

An
Coimisiún
Pleanála

Direction
ACP-324177-26

The submissions on this file and the Inspector's report were considered at a meeting held on 03/09/2026.

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

Commission Order as follows:-

WHEREAS a question has arisen as to whether the unlicensed felling of trees and laying of hardcore / stone chippings adjacent to a telecoms compound in the townland of Killaspugbrone, Strandhill, County Sligo is or is not development or is or is not exempted development:

AND WHEREAS Áine Nic Amhlaidh requested a declaration on a broadly similar question from Sligo County Council and the Council issued a declaration on the 11th day of March, 2026 stating that the unlicensed felling of mature trees (approx. 30 cubic metres) was not development and did not make a declaration in respect of the laying of hardcore / stone chippings:

AND WHEREAS Áine Nic Amhlaidh referred this declaration, as refined, for review to An Coimisiún Pleanála on the 31st day of March, 2026:

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, 8 and 9 of the Planning and Development Regulations, 2001, as amended,
- (e) the planning history of the referral site and the decision under appeal ref. PL 21.204477 (PA ref. 03/0398) in particular,
- (f) relevant precedent referrals and judgements,
- (g) the pattern of development in the area, and
- (h) the provisions of the Sligo County Development Plan 2024-2030 as they apply to the referral site:

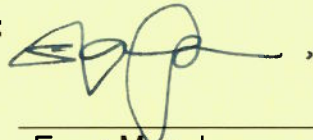
AND WHEREAS An Coimisiún Pleanála has concluded that:

- (a) The unlicensed felling of trees is “development” under Section 3(1) of the Planning and Development Act, 2000, as amended;
- (b) The laying of hardcore / stone chippings constituted “works” that is “development” under Section 3(1) of the Planning and Development Act, 2000, as amended;
- (c) The unlicensed felling of trees is exempted development under Section 4(1)(i) of the Planning and Development Act, 2000, as amended; and
- (d) The laying of hardcore / stone chippings insofar as it relates to the maintenance and renewal of a previously authorised structure (access track) is exempted development under Section 4(1)(h) of the Planning and Development Act, 2000, as amended.

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 unlicensed felling of trees and laying of hardcore / stone chippings adjacent to a telecoms compound in the townland of Killaspugbrone, Strandhill, County Sligo is development and is exempted development.

Planning

Commissioner:



Emer Maughan

Date: 03/09/2026