



Planning Ref: 2550167

14 January 2026

Planning Section
Donegal County Council

Dear Sir/Madam

Re: 2550167 - CONSTRUCTION OF A DWELLING HOUSE WITH ON-SITE SEWERAGE TREATMENT SYSTEM AND ALL ASSOCIATED SITE WORKS at POLLET, BALLYLAR PO, LETTERKENNY, CO. DONEGAL

Comment

The Heritage Council was established in 1995 as a statutory body under the Heritage Act 1995 with a Council (the Board of the body) appointed by the Minister. The Heritage Council is a prescribed body under the provisions of the Planning and Development Acts 2000-2010 and S.I. No. 600/2001 of the Planning and Development Regulations, section 28 inter alia, in accordance with its functions under Section 6 of the Heritage Act, 1995. We seek to provide submissions on forward planning, development management and strategic infrastructure developments as they relate to Ireland's heritage, namely built, cultural and natural heritage.

The Heritage Council has reviewed the documentation submitted with this application. From the outset, it is clear the primary issue with this application relates to the site's location adjacent/within the Horn Head to Fanad Head Special Protection Area (SPA).

This SPA is designated due to the foraging and roosting habitat in the area for a variety of avian fauna including several sea bird species, with the site holding an internationally important population of breeding Chough. The sea cliffs in the area provide breeding and roosting sites for the birds whilst the land adjacent to the cliff tops provides feeding habitat. It is the latter that is pertinent for this application.

The site synopsis by the NPWS for the SPA concludes that The Horn Head to Fanad Head SPA is of high importance for Chough and Peregrine, both species that are listed on Annex I of the E.U. Birds Directive. It also supports an internationally important assemblage of breeding seabirds, that includes nationally important populations of six species, i.e. Fulmar, Cormorant, Shag, Kittiwake, Guillemot and Razorbill.

The following policies need to be applied to this proposed development:

- BIO-O-1 To preserve and enhance the biodiversity of the County in accordance with the relevant EU policies and national legislation.

Baill na Comhairle | Council Members

Martina Moloney (Cathaoirleach | Chairperson), John Burgess, Damian Downes, Deirdre McDermott, Muiris Ó Céidigh, Dr. Patricia O Hare, John G. Pierce, Sheila Pratschke, Prof. Mark Scott, Dr. Mary Tubridy

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- BIO-P-1 - To require all developments to comply with the requirements of the EU Habitats Directive and EU Bird Directive, including ensuring that development proposals:
 - a. Do not adversely affect the integrity of any European/Natura 2000 site (i.e. Special Areas of Conservation and Special Protection Areas) including effects on ex-situ but functionally linked habitats, and species (e.g. Pearl Mussel) save where a plan must be carried out for imperative reasons of overriding public interest (IROPI).
 - b. Provide for the protection of animal and plant species listed in Annex IV of the EU Habitats Directive and the Flora Protection Order.
 - c. Protect and enhance features of the landscape (such as rivers, riverbanks, field boundaries, ponds and small woods) which are of major importance for wild fauna and flora and the ecological coherence of the Natura 2000 network.

The Heritage Council has concerns regarding the principle of development in European designated sites, particularly sites that hold nationally and internationally important population assemblages of bird species. It is recommended that the local authority either refuse the application, or seek further information based on the need to make a determination of likely significant effects on the SPA, i.e:

- 1 The proposal should undergo an appropriate assessment screening to ascertain any likely significant impacts on the proximate SPA.

In addition, given that the development site is located within an Area of High Scenic Amenity ~ Limistéar Cónlaiste Ardscéimhette ~ based on the Fanad Coast and Lakes Landscape Character Area (LCA), the local authority should apply the landscape policies relevant for the proposal, and confirm if the proposal complies with such policies (specifically Policy L-P-2 of the Donegal County Development Plan 2024-2030). The local authority may be justified in seeking an appropriate level of landscape assessment to aid this determination.

We would however recommend to the local authority that it consider the principle of the development in the first instance before seeking costly additional assessments (either ecology or landscape). If the local authority is minded to seek further information to justify the proposals, we have recommended what this further information should entail.

I trust these views will inform Donegal County Council's determination of the application.

Yours sincerely

Virginia Teehan

Chief Executive Officer

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