



Comhairle Contae  
Dhún na nGall  
Donegal County Council

Planning Services

RECEIVED DATE: 29/05/2025

**From:** [CARMEL KELLY](#) on behalf of [planning mailbox](#)  
**To:** [MARTINA PARKE \(PLANNING\)](#)  
**Subject:** FW: Ref: Section 5 - Alastair & Denise Dudman  
**Date:** 29 May 2025 15:58:08  
**Attachments:** [0389-B Site Location.pdf](#)  
[House Plans.pdf](#)  
[Section 5 Application.pdf](#)

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**From:** eimear@mfielarchitects.ie [REDACTED]  
**Sent:** 29 May 2025 15:56  
**To:** planning mailbox <Planning@Donegalcoco.ie>  
**Subject:** Ref: Section 5 - Alastair & Denise Dudman

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To whom it concerns,

Please find attached documents for Section 5 for Alastair & Denise Dudman, the Haven, Rosbeg, Portnoo.

Fee Paid – Receipt Ref: 665270

Kind Regards,

Eimear Byrne

**Michael Friel**  
**Architects & Surveyors Ltd**  
West End,  
Ardara,  
Co Donegal.

T: 074 9541853  
[REDACTED]

[Linkedin](#)



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## 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>	Alastair & Denise Dudman
<b>Agent Name:</b> (if applicable)	Michael Friel Architects and Surveyors Ltd.
<b>Location of Proposed Development / Works:</b> (Townland or postal address as appropriate and Eircode if available)	The Haven, Rosbeg, Portnoo, Co. Donegal, F94 D4E8
<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)	
New extension to rear of existing house	



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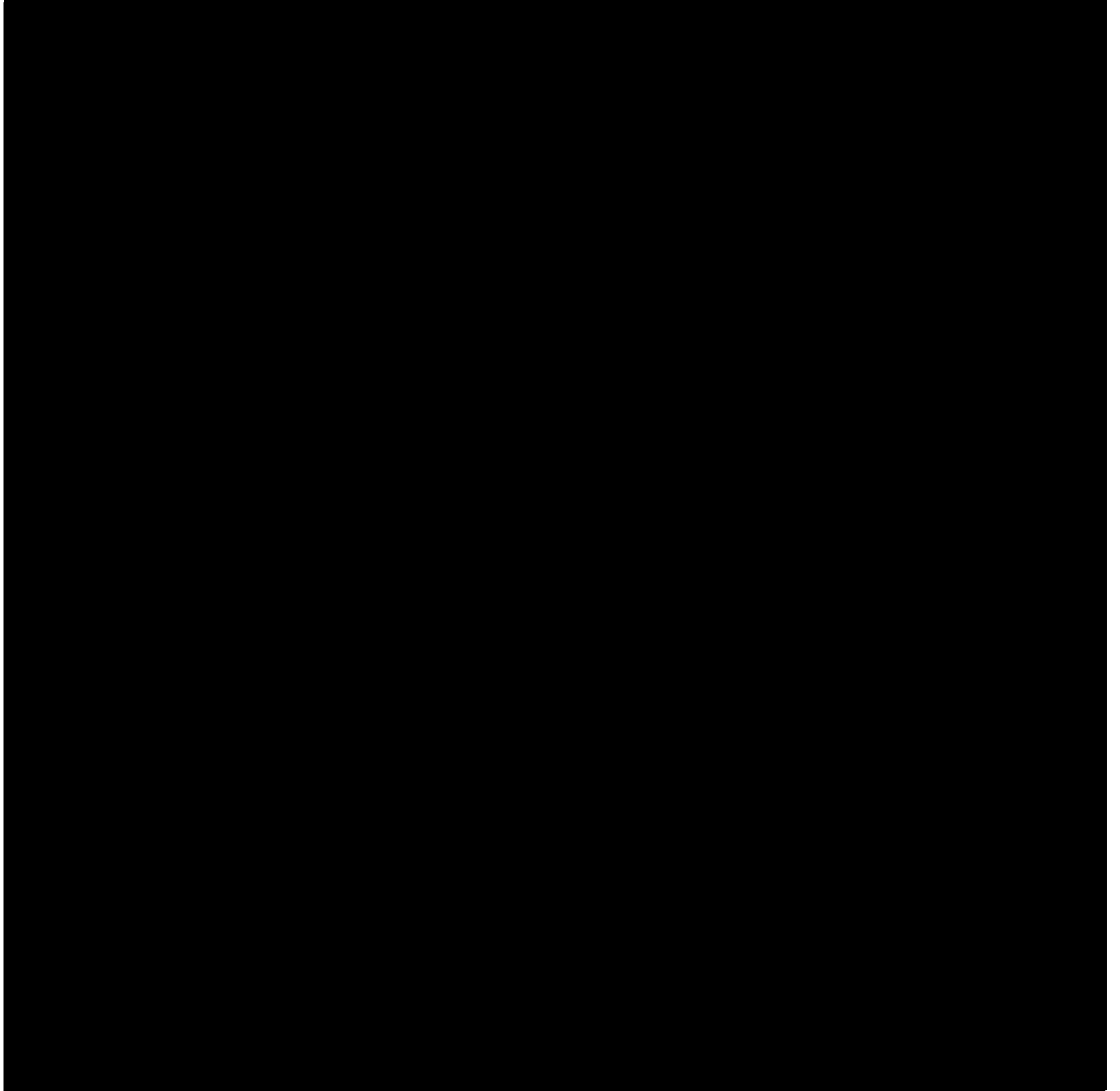
Is the development a Protected Structure or within the curtilage of a Protected Structure?	Yes	No
		x
Has a declaration under Section 57 of the Planning and Development Act 2000 (as amended) been requested or issued in respect of the property.	Yes	No
		x
Applicant(s) Interest in the site:	Owner	
If not the Owner of the site, please provide the name of the Landowner:		
Please list types of plans, drawings etc. submitted with this application:	Floor Plans, Elevation Plans and Site Location	
Planning History - list any relevant planning application reference numbers:	None	
Are you aware of any enforcement proceedings connected to the site? If so, please supply details:	No	

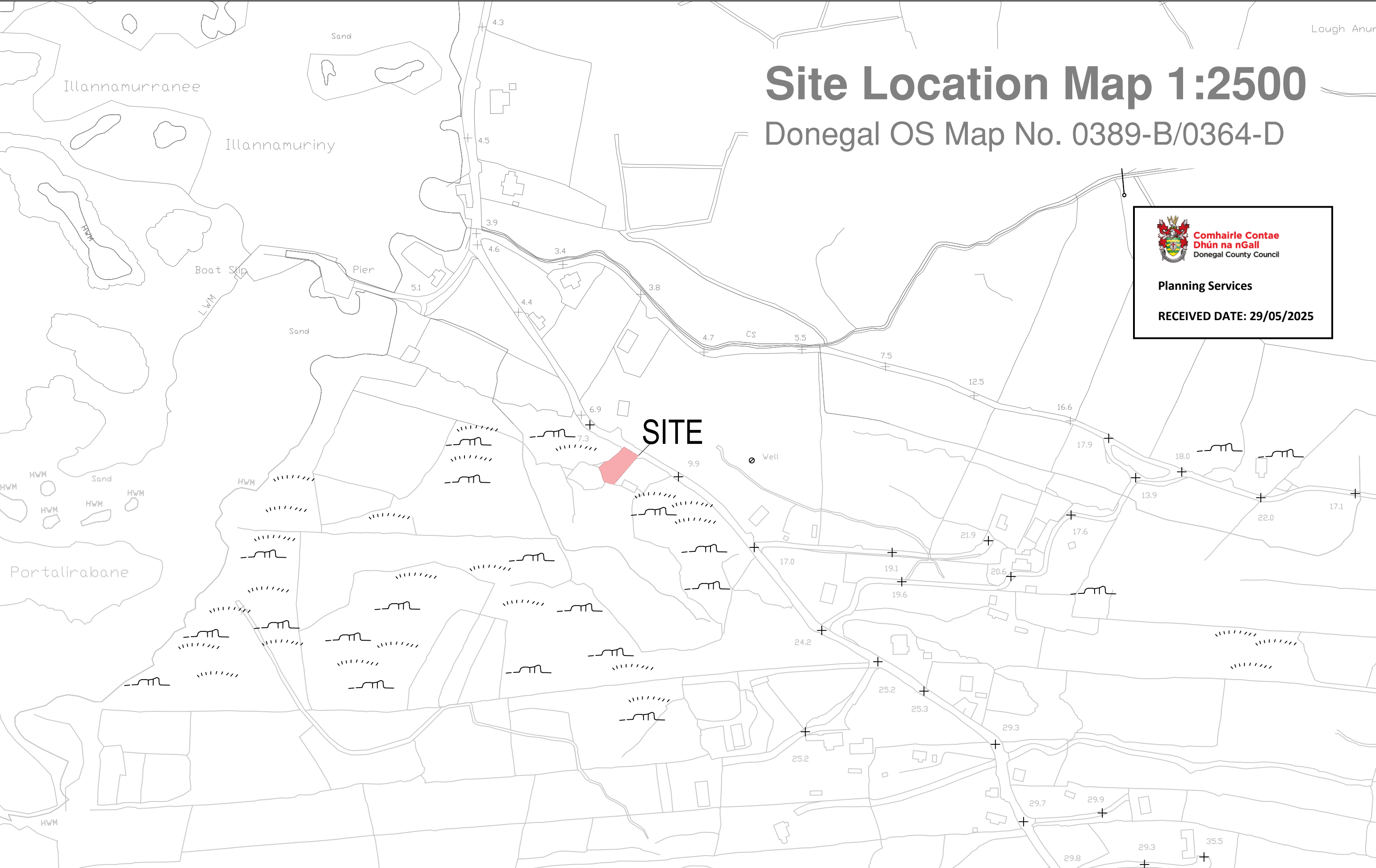
I hereby certify that the information provided is true and accurate	
Signature of Applicant/Agent:	<i>Kimberly Beggs</i>
Date:	29 May 2025



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## Additional Contact Information





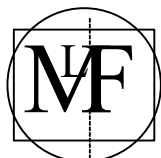


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Notes: NOTES	Job Title: Extention at existing house at The Haven, Rosbeg, Portnoo, Co. Donegal, F94 D4E8		Drawing Title: SITE LOCATION MAP		<div><div>RIAI</div><div><div>Registered Architect</div><div>2025</div></div><div><div>Architect Accredited in Conservation</div><div>G3</div></div><div><div>PSDP Accreditation</div><div>P</div></div></div>
	Date: May 25	Job No: 535137	Client: Alastair & Denise Dudman		
	Scale: 1:2500@ A3	Dwg No:			

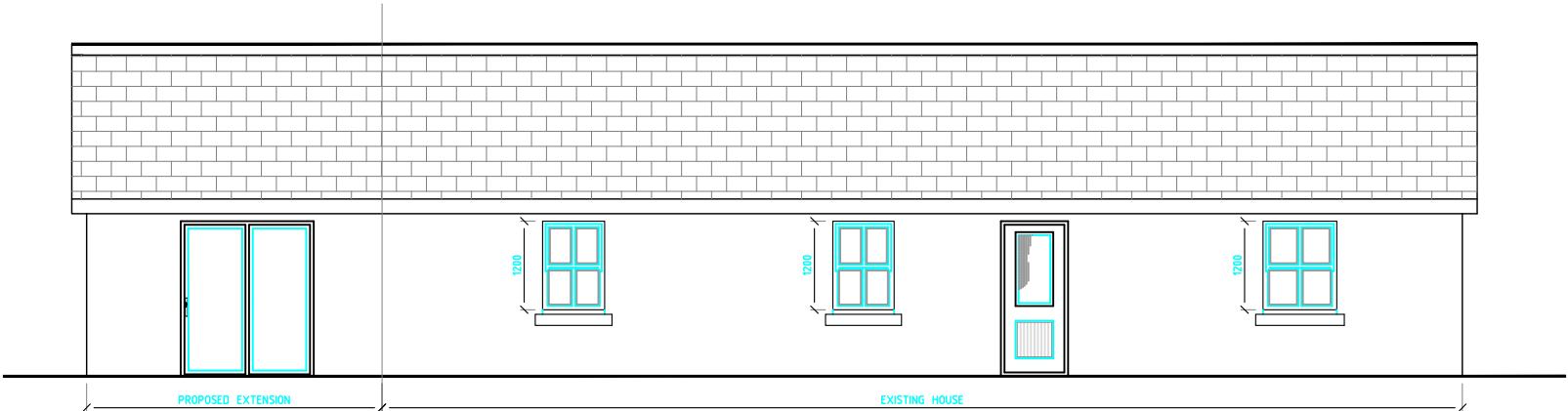


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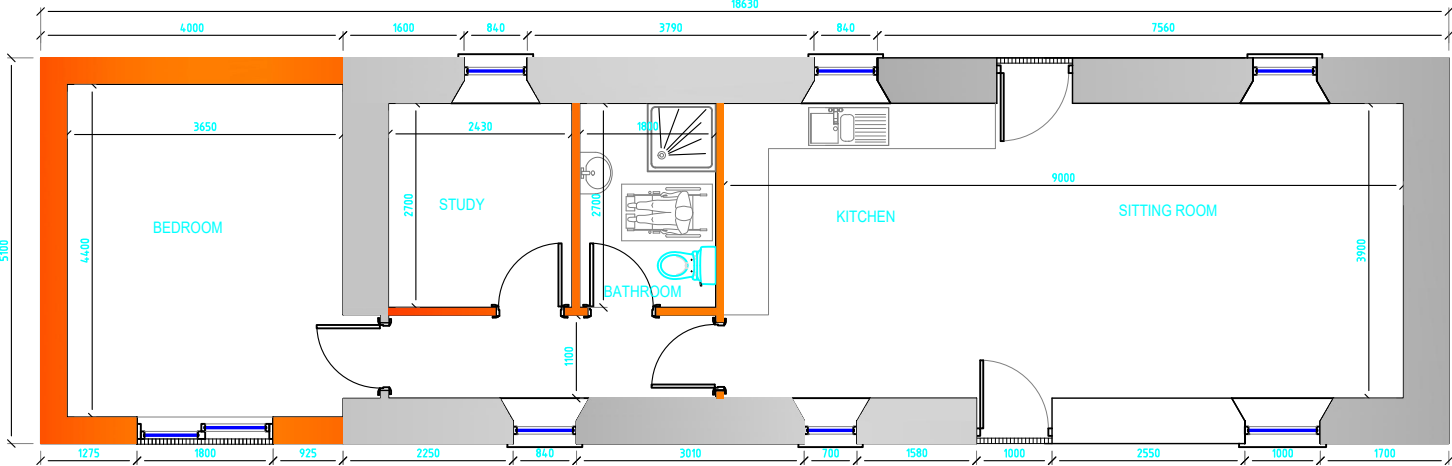


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Front Elevation Scale 1:100

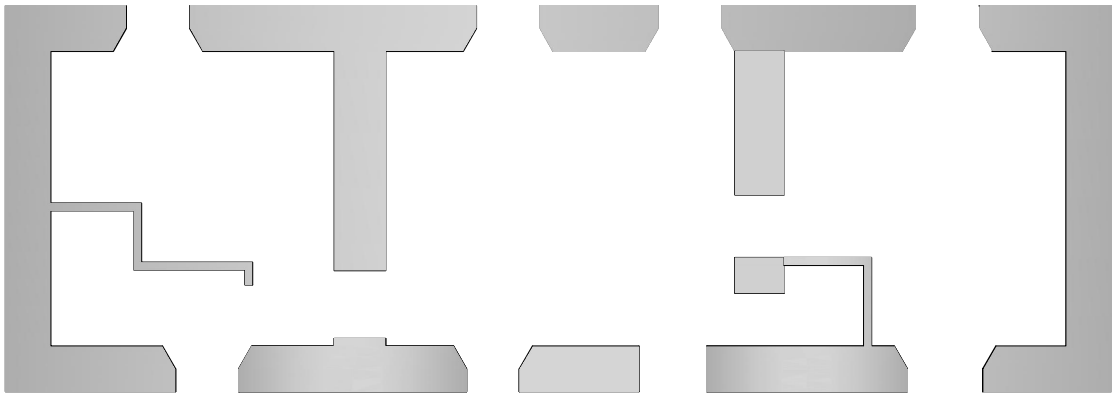


PROPOSED EXTENSION 16.06 SQ M  
PROPOSED EXTENSION 52.37 SQ M

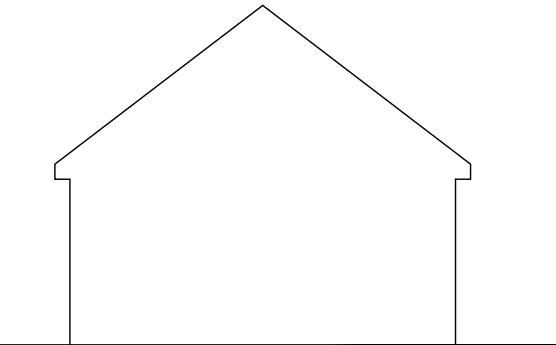
PLAN Scale 1:100



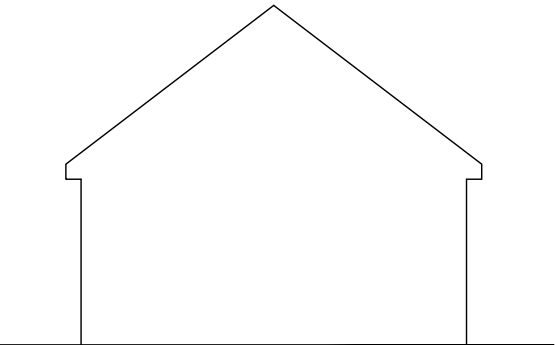
Rear Elevation Scale 1:100



EXISTING PLAN Scale 1:100



Side Elevation Scale 1:100



Side Elevation Scale 1:100

Notes:  
NOTES

<b>Job Title:</b> Extention at existing house at The Haven, Rosbeg, Portnoo, Co. Donegal, F94 D4E8		<b>Drawing Title:</b> SITE LOCATION MAP	
<b>Date:</b> May 25	<b>Job No:</b> 535137	<b>Client:</b> Alastair & Denise Dudman	
<b>Scale:</b> 1:2500@ A3	<b>Dwg No:</b>		

RIA

Registered Architect


2025

Architect Accredited in Conservation

G3

PSDP Accreditation

P



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## **SECTION 5 REFERRAL REPORT – Ref. No: S25/52**

### **1.0 BACKGROUND**

#### **1.1 Location:**

The Haven, Rossbeg, Portnoo.

#### **1.2 Planning History:**

- No record of any planning history on the subject site.
- Site to NW: 12/50593 – Conditional – ERECTION OF STOREY AND A HALF DWELLING HOUSE AND TO PROVIDE A WASTE WATER TREATMENT SYSTEM AND PERCOLATION AREA

#### **1.3 Site description**

An existing dwelling house which is single storey in character is located on the subject site.

The immediately surrounding area is characterised by dispersed residential development in a rural/coastal setting.

Access to the site is via an existing vehicular access to the adjoining local road, L-2443-2.

The subject site is located within an area of Especially High Scenic Amenity and within an Area Under Strong Holiday Home Influence.

The existing dwelling is not on the Council's Record of Protected Structures nor is it included on the National Inventory of Architectural Heritage.

The subject site abuts West of Ardara/Maas Road SAC.

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

The applicants, Alastair & Denise Dudman, have 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 or is not development and is or is not exempted development:

*"New extension to rear of existing house"*

The extension measures 16.06sqm.

### **2.0. The question**

The referrer seeks a declaration to confirm whether the above proposal is exempted development. The Question as set out in the Section 5 application states:

*"New extension to rear of existing house"*

### **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 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” 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(1)**

The following shall be exempted development for the purposes of this Act:

(h) development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structure.

##### **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 & 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.



### **Class 1 of Part 1 of Schedule 2 (*Exempted Development - General*)**

The extension of a house, by the construction or erection of an extension (including conservatory) to the rear of the house or by the conversion for use a part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.

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

1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.  
(b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.  
(c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.
2. (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres.  
(b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.  
(c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.
3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.
4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.  
(b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.  
(c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.
5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.
- 6.(a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.

- (b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.
- (c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.
- 7. The roof of any extension shall not be used as a balcony or roof garden.

#### **4.0. Assessment**

4.1 County Donegal Development Plan, 2024-2030 applies.

4.2 The subject site abuts West of Ardara/Maas Road SAC.

#### **4.3 Consideration of the Proposed Development:**

- i. The application states *“new extension to rear of existing house”*. Following an assessment of the submitted plans & elevations, it is considered the proposed extension is to the side of the existing dwelling.
- ii. The proposed extension to the side of the existing dwelling house consists of a single storey extension and comprises a floor area of 16.06q.m.
- iii. It is considered that the proposed works noted above constitute “development” within the meaning of the Act.
- iv. Having regard to *Class 1 of Part 1 of Schedule 2 of the Planning & Development Regulations 2001 (as amended)* the proposed development is not in accordance with the criteria of Class 1, as the proposed extension is to the side of existing dwelling, and therefore is not considered as Exempted Development under Class 1.
- v. Consideration has also been given to the proximity of the site to any Natura 2000 sites. The site abuts West of Ardara/Maas Road SAC. Given the brownfield nature of the site and minor works proposed, Appropriate Assessment is not a consideration in the assessment of this referral (see attached screening report).

#### **5.0 Conclusion:**

It is considered that:

- (i) Construction of an extension to the side elevation of the existing dwelling house constitutes “development” within the meaning of the Act, being works, which are not exempted development under *Class 1 of Part 1 of Schedule 2 of the Planning & Development Regulations 2001 (as amended)*.

#### **6.0 Recommendation:**

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

**IS Development**

**&**

**IS NOT Exempted Development**

**WITHIN THE MEANING OF THE ABOVE ACT**

**The proposal:**

An extension to side elevation of dwelling house.

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

- a. Section 2, 3, 4 and 177U of the Planning and Development Act, 2000 (as amended), and
- b. Class 1 of Part 1 of Schedule 2 of the Planning and 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 NOT EXEMPTED DEVELOPMENT** as it does not fall within the scope of Class 1 of Part 1 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).

*A. Bradley*

Assistant Planner  
19/06/2025.

*JS*

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Frank Sweeney  
Senior Executive Planner  
Community Development & Planning Services  
23/06/2025

<b>APPROPRIATE ASSESSMENT FOR THE PURPOSES OF ARTICLE 6 OF THE HABITATS DIRECTIVE</b>
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**Applicant Name:** Alastair & Denise Dudman

**Plan.Reg.No:** S5 25/52

## **1.0 Description of Project**

The subject site is located in Rossbeg, Portnoo. The applicant is seeking the construction of a single storey extension to the side of the existing dwelling on site.

## **2.0 Natura 2000 sites**

The subject site abuts West of Ardara/Maas Road SAC (Site Code 00197).

### **2.2 Site Synopsis for West of Ardara/Maas Road SAC (Site Code 00197)**

This extensive site occupies the area of coast immediately north of Ardara in southwest Co. Donegal. From Ardara, it continues northwards around the coast, and then up the Gweebarra River to Doocharry. From the centre of the site an expanse of blanket bog extends south-east almost to Glenties. Lough Beg Bay and Slieve Tooey Mountain are adjacent, and to the south-west of the site. The Owenea system and some of its tributaries, including the Stracashel and Owengarve Rivers, are included. Most of the coastal parts of the site are underlain by metamorphic rocks, in particular Loughros Group and Upper Falcarragh Pelites, and Falcarragh limestone. More recent blown sand occurs over much of these coastal rocks, however. The majority of the inland part of the site is underlain by intrusive igneous Granodiorites.

The site is of great ecological interest, containing a large number of habitats and species which are listed in the E.U. Habitats Directive (specifically, six priority habitats, 20 non-priority habitats and eight species). The site exhibits a highly diverse range of both coastal and terrestrial habitats, this feature itself being of high scientific value.

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

- [1130] Estuaries
- [1140] Tidal Mudflats and Sandflats
- [1160] Large Shallow Inlets and Bays
- [1210] Annual Vegetation of Drift Lines
- [1330] Atlantic Salt Meadows
- [1410] Mediterranean Salt Meadows

- [2110] Embryonic Shifting Dunes
- [2120] Marram Dunes (White Dunes)
- [2130] Fixed Dunes (Grey Dunes)\*
- [2140] Decalcified Empetrum Dunes\*
- [2150] Decalcified Dune Heath\*
- [2170] Dunes with Creeping Willow
- [2190] Humid Dune Slacks
- [21A0] Machairs\*
- [3110] Oligotrophic Waters containing very few minerals
- [3130] Oligotrophic to Mesotrophic Standing Water
- [4010] Wet Heath
- [4030] Dry Heath
- [4060] Alpine and Subalpine Heaths
- [5130] Juniper Scrub
- [6210] Orchid-rich Calcareous Grassland\*
- [6410] Molinia Meadows
- [6510] Lowland Hay Meadows
- [7130] Blanket Bogs (Active)\*
- [7150] Rhynchosporion Vegetation
- [7230] Alkaline Fens
- [1013] Geyer's Whorl Snail (*Vertigo geyeri*)
- [1029] Freshwater Pearl Mussel (*Margaritifera margaritifera*)
- [1065] Marsh Fritillary (*Euphydryas aurinia*)
- [1106] Atlantic Salmon (*Salmo salar*)
- [1355] Otter (*Lutra lutra*)
- [1365] Common (Harbour) Seal (*Phoca vitulina*)
- [1395] Petalwort (*Petalophyllum ralfsii*)
- [1833] Slender Naiad (*Najas flexilis*)

The estuaries of the Gweebarra, Owentocker and Owenea Rivers form the most extensive habitats in the site. These have large expanses of intertidal sandflats which support a typical diversity of macro-invertebrate and algae species. The sandflats are fringed in places by saltmarsh vegetation. Taken as a whole the saltmarsh at the site is structurally diverse, occurring as a narrow fringe or in isolated pockets or as extensive flat salt meadows. It also varies in relation to the substrate on which it is formed (sand, silt, peat, cut-over bog, gravel and shingle are all found). Wintering waterfowl frequent the estuaries, though in relatively small numbers, and there is a resident population of Common Seal. The estuarine habitat merges with shallow marine waters.

Onshore, sand dunes and machair have formed in a number of locations. Driftline vegetation is quite extensively developed in the more sheltered bays. Embryonic shifting dunes are found in two areas of Sheskinmore: Ballireavy Strand and Trawmore Strand. The greatest expanse of this habitat occurs at Trawmore Strand, a wide and naturally flat beach. Further inland there are previously eroded dunes. It is likely that this area of freshly accreting sands has been transported from the eroding dunes at Ballinreavy Strand. The typical species Sand Couch (*Elymus farctus*) dominates the embryonic dunes, with hummocks of Marram (*Ammophila arenaria*). Embryonic dunes are also found along the three beaches at Clooney.

There are approximately 40 ha of Marram, or white, dunes, and some areas are badly damaged through overuse (though the majority is in good condition). Here, by far the most abundant plant species is Marram, although a range of herbs occurs, including Yarrow (*Achillea millefolium*) and Violets (*Viola* spp.). Fixed, or grey, dunes make up approximately 260 ha at the site, and particularly fine examples are found at Sheskinmore, where old, high, fixed dunes support a high diversity of plant species and vegetation communities. Quarrying, overuse for recreation and overgrazing are common issues on fixed dunes in the area. Juniper (*Juniperus communis*) and Crowberry (*Empetrum nigrum*) are found in decalcified and heathy areas of the dunes, constituting important examples of these scarce dune habitat types. Dune slacks are best developed at Sheskinmore, and areas corresponding to both 'humid dune slacks' and 'dunes with creeping willow' occur.

The areas of machair in this site are noted for their species richness and for the interesting vegetation transitions with wetter habitats which are present in a number of areas. The most common species on the machair are Red Fescue (*Festuca rubra*), Ribwort Plantain (*Plantago lanceolata*) and White Clover (*Trifolium repens*). Orchids are especially evident, and species include Fragrant Orchid (*Gymnadenia conopsea*), Frog Orchid (*Coeloglossum viride*) and Marsh Helleborine (*Epipactis palustris*).

An area of alkaline fen, associated with calcareous sand blown from nearby sand dunes, is found adjacent to Sheskinmore Lough. Base-rich water emanating from the sand dunes feeds the fen. A large area is dominated by Black Bog-rush (*Schoenus nigricans*), and Meadow Thistle (*Cirsium dissectum*), Bog-myrtle (*Myrica gale*) and Purple Moor-grass (*Molinia caerulea*) also occur. The fen grades into other habitats and vegetation types in a number of areas.

Lakes and associated wetlands in the site provide further habitat diversity. Of particular ecological interest is Sheskinmore, where there exists a partially sand-filled waterbody. This is generally of a calcareous nature, but receives an input of acidic water from the local igneous rocks, resulting in an unusual vegetation community. This area is of international importance for its bryophytes and also contains a high number of Stoneworts (*Chara* spp.), the latter reflecting the base-richness of the lake.

The blanket bog in the east of the site is one of the most extensive lowland and coastal bogs remaining in Donegal. The large number of lakes found there is a remarkable feature. Some of the lakes which are oligotrophic in character are colonised by aquatic plants - Pipewort (*Eriocaulon aquaticum*) and Quillwort (*Isoetes lacustris*) being of particular note. Other species typical of this habitat type and found in lakes at this site include Water Lobelia (*Lobelia dortmanna*) and Shoreweed (*Littorella uniflora*). Much of the bog consists of gently undulating land vegetated mostly by Black Bog-rush, Bog-myrtle, Purple Moor-grass, Heather (*Calluna vulgaris*), and Cottongrasses (*Eriophorum* spp.). Inter-connecting pool systems on deep, quaking peat occur locally in the bogs. These very wet areas contain typical Rhynchosporion vegetation. Bog mosses, especially *Sphagnum cuspidatum* and *S. auriculatum* but also the rare *S. pulchrum*, are abundant in this vegetation, along with common plant species such as Bogbean (*Menyanthes trifoliata*), Common

Cottongrass (*E. angustifolium*), White-beaked Sedge (*Rhynchospora alba*) and Oblong-leaved Sundew (*Drosera intermedia*).

Three types of heath listed in the E.U. Habitats Directive are found at this site: wet heath, dry heath and 'alpine and subalpine heath'. The former is the most extensive, with an estimated 500 ha, though this is scattered throughout the site, and often found in mosaic with other habitats. Dry heath is also common, and found where soils are thin and rock outcrops. Heather and Bell Heather (*Erica cinerea*) are typical dominants, though considerable variety exists at the site. The site also contains areas of low-growing heather/crowberry heath, which includes Bearberry (*Arctostaphylos uva-ursi*) and occasional Juniper.

Juniper scrub is also recorded from this site, though delineating this habitat from others in which Juniper is found (e.g. dry heath, alpine heath, decalcified fixed dunes, acid grassland, calcareous grassland, rocky ground and blanket bog) can be difficult.

Scrub and woodland also occur in parts of the sites. Of these, the deciduous woodland in the Maas-Lettermacaward area is particularly noteworthy. Sessile Oak (*Quercus petraea*), Hazel (*Corylus avellana*) and Downy Birch (*Betula pubescens*) are the dominant trees and the ground flora is well developed where undisturbed.

The habitat 'Molinia meadows' is found at the site, and supports species such as rushes (*Juncus acutiflorus* and *J. effusus*), Cuckooflower (*Cardamine pratensis*), Creeping Bent (*Agrostis stolonifera*), Sweet Vernal-grass (*Anthoxanthum odoratum*), Marshmarigold (*Caltha palustris*), Meadowsweet (*Filipendula ulmaria*) and Meadow Buttercup (*Ranunculus acris*). Additionally, a small number of generally species-rich meadows which are cut for hay occur at the site.

A number of rare plants have been recorded from this site. The rare aquatic plant, Slender Naiad (*Najas flexilis*), a species which is protected under the Flora (Protection) Order, 2015, and which is listed on Annex II of the E.U. Habitats Directive, has been recorded from Sheskinmore Lough. Close by, the Hoary Whitlow Grass (*Draba incana*), which is listed in the Irish Red Data Book, and is generally only found in the north-west, occurs. Dense-flowered Orchid (*Neotinea maculata*) has its only Irish record north of Connaught at this site, and where it occurs at the site, the habitat is considered to be referable to 'orchid-rich calcareous grassland'. The rare and protected Heath Cudweed (*Omalotheca sylvatica*), listed under the Flora (Protection) Order, 2015, has been recorded here also.

Two populations of the rare bryophyte Petalwort (*Petalophyllum ralfsii*) are known from the site.

The site supports populations of Common Seal (maximum count of 59 in the all-Ireland survey of 2003), Freshwater Pearl Mussel, Salmon, Otter, the rare mollusc *Vertigo geyeri* and the butterfly, Marsh Fritillary, all species listed on Annex II of the E.U. Habitats Directive

The site is also of importance to birdlife. In the past, Sheskinmore supported an internationally important flock of Barnacle Goose but nowadays the geese appear

more or less confined to offshore islands, especially Roaninish and Inishkeel. In spring 2003 a total of 465 was recorded from these islands. Similarly, numbers of Greenland White-fronted Goose at Sheskinmore have declined in recent years (seldom more than 50 birds), despite the continued presence of good habitat. The site is important for breeding Merlin (estimated 5 pairs), and also Peregrine (1 pair), while in winter Hen Harrier is a regular visitor (1-2 individuals). While Common Terns and/or Arctic Terns, as well as Sandwich Terns, have bred here in the past, no breeding by terns is known within the site since the mid 1990s. All of the above birds are listed on Annex I of the E.U. Birds Directive – other species listed on the Directive that may occur include Whooper Swan, Red-throated Diver, Corncrake and Chough. A nationally important Eider flock of some 500 birds winters around Inishkeel (22 counts, five seasons to 1987/88).

Land use is varied across the site, but the coastal portions are little used. Agricultural improvement and over-grazing threaten the terrestrial habitat, especially the dunes, machair and bog. Turf cutting is quite active in the boglands. Part of the Sheskinmore area is a BirdWatch Ireland reserve, while another section is owned by the National Parks and Wildlife Service. The whole Sheskinmore Lough area is a Wildfowl Sanctuary. Part of the area is protected by a management agreement.

This site is of considerable conservation value on account of the high level of habitat diversity. There are 26 habitats present which are listed under Annex I of the E.U. Habitats Directive, six which have priority status. The presence of important populations of rare and threatened habitats, plants and animals, along with breeding and wintering birds, makes this a site of very high conservation value.

## **2.5 Conservation Objectives for West of Ardara/Maas Road SAC (Site Code 00197)**

The overall aim of the Habitats Directive is to maintain or restore the favourable conservation status of habitats and species of community interest. These habitats and species are listed in the Habitats and Birds Directives and Special Areas of Conservation and Special Protection Areas are designated to afford protection to the most vulnerable of them. These two designations are collectively known as the Natura 2000 network.

European and national legislation places a collective obligation on Ireland and its citizens to maintain habitats and species in the Natura 2000 network at favourable conservation condition. The Government and its agencies are responsible for the implementation and enforcement of regulations that will ensure the ecological integrity of these sites.

A site-specific conservation objective aims to define favourable conservation condition for a particular habitat or species at that site.

The maintenance of habitats and species within Natura 2000 sites at favourable conservation condition will contribute to the overall maintenance of favourable conservation status of those habitats and species at a national level.



Favourable conservation status of a habitat is achieved when:

- its natural range, and area it covers within that range, are stable or increasing, and
- the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and
- the conservation status of its typical species is favourable.

The favourable conservation status of a species is achieved when:

- population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats, and
- the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and
- there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

Qualifying Interests(\*indicates a priority habitat under the Habitats Directive)

1013 Geyer's Whorl Snail *Vertigo geyeri*  
1029 Freshwater Pearl Mussel *Margaritifera margaritifera*  
1065 Marsh Fritillary *Euphydryas aurinia*  
1106 Salmon *Salmo salar*  
1130 Estuaries  
1140 Mudflats and sandflats not covered by seawater at low tide  
1160 Large shallow inlets and bays  
1330 Atlantic salt meadows (Glauco-Puccinellietalia maritimae)  
1355 Otter *Lutra lutra*  
1365 Harbour Seal *Phoca vitulina*  
1395 Petalwort *Petalophyllum ralfsii*  
1410 Mediterranean salt meadows (Juncetalia maritimi)  
1833 Slender Naiad *Najas flexilis*  
2120 Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes)  
2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)\*  
2140 Decalcified fixed dunes with *Empetrum nigrum*\*  
2150 Atlantic decalcified fixed dunes (Calluno-Ulicetea)\*  
2170 Dunes with *Salix repens* ssp. *argentea* (Salicion arenariae)  
2190 Humid dune slacks  
21A0 Machairs (\* in Ireland)  
3110 Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae)  
4010 Northern Atlantic wet heaths with *Erica tetralix*  
4030 European dry heaths  
4060 Alpine and Boreal heaths  
5130 *Juniperus communis* formations on heaths or calcareous grasslands  
6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (\* important orchid sites)  
6410 *Molinia* meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae)  
6510 Lowland hay meadows (*Alopecurus pratensis*, *Sanguisorba officinalis*)  
7130 Blanket bogs (\* if active bog)  
7150 Depressions on peat substrates of the Rhynchosporion

7230 Alkaline fens

### **3.0 Assessment of Likely Effects:**

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.
- The nature and scale of the proposed development on a brownfield site (an extension to an existing dwelling);

The Planning Authority is of the opinion that the proposed development will not have a significant effect on the West of Ardara/Maas Road SAC (Site Code 00197).

### **4.0 Screening Determination:**

- That an appropriate assessment of the development is not required as it can be excluded on the basis of objective scientific information that the proposed development will have a significant effect on nearby Natura 2000 Sites – West of Ardara/Maas Road SAC (Site Code 00197).

*A. Bradley*

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Assistant Planner  
19/06/2025.

*JS*

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Frank Sweeney  
Senior Executive Planner  
Community Development & Planning Services  
23/06/2025

**Chief Executive's Order No: 2025PH1876**

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

**SECTION 5:-**

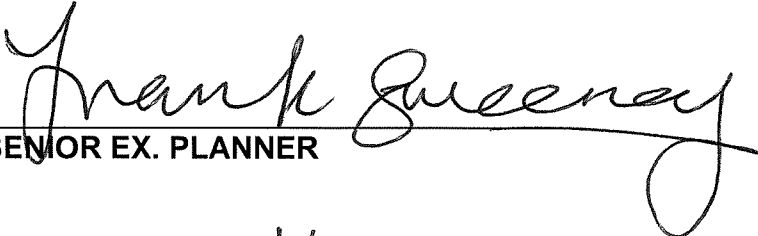
Request received 29<sup>th</sup> May 2025 from Alastair & Denise Dudman, c/o Michael Friel Architects and Surveyors Ltd., West End, Ardara, Co. Donegal, F94 R97V in relation to the construction of an extension to rear of existing house at The Haven, Rosbeg, Portnoo, Co. Donegal, F94 D4E8.

**SUBMITTED:-**

Written request received 29<sup>th</sup> May 2025 as above and report dated 19<sup>th</sup> June 2025 from the Assistant Planner (Ref. No: S5 25/52 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 25<sup>th</sup> DAY OF JUNE 2025

AME

**Chief Executive's Order No: 2025PH1876**

**Ref.No: S5 25/52**

**SCHEDULE**

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

**IS** Development

**IS NOT** Exempted Development

**WITHIN THE MEANING OF THE ABOVE ACT**

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

- Section 2, 3, 4 and 177U of the Planning and Development Act, 2000 (as amended) and
- Class 1 of Part 1 of Schedule 2 of the Planning and 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 NOT EXEMPTED DEVELOPMENT** as it does not fall within the scope of Class 1 of Part 1 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).

JS 25/06.



**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: S525/52

25<sup>th</sup> June 2025

ALASTAIR & DENISE DUDMAN  
C/O MICHAEL FRIEL ARCHITECTS AND SURVEYORS LTD.  
WEST END  
ARDARA  
CO. DONEGAL  
F94 R97V

**Re: Construction of an extension to rear of existing house at The Haven, Rosbeg,  
Portnoo, Co. Donegal, F94 D4E8.**

A Chara,

I refer to your request received on 29<sup>th</sup> May 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**

/RMcC

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

**DECLARATION**

**Chief Executive's Order No:** 2025PH1876

**Reference No:** S525/52

**Name of Requester:** Alastair & Denise Dudman  
c/o Michael Friel Architects and Surveyors Ltd.  
West End  
Ardara  
Co. Donegal  
F94 R97V

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

Construction of an extension to rear of existing house.

**Location:** The Haven, Rosbeg, Portnoo, Co. Donegal, F94 D4E8.

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

**IS** Development

**IS NOT** Exempted Development

**WITHIN THE MEANING OF THE ABOVE ACT**

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

- Section 2, 3, 4 and 177U of the Planning and Development Act, 2000 (as amended) and
- Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended)

The proposal **IS DEVELOPMENT** within the meaning of the Planning and Development Act, 2000 (as amended) and **IS NOT EXEMPTED DEVELOPMENT** as it does not fall within the scope of Class 1 of Part 1 of Schedule 2 of the Planning & Development Regulations 2001 (as amended).



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

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