

An
Bord
Pleanála

Board Order ABP-312776-22

Planning and Development Acts, 2000 to 2021

Planning Authority: Sligo County Council

Application by Sligo County Council for approval under section 177AE of the Planning and Development Act 2000, as amended, in accordance with plans and particulars, including a Natura Impact Statement, lodged with An Bord Pleanála on the 16th day of February, 2022.

Proposed Development: Proposed development including:

- Demolition of derelict outbuildings (circa 269.26 square metres) and the construction of 57 residential units to include 39 number houses all two-storey high (15 number two-bed, 20 number three-bed, three number four-bed and one number five-bed) and 18 number duplex apartments (eight number one-bed and 10 number two-bed) up to three storeys high.
- The restoration of Rathellen House and associated outbuildings to accommodate six residential units (one number one-bed, three number two-bed and two number three-bed).
- A new access to the site is proposed via Sea Road.
- A segregated cycle path is proposed to link from Finisklin Road to Sea Road.
- The proposed development also includes the realignment of Sea Road to the west of the site to include new bus stops and pedestrian crossings.

- The proposal includes on-street car parking (100 spaces), public and private open space, boundary treatments, public lighting, site drainage works, internal road networks and footpath, an ESB switch rooms/kiosks, landscaping, play area and all ancillary site services and development works above and below ground.

Located at Rathellen House, Finisklin, County Sligo.

Decision

Approve the above proposed development based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the provisions of:

- (a) the EU Habitats Directive (92/43/EEC),
- (b) the European Communities (Birds and Natural Habitats) Regulations 2011,
- (c) the provisions of the Sligo County Development Plan 2017-2023 and the Sligo and Environs Development Plan 2010-2016,
- (d) the nature and scale of the proposed works,
- (e) the submissions and observations made in connection with the proposed development, and
- (f) the report and recommendation of the Inspector.

it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely impact on the environment or on the cultural, archaeological and built heritage of the area and would be acceptable in terms of pedestrian and traffic safety and would therefore be in accordance with the proper planning and sustainable development of the area.



Appropriate Assessment:

The Board agreed with the screening assessment, appropriate assessment and conclusions contained in the Inspector's report that the Cummeen Strand/Drumcliff Bay (Sligo Bay) Special Area of Conservation (Site Code: 000627) and the Cummeen Strand Special Protection Area (Site Code: 004035) are the European Sites for which there is a likelihood of significant effects.

The Board considered the submitted Natura Impact Statement and all other relevant submissions and carried out an appropriate assessment in relation to the potential effects of the proposed development on the above referenced European Sites in the vicinity of the application site. The Board noted that the proposed development is not directly connected with or necessary for the management of a European Site and considered the nature, scale and location of the proposed development, as well as the report of the Inspector.

In completing the appropriate assessment, the Board adopted the report of the Inspector and concluded that the proposed development, by itself, or in combination with other plans or projects in the vicinity, would not be likely to have a significant effect on the European Sites in view of the site's conservation objectives.

Proper Planning and Sustainable Development and Likely effects on the environment:

It is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely affect the environment and would otherwise be in accordance with the proper planning and sustainable development of the area.



CONDITIONS

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following condition. Where any mitigation measures or any conditions of approval require further details to be prepared by or on behalf of the local authority, these details shall be placed on the file and retained as part of the public record.

Reason: In the interests of clarity and the proper planning and sustainable development of the area and to ensure the protection of the environment.

2. The local authority, or any agent acting on its behalf, shall implement in full the mitigation measures contained in the Natura Impact Statement submitted with the application.

Reason: In the interests of clarity and the proper planning and sustainable development of the area and to ensure the protection of the environment.

3. Prior to commencement of development, the local authority or any agent acting on its behalf shall prepare a Construction and Demolition Environmental Management Plan (CDEMP) incorporating all measures set out in the application documentation including the mitigation measures indicated in the Natura Impact Statement and demonstration of proposals to ensure best practice. The plan shall address, inter alia, measures relating to the traffic management, waste management and water quality, and shall be placed on the file and retained as part of the public record.

Reason: In the interests of protecting the amenities of the area and the environment.

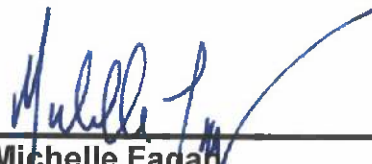


4. All areas of open space shown on the submitted drawings shall be reserved for such use and shall be levelled, contoured, soiled, seeded and landscaped. The open space shall be laid out and landscaped within six months of the occupation of the houses.

Reason: In the interests of proper development and amenity.

5. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site. In this regard, ducting shall be provided to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of orderly development and the visual amenities of the area.



Michelle Fagan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this *4th* day of *November* 2022