



An
Coimisiún
Pleanála

Inspector's Report PL-500229-SO-25

Development	Change of use from commercial to residential to facilitate the construction of 3 new residential dwellings and all associated site works.
Location	7 Union Street, Rathedmond, Sligo.
Planning Authority	Sligo County Council
Planning Authority Reg. Ref.	2560099
Applicant	Jonathan Fowley
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant	Eugene Kelly
Observer	None
Date of Site Inspection	15 th January 2026
Inspector	John Duffy

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Appendix 1 – Form 1: EIA Pre-Screening

Appendix 2 – Form 2: EIA Preliminary Examination

1.0 Site Location and Description

- 1.1. The appeal site, measuring approximately 0.015ha is located at No. 7 Union Street, Rathedmond, in Sligo town centre and approximately 450m from Sligo (Mac Diarmada) Train Station. Union Street and the subject site are elevated above the N4 which runs to the rear of the property.
- 1.2. The site accommodates a disused and derelict mid-terrace two storey building fronting directly onto the footpath and street which is not served with on-street parking spaces. The subject building would originally have been in residential use but was subsequently converted into offices. The property is in a very poor state of repair with significant roof damage and graffiti on the front elevation. A two storey rear extension is without a roof covering and submitted floor plans indicate the absence of a first floor in the building.
- 1.3. The building adjoins a well-kept and extended two-storey terraced house to the south. To the north the subject property is attached to the three storey Old Mill Apartment Complex, which is a Protected Structure (RPS No. 224 SE) and listed on the National Inventory of Architectural Heritage (NIAH). Its former use was as a mill building and it is considered to be a valuable reminder of Sligo's industrial past. The Protected Structure makes a very positive contribution to the streetscape.

2.0 Proposed Development

- 2.1. Permission is sought for the following:
 - Change of use from commercial to residential use.
 - Demolition of fully derelict existing two storey rear extension and construction of a new two storey rear extension alongside renovation of the existing building.
 - New dormer extension within the rear roof slope of the existing building.
 - Proposed works to provide 3 new residential units as follows:
 - 1 no. two bedroom unit at ground floor level (82.8sqm)
 - 1 no. one bedroom unit at first floor level (48.5sqm)
 - 1 no. duplex unit at first floor and attic level (59.2sqm).

- All ancillary and associated site development works.
- Communal internal bin storage to be accessed from street level.
- No car parking is proposed.
- The ground floor two bedroom unit has access to rear private amenity space (c 20sqm).
- No private amenity space is provided for other units.
- Section 20 of the application form confirms existing connections to both the public water supply and public sewer.

In response to a Further Information (FI) request which noted that the bedroom of the proposed first floor apartment would be served by rooflights only, revised plans were submitted which show the replacement of that one bedroom unit with a studio apartment.

3.0 **Planning Authority Decision**

3.1. **Further Information (FI) Request**

Prior to the decision made to grant permission for the proposed development, the planning authority requested FI on 2nd May 2025 in relation to four items, summarised as follows:

1. The subject building is attached to a protected structure. Inadequate detail is provided regarding the impact of the proposal on the protected structure and the methodology for the proposed construction works. The applicant shall submit a conservation impact assessment prepared by a qualified and experienced conservation architect addressing above concerns.

2. No breakdown is provided to show that the proposal complies with the *Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities*. Also noted that the proposal includes a bedroom without a window which would be substandard. Submit details to address the foregoing.

3. Alterations to front elevation would result in the loss of traditional shop front features and propose a frontage not in keeping with the street. Submit revised drawings to address this.

4. It has come to the planning authority's attention that the applicant may not have a sufficient legal interest over the entire landholding and there may be a right of way along the west of the site. Submit appropriate documentation to address this matter.

3.2. **Decision**

The planning authority made a decision to grant permission on 3rd November 2025 subject to 9 conditions which are generally standard in nature. Condition 2 requires, inter alia, submission of a Construction Stage Traffic Management Plan. Condition 7 requires submission of a Construction / Demolition Waste Management Plan and Environmental Management Plan.

3.3. **Planning Authority Reports**

3.3.1. Planning Reports

The Planning Officer's first report (dated 29th April 2025) sets out the planning history for the site and relevant local policies, in addition to a summary of the third party observation received. It provides an assessment of the proposal and notes the following:

- 2 proposed units have no private open space.
- Concerns raised regarding front elevation/ loss of shopfront.
- No additional issues of overlooking or overshadowing from previous permission.
- No breakdown provided in terms of quantum of floor space, storage, open space, etc.
- No significant uplift in requirements for parking as a result of the change of use proposal.

The report recommends that FI is sought as per the four items detailed in section 3.1 above.

The Planning Officer's second report dated 30th October 2025 considers that the FI items are generally addressed and that overall, the proposed development is considered to be in keeping with developments in the area and with the provisions of the County Development Plan. The report notes the following:

- Submitted Conservation Report / Impact Assessment (prepared by an architecture firm accredited in conservation) finds the proposal will have a positive impact on the street and would likely benefit the long term protection of the adjoining protected structure as it will restore the exposed gable to its original condition and remove the continued risk associated with unoccupied and derelict buildings.
- A breakdown of the proposed development relative to the Apartment Guidelines is provided. Noted that one studio unit is proposed in place of the first floor apartment.
- Noted that the proposed building would originally have been in residential use.
- Land Registry information provided confirming applicant as owner of the site.

3.3.2. Other Technical Reports

Environment Report dated 26th March 2025: No objection in principle. FI recommended regarding submission of a site specific Construction / Demolition Waste Management Plan.

Sligo Regional Design Office report dated 19th March 2025: While I note the planner's report indicates no report was received from the Area Engineer, this report from the Design Office was received and it notes no objection to the proposal. The report states the site is located within the study area of the proposed N4/ N16 Sligo Urban Active Travel Project, however considering the nature of the proposal and the risk of impact, there is no objection.

Assistant Chief Fire Officer Report dated 24th March 2025: Fire Certificate required.

3.4. **Prescribed Bodies**

No reports on file. Uisce Éireann was invited to comment however no report was received. The first planner's report notes that the application was referred to the Development Applications Unit (DAU) and the Heritage Council and that no comments had been received.

3.5. **Third Party Observations**

One third party observation was received in connection with the proposal. Concerns raised are as follows:

- Proposal for three residential units in building is not in keeping with the area.
- No parking is available to serve the proposed development. Traffic hazard.
- Noise pollution.
- Impact on environment.
- Overlooking from Mill Apartments.
- Issue with site notice dates.

4.0 **Planning History**

PA Reg. Ref. 01/70008 refers to an April 2001 decision to grant permission and retention permission for change of use of ground and first floor of No. 7 Union Street, Sligo from residential to two office units and retention of a two storey extension to the rear.

5.0 **Policy Context**

5.1. **Development Plan**

5.1.1. The Sligo County Development Plan 2024-2030 is the operative Plan for the area, and it came into force on 11th November 2024. On 8th of November 2024, the Minister of State for Local Government and Planning issued a 'Draft Direction' to the planning authority under Section 31 of the Planning and Development Act, 2000 (as amended). The Draft Direction concerns a number of items which do not specifically relate to the subject site. Therefore, I am satisfied that the Commission may assess the appeal under the current development plan.

5.1.2. The appeal site is zoned 'TC1 – Town Centre Uses, Type 1' with the Objective to 'Protect the historic character and of Sligo's old town core through conservation, regeneration and public realm improvements, and promote civic, retail and compatible

uses that preserve the town core's identity and attractiveness.' The Zoning Matrix (Chapter 10) indicates that the use type 'Residential – apartments' is normally permitted within the TC1 zoning.

5.1.3. Chapter 10 relates to urban development principles. Town Centre First policies are set out in this chapter. TCF-5 is relevant to the proposal and states the following:

TCF-5: Strengthen the economic and social functions of town centres by ensuring that:

- *retail or commercial uses are retained at the ground floor level within urban cores;*
- *retail and other development proposals enhance the public realm in their vicinity through active frontages and any necessary remedial works to adjoining public spaces;*
- *vacant premises are brought back into active use;*
- *“meanwhile use”, i.e. suitable temporary uses, can be established in vacant units;*
- *town centre homes in new or refurbished buildings provide suitable options for one-person households and people with reduced mobility.*

5.1.4. Chapter 25 relates to Built Heritage. Section 25.3 relates to architectural heritage and notes that the Plan seeks to protect and conserve building and structures of architectural, historical, archaeological, artistic, cultural, scientific, social and technical importance. The following is stated in relation to Industrial heritage:

Industrial heritage consists of structures associated with manufacturing, transportation, communications, public utilities and materials extraction. Examples include canals, railway structures, mills, warehouses, lighthouses, lime kilns and milestones. A desktop survey of the industrial heritage of County Sligo was carried out in 2005.

The subject property is attached on its northern side to the three storey Old Mill Apartment Complex, which is a Protected Structure (RPS No. 224 SE) and listed on

the National Inventory of Architectural Heritage (Reg. No. 32006055) as having regional importance. The NIAH describes the protected structure as follows:

Terraced two-bay three-storey former warehouse, built c. 1870, with integral carriage arch to south. No longer in use. Pitched slate roof, cast-iron rainwater goods. Uncoursed rubble limestone walling. Square-headed window openings, brick dressings, stone sills, painted timber one-over-one sash windows, iron bars to ground floor. Elliptical-headed opening to carriage arch, painted stone voussoirs, impost, pilasters and plinths, painted timber vertically-sheeted double doors, stone carriage wheel fenders to east and west. Street fronted.

Chapter 33 relates to Development Management Standards. Section 33.2.2 Impact of development on its surroundings. The following factors, inter alia, will be considered in assessing the impact of a proposed development in both urban and rural areas:

- Degree of overshadowing and loss of light to surrounding properties and amenity spaces.
- Degree of overlooking and consequent loss of privacy for adjoining properties.
- The quality of the overall design.

Section 33.6: Impact on architectural heritage

In order to protect, strengthen and improve the presentation and the general character of the County's built heritage, alterations and interventions to Protected Structures shall be executed to a high conservation standard and shall not detract from their significance or value. Where an application relates to a development which would consist of, or comprise the carrying out of works to a protected structure, the planning authority will have regard to the Architectural Heritage Protection Guidelines for Planning Authorities (DAHG, 2011) and the following should accompany the planning application:

- *drawings of elevations of the main features of any building within the curtilage of the protected structure which would be materially affected by the proposed development;*
- *photographs, plans and other particulars as are necessary to show how the development would affect the character of the structure;*

- *brief written statement describing and justifying the proposed works and the philosophy that informs their methodology;*
- *photographs sufficient to describe (i) the overall appearance of the exterior of the protected structure, including all exposed sides, its setting and its relationship with surrounding structure; (ii) any interior spaces or features that it is proposed to change; (iii) details of the exterior and interior sufficient to describe the structure's character and materials of construction.*
- *conservation impact assessment prepared by a qualified and experienced conservation architect; the assessment should include a report on the condition of the protected structure.*

5.2. National Planning Policy

5.2.1. National Planning Framework (NPF) – First Revision (April 2025)

The First Revision of the NPF was approved by the Houses of the Oireachtas following the decision of Government on 8th April 2025 to approve the Final Revised NPF. Sligo is designated as a regional centre in the Revised NPF

Chapter 2 of the First Revision of the NPF is entitled 'A New Way Forward.' Relevant National Policy Objectives (NPOs) include:

NPO 7: Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements and ensure compact and sequential patterns of growth.

NPO 9: Deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints and ensure compact and sequential patterns of growth.

- NPO 42: To target the delivery of housing to accommodate approximately 50,000 additional homes per annum to 2040.
- NPO 43: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location
- NPO 45: Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development

schemes, area or site-based regeneration, increased building height and more compact forms of development.

5.3. Section 28 Guidelines

5.3.1. Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024)

Section 1.3.2 relating to Compact Growth notes the following: *In order to achieve compact growth, we will need to support more intensive use of existing buildings and properties, including the re-use of existing buildings that are vacant and more intensive use of previously developed land and infill sites, in addition to the development of sites in locations served by existing facilities and public transport.*

5.3.2. Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (2023)

These Guidelines provide a range of information for apartment developments including detailing minimum room and floor areas and storage provision.

Section 6.9 states the following:

Planning Authorities are also requested to practically and flexibly apply the general requirements of these guidelines in relation to refurbishment schemes, particularly in historic buildings, some urban townscapes and ‘over the shop’ type or other existing building conversion projects, where property owners must work with existing building fabric and dimensions. Ultimately, building standards provide a key reference point and planning authorities must prioritise the objective of more effective usage of existing underutilised accommodation, including empty buildings and vacant upper floors commensurate with these building standards requirements.

Specific Planning Policy Requirement (SPPR) 1: *Housing developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms. Statutory development plans may specify a mix for apartment and other housing developments, but only further to an evidence-*

based Housing Need and Demand Assessment (HNDA), that has been agreed on an area, county, city or metropolitan area basis and incorporated into the relevant development plan(s).

SPPR 2: *For all building refurbishment schemes on sites of any size, or urban infill schemes on sites of up to 0.25 ha*

- Where up to 9 residential units are proposed, notwithstanding SPPR 1, there shall be no restriction on dwelling mix, provided no more than 50% of the development (i.e., up to 4 units) comprises studio-type units;

- Where between 10 to 49 residential units are proposed, the flexible dwelling mix provision for the first 9 units may be carried forward and the parameters set out in SPPR 1, shall apply from the 10th residential unit to the 49th;

- For schemes of 50 or more units, SPPR 1 shall apply to the entire development;

All standards set out in this guidance shall generally apply to building refurbishment schemes on sites of any size, or urban infill schemes, but there shall also be scope for planning authorities to exercise discretion on a case-by-case basis, having regard to the overall quality of a proposed development.

SPPR 3 sets out minimum apartment floor areas, which is 37 sqm in the case of a studio apartment (1 person), 45 sqm in the case of a 1 bedroom apartment (2 persons), and 73 sqm in the case of a 2 bedroom apartment (45sqm).

SPPR 4 relates to dual aspect ratios and requires a minimum of 33% dual aspect apartments in a single scheme in more central and accessible urban locations. It notes that planning authorities may exercise further discretion in this regard on a case by case basis for building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25 ha.

SPPR 5 relates to ground level apartment floor to ceiling heights to be a minimum of 2.7 m. It allows for discretion to be applied for building refurbishment schemes on sites of any size or urban infill schemes on sites up to 0.25 ha.

Storage provision: Minimum requirements for storage are set out in Appendix 1 and storage provision for studio apartments, one bed (2 person) apartments and two bed (4 person) apartments is given as 3 sqm, 3sqm and 6sqm respectively. Section 3.34 states that for building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, the storage requirement may be relaxed in part, on a case-by-case basis, subject to overall design quality.

Private amenity space and communal open space: Minimum standards are set out in Appendix 1 and the standard for a studio apartment in terms of both private and communal open space is 4 sqm. For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha , these requirements may be relaxed in part or whole, on a case-by-case basis, subject to overall design quality.

Bicycle storage: Section 4.15 relates to bicycle parking and storage. For studio apartments at least one cycle storage space should be provided while visitor cycle parking at a standard of one space per two units is stated. Deviation from these standards is at the discretion of the planning authority but should be justified.

Refuse storage: Section 4.8 relates to refuse storage and notes there should be adequate provision for temporary storage of segregated materials prior to deposition in communal waste storage.

I note that the *Planning Design Standards for Apartments, Guidelines for Planning Authorities* were published on 8th of July 2025. Section 1.1 of the guidelines state that they only apply to planning applications submitted after the publication of the guidelines. I am therefore satisfied that these guidelines are not relevant to the current appeal, given that the planning application was submitted in March 2025.

5.4. **Natural Heritage Designations**

The proposed development is not located within or immediately adjacent to any European Site. The subject site is located c 0.25km south west of both the Cummeem Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code 000627) and Cummeem Strand SPA (Site Code 004035) and c 0.36km north-west of Lough Gill SAC (Site Code 0001976).

5.5. EIA Screening

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

6.0 The Appeal

6.1. Grounds of Appeal

Eugene Kelly of Union Street, Sligo has submitted a third party appeal against the decision made by Sligo County Council to grant permission for the proposed development. The appeal may be summarised as follows:

- The proposed intensification of use on this constrained site represents overdevelopment and the subdivision of the townhouse will have a detrimental impact on the character and amenity of the surrounding area including the appellant's property adjoining the site.
- The proposed development is inconsistent with the established pattern and density of development along Union Street, characterised by traditional townhouses. As such the proposal would conflict with Policy HOU-4 and Objective O-HOU-1 of the Sligo County Development Plan 2017-2023 (as extended).
- The subdivision of the dwelling will cause the following impacts:
 - Noise and disturbance, refuse movements, and increased comings and goings.
 - Loss of privacy and overlooking impacts.
 - Over-intensified use of limited outdoor space, unsuitable for multiple dwellings.

The above impacts are contrary to Development Management Standards of the County Development Plan which require new development to protect existing residential amenity.

- It has not been demonstrated that sufficient off-street parking or safe access for three separate units can be achieved. Additional vehicles generated by the proposal would exacerbate congestion and parking pressure and would be contrary to Policy P-TRA-4.
- Proposed layout is inadequate to provide amenity space for future occupants, conflicting with the Sustainable Residential Development Guidelines (2009) and Development Plan standards. This would lead to substandard living conditions.
- The proposed development would set an undesirable precedent for similar developments resulting in cumulative adverse impacts on parking, privacy and neighbourhood character and eroding the established pattern of development in this historic residential area.

The following documents are appended to the appeal:

- Copy of the Notification of Decision dated 3rd November 2025.
- A copy of the planning authority's acknowledgement of the submission made by Eugene Kelly in respect of the planning application.
- A copy of an e-mail from the planning authority's Enforcement Section to Eugene Kelly dated 4th July 2025.

While the appeal indicates that a copy of the appellant's objection to the proposal submitted at application stage is included with the appeal, I note there is no such document appended to the appeal.

6.2. Applicant Response

None on file.

6.3. Planning Authority Response

The response received on 1st December 2025 refers the Commission to the planner's report and considers the proposed development which is considered to be consistent

with the provisions of the County Development Plan would be suitable at the subject location. The response notes the appellant has not submitted any additional information in the appeal which would alter the decision made on the application.

6.4. **Observations**

None.

7.0 **Assessment**

7.1. Having examined the application details and all other documentation on file, including the reports of the local authority, and having inspected the site, and having regard to the relevant local and national policies and guidance, I consider the substantive issues in this appeal to be considered as follows:

- Principle of development
- Character and Density
- Compliance with Apartment Guidelines
- Impact on Residential Amenity
- Car parking
- Other issues
- Water Framework Directive - Screening

7.2. **Principle of development**

7.2.1. A wide variety of uses, including 'Residential – apartments' are acceptable in principle within the TC1 – Town Centre zoning objective as set out in the Sligo County Development Plan 2024-2030. The proposed development which would facilitate residential growth in the town centre involves the bringing back into use of a derelict building. As such, the proposal involves regeneration of this part of Union Street, which is supported by the TC1 zoning objective which specifically references regeneration as a factor which serves to protect the historic character of Sligo's old town core. Furthermore, in my view the proposed development comprising three new residential

units in Sligo town centre would contribute to the diversity and vibrancy of the town centre and lead to other benefits including economic spin-offs for the area.

- 7.2.2. The proposed development also aligns with Sligo County Development Plan Town Centre First Policy *TCF-5* on the basis that the economic and social functions of the town centre would be strengthened by bringing back a vacant and disused premises into active use and ensuring that the refurbished building would provide suitable options for one person households, having regard to the unit mix proposed comprising a studio apartment, a one bed apartment in addition to the two bed ground floor unit.

7.3. **Character and Density**

Character of the area

- 7.3.1. The appellant raises concerns that the proposed development is inconsistent with the established pattern of development along Union Street. I note that the planning authority raised no concerns in terms of how the proposal would impact on the character of this town centre location. The character of the immediate area comprises a mixture of two and three storey buildings. I note that there are a mix of uses along Union Street, predominantly residential use, but also office, retail and uses related to health services.
- 7.3.2. Having visited the site and its environs I would not concur with the appellant's view that the proposed development is out of character with the area. The appeal site is located within Sligo town centre. As set out above there are a variety of building types in the locality and a range of land uses. Should permission be granted, the proposed development would remain of two storey design and would accommodate three residential units. I note that immediately adjoining the appeal site to the north stands the Old Mill Complex, a Protected Structure (RPS No. 224 SE) which has been restored and repurposed and now accommodates 21 apartment units. I conclude therefore that multi-unit developments are already part of the character of this area and I do not concur with the idea that the proposed development comprising three units in a single building would be detrimental to the character of this part of Sligo town centre.

7.3.3. In the context of the conversion of the building into three residential units and the character of the area, the appeal considers that the proposed development would conflict with two objectives / policies (Policy HOU-4 and Objective O-HOU-1) stated to be included in the Sligo County Development Plan 2017-2023 (as extended). I note however that the provisions of the aforementioned County Development Plan no longer apply and that it has been superseded by the Sligo County Development Plan 2024-2030, which is now the operative plan for the area.

Density

7.3.4. The appellant considers the proposed development would represent overdevelopment of the subject site.

7.3.5. The proposal comprising three residential units on the constrained town centre site (0.015ha) yields a resultant net density of 200 units per hectare (uph). Section 3.2.6 of the Sligo County Development Plan 2024-2030 recommends a density range from 50 to 150 uph for Sligo town, while section 26.1.2 notes that the higher density range of 50-150 uph is applicable in areas zoned TC1 and TC2 in Sligo town. Section 26.1.2 of the County Development Plan states that the planning authority will have regard to the *Sustainable Residential Development and Compact Settlements Guidelines (2024)* in determining appropriate densities for each development proposal. In this regard I note the Planning Officer's report considered the proposed density to be in keeping with the aforementioned Guidelines.

7.3.6. Table 3.4 of the Guidelines relates to Areas and Density Ranges in Regional Growth Centres. The appeal site is located in Sligo town centre and as such it falls within the 'Centre and Urban Neighbourhood' category as set out in Table 3.4, where it is a policy and objective of the Guidelines that residential densities in the range of 50-150 dph (net) shall generally be applied. I would consider that the Guidelines allow for flexibility in stating that densities shall 'generally' accord with Table 3.4. The proposed development involves a small number of units (three) on a constrained town centre site. I note the Planning Officer's report considered the proposed density to be in keeping with the aforementioned Guidelines and I would concur with this view. While the Commission could (if minded to grant permission) omit one of the units, I would not recommend this course of action, having regard to the nature of the proposal

involving provision of a small number of units within an existing derelict property. In my view the proposed development is a good town centre refurbishment scheme with a mix of unit types which would provide much-needed suitable residential options for small households.

7.4. Compliance with Apartment Guidelines

- 7.4.1. The proposed scheme comprises three units as per the FI response, namely a ground floor 2 bed, 4 person apartment, a studio apartment at first floor level and a one bed, 2 person apartment at first floor and attic level. I note Section 6.9 of the *Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities* (DHLGH, 2023) requests that the general requirements be practically and flexibly applied for refurbishment schemes particularly in historic buildings or in other existing building conversion projects.
- 7.4.2. SPPR 2 notes that where up to nine residential units are proposed there shall be no restriction on dwelling mix, provided no more than 50% of the development comprises studio type units. In this instance c 33% of the development comprises a studio apartment as per the FI response. Section 6.9 as referred to above advises that planning authorities must prioritise more effective usage of existing underutilised accommodation including empty buildings and vacant upper floors. Having regard to this and the nature of this town centre site which accommodates an existing vacant and derelict building, the proposed unit typology is fully acceptable.
- 7.4.3. SPPR 3 provides minimum floor areas for apartments (section 5.6.2 above refers). Each apartment unit is above the minimum floor area required. The proposal complies with SPPR 3.
- 7.4.4. SPPR 4 requires a minimum of 33% dual aspect apartments in a single scheme in more central and accessible urban locations. Upon review of the submitted floor plans two units (the 1 and 2 bed apartments) are dual aspect. The proposal complies with SPPR 4.
- 7.4.5. SPPR 5 relates to ground level apartment floor to ceiling heights to be a minimum of 2.7 m. It allows for discretion to be applied for building refurbishment schemes on sites of any size or urban infill schemes on sites up to 0.25 ha. Having reviewed the section

drawings it is apparent that the ground level floor to ceiling height measures 2.6m. Given that the proposal relates to a building refurbishment scheme, this floor to ceiling height is considered acceptable.

- 7.4.6. Storage provision within each unit complies with minimum standards as set out in Appendix 1 of the Apartment Guidelines.
- 7.4.7. The largest apartment (2 bed unit at ground floor level) has access to ample rear private amenity space. No outdoor private amenity space is allocated to the proposed studio unit and one bed room unit. However, I note the Apartment Guidelines at section 3.39 state that for building refurbishment schemes on sites of any size or urban infill schemes on sites up to 0.25ha, private amenity space requirements may be relaxed in part or whole subject to overall design quality. In my view, this proposed scheme is of good design quality as evidenced above through my examination of how this refurbishment proposal largely accords with the Apartment Guidelines. In that regard I am satisfied that private amenity requirements may be relaxed for the studio unit and 1 bed apartment.

7.5. Impact on Residential Amenity

- 7.5.1. The appellant considers that the proposed development would negatively impact of residential amenity through loss of privacy due to overlooking impacts, noise and disturbance, increased coming and goings, refuse movements, and over-intensified use of outdoor space unsuitable for multiple dwellings.
- 7.5.2. As set out in the Planning Officer's report, the proposed development relates to the refurbishment of the building and replacement of a permitted two storey extension on an enlarged ground floor footprint but generally the same footprint at first floor level. Given that no additional windows at first floor level are proposed, no additional issues of overshadowing or over-looking leading to a loss of privacy arise from that previously granted permission. In addition, I do not consider that overlooking impacts significantly over and above those at first floor level would arise from the attic level dormer window.
- 7.5.3. I note the location of the proposed development within Sligo town-centre. I am satisfied that the proposal would not significantly add to existing noise levels that are already

experienced in this area. In my view the proposal would add to the activity and vibrancy of the area and would also result in the significant benefit to the area of bringing back into use a building which has been in a derelict state for many years. I do not concur with the appellant that the requirement for the proposed development to be served by refuse vehicles would adversely impact on residential amenity, noting that all residential properties in the town, including those located on Union Street, have access to refuse collection services.

7.5.4. Noting the appellant's concerns relating to intensified use of the outdoor amenity space, I note from the floor plans submitted with the application that future occupants of the ground floor apartment unit would have sole access to the rear private amenity space. In this regard the use of this amenity area would be appropriate.

7.5.5. Having regard to the foregoing, I conclude that the proposed development would not adversely impact the residential amenity of the area.

7.5.6. **Car parking**

7.5.7. The appellant considers that it has not been demonstrated that sufficient off-street parking or safe access for three separate units can be achieved. It is contended that the additional traffic generated by the proposal would exacerbate congestion, parking pressure and would therefore be contrary to Policy P-TRA-4 of the County Development Plan.

7.5.8. Table 33.10 of the County Development Plan indicates a parking standard of 0.5 to 1 space per apartment unit within Sligo town centre (TC1 and TC2 zoned lands). The Development Plan notes that when assessing planning applications for a change of use or for replacement buildings *'the determination of parking requirements may be done as follows: the required parking spaces for the existing use (whether provided on site or not) will be subtracted from the total number of parking spaces required by the replacement use.* It goes on to note that where the provision of on-site parking is not possible, a financial contribution towards the provision of car parking elsewhere may be required by the Authority, in accordance with Section 48 of the Planning and Development Act 2000 (as amended).

- 7.5.9. I note that both sides of Union Street have double yellow lines and as such no on-street parking is possible. I note also that the thrust of the Compact Settlements Guidelines and SPPR 3 - Car Parking therein, is to substantially reduce carparking provision within accessible locations.
- 7.5.10. While I acknowledge the appellant's concerns relating to increased traffic congestion and parking pressure, given the unit mix proposed I do not anticipate that the proposed development would significantly add to traffic congestion or parking pressure in the area. Further, given the town centre location of the site it is likely that future residents would be able to avail of existing active travel infrastructure and public transport in lieu of a car. In this regard I also note that the *Sustainable Urban Housing: Design Standards for New Apartments* state that for building refurbishment schemes on sites of up to 0.25ha (such as the appeal site), car parking provision may be relaxed in part or whole, on a case by case basis, subject to overall design quality and location. Given the central location of the site within Sligo town centre and proximity to public transport facilities including the train station, and the design quality of the scheme which also involves complete refurbishment of a derelict building, I consider that car parking provision can be relaxed in this instance.
- 7.5.11. The appellant refers to Policy P-TRA-4 of the County Development Plan; however, I am unable to locate any reference to that policy in the current Plan. I note that SP-TRA-4 in the former County Development Plan (now expired) required that new development does not compromise rail, road and cycling corridors in the County. In this context, I am satisfied that the proposal would not compromise any transport corridors whatsoever.

7.6. Other issues

7.6.1. Precedent

I do not concur with the appellant's view that the proposed development would create an undesirable precedent. This town centre site is brownfield in nature, accommodates a derelict building which shall be refurbished to deliver a small number of apartment units. This proposal facilitates compact growth which is supported and encouraged by local, regional and national planning policies.

Planning Authority conditions

7.6.2. The planning authority conditions are generally standard and appropriate to this case, given the nature of the proposed development. As such, should permission be granted I recommend inclusion of the majority of conditions in the Commission's Order, subject to minor amendment so that the conditions accord with the Commission's standard wording / text.

7.7. Water Framework Directive - Screening

7.7.1. The subject site is a brownfield town-centre site which accommodates a derelict two storey terraced building which was originally in residential use and later used for commercial purposes. The proposed development involves returning the building to residential use, demolition of the derelict two storey rear extension and its replacement with a new two storey extension along with renovation of the building to facilitate three apartments (1 studio unit, 1 no. 1 bed apartment and 1 no. 2 bed apartment) and all site development works. The building has existing connections to public drainage, water supply and wastewater infrastructure.

7.7.2. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface and ground water bodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and town centre location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and groundwater bodies either qualitatively or quantitatively. The reasons for this are as follows:

- The location of the site in a serviced urban area.
- The nature of the works comprising a relatively small scale of development.
- The lack of direct hydrological connections from the site to any surface and transitional water bodies.
- Standard pollution controls that would be implemented.

7.7.3. I conclude, on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

8.0 AA Screening

8.1. I have considered the proposed development which involves returning the building to residential use, demolition of the derelict two storey rear extension and its replacement with a new two storey extension along with renovation of the building to facilitate three apartments (1 studio unit, 1 no. 1 bed apartment and 1 no. 2 bed apartment) and all site development works, in light of the requirements of sections 177S and 177U of the Planning and Development Act 2000, as amended.

The proposed development is not located within or immediately adjacent to any European Site. The subject site is located c 0.25km south west of both the Cummeem Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code 000627) and Cummeem Strand SPA (Site Code 004035) and c 0.36km north-west of Lough Gill SAC (Site Code 0001976).

8.2. Having considered the nature, scale and location of the project, I am satisfied it can be eliminated from further assessment because it could not have any effect on a European Site. The reasons for this conclusion are as follows:

- The location of the site in a serviced urban area.
- Relatively small scale and nature of the proposal.
- Standard pollution controls that would be implemented when working on a construction site regardless of proximity to a European Site and the effectiveness of same.
- Location-distance from nearest European sites.
- Absence of any meaningful direct and indirect pathways to any European site.
- Taking into account the screening determination of the planning authority.

- 8.3. I conclude on the basis of objective information that the proposed development would not have a likely significant effect on any European Site either alone or in combination with any other plans or projects.
- 8.4. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000 as amended) is not required.

9.0 Recommendation

- 9.1. I recommend that permission be granted.

10.0 Reasons and Considerations

Having regard to the provisions of the Sligo County Development Plan 2024-2030, the applicable site zoning objective ‘TC1’ which seeks inter alia to protect the historic character of Sligo’s old town core through conservation, regeneration and public realm improvements, and to the pattern of development in the area, it is considered that the proposed development would result in a vacant and disused building being brought back into active use, and subject to compliance with the conditions set out below, it is considered the proposed development would be in accordance with the policies and objectives of the Sligo County Development Plan 2024-2030, would not seriously injure the residential amenities of the area, would not adversely impact on the established character of the area, would not constitute overdevelopment of the subject site, would not give rise to significant noise and disturbance, would be acceptable in terms of the residential amenities of future occupants, would not result in increased traffic congestion, and would align with national and local policy to achieve higher density and compact developments in town centres. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 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 14 th day of
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	<p>October 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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>This permission is for 3 residential units comprising 1 number studio unit, 1 number one bedroom unit and 1 number two bedroom unit.</p> <p>Reason: In the interest of clarity.</p>
3.	<p>Details of the materials, colours and textures of all the external finishes to the proposed residential units shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.</p>
4.	<p>Prior to commencement of development, the developer shall enter into water and wastewater connection agreements with Uisce Éireann.</p> <p>Reason: In the interest of public health.</p>
5.	<p>Drainage arrangements, including the attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
6.	<p>A plan containing details for the management of waste within the apartments, including the provision of facilities for the storage, separation and collection of the waste, and, in particular, recyclable materials and for the ongoing operation of these facilities for each apartment shall be submitted to, and agreed in writing with, the planning authority not later than six months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.</p>

	<p>Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.</p>
7.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:</p> <ul style="list-style-type: none"> (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse; (b) Location of areas for construction site offices and staff facilities; (c) Details of site security fencing and hoardings; (d) Details of car parking facilities for site workers during the course of construction; (e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site; (f) Measures to obviate queuing of construction traffic on the adjoining road network; (g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network; (h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works; (i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels; (j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;

	<p>(k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;</p> <p>(m) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.</p> <p>(n) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority.</p> <p>Reason: In the interest of amenities, public health and safety and environmental protection.</p>
8.	<p>Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.</p> <p>Reason: In the interest of reducing waste and encouraging recycling.</p>
9.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday 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.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
10.	<p>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</p>

<p>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.</p> <p>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.</p>
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I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

John Duffy
Planning Inspector
26th February 2026

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

Case Reference	PL-500229-SO-25
Proposed Development Summary	The proposed development involves change of use of building to residential use, demolition of the derelict two storey rear extension and its replacement with a new two storey extension along with renovation of the building to facilitate three apartments (1 studio unit as per FI response, 1 no. 1 bed apartment and 1 no. 2 bed apartment) and all site development works.
Development Address	7 Union Street, Rathedmond, Sligo.
In all cases check box /or leave blank	
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project.' Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed	

road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?

<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	State the Class and state the relevant threshold Class 10(b)(i) Construction of more than 500 dwelling units. 3 apartments are proposed. Class 14: Works of demolition. Quantum of demolition not likely to have significant effects on the environment.

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?

Yes <input type="checkbox"/>	
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	PL-500229-SO-25
Proposed Development Summary	The proposed development involves change of use of building to residential use, demolition of the derelict two storey rear extension and its replacement with a new two storey extension along with renovation of the building to facilitate three apartments (1 studio unit as per FI response, 1 no. 1 bed apartment and 1 no. 2 bed apartment) and all site development works.
Development Address	7 Union Street, Rathedmond, Sligo.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	Briefly comment on the key characteristics of the development, having regard to the criteria listed. The development would not result in the production of significant waste, emissions, or pollutants. No significant risks of accidents or to human health. Demolition of a rear derelict two storey extension is proposed.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	Briefly comment on the location of the development, having regard to the criteria listed This is a relatively constrained site within Sligo town centre. There is no direct hydrological connection present which would give rise to significant impact on water courses in the wider area (whether linked to any European site or other sensitive receptors). The proposed development is not located within or immediately adjacent to any European Site. The subject site is located c 0.25km south west of both the Cummeem Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code 000627) and Cummeem Strand SPA (Site Code 004035) and c 0.36km north-west of Lough Gill SAC (Site Code 0001976).

<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects.</p> <p>There are no other locally sensitive environmental sensitivities in the vicinity of relevance. There would be no significant cumulative considerations.</p>
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
<p>There is no real likelihood of significant effects on the environment.</p>	<p>EIA is not required.</p>
<p>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</p>	<p>Schedule 7A Information required to enable a Screening Determination to be carried out.</p> <p>Not applicable to this appeal case.</p>
<p>There is a real likelihood of significant effects on the environment.</p>	<p>EIAR required.</p> <p>Not applicable to this appeal case.</p>

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)