**Name of Requester:** Andrew Coyle  
C/o Harley Planning Consultants  
1 Melmount Park,  
Strabane,  
Co. Tyrone  
BT82 9SU

**Summarised Description of development the subject matter of request:**

The installation of plant/machinery for industrial purposes.

**Location:** Bauville, Keelogs and Clonglash, Buncrana, 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 (i), 3 (i), 177U (9) of the Planning and Development Act 2000 (as amended) and
- Articles 6(3), 9(1) and Class 21(a) of Part 1 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).

The proposal **IS DEVELOPMENT** within the meaning of the Planning and Development Act 2000 (as amended) and **IS EXEMPTED DEVELOPMENT** as it does come within the scope of Class 21(a) of Part 1 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).



**For Senior Ex. Planner**  
**Planning Services**

**Dated this 25<sup>th</sup> day of April 2025**



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

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

County House,  
Lifford,  
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Ref. No: S525/35

25<sup>th</sup> April 2025

ANDREW COYLE  
C/O HARLEY PLANNING CONSULTANTS  
1 MELMOUNT PARK,  
STRABANE,  
CO. TYRONE  
BT82 9SU

**Re: The installation of plant/machinery for industrial purposes at Bauville, Keelogs and Clonglash, Buncrana, Co. Donegal.**

A Chara,

I refer to your request received on 31<sup>st</sup> March 2025 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