

An
Coimisiún
Pleanála

Direction
ACP-323969-25

The submissions on this file and the Inspector's report were considered at a meeting held on 21/08/2026.

The Commission decided, as set out in the following Order, that

Commission Order as follows:-

WHEREAS a question has arisen as to whether the wall and wooden fence along the western boundary and the solar PV panels along the northern boundary of a dwellinghouse at Larass, Strandhill, County Sligo is or is not development or is or is not exempted development.

AND WHEREAS Áine Nic Amhlaidh, requested a declaration on this question from Sligo County Council, and the Council issued a declaration on the 21st day of November 2025 stating that the the "boundary wall and wooden fence" was development and was not exempted development and did not make a declaration in respect of the solar PV panels.

AND WHEREAS Áine Nic Amhlaidh referred this declaration for review to An Coimisiún Pleanála on the 18th day of December, 2025:

AND WHEREAS An Coimisiún Pleanála, in considering this referral, had regard particularly to –

- (a) the nature, scale, extent and scope of the works,
- (b) the existing and past site context,
- (c) Sections 2, 3, 4, 5 and 177U of the Planning and Development Act, 2000, as amended,
- (d) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended,
- (e) Classes 2 and 5 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended,
- (f) the planning history of the referral site, and specifically the permission granted under PA ref. 19/218 as amended by PA ref. 21/182,
- (g) the drawings submitted under PA ref. 26/60016 (appeal case reference PL-501084-SO-26),
- (h) measurements taken during site inspection,
- (i) relevant precedent referrals and judgements,
- (j) the pattern of development in the area, and
- (k) the provisions of the Sligo County Development Plan 2024-2030 as they apply to the referral site:

AND WHEREAS An Coimisiún Pleanála has concluded that:

- (a) The wall and wooden fence along the western boundary and the solar PV panels along the northern boundary constituted “works” that are “development” under Section 3(1) of the Planning and Development Act, 2000, as amended;
- (b) The wall along the western boundary is not exempted development under Class 5 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, as it does not satisfy all of the conditions and limitations of this class i.e., it exceeds 2 metres in height;

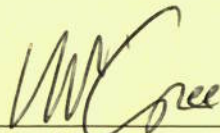
- (c) The wooden fence along the western boundary is exempted development under Class 5 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, as it does satisfy all of the conditions and limitations of this class; and
- (d) The solar PV panels along the northern boundary are not exempted development under Class 2 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, as they do not satisfy all of the conditions and limitations of this class i.e., they exceed 25 square metres in total aperture area.

NOW THEREFORE An Coimisiún Pleanála, in exercise of the powers conferred on it by Section 5 of the 2000 Act, as amended, hereby decides that the wall along the western boundary and the solar PV panels along the northern boundary of a dwellinghouse at Larass, Strandhill, County Sligo is development and is not exempted development and the wooden fence along the western boundary is development and is exempted development.

Planning

Commissioner:

Date: 02/09/2026



Liam McGree

~~Note: Please issue copy of Inspector's Report with declaration.~~

