

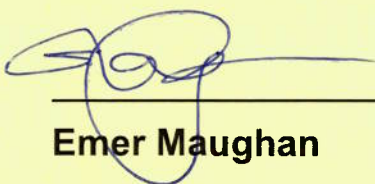
An
Coimisiún
Pleanála

Commission Direction
CD-001262
PL-501016-SO-26

The submissions on this file and the Inspector's report were considered at a meeting held on 10 September 2026.

The Commission decided, in a 2:1 majority decision, to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Planning Commissioner:



Emer Maughan

Date:

15th day of September 2026

DRAFT WORDING FOR ORDER

Having regard to the provisions of Sligo County Development Plan 2024-2030, the location, nature and scale of the proposal, in the context of the appeal site and surrounding area, and the prevailing pattern and character of development in this area, it is considered that, subject to compliance with the conditions set

out below, the proposed development would not seriously injure the residential or visual amenities of the area or property in the vicinity, would provide an acceptable standard of amenity for future occupants, and would not be prejudicial to traffic safety or public health, would not adversely impact on the natural or cultural environment or give rise to significant effects on any European site, and would otherwise constitute an appropriate form of development in the rural area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment: Stage 1:

The Commission considered the documents submitted with the application, and all the other relevant submissions on file, and carried out an Appropriate Assessment in relation to the potential effects of the proposed development on designated European sites. The Commission agreed with the screening assessment and conclusion carried out in the Inspector's Report that Ballysadare Bay Special Area of Conservation (Site Code: 000622) and Ballysadare Bay Special Protection Area (Site Code: 004129) are the only European Sites in respect of which the proposed development has the potential to have a significant effect, in view of the Conservation Objectives for the sites, and that Stage 2 Appropriate Assessment is, therefore, required.

Appropriate Assessment: Stage 2:

The Commission considered the Natura Impact Statement, and all the other relevant submissions on file, and carried out an Appropriate Assessment of the implications of the proposed development on Ballysadare Bay Special Area of Conservation (Site Code: 000622) and Ballysadare Bay Special Protection Area (Site Code: 004129), in view of these sites Conservation Objectives. The Commission considered that the information before it was sufficient to undertake

a complete assessment of all aspects of the proposed development in relation to the Sites' Conservation Objectives using the best scientific knowledge in the field.

In completing the assessment, the Commission considered, in particular, the following:

- (i) the site-specific Conservation Objectives for the European Sites,
- (ii) the likely direct and indirect impacts arising from the proposed development, both individually or in combination with other plans or projects, and
- (iii) mitigation measures which are included as part of the current proposal.

In completing the Appropriate Assessment, the Commission accepted and adopted the Appropriate Assessment carried out in the Inspector's Report in respect of the potential effects of the proposed development on the aforementioned European Sites. In overall conclusion, the Commission were satisfied that the proposed development would not adversely affect the integrity of the European Sites in view of the site's Conservation Objectives and that there is no reasonable scientific doubt as to the absence of such effects.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received on the 30th day of January 2026, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the

developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interests of clarity.

2. The mitigation and monitoring measures contained in the submitted Natura Impact Statement (NIS), shall be fully implemented. The developer shall appoint an Ecological Clerk of Works (ECoW) with appropriate experience to ensure the implementation of the mitigation measures within the timescales listed.

Reason: To protect the integrity of European sites.

3. (a) A 15-metre buffer zone around the monument must be delineated by agreement with the consultant archaeologist. A temporary fence shall be installed prior to construction to prevent inadvertent direct or indirect negative impact from construction related activity, such as passage of machinery. Should planting take place within this buffer zone only plants with shallow root systems should be chosen.

(b) The applicant is required to engage the services of a suitably qualified archaeologist (licensed under the National Monuments Acts 1930–2004) to carry out pre-development testing at the site. No sub-surface work shall be undertaken in the absence of the archaeologist without his/her express consent.

(c) The archaeologist is required to notify the Department of Housing, Local Government and Heritage in writing at least four weeks prior to the commencement of site preparations. This will allow the archaeologist sufficient time to obtain a licence to carry out the work.

- (d) The archaeologist shall carry out any relevant documentary research and may excavate test trenches at locations chosen by the archaeologist, having consulted the proposed development plans.
- (e) Having completed the work, the archaeologist shall submit a written report to the planning authority and to the Department of Housing, Local Government and Heritage.
- (f) Where archaeological material is shown to be present, avoidance, preservation in situ, preservation by record (excavation) and/or monitoring may be required, the Department of Housing, Local Government and Heritage shall advise the applicant/developer with regard to these matters.
- (g) No site preparation or construction work shall be carried out until after the archaeologist's report has been submitted and permission to proceed has been received in writing from the planning authority, in consultation with the Department of Housing, Local Government and Heritage.

Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

4. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

5. (a) The treatment plant and percolation area shall be located, constructed and maintained in accordance with the details submitted to the planning authority on the 26th day of November 2025, as amended by the further plans and particulars received on the 30th day of January 2026, and in accordance with the requirements of the document entitled "Code of Practice - Wastewater Treatment

and Disposal Systems Serving Single Houses (p.e. ≤ 10)" – Environmental Protection Agency, 2021. No system other than the type proposed in the submissions shall be installed unless agreed in writing with the planning authority.

(b) Certification by the system manufacturer that the system has been properly installed shall be submitted to the planning authority within four weeks of the installation of the system.

(c) A maintenance contract for the treatment system shall be entered into and paid in advance for a minimum period of five years from the first occupancy of the dwellinghouse and thereafter shall be kept in place at all times. Signed and dated copies of the contract shall be submitted to, and agreed in writing with, the planning authority within four weeks of the installation.

(d) Surface water soakways shall be located such that the drainage from the dwelling and paved areas of the site shall be diverted away from the location of the percolation area.

(e) Within three months of the first occupation of the dwelling, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner and that the polishing filter is constructed in accordance with the standards set out in the Environmental Protection Agency document.

Reason: In the interest of public health.

6. (a) The existing dwelling and the proposed extension shall be jointly occupied as a single residential unit and the extension shall not be used, sold, let or otherwise transferred or conveyed, save as part of the dwelling.

(b) The garage shall not be used for human habitation or for commercial purposes or for any purposes other than for purposes incidental to the enjoyment of the dwelling.

Reason: To restrict the use of the extension in the interest of residential amenity.

7. A Construction Environmental Management Plan (CEMP) shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters (including a management response to prohibit the mobilisation/migration of invasive species such as Japanese Knotweed), site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

Reason: In the interest of public health and environmental protection.

8. (a) Prior to the commencement of development (including demolition of outbuildings), a bat survey shall be undertaken by a bat specialist and submitted to, and agreed in writing with, the planning authority. Any demolition of structures or tree clearance that supports a new record of bat roost shall be carried out only under licence from the National Parks and Wildlife Service (NPWS) and details of such licence shall be submitted to the planning authority.

(b) All other mitigation measures detailed in the bat survey and NIS submitted to the planning authority on the 26th day of November 2025 shall be complied with, including those in relation to the provision of bird and bat boxes.

Reason: In the interest of wildlife protection.

9. Prior to the commencement of development, the developer shall provide a sightline of three metres by 120 metres in an easterly direction as detailed in the

plans and particulars lodged with the application, as amended by the further plans and particulars received on the 30th day of January 2026. A method statement for the setting back of the stone wall to the east of the access shall be submitted to, and agreed in writing with, the planning authority in advance of the works.

Reason: In the interest of traffic safety.

10. Details of the materials, colours and textures of all the external finishes to the proposed extension shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

11. All existing trees and hedgerows shall be retained and protected during construction as detailed in the Natura Impact Statement. Any trees or hedging which die, are removed or become seriously damaged or diseased shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity and biodiversity.

12. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer, or, in default of such

agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.