

Received

31 MAR 2025

Donegal County Council
Planning Services



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

SECTION 5 APPLICATION

FOR DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

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

Name of Applicant(s):	Paula Fallon
Agent Name: (if applicable)	Conal Boyle
Location of Proposed Development / Works: (Townland or postal address as appropriate and Eircode if available)	Dunlewy Near Dunlewy Co. Donegal
Description of Proposed Development including details of works (where applicable): (Only works listed below will be assessed under this section 5 application)	
Proposed 38.6sqm extension (incorporating existing derelict extension) to rear of existing dwelling.	

SCANNED DOCUMENT

01 APR 2025

DONEGAL COUNTY COUNCIL
PLANNING DEPARTMENT

Donegal County Council

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Council Secretariat



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Dhún na nGall**
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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:		
If not the Owner of the site, please provide the name of the Landowner:	OWNER	
Please list types of plans, drawings etc. submitted with this application:	25101-01 Plans, Elevations & Section 25101-0s Site Layout & Site Location	
Planning History - list any relevant planning application reference numbers:	N/A	
Are you aware of any enforcement proceedings connected to the site? If so, please supply details:	No	

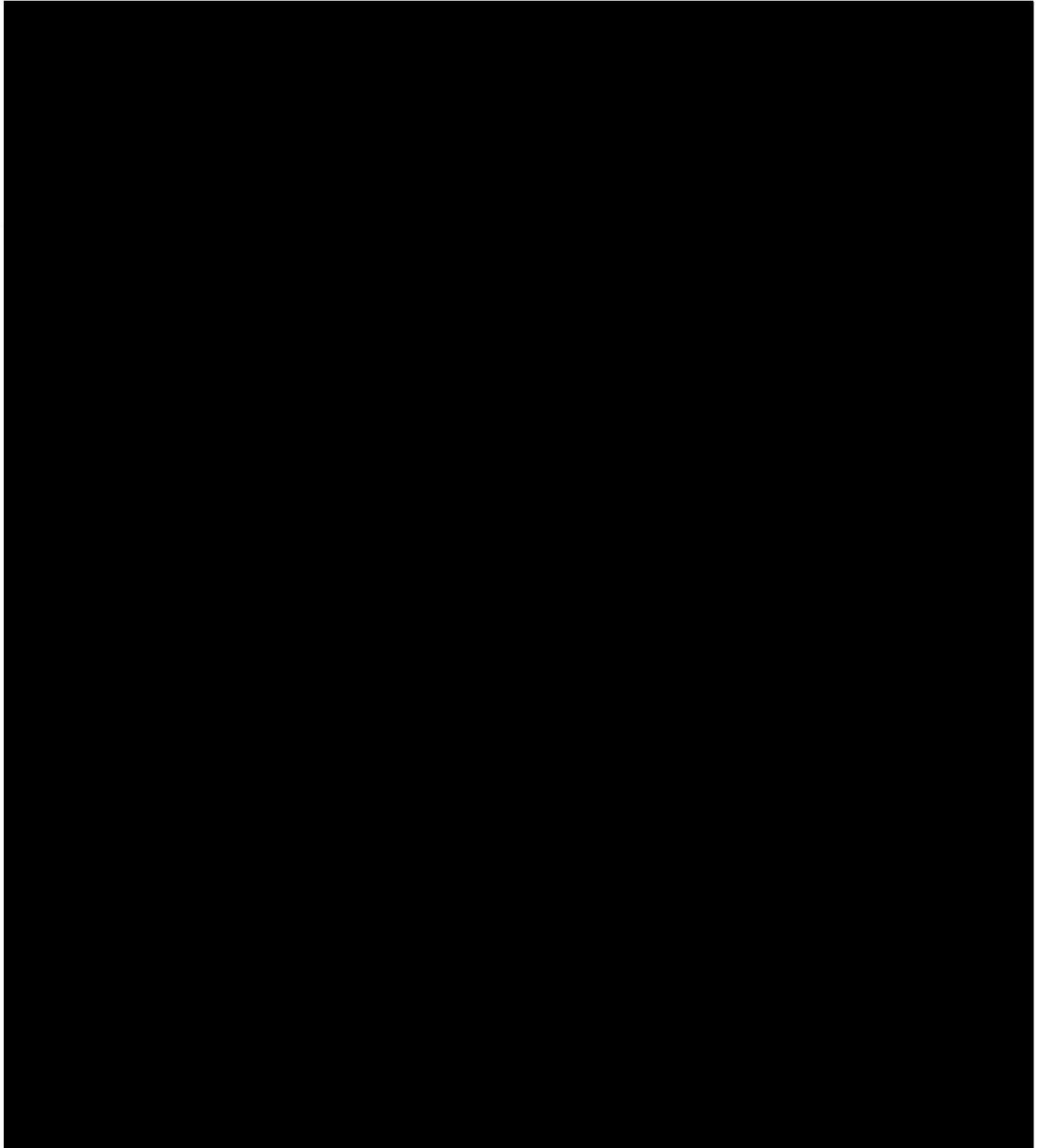
I hereby certify that the information provided is true and accurate	
Signature of Applicant/Agent:	<i>Conor Boyle</i>
Date:	27/3/2025

SCANNED DOCUMENT
01 APR 2025
DONEGAL COUNTY COUNCIL
PLANNING DEPARTMENT

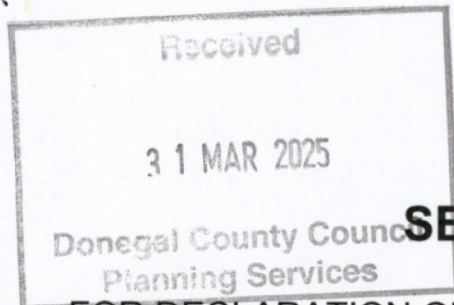


Comhairle Contae
Dhún na nGall
Donegal County Council

Additional Contact Information



DONEGAL COUNTY COUNCIL
PLANNING DEPARTMENT



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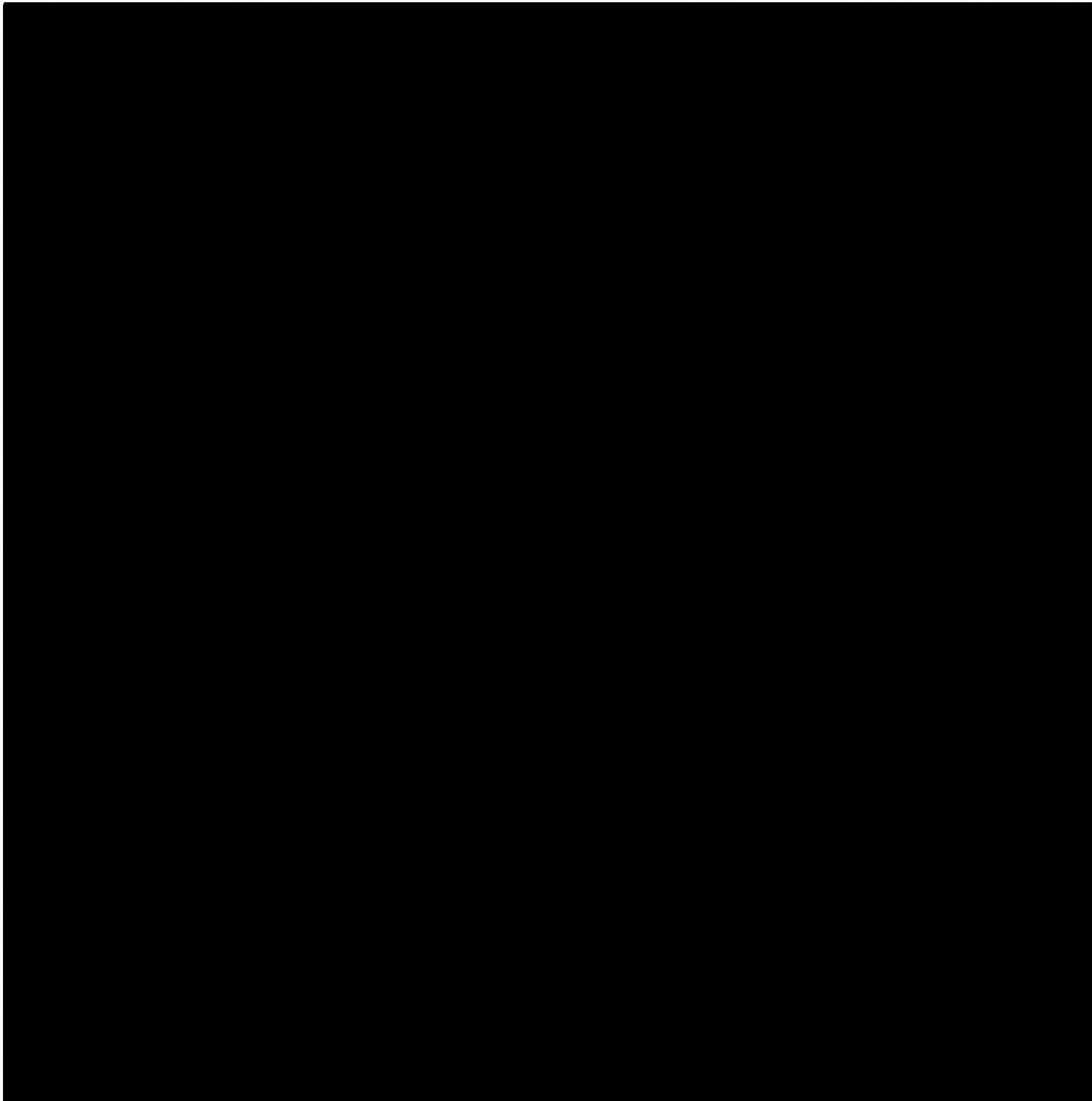
Planning Services

RECEIVED DATE: 31/03/2025



Comhairle Contae
Dhún na nGall
Donegal County Council

Additional Contact Information



From: [CARMEL KELLY](#) on behalf of [planning mailbox](#)
To: [TERESA CONWAY](#)
Subject: FW: Section 5 application ref S525/36
Date: 10 April 2025 15:09:24

From: conaill og o'baoill [REDACTED]
Sent: 10 April 2025 14:59
To: planning mailbox <Planning@Donegalcoco.ie>
Subject: Section 5 application ref S525/36

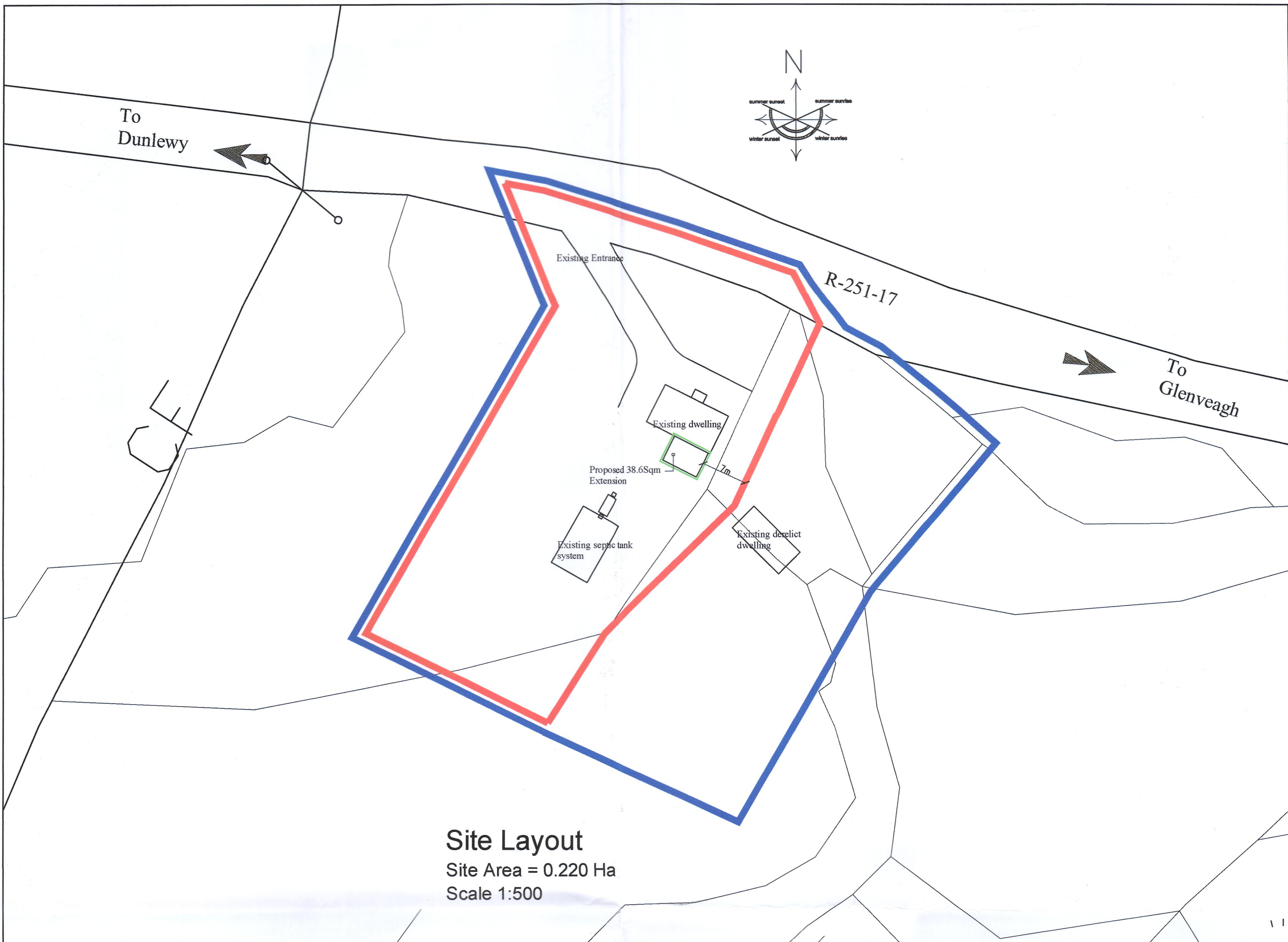
CAUTION: This email originated from outside of Donegal County Council. Do not click links or open attachments unless you recognise the sender and are sure that the content is safe.

Regarding the above application the receipt number for payment is 664792

Regards

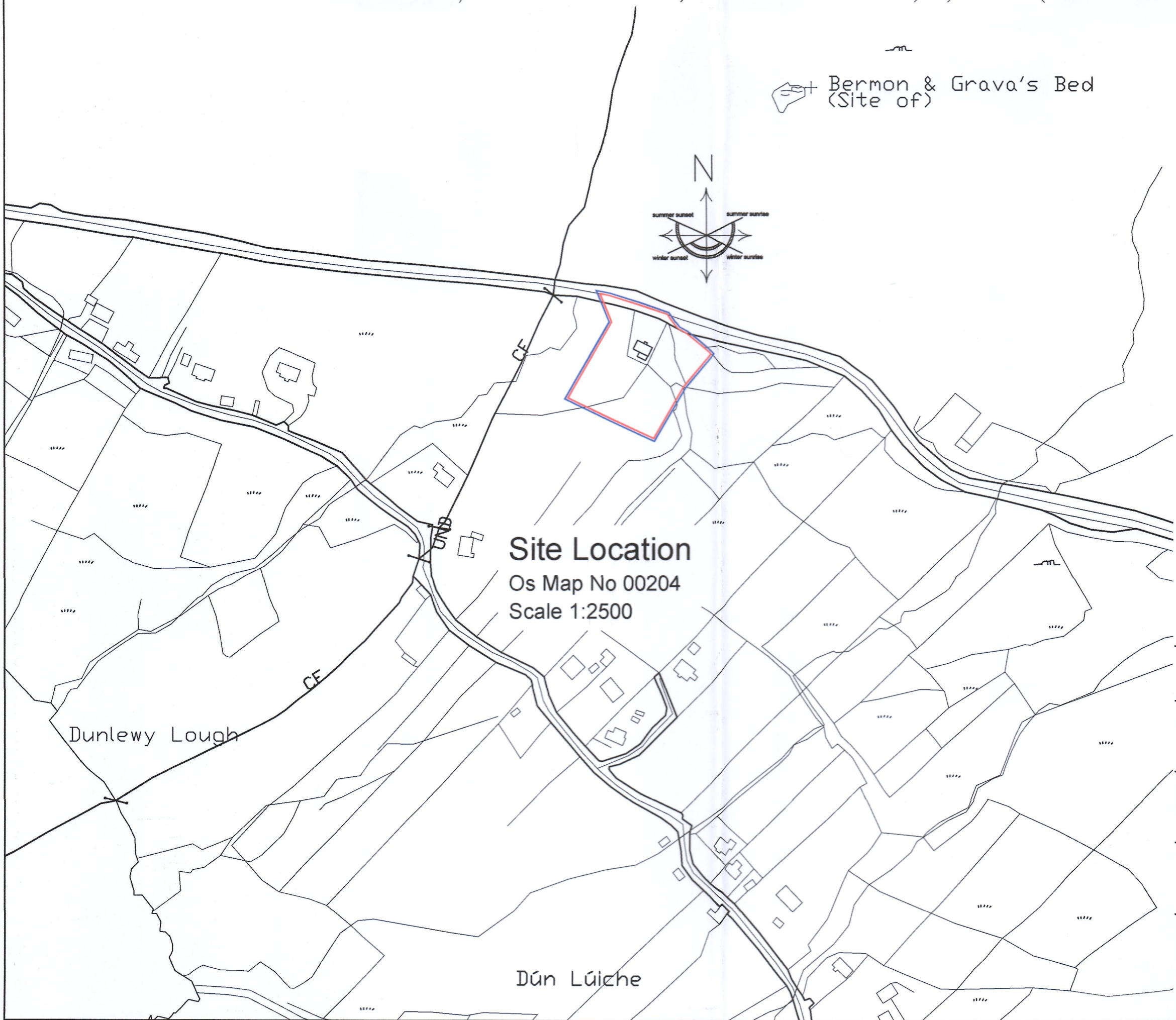
Conal

Sent from [Outlook for Android](#)



Site Layout

Site Area = 0.220 Ha
Scale 1:500



Site Location

Os Map No 00204
Scale 1:2500

Received
31 MAR 2025
Donegal County Council
Planning Services

cmb Design
Meenbanad, Burtonport, Co. Donegal
Tel : 087 9611778

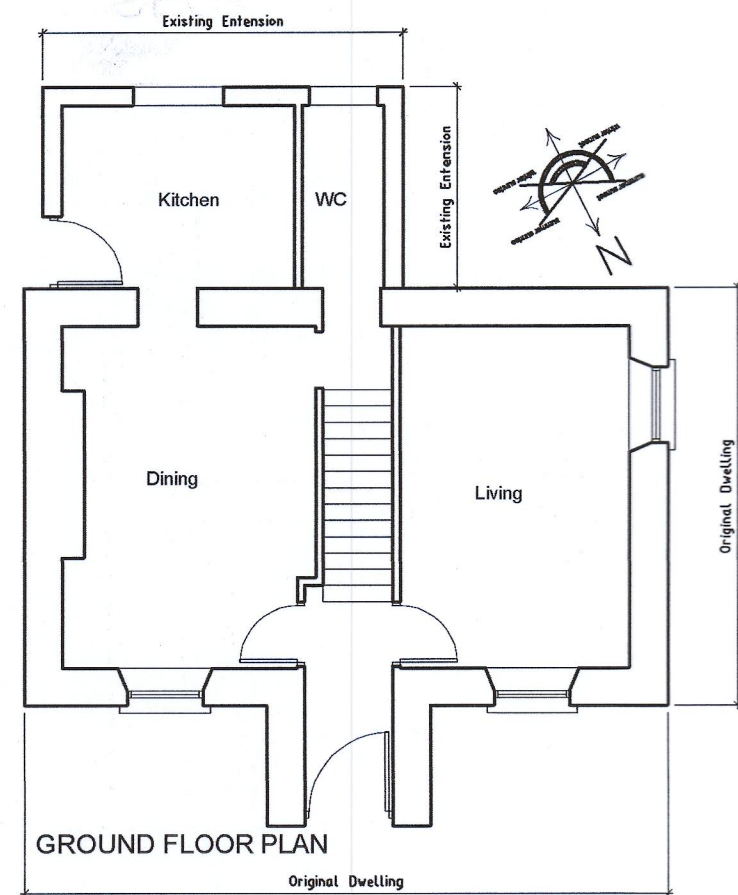
Paula Fallon client

Extension to Dwelling at Dunlewy Near, Co. Donegal project

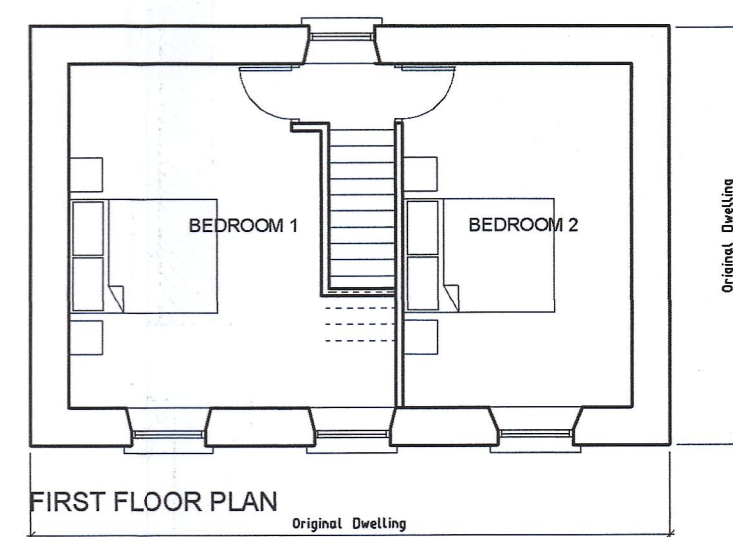
Site Layout & Location title

Mar 25 date 1:500 scale CB drawn 1:2500

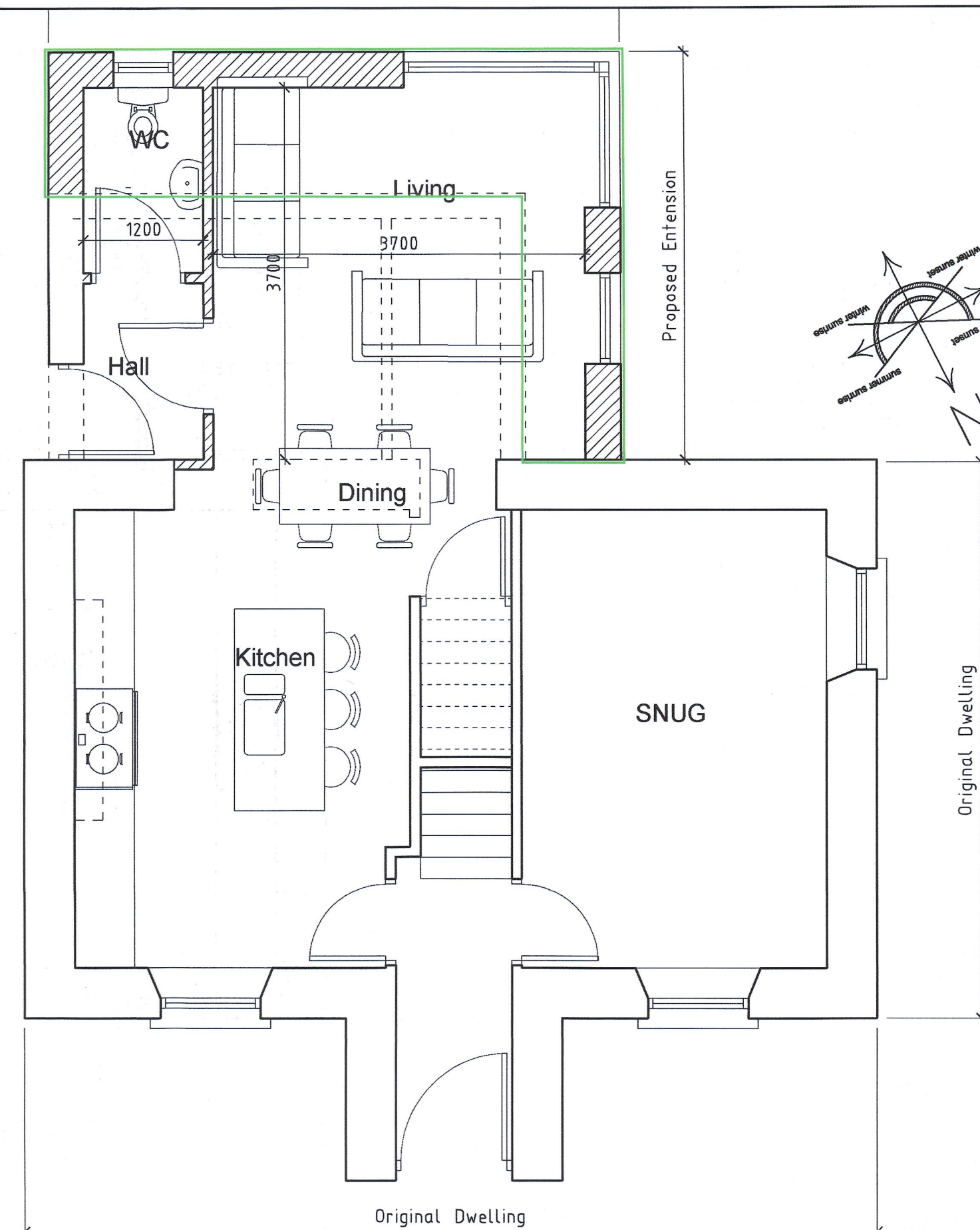
25101-02 dwg. no.



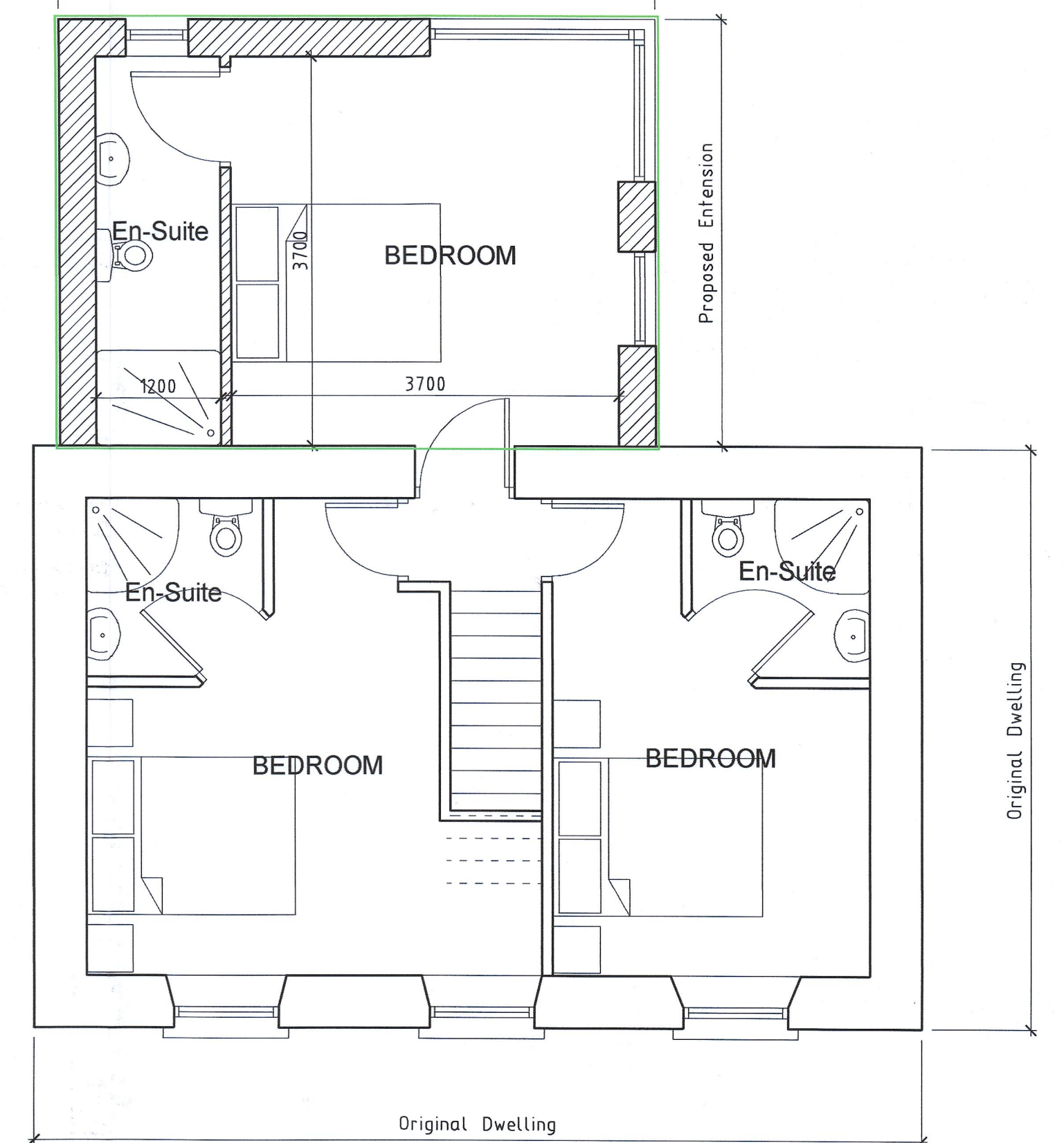
GROUND FLOOR PLAN



FIRST FLOOR PLAN



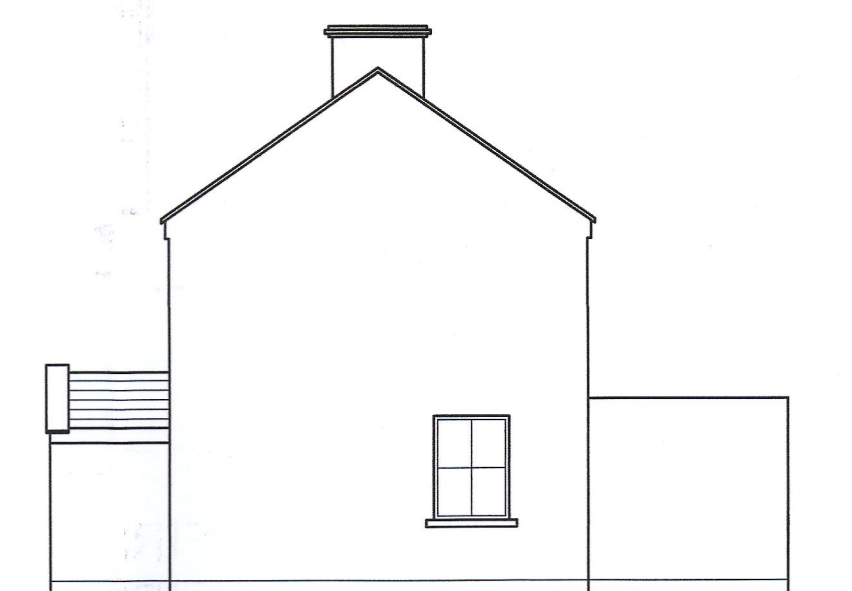
GROUND FLOOR PLAN
EXISTING GROUND FLOOR EXTENSION = 10.2Sqm
TOTAL GROUND FLOOR PLAN EXTENSION = 20.1
TOTAL EXTENSION AREA = 38.6



FIRST FLOOR PLAN
FIRST FLOOR EXTENSION AREA = 18.5Sqm



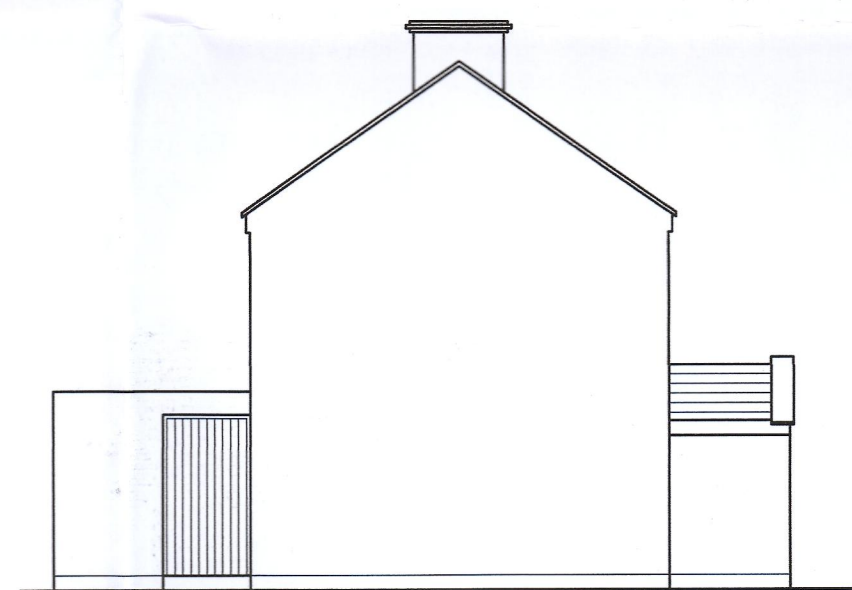
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



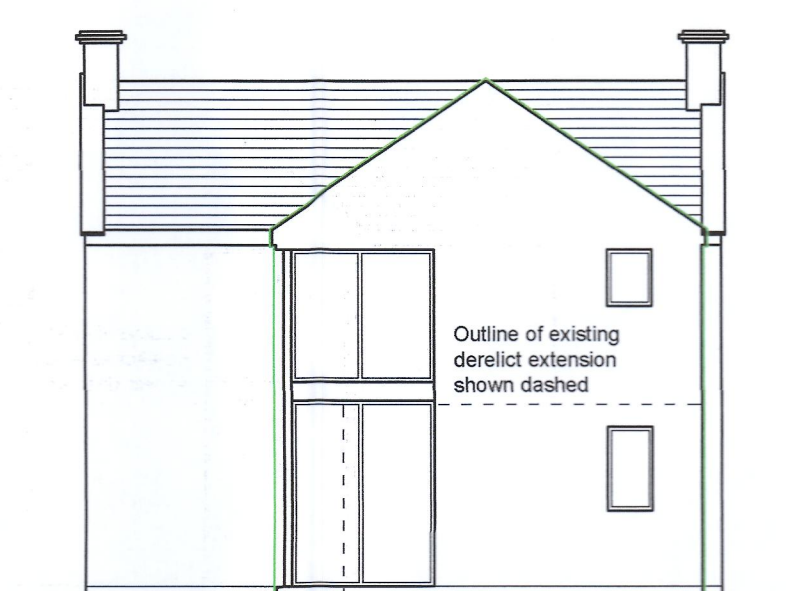
SIDE ELEVATION



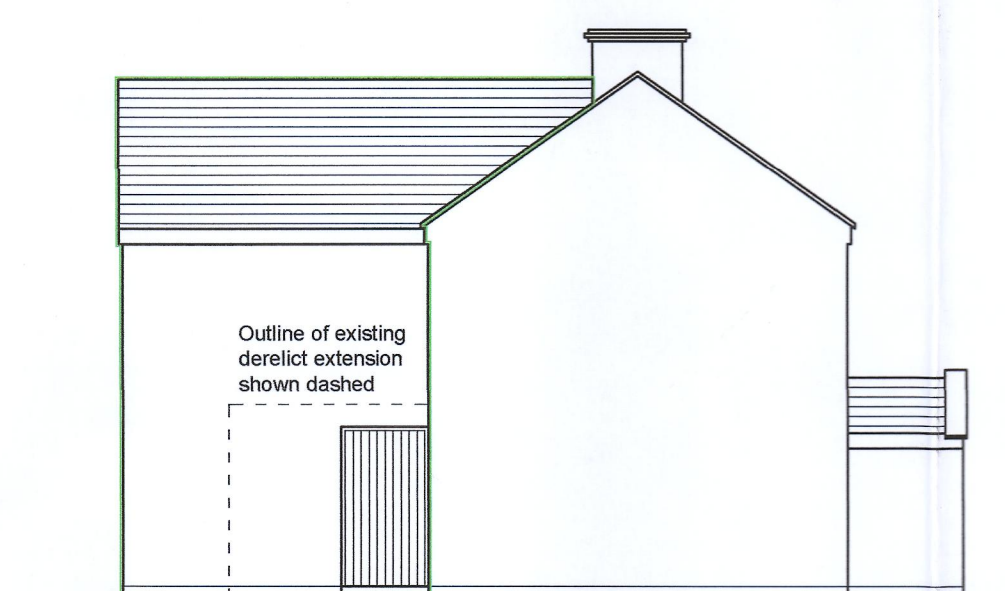
FRONT ELEVATION



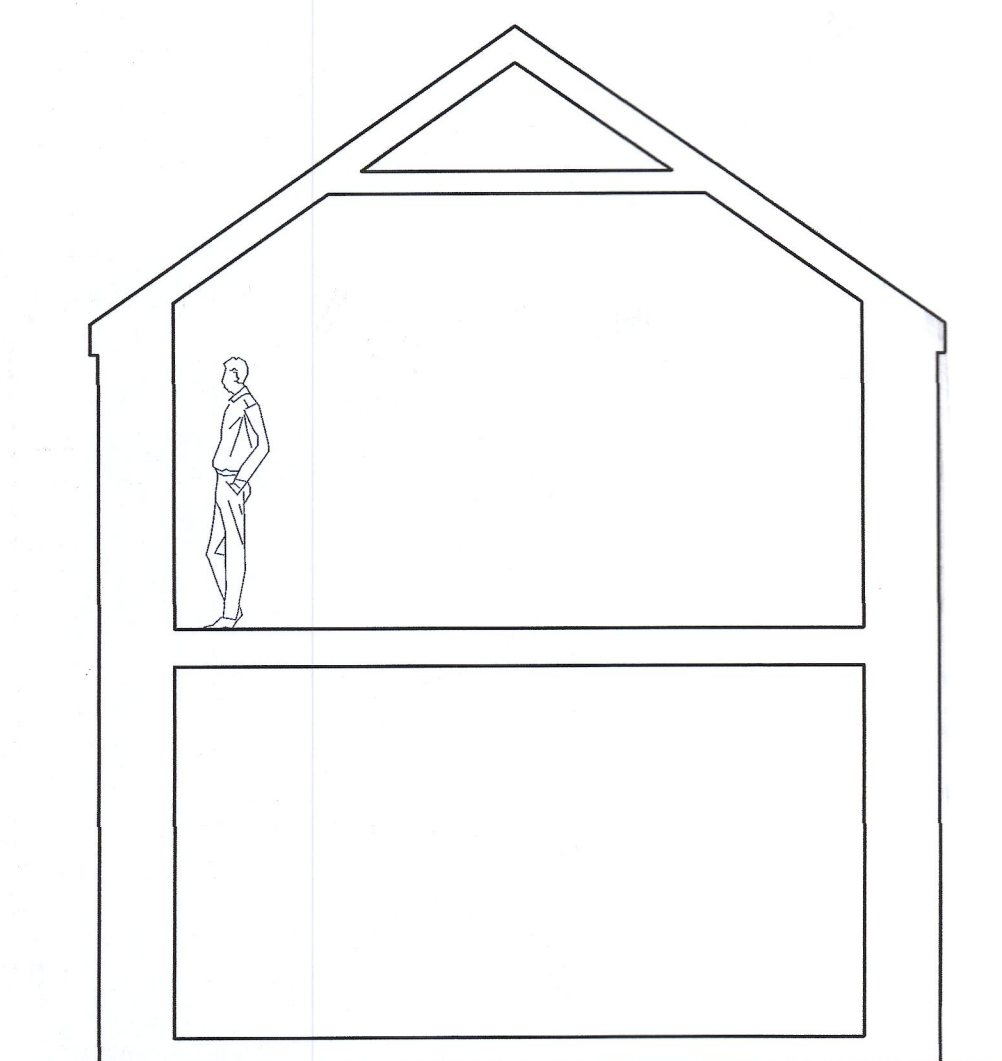
SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION



SECTION

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Donegal County Council
Planning Services

cmb Design
Meenbanad, Burtonport, Co. Donegal
Tel: 087 9611778

Paula Fallon client

Extension to Dwelling at
Dunlewy Near, Co. Donegal project

Plans, Elevations & Section title

Mar 25 date 1:50 scale CB drawn
1:100

25101-01 dwg. no.



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

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

County House,
Lifford,
County Donegal, F93 Y622

T: 074 91 53900
E: info@donegalcoco.ie
W: www.donegalcoco.ie
W: www.ccdhunangall.ie

Planning Services
E: planning@donegalcoco.ie

Our Ref: S525/36

3rd April, 2025

Paula Fallon
C/o Conal Boyle
Meenbanad
Burtonport
Co Donegal
F94 C6W9

**Re: Section 5 - Application for proposed development at
Dunlewy Near, Dunlewy**

A Chara,

I wish to acknowledge receipt of your application received on 31st March, 2025 in relation to the above. Ref.No.S525/36 refers. Please note a fee of €80 is payable for a Section 5 Declaration.

Yours sincerely,

T Conway

Donegal County Council
Planning Services



SECTION 5 REFERRAL REPORT – Ref. No: S5 25/36

1.0 BACKGROUND

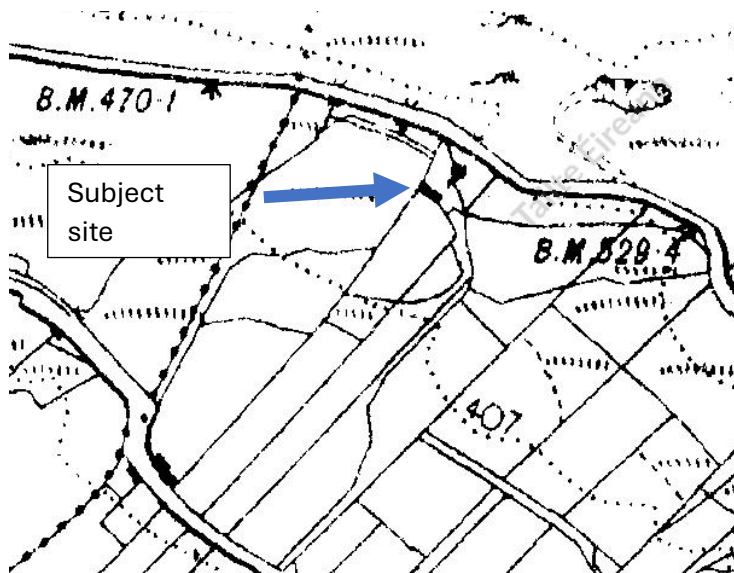
1.1 Location:

- Dwelling house at Dunlewy Near, Dunlewy
- The site is located within a Structurally Weak Rural Area and while most of the site is designated as High Scenic Amenity, part of the site along the edge of the road is designated as Especially High Scenic Amenity the dwelling (House is located on HSA lands).
- Cloghernagore Bog & Glenveagh National Park SAC and Derryveagh & Glendowan Mountains SPA are located approx.11m away on the opposite side of the R257, relative to the site. Fawnboy Bog/Lough Nacung SAC is located 400m south of the site.



1.2 Planning History:

- The dwelling appears to pre-date the 1963 Planning Act and historical maps covering a period up to 1930 (shown below) appear to show a building on the site. There are no digital records relating to the site.



1.3 Proposed Development:

The development the subject of this Section 5 referral relates to:

- 38.6sqm extension (2 storey) to rear of existing dwelling house

2.0. THE QUESTION

The referrer seeks a declaration that the above-mentioned rear extension is exempted development.

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 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 a class specified in Column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act,

provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

Article 9(1)

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 -
 - (i) – (xii) (inclusive)

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 Is or is not development

The erection of an extension to the dwelling house meets the definition of works and so it constitutes development.

4.2 Is or is not exempted development

The submitted drawings indicate that the proposed extension will replace an existing extension at the rear of the dwelling. Therefore the existing extension should not be included in any floor area calculations as it will be demolished. The total floor area of the proposed extension is 38.6sqm, which is less than the 40sqm floor area limit. The proposal therefore meets the requirement of condition/limitation 1(a). Condition/limitation 1(c) states that where the house is detached, the floor area of any extension above ground level shall not exceed 20sqm. The first floor of the extension will measure 18.5sqm, therefore meeting the requirements of this condition/limitation.

Condition/limitation 3 requires that any above ground floor extension shall be a distance of not less than 2 metres from any party boundary. The proposed extension will be 7 metres from the nearest (side) boundary.

Condition/limitation 4(a) states that 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. As shown below, the rear wall of the existing dwelling does not contain a gable, while the rear elevation of the extension does contain a gable, which means that the rear elevation wall of the extension exceeds the height of the rear wall of the house. Therefore, the extension does not meet this condition/limitation.



Condition/limitation 4(c) states that 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. It is noted that the highest part of the roof of the extension does not exceed the height of the highest part of the roof of the existing dwelling. Therefore, the proposed extension complies with this condition/limitation.

Condition/limitation 5 states that 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. The existing dwelling sits within a large plot and the proposal complies with this condition/limitation.

With regard to Condition/limitation 6(a), all ground floor windows in the extension will not be less than 1m from the boundary they face. Therefore, the proposed extension complies with this condition/limitation. All above ground floor windows shall not be less than 11m from the boundary that they face. Therefore, the proposed extension complies with condition/limitation 6(b) and 6(c).

Condition/limitation 7 states that the roof of any extension shall not be used as a balcony or roof garden. The drawings demonstrate that the extension will have a pitched roof. Therefore, the proposed extension complies with this condition/limitation.

Overall, it is considered that the proposed extension constitutes development and does not comply with all of the conditions/limitations set out in **Class 1 of Part 1 of Schedule 2** of the Planning & Development Regulations 2001 (as amended).

- 4.3 The attached AA Screening Report concludes that the Planning Authority has determined that full Appropriate Assessment of the proposed development is **not required** in this instance, as it can be excluded on the basis of objective scientific information that the proposed development individually or in combination with other plans/projects will have a significant effect on the aforementioned Natura 2000 site.

5.0 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 for:

- Construction of a rear extension to existing dwelling

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

Section 2, 3 and 177U of the Planning and Development Act, 2000 (as amended) and Articles 6(1) and Class 1 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 determined by An Bord Pleanála.

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 come within the scope of Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended).



Signed:

Executive Planner

Position:

19/05/2025

Date:

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

Applicant Name: Paula Fallon

Plan.Reg.No: S5 25/36

1.0 Description of Project

The subject site is located near Dunlewey. The applicant is seeking a Section 5 Declaration for:

1. Construction of a rear extension to an existing dwelling house.

2.0 Natura 2000 sites

The subject site is located:

- 11m from Derryveagh and Glendowan Mountains SPA (Site Code 004039), and
- 11m from Cloghernagore Bog and Glenveagh National Park SAC (Site Code 002047), and
- 0.4km from Fawnboy Bog/Lough Nacung SAC (Site Code 000140)

2.1 Site Synopsis for Derryveagh and Glendowan Mountains SPA (Site Code 004039)

Derryveagh and Glendowan Mountains SPA is an extensive upland site in north-west Co. Donegal, comprising Glenveagh National Park, a substantial part of the Derryveagh and Glendowan Mountains and a number of the surrounding lakes. Much of the site is over 300 m above sea level, rising to a peak of 678 m at Slieve Snaght. The solid geology is predominantly quartzite. The substrate over much of site is peat, with blanket bog and heath comprising the principal habitats.

The site is a Special Protection Area (SPA) under the E.U. Birds Directive, of special conservation interest for the following species: Red-throated Diver, Merlin, Peregrine, Golden Plover and Dunlin.

This site is one of only a few locations where Red-throated Diver breed in Ireland and the birds also use a number of lakes within the site for feeding. A survey in 2010 recorded 6 pairs at the site. The extensive bog and heath habitats provide excellent foraging habitat for both Peregrine (5-6 pairs in 2002) and Merlin (estimated 6-11 pairs). Peregrine nest on the crags and cliffs, whilst Merlin nest in the heather or in old crows' nests in trees. The site is very important for breeding Golden Plover and Dunlin (subsp. schinzii) with 18 and 5 pairs respectively recorded in 2002.

Red Grouse is also widespread on the bogs and Ring Ouzel, a rare species of the uplands, breeds sparingly, with at least 2 pairs recorded in a 2002 survey. Several pairs of Whinchat, a scarce Irish species, breed within the site. Goosander is also a regular visitor to the lakes, though breeding within the site has not been proved. Snowy Owl has also attempted to breed within the site - a clutch of eggs was laid but these did not hatch. Wood Warbler is present annually, with perhaps three pairs occurring. Redstart has bred on at least one occasion but there have been few sightings in recent years and it is not known if breeding occurs regularly.

Glenveagh National Park is the central location for the Golden Eagle re-introduction programme, which commenced in 2000. With time, this species may become successfully re-established as a breeding species in Ireland.

The site is of high ornithological importance with nationally important breeding populations of five species. Of particular note is that five of the species that occur regularly are listed on Annex I of the E.U. Birds Directive, i.e. Red-throated Diver, Peregrine, Merlin, Golden Plover and Dunlin (subsp. *schinzii*). A large proportion of Lough Barra Bog, a Ramsar Convention site and a Statutory Nature Reserve, is within the Derryveagh and Glendowan Mountains SPA

2.2 Conservation Objectives for Derryveagh and Glendowan Mountains SPA (Site Code 004039)

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.

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.

Objective: To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA:

Bird Code	Common Name	Scientific Name
A001	Red-throated Diver	<i>Gavia stellata</i>

A098	Merlin	<i>Falco columbarius</i>
A103	Peregrine	<i>Falco peregrinus</i>
A140	Golden Plover	<i>Pluvialis apricaria</i>
A466	Dunlin	<i>Calidris alpina schinzii</i>

2.3 Site Synopsis for Cloghernagore Bog and Glenveagh National Park SAC (Site Code 002047)

Cloghernagore Bog and Glenveagh National Park SAC is an exceptionally large inland site located in the centre of north-west Donegal. It includes a rich diversity of habitats and landscape features, including mountains, exposed rock and scree, blanket bogs, dry, wet and alpine heath, upland grassland, wet grassland, rivers, lakes, scrub and woodland. The Gweebarra fault bisects the area forming a long valley, orientated north-east to south-west, in which Lough Barra and Lough Veagh (Beagh) are situated. The area is generally mountainous, taking in most of the Derryveagh and Glendowan ranges and including the two highest mountains in Donegal, Errigal (751 m) and Slieve Snaght (678 m). Towards the centre-west of the site are the fine ice-carved cliffs of the Poisoned Glen and Bingorms, which contrast dramatically with the gently undulating expanses of blanket bog in the south-west and north-east of the site. The underlying rock is predominantly granite, with a few intrusive dykes. However, around Errigal the geology is more complex with bands of schists, quartzite, granodiorite and limestone occurring.

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):

- [3110] Oligotrophic Waters containing very few minerals
- [3260] Floating River Vegetation [4010] Wet Heath
- [4030] Dry Heath [4060] Alpine and Subalpine Heaths
- [6410] Molinia Meadows
- [7130] Blanket Bogs (Active)*
- [7150] Rhynchosporion Vegetation
- [91A0] Old Oak Woodlands
- [1029] Freshwater Pearl Mussel (*Margaritifera margaritifera*)
- [1106] Atlantic Salmon (*Salmo salar*)
- [1355] Otter (*Lutra lutra*)
- [1421] Killarney Fern (*Trichomanes speciosum*)

Atlantic blanket bog is the dominant habitat of interest, with much of it being relatively unspoilt. Indeed, the area around Cloghernagore constitutes the most extensive blanket bog system remaining in the north-west of Ireland. Overall, there are excellent examples of several types of blanket bog including Highland Bog (Cashelnagor and Dunlewy Far), Lowland Bog (Cloghernagore and Glenveagh Bridge), Domed Valley Bog (Derrybeg and Calabber Valley), Headwater Bog (Crockastoller and Carrickatimpan Mountain) and blanket bog apparently in the early stages of formation (Attinadague).

The blanket bog vegetation is relatively uniform and typically dominated by Purple Moor-grass (*Molinia caerulea*), Heather (*Calluna vulgaris*), Black Bog-rush (*Schoenus nigricans*), Deergrass (*Scirpus cespitosus*) and Common Cottongrass (*Eriophorum angustifolium*), with areas of Bog-myrtle (*Myrica gale*) also occurring.

A number of features indicative of well-developed blanket bog are found at the site. The pool systems found are typically colonised by bog moss species such as *Sphagnum auriculatum* and *S. cuspidatum*, Lesser Bladderwort (*Utricularia minor*), Bogbean (*Menyanthes trifoliata*) and sedges (e.g. *Carex panicea* and *C. limosa*), with Great Sundew (*Drosera anglica*) occurring around the margins. Hummocks of *Sphagnum* species (including *S. capillifolium*, *S. imbricatum* and *S. papillosum*) and other mosses such as *Leucobryum glaucum* and *Racomitrium lanuginosum* are found, as are flushed areas with *Sphagnum* species such as *S. auriculatum* var. *inundatum* and *S. magellanicum*), Common Reed (*Phragmites australis*), rushes (*Juncus acutiflorus* and *J. effusus*) or sedges (*Carex echinata*, *C. rostrata* and *C. demissa*). There are also quaking flats of mosses (*Campylopus atrovirens*, *C. brevipilus*, *Pleurozia purpurea* and *Sphagnum* spp.) with sedges (e.g. *Carex lasiocarpa*), and shallow, infilling lakes with associated *Sphagnum* scrubs and sedge swards. The vegetation described for the pool areas and wet quaking flats is representative of *Rhynchosporion* vegetation.

A number of scarce or only locally-occurring vascular plant species have been recorded from bogs on the site. These include a hybrid Sundew, *Drosera anglica* x *D. rotundifolia* (*Drosera* x *obovata*), Whorled Caraway (*Carum verticillatum*), Bearberry (*Arctostaphylos uva-ursi*), Cranberry (*Vaccinium oxycoccos*) and, in a gorge, Cowberry (*Vaccinium vitis-idaea*). Lower plants of note include several mosses (*Sphagnum fuscum*, *S. contortum*, *S. recurvum* var. *tenue*, *S. molle*, *Calliergon stramineum* and *Polytrichum longisetum*) and lichens (*Cladonia parasitica*, *C. gracilis*, *C. bellidiflora*, *C. cervicornis* subsp. *verticillata*, *C. digitata*, *Peltigera hymenea*, *Sphaerophorus fragilis*, *Usnea fragiliscens* and *Umbilicaria polyrrhiza*).

Wet heath occurs at this site in an intimate mosaic with blanket bog, and the vegetation of the two habitat types intergrades. This occurs particularly on the lower slopes of hills, where deep lowland blanket peat meets shallower peat on the flanks of hills. Dry heath occurs at this site on slopes above 300 m. Heather and Bell Heather (*Erica cinerea*) are common, while species such as Gorse (*Ulex europaeus*) and Western Gorse (*U. gallii*) are thought to be relatively uncommon. Other species present include Common Bent (*Agrostis capillaris*), Velvet Bent (*A. canina*), Heath-grass (*Danthonia decumbens*) and Sheep's-fescue (*Festuca ovina*).

Subalpine heath is found at this site on very thin, peaty soils with some bare rock evident. The community is typically dominated by Heather and Bilberry (*Vaccinium myrtillus*). Crowberry (*Empetrum nigrum*) is also found on some of the higher mountain slopes. Other species of note in this habitat are Tormetill (*Potentilla erecta*) and the moss *Racomitrium lanuginosum*. Juniper (*Juniperus communis*) and Bearberry are occasional on mountain summits.

The site includes many rivers and streams, containing, or fringed by plants such as Water Horsetail (*Equisetum fluviatile*), Lesser Spearwort (*Ranunculus flammula*), pondweeds (*Potamogeton natans*, *P. polygonifolius*), sedges (*Carex* spp.) and rushes (*Juncus* spp.). By one river the locally-occurring Lemon-scented Fern (*Oreopteris limbosperma*) is found. In some areas gorges have been cut by streams, and here fragments of deciduous woodland remain. These are characterised by Aspen (*Populus tremula*), Rowan (*Sorbus aucuparia*), oak (*Quercus petraea* and *Q. robur*) and willow (*Salix* spp.).

An area of semi-natural deciduous woodland occurs on the steeply sloping eastern side of Glenveagh. The dominant trees are Sessile Oak (*Quercus petraea*), Downy Birch (*Betula pubescens*) and Rowan, with Hazel (*Corylus avellana*) occurring frequently. Holly (*Ilex aquifolium*) occurs in the understorey. Rhododendron (*Rhododendron ponticum*) has

invaded much of the woodland and adjacent hillsides. Other species present include Yew (*Taxus baccata*), Juniper and, near Lough Veagh, the scarce Rock Whitebeam (*Sorbus rupicola*). Within the woodland the lower plant community is well-developed with liverworts, including *Frullania tamarisci*, growing on the tree trunks. This is replaced as an epiphyte in damper areas by Wilson's Filmy-fern (*Hymenophyllum wilsonii*). Of particular note is the presence of the scarcer Tonbridge Filmy-fern (*H. tunbrigense*). The woodlands are also notable for the presence of two rare species of Myxomycete fungus, namely *Licea gloeoderma* and *Physarum verum*, the former in its only known Irish site.

Molinia meadow at the site is characterised by a co-dominance of Purple Moor-grass, Soft Rush (*Juncus effusus*), Sharp-flowered Rush (*J. acutiflorus*) and Conglomerate Rush (*J. conglomeratus*). The habitat occurs in areas that are subject to occasional flooding. Other species recorded include Water Horsetail, Marsh Speedwell (*Veronica scutellata*), Silverweed (*Potentilla anserina*), Marsh Ragwort (*Senecio aquaticus*), Cuckooflower (*Cardamine pratensis*), Marsh Cinquefoil (*Potentilla palustris*) and Marsh Pennywort (*Hydrocotyle vulgaris*).

There are several large oligotrophic lakes on the site, including Lough Barra, Lough Veagh and Lough Altan. Aquatic plant species found include Water Lobelia (*Lobelia dortmanna*), Shoreweed (*Littorella uniflora*) and Bulbous Rush (*Juncus bulbosus*). Lough Veagh also contains two quillwort species (*Isoetes lacustris* and *I. echinospora*), the latter of which is a locally-occurring species. Some of the smaller lakes also contain the scarce species Pipewort (*Eriocaulon aquaticum*).

Many scarce plants have been recorded from cliffs and gullies, mainly around Slieve Snaght and the Poisoned Glen. These include Brittle Bladder-fern (*Cystopteris fragilis*), Alpine Clubmoss (*Diphasiastrum alpinum*), Stiff Sedge (*Carex bigelowii*), Mountain Sorrel (*Oxyria digyna*) and Irish Spurge (*Euphorbia hyberna*). Purple Saxifrage (*Saxifraga oppositifolia*) and Alpine Saw-wort (*Saussurea alpina*) have also been recorded from this area, along with a more recent sighting of Killarney Fern (*Trichomanes speciosum*). These are all rare species which are listed in the Irish Red Data Book, the latter also being legally protected under the Flora (Protection) Order, 1999, and listed on Annex II of the E.U. Habitats Directive.

Three other rare Red Data Book plant species have been recorded within the site: Bird Cherry (*Prunus padus*), Small-white Orchid (*Pseudorchis albida*) and Heath Cudweed (*Omalotheca sylvatica*). The two last-named are legally protected under the Flora (Protection) Order, 1999.

The area is also of considerable zoological value. Mammal interest includes the largest herd of Red Deer in Ireland, along with Badgers, Otters, Irish Hares and Stoats.

Lough Veagh contains Arctic Char, a fish species that was once widespread but is now rare in most places. It is listed as vulnerable in the Irish Red Data Book. The Owencarrow and Lackagh River systems support a good population of Atlantic Salmon, a species listed on Annex II of the E.U. Habitats Directive. Brown Trout also occur. Common Lizard has been recorded from the site. The site supports populations of Freshwater Pearl Mussel, a rare species that is listed on Annex II of the E.U. Habitats Directive.

A number of important bird species are represented at this site, with several which are listed in the Red Data Book, and a number listed on Annex I of the E.U. Birds Directive. Those which breed within the area include Red-throated Diver, Golden Plover, Merlin and Peregrine. A small flock of Greenland White-fronted Goose, also listed on Annex I of the E.U. Birds Directive, feed on some of the bogs in winter. The Red Data Book species Goosander and Wood Warbler both breed on the site. Generally, the woodlands are favoured by Siskin, Tree Creepers and Redstarts, while Meadow Pipits, Red Grouse, Ravens, Snipe and Dunlin are among the birds found on the moorland.

One of the major land uses at this site is conservation management. The site contains the whole of the Glenveagh National Park along with two Statutory Nature Reserves, Lough Barra Bog and Meenachullion Bog. Grazing by sheep and deer is common and in a few places the bogs have suffered from over-grazing and poaching. Grazing has also prevented woodland regeneration. Annual deer culls take place to control numbers and the main herd is kept within the confines of the National Park by a 45 km-long deer fence. Invasion by Rhododendron has been a particular problem within the National Park, where it has choked areas of woodland and covered adjacent hillsides. A removal programme is in progress and the threat from this species has been considerably reduced. Peat cutting, both by hand and machine, has caused damage to some bogs in the site. Turbary and afforestation are the main threats to this habitat, with erosion and burning also having an impact

The site is of great scientific and conservation value, particularly for the large areas of excellent, little-damaged blanket bog it contains, including the largest intact area of blanket bog in north-west Ireland. It also includes good quality examples of seminatural deciduous woodland, heath, oligotrophic lakes and inland cliffs. The importance of the site is increased by the presence of a wide range of plant and animal species, including many rare or threatened Red Data Book species, and several that are listed on Annex II of the E.U. Habitats Directive or Annex I of the E.U. Birds Directive.

2.4 Conservation Objectives for Cloghernagore Bog and Glenveagh National Park SAC (Site Code 002047)

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.

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

1029 Freshwater Pearl Mussel *Margaritifera margaritifera*

1106 Salmon *Salmo salar*

1355 Otter *Lutra lutra*

1421 Killarney Fern *Trichomanes speciosum*

3110 Oligotrophic waters containing very few minerals of sandy plains (*Littorelletalia uniflorae*)

3260 Water courses of plain to montane levels with the *Ranunculus fluitans* and *Callitriche-Batrachion* vegetation

4010 Northern Atlantic wet heaths with *Erica tetralix*

4030 European dry heaths

4060 Alpine and Boreal heaths

6410 *Molinia* meadows on calcareous, peaty or clayey-silt-laden soils (*Molinion caeruleae*)

7130 Blanket bogs (* if active bog)

7150 Depressions on peat substrates of the *Rhynchosporion*

91A0 Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles

2.5 Site Synopsis for Fawnboy Bog/Lough Nacung SAC (Site Code 000140)

This site is situated 2 km east of Gweedore and 1.2 km north-west of Dunlewy village in Co. Donegal. It lies at the western foothills of the spectacular Errigal Mountain. Geologically, the site is underlain by metamorphosed limestones and calcareous siltstones which outcrop to the east of the area. Several deep-seated east-west faults cut across the terrain which may act as conduits for base-rich groundwater, accounting for the occurrence of calcicole species in the flora.

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):

[4010] Wet Heath

[7130] Blanket Bogs (Active)*

[7150] *Rhynchosporion* Vegetation

[1029] Freshwater Pearl Mussel (*Margaritifera margaritifera*)

The site is of conservation importance primarily for its blanket bog. The bog occurs in association with wet heath, rock outcrop and a number of oligotrophic (nutrient-poor) lakes. The most extensive tract of blanket bog occurs to the east of Lough Nacung where it covers a gently undulating terrain of low ridges, wet slopes and small valleys. The bog expanse is dominated by Heather (*Calluna vulgaris*), Purple Moor-grass (*Molinia caerulea*), Black Bog-rush (*Schoenus nigricans*) and low hummocks of the bog mosses *Sphagnum papillosum*, *S. capillifolium* and *S. subnitens*. Interconnecting bog pool systems occur, with typical pool, lawn and hummock communities supporting a wide range of bog mosses (e.g. *S. cuspidatum*, *S. auriculatum*, *S. palustre*, *S. capillifolium*, *S. papillosum*, *S. subnitens*, *S. magellanicum*, *S. imbricatum* and *S. fuscum*). Vascular plants such as Bog Sedge (*Carex*

limosa), Common Cottongrass (*Eriophorum angustifolium*), Lesser Bladderwort (*Utricularia minor*), sundews (*Drosera* spp.), Bogbean (*Menyanthes trifoliata*), Black Bog-rush, Purple Moor-grass, Heather and Bog-myrtle (*Myrica gale*) are also found here. The vegetation of the wet lawns and pools, especially where extensive quaking areas occur, is representative of Rhynchosporion, though this habitat can also be found in cutover areas which have not been disturbed for some time.

A number of flush communities are found in association with the bog. One type is dominated by Purple Moor-grass and Sharp-flowered Rush (*Juncus acutiflorus*), with Heath Wood-rush (*Luzula multiflora*), Bogbean, Bog-myrtle, Marsh Violet (*Viola palustris*) and a dense carpet of mosses such as *S. capillifolium*, *Polytrichum commune*, *Hylocomium splendens* and *Rhytidiadelphus squarrosus*. Another more calcareous flush type supports Black Bog-rush, Bog-myrtle, scattered Common Reed (*Phragmites australis*) and a range of sedges (*C. lasiocarpa*, *C. lepidocarpa*, *C. dioica*, *C. hostiana*, *C. rostrata*, *C. paniculata* and *C. limosa*).

Wet heath occurs on the sloping ground to the east and south of the site where the peat is thin, as well as in small patches throughout the blanket bog. This is usually dominated by Cross-leaved Heath (*Erica tetralix*), although the rare Mackay's Heath (*E. mackaiana*), a Red Data Book species, occurs in abundance amongst heath vegetation along the southern side of Lough Nacung and is dotted throughout the heath away from the lake shore. The hybrid between these species, *E. x stuartii*, also occurs here.

Along the Clady River, and at sections along the margins of Lough Nacung, scrub dominated by gorse (*Ulex* sp.) and willow (*Salix* spp.) occurs in mosaic with wet grassland and patches of bog/heath. Scrub/woodland is also found adjacent to a stream that flows into Lough Nacung, including such species as Alder (*Alnus glutinosa*), Rowan (*Sorbus aucuparia*), Eared Willow (*S. aurita*) and Gorse (*U. europaeus*). The rare Lemon-scented Fern (*Oreopteris limbosperma*) occurs in this wood. Lough Nacung itself is notable for the occurrence of the aquatic plant Pillwort (*Pilularia globulifera*), a legally protected plant under the Flora (Protection) Order, 1999.

The site supports a population of Pearl Mussel (*Margaritifera margaritifera*), a species listed under Annex II of the E.U. Habitats Directive.

The site is sometimes used as a feeding ground by the flock of Greenland Whitefronted Goose based around Dunfanaghy. Lough Nacung is suitable breeding habitat for the very localised Red-Throated Diver. Both of these birds are Annex I species under the E.U. Birds Directive.

The Irish Hare is present on the site. This species is legally protected under the Wildlife Act, 1976, and is a Red Data Book species.

Land use at the site consists of peat cutting, which may pose a threat to the quality of the blanket bog. Grazing, mainly by sheep, also occurs. An electric power station and dam have been installed between Loughs Nacung Upper and Lower. Small scale quarrying is carried out around the edge of the site. Afforestation is quite extensive outside the site boundary.

In summary, this site is of conservation interest for the occurrence of intact lowland blanket bog, Rhynchosporion vegetation and good quality wet heath. The presence of several notable plant and animal species adds to the value of the site, particularly the Pearl Mussel, Mackay's Heath, Pillwort and Greenland White-fronted Goose.

2.6 Conservation Objectives for Fawnboy Bog/Lough Nacung SAC (Site Code 000140)

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.

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

1029 Freshwater Pearl Mussel *Margaritifera margaritifera*

4010 Northern Atlantic wet heaths with *Erica tetralix*

7130 Blanket bogs (* if active bog)

7150 Depressions on peat substrates of the Rhynchosporion

3.0 Assessment of Likely Effects:

Further to an assessment of the proposed development and on the basis of the following principle reasons:

- The relatively minor scale of the development on an existing brownfield site.
- The fact that the proposed development will not impact on any of the habitats/species for which the natura site has been designated.

and also having regard to the content of Table 1 below

Table 1 – Potential Impact Types and Significance

Impact type	Significance indicator	Comments
Loss of habitat area	Percentage of loss	None anticipated due to the site's location outside the Natura 2000 sites.
Fragmentation	Duration or permanence, level in relation to original extent	None anticipated due to the site's location outside the Natura 2000 sites.
Disturbance	Duration or permanence, distance from site	None anticipated given brownfield nature of site, its location outside the Natura 2000 sites and the relatively minor nature of the proposed works
Species population density	Timescale for replacement	None given brownfield nature of site and its location outside the Natura 2000 sites.
Water resource	Relative change	No significant impact expected given the brownfield nature of site, the site's location downhill and on the opposite side of the Regional road from the Cloghernagore Bog & Glenveagh National Park SAC and Derryveagh & Glendowan Mountains SPA. The site is also a significant distance from the Fawnboy Bog/Lough Nacung SAC, located 400m away and there does not appear to be any direct hydrological link.

Water quality	Relative change in key indicative chemicals and other elements	No significant impact expected given the brownfield nature of site, the site's location downhill and on the opposite side of the Regional road from the Cloghernagore Bog & Glenveagh National Park SAC and Derryveagh & Glendowan Mountains SPA. The site is also a significant distance from the Fawnboy Bog/Lough Nacung SAC, located 400m away and there does not appear to be any direct hydrological link.
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The Planning Authority is of the opinion that the proposed development will not have a significant effect on nearby Natura 2000 sites.

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



Executive Planner
19/05/2025



Frank Sweeney
Senior Executive Planner
Community Development & Planning Services
20/05/2025

Chief Executive's Order No: 2025PH1370

Planning and Development Acts 2000 (as amended)

SECTION 5:-

Request received 31st March 2025 from Paula Fallon C/o Conal Boyle, Meenbanad, Burtonport, Co. Donegal, F94 C6W9 in relation to the construction of a 38.6sqm extension (incorporating existing derelict extension) to rear of existing dwelling at Dunlewey Near, Dunlewey, Co. Donegal.

SUBMITTED:-

Written request received 31st March 2025 as above and report dated 19th May 2025 from the Executive Planner (Ref. No: S5 25/36 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 20th DAY OF MAY 2025

MME

Chief Executive's Order No: 2025PH1370

Ref.No: S5 25/36

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 and 177U of the Planning and Development Act, 2000 (as amended) and
- Articles 6(1) and Class 1 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 NOT EXEMPTED DEVELOPMENT** as it does not come within the scope of Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended).

JS 20/05



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

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Ref. No: S525/36

20th May 2025

PAULA FALLON
C/O CONAL BOYLE,
MEENBANAD,
BURTONPORT,
CO. DONEGAL,
F94 C6W9

Re: Construction of a 38.6sqm extension (incorporating existing derelict extension) to rear of existing dwelling at Dunlewey Near, Dunlewey, Co. Donegal.

A Chara,

I refer to your request received on 31st 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
/RMcC

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

DECLARATION

Chief Executive's Order No: 2025PH1370

Reference No: S525/36

Name of Requester: Paula Fallon
C/o Conal Boyle,
Meenbanad,
Burtonport,
Co. Donegal,
F94 C6W9

Summarised Description of development the subject matter of request:

Construction of a 38.6sqm extension (incorporating existing derelict extension) to rear of existing dwelling

Location: Dunlewey Near, Dunlewey, Co. Donegal.

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 and 177U of the Planning and Development Act, 2000 (as amended) and
- Articles 6(1) and Class 1 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 NOT EXEMPTED DEVELOPMENT** as it does not come within the scope of Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended).



For Senior Ex. Planner
Planning Services

Dated this 20th day of May 2025