An Coimisiún Pleanála

Commission Order
PL-500315-SO-25

Planning and Development Act 2000, as amended

Planning Authority: Sligo County Council

Planning Register Reference Number: 24/60366

APPEAL by Brian O'Connell against the decision made on the 28th day of October, 2025 by Sligo County Council to grant subject to conditions a permission to RCEH Trust.

Proposed Development: Construction of 34 number residential units comprising of 18 number dwellings (eight number two-storey, semi-detached four-beds, four number two-storey, semi-detached three-beds, three number two-storey terrace, three-beds, and three number one-storey bungalow two-beds). 16 number duplex units (two number one-bed simplex units, six number two-bed simplex units, and six number three-bed duplex units and two number two-bed duplex units). Provision of a new vehicular and pedestrian access to the site from the adjoining Knoxville Manor estate. Provision of a new pedestrian access to the site from Main Street. Provision of car and bicycle parking. Provision of public open space, private open space, site landscaping, public lighting, bin stores and site services. Provision of an ESB substation. All ancillary and associated site and development works, all at Bellaghy, County Sligo, as revised by the further public notice received by the planning authority on the 4th day of September, 2025. Development on this site was previously granted under planning register reference number PL.06/1022.

Decision

REFUSE permission for the above proposed development for the reasons and considerations set out below.

Reasons and Considerations

1. Having regard to the location of the site, the nature of the proposed development, the adjacent River Moy Special Area of Conservation (Site Code: 002298), the watercourses alongside site boundaries and the central north-south drainage channel, to the OPW's CFRAM mapping, the flood risk information submitted by the applicant to the planning authority and to the Commission at appeal stage, to the information submitted by the third party appellant and the applicant's response to that information, to the placement of elements of drainage infrastructure within lands in Flood Zones A/B and the proximity of the hydrocarbon interceptor to that mapped flood zone, to the relevant provisions of "The Planning System and Flood Risk Management Guidelines for Planning Authorities" published by the Department of the Environment, Heritage and Local Government in November 2009, and noting the significant flood event on the site in November 2024, notwithstanding the findings of the submitted Site Specific Flood Risk Assessment and other supporting documentation, the applicant has failed to definitively confirm the precise extent of the flood risks across the site. In the absence of such information, which should be informed by a suitably scoped and robust site-specific hydraulic flood model (Stage 3 Flood Risk Assessment), taking account of the previous flood event, the Commission cannot be satisfied that the proposed development would not be prejudicial to public health by reason of a risk of flooding. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the information set out in the Natura Impact Statement submitted with the planning application, and its reliance on accurate flood information when considering potential impacts on the Special Area of Conservation, it is considered that it cannot be clearly ascertained that the proposed development, individually or in combination with other plans or projects, notwithstanding the implementation of proposed mitigation measures, would not adversely affect the integrity of the River Moy Special Area of Conservation (Site Code: 002298) in view of the Site's Conservation Objectives. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Declan Moore
Planning Commissioner of An Coimisiún Pleanála duly authorised to authenticate the seal of the Commission.

Dated this 2nd **day of** November **2026.**