

Planning and Development Act 2000, as amended

Planning Authority: Sligo County Council

Planning Register Reference Number: 2560457

Appeal by David C.Mandy and Lorna McLoughlin against the decision made on the 8th day of January 2026, by Sligo County Council to grant, subject to conditions, a permission to in accordance with plans and particulars lodged with the said Council.

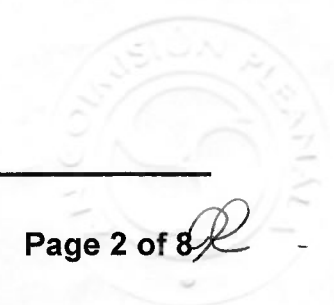
Proposed Development: Construction of a dwelling house, domestic garage, new site entrance. and on-site wastewater treatment system together with ancillary site development works all at Rathlee, Easkey, County Sligo.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the scale, form and design of the proposed development, the site's location in a remote rural area, the capacity of the site to absorb new development and the policy framework provided by the Sligo County Development Plan 2024-2030, it is considered that, subject to compliance with the conditions set out below, the proposed development, which is appropriately proportioned, responds to its rural setting and is an acceptable form of development at this location. Having further regard to the separation distances provided, the proposed boundary and landscape treatments, it is considered that the proposed development would not seriously injure the amenities of the neighbouring properties or the character of the area including the character or setting of Rathlee Tower and would be acceptable in terms of traffic safety, having regard to the low speed traffic environment where the site is located and would comply with the guidance set out within the Environmental Protection Agency's Code of Practice– Wastewater Treatment and Disposal Systems Serving Single Houses (2021). The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.



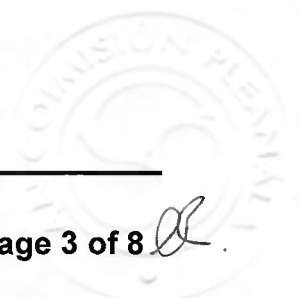
Conditions

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 by the planning authority on the 18th day of December 2025, 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 interest of clarity.

2. The finished floor level of the proposed dwelling house shall not exceed 25.30 metres in accordance with the site layout plan received by the planning authority on the 2nd day of November 2025, as amended by the further plans and particulars received by the planning authority on the 18th day of December 2025.

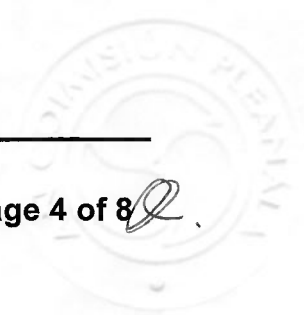
Reason: In the interest of proper planning and sustainable development.



3. (a) The vehicular access, including visibility splays, shall comply with the requirements of the planning authority for such works and services and the new piers and wingwalls shall be constructed from stone from the existing roadside boundary and shall not exceed 1.2 metres in height, details of which shall be agreed in writing with the planning authority prior to the commencement of development.
- (b) Prior to commencement of development, proposals shall be submitted to, and agreed in writing with, the planning authority for the retention and restoration of the stone boundary walls surrounding the site.

Reason: In the interests of amenity, traffic and road safety.

4. (a) All ground works associated with the proposed development shall be monitored under licence by a suitably qualified archaeologist. Prior to construction all previously identified archaeological features and deposits should be conserved by record (full excavation) prior to any ground works under the terms of an agreed Method Statement agreed by the National Monuments Service. All topsoil stripping associated with the archaeological monitoring shall be carried out using a toothless flat grading bucket only.
- (b) Should further archaeological material be found during the course of works, the work on the site shall be stopped pending a decision as to how best to deal with the archaeology. The developer shall be prepared to be advised by the planning authority and the National Monuments Service with regard to any necessary mitigating action (for example, preservation in situ, or excavation) and shall facilitate the archaeologist in recording any material found.



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

5. (a) The proposed wastewater drainage system shall be installed in accordance with the standards and separation distances set out in the document entitled "Code of Practice – Domestic Wastewater Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021.
- (b) The developer shall enter a maintenance contract with the manufacturers/suppliers of the wastewater treatment system to ensure satisfactory performance at all times.
- (c) The developer shall submit documentary evidence signed by a suitably qualified person stating that the wastewater treatment system has been installed in accordance with Environmental Protection Agency guidelines.

Reason: In the interest of protecting the environment and residential amenity.

6. Landscaping shall be carried out in accordance with the scheme received by the planning authority on the 2nd day of November 2025, as amended by the further plans and particulars received by the planning authority on the 18th day of December 2025. This landscaping shall be implemented not later than the first planting season after commencement of the development. Any planting that is diseased or fails within five years of planting shall be replaced.

Reason: In the interest of visual amenity.

7. (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.
- (b) The access driveway to the proposed development shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to surrounding properties.

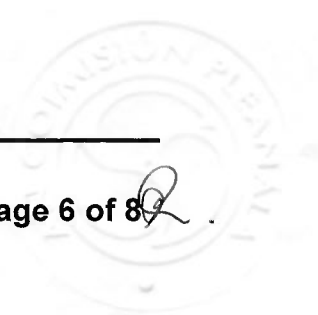
Reason: In the interest of traffic safety and to prevent pollution.

8. The developer shall enter into a connection agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network and adhere to the standards and conditions set out in that agreement.

Reason: In the interest of public health.

9. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing over ground cables shall be relocated underground as part of the site development works.

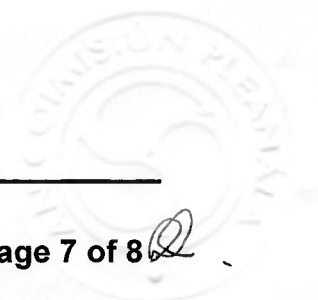
Reason: In the interests of visual and residential amenity.



10. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

11. 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.




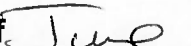
Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Mick Long

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



Dated this  day of  2026