



An
Coimisiún
Pleanála

Inspector's Report

PL-500905-SO-26

Development	Demolition of existing structures and construction of 12 residential units
Location	Rear of Strandhill Lodge & Hostel and Knocknarea House, Shore Road, Strandhill, Co. Sligo
Planning Authority	Sligo County Council
Planning Authority Reg. Ref.	25/60270
Applicant(s)	CCMD Developments Ltd.
Type of Application	Permission
Planning Authority Decision	Grant Permission with Conditions
Type of Appeal	Third Party
Appellant(s)	(1) Kyra McKenna and Maura Grimes (2) Áine Nic Amhlaidh (3) Breda Gaynor (4) Noeline, Sinead and Fergal McLoughlin (5) Strandhill Golf Club
Observer(s)	None
Date of Site Inspection	12 th June 2026
Inspector	Philip Maguire

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1.0 Introduction

- 1.1. This case relates to five separate third-party appeals under the provisions of Section 37 of the Planning and Development Act 2000, as amended ('the Act'), following a grant of permission by Sligo County Council in accordance with Section 34 of the Act.
- 1.2. This Inspector's Report (IR) and recommendation is made pursuant to Section 146(2) of the Act. The Commission is required to consider both before determining the case.

2.0 Site Location and Description

- 2.1. Located along and to the southern side of the Shore Road (L3504), west of its junction with Burma Road (R277), the appeal site is situated to the west of Strandhill, Co. Sligo, some 100 metres east of the seafront promenade. The surrounding area is characterised by residential properties, including smaller scale developments such as Seacrest View which fronts onto the Shore Road, to the west of the site, and Cannon View which partly bookends the site to the east, along with a large surface car park.
- 2.2. There is more comprehensive residential development to the east of the car park at Waverley Court, and opposite the appeal site at Laressa Court, including two and a half- and three-storey dwellings. The main commercial uses are located to the west of the site including various surfing related enterprises located within the National Surf Centre which partly bookends the site to the west. Strandhill Golf Club bounds the site to the south and the remaining boundaries adjoin residential properties on Shore Road.
- 2.3. The appeal site is irregular shaped and has a stated area of 0.48 hectares. It includes Knocknarea House and Strandhill Lodge & Hostel ('Arus Mhuire'), the latter of which appears to be operating as tourist accommodation ('The Nest') and includes a detached shed to the rear. These properties address the Shore Road and have separate vehicular and pedestrian access points, but the appeal site primarily consists of undeveloped backlands to the rear and generally more elevated above road level, which slopes gradually towards the promenade. There is an area of hardstanding to the rear of Knocknarea House, upon which a number of vehicles and caravans were parked during my inspection. Ground levels to the rear of both properties have been recently altered, particularly along the golf course boundary where fencing posts have

been exposed. Other surfaces on the site include dune sand which appears to be re-colonising with coastal vegetation, including marram grasses and tree-like mallow.

- 2.4. The southern boundary is thus defined by timber post and rail fencing which follows the localised undulations of the sand dunes associated with the golf course. The western boundary, which adjoins the National Surf Centre, is similarly defined as is the section of eastern boundary which adjoins the car park. The remainder of the eastern boundary to the rear of Cannon View is defined by a high block wall. A lower wall punctuated with pedestrian and vehicular access points defines the northern boundary in addition to side boundaries with the adjoining properties fronting the Shore Road. An additional boundary to the rear of the dwelling to the west ('White House') is defined by a stone wall and the external wall of an outbuilding to the rear. I specifically note the location of an external chimney stack associated with this building within the site.

3.0 Proposed Development

- 3.1. Permission is sought to demolish an existing shed and construct 12 no. dwellings.
- 3.2. The proposal is summarised in tables below and described in the statutory notices as:
- (a) *Demolition of existing building (shed) on the site and construction of 12 no. residential units, comprising of:*
 - a. *2 no. one bed apartments in a single building of two storeys*
 - b. *3 no. two bed two storey houses*
 - c. *5 no. 3 bed two storey houses*
 - d. *2 no. four bed three storey houses*
 - (b) *New shared vehicular and pedestrian/cycle access, and a new vehicular entrance to serve proposed detached dwelling from Shore Road*
 - (c) *22 no. surface car parking spaces*
 - (d) *All associated and ancillary works including refuse store, private open space, public open space, roads and footpaths, hard and soft landscaping, boundary treatment, amendments to garden areas/plots of Strandhill Lodge & Hostel and Knocknarea House, and all utilities and services.*

Site Area	0.4819ha (gross) / 0.3642ha (net)
Dwelling Units	12 no.
Density	36.6dph (gross) / 32.95dph (net)
Building Height	9.422m to 9.650m above FFL
Floor Demolition Areas Proposed	12sq.m (existing shed) 1,338.60sq.m
Open Space / Amenities	18.62% (0.0678ha) of site area
Car Parking Spaces	22 no. spaces (1.8 spaces per residential unit)

Table 1 – Key Figures

	1-bed	2-bed (3P)	3-bed	4-bed	Total
Apartments	2	-	-	-	2
Houses	-	3	5	2	10
Total	2 (16.7%)	3 (25%)	5 (41.6%)	2 (16.7%)	12 (100%)

Table 2 – Unit Mix

3.3. In addition to a Planning Report (Foundation, June 2025), documents include:

- Appropriate Assessment Screening (Stage 1) (Malone O'Regan, July 2025)
- Archaeological Impact Assessment (Atlantic Archaeology, June 2025)
- Architectural Design Statement (Darmody Architecture, June 2025)
- Civils Design Report (MFA Engineers, June 2025)
- Construction, Environmental, Resource & Waste Management (CCMD, June 2025)
- Ecological Impact Assessment (Malone O'Regan, June 2025)
- Housing Quality Assessment (Darmody Architecture, June 2025)
- Landscape Design Rationale (Gannon & Associates, June 2025)
- Lighting Design Report (Electric Skyline, June 2025)
- Winter Bird Survey Report (Avrio, March 2025)

3.4. Further Information

3.4.1. The proposed development was amended by further information (FI), including:

- Civils Design and Traffic / Transport Report (MFA Engineers, December 2025)
- Construction, Environmental, Resource & Waste Management (CCMD, Dec. 2025)
- Daylight and Sunlight Assessment Report (3D Design Bureau, December 2025)
- Lighting Design Update (Electric Skyline, November 2025)
- Stage 1 / 2 Road Safety Audit (CST Group, October 2025)

4.0 Planning Authority Decision

4.1. Decision

4.1.1. Permission was granted on 10th February 2026 subject to 25 no. conditions, including:

Condition 2 full implementation of the mitigation and monitoring detailed in the EclA.

Condition 5 omission of communal bin area / retained as green space.

Condition 11 development in accordance with Construction, Environmental RWMP.

Condition 18 development in accordance with CTMP.

Condition 20 boundary treatment to east and west to be agreed.

Condition 22 Section 47 agreement / preclusion of institutional investment.

4.2. Planning Authority Reports

4.2.1. The Planner's Report (12/08/25) can be summarised as follows:

Principle of Development

- Considers the development of the site solely for residential purposes acceptable having regard to its backland nature and commercial premises between the site and shore, adding that the proposal will assist in meeting the population projections.
- States that the proposal is acceptable in principle given the zoning etc.

Compact Growth

- Notes the designation as a settlement consolidation site (SCS-6) and states that this will give effect to the NPF requirement for compact growth.

Housing Related Matters

Density

- Notes that densities in the range of 25-40dph apply at the edges of Strandhill while the central areas should respond positively to the scale, form and character etc.
- Notes a proposed density of 36.6dph (gross) and considers it suitable having regard to relevant local and national planning policy.

Housing Mix

- Considers the proposal to be in accordance with policy P-UHOU-4 having regard to the scale of the proposal and pattern of existing housing stock in the area.

Public Open Space

- Notes the requirements under Section 33.3.7 of the Plan i.e., minimum 10% and maximum 15% of the net site area.
- Considers that the public open space has been designed to meet the quantitative and qualitative standards as outlined in Section 13.3.8 of the Plan.

Private Open Space

- Notes the requirements of Table 33.3 of the Plan and indicates that private open space is generally in accordance with standards therein and thus acceptable.

Future Residents Amenity

- Notes the submitted Housing Quality Assessment (HQA).
- Considers the proposed units provide a reasonable standard of accommodation for future occupiers and states that the dwellings are sufficiently arranged so as not to create overlooking in accordance with Section 33.3.5 of the Plan.
- States that the apartments accord with and mostly exceed the required standards.

Visual Impact / Siting / Design

- States that the proposal represents the development of an underutilised backland site with two terraces of contemporary styled two- and three-storey dwellings.
- States that the proposed layout has been determined by the shape of the site, and it ensures satisfactory separation, adding that there is no objection to house design.

- Raises concerns regarding the height of the proposal having regard to the height of development along the Shore Road and recommends a reduction to a height which is more in keeping with established development in the immediate vicinity.
- Raises concerns regarding the height of the retaining wall along the southern boundary, including in relation to legal consent, and recommends clarification / justification be sought of same.

Residential Amenity

- Reiterates that the dwellings are sufficiently spaced to avoid overlooking and notes the obscure glazing in the gable windows of house type 2 and house type 3.
- Reiterates concerns about overall height in addition to proximity to the eastern boundary and suggests that the proposal may result in overshadowing and loss of light and thus recommends submission of a daylight performance assessment.

Connectivity

- Notes the requirements of the Strandhill Village Plan (Section 19.3.4 of the Development Plan) and refers to the submitted design statement which shows potential cycle / pedestrian linkages east and west of the site.
- States that more detail is required in relation to levels and boundary treatments.

Traffic Safety / Car Parking

- Notes the existing and proposed access arrangements off Shore Road, the inclusion of a 'home zone', with turning circle area, and proposed parking provision.
- States that the layout does not detail any EV charging points having regard to the requirements of Table 33.11 of the Development Plan.
- Raises concerns regarding a potential conflict between vehicle turning manoeuvres and pedestrian movement and recommends a dedicated pedestrian route.
- Notes the area engineer's comments and further information request including a road safety audit (RSA), details regarding pedestrian safety, public lighting etc.

Archaeology

- Refers to the information contained in the submitted archaeological impact assessment including that in respect of the nearby Knocknarea complex.

- Refers to the recommendations contained in the assessment including advance pre-construction archaeological testing undertaken by a suitably qualified archaeologist and concurs with the conclusions contained therein.

Appropriate Assessment Screening

- Considers that the proposal on its own or in combination with other projects will not have any impact on such sites and accordingly, AA is not required.

Ecology / Biodiversity

- Refers to the submitted winter bird survey report and outlines the recommendations and mitigation measures contained therein with which it concurs.
- Refers to the submitted ecological impact assessment and outlines the conclusions therein and states that the planning authority concurs with its recommendations.

Environmental Impact Assessment – Preliminary Examination

- Concludes that the proposal, by reason of nature, scale, extent, location, and context of the subject site, would not be likely to have significant effects on the environment and that on preliminary examination an EIAR is unnecessary.

Recommendation

- Recommends FI be sought in relation to overall height; overshadowing / loss of light; pedestrian / cycle linkages through the site and boundary treatments; traffic and transport issues including a RSA, details in relation to pedestrian safety / movement, EV charging and public lighting; details / justification for the proposed retaining wall; construction management issues; and legal (ownership) issues.

4.2.2. The additional comments in the Planner's Report (09/02/26) are summarised as:

Visual Impact / Siting / Design

- Notes the FI response where no building height reduction is proposed but acknowledges the revisions along the southern boundary where a 0.9 metre high (max.) retaining wall with ramped access is proposed.
- Notes that whilst the dominant form along Shore Road is two-storey, there are some three-storey structures as well as along the promenade and thus the provision of two- and three-storey structures is not uncommon.

- States that the proposed dwellings would be setback c. 43 metres from the edge of the Shore Road and this reduces the visual impact with only intermittent views due to the presence of the intervening structures.
- Considers that the proposal would not result in a significant and negative visual impact on the character of the village and would not have a prominent appearance when viewed from the Shore Road and would not result in a dominant urban form.
- Notes the FI response in respect of the previous 2-metre-high retaining wall along the southern boundary and considers the amended proposal, which reduces the extent and overall height of the wall, acceptable and without undue visual impact.

Residential Amenity

- Notes the FI response including sunlight / daylight report and the properties assessed i.e., 1 and 2 Seacrest View, White House, Strandhill Lodge & Hostel, Knocknarea House, and 1 to 4 Cannon View.
- Considers the proposal will not have an adverse impact on the residential amenities of the adjacent properties by reason of overlooking or overshadowing and thus states that the proposal accords with Section 33.2.2 of the Plan.

Connectivity

- Notes the FI response which now includes a cycle / pedestrian link through the open space, connecting with the car park to the east and surf centre to the west.
- Considers that the proposed link will provide for clear and legible movement through the site; facilitates east-west permeability as per Section 19.3.4 of the Plan.

Biodiversity

- States that the landscaping plan proposes to retain existing trees where possible and notes the associated planting plan and wildlife measures, including bird boxes.
- Considers that the proposed landscaping demonstrates a site-specific biodiversity net gain and that the proposal is in accordance with policy P-BD-7 of the Plan.

Boundary Treatment

- Considers boundary treatments to individual plots and public spaces acceptable save for along eastern and western boundaries which shall be conditioned.

- Notes the FI response which includes a revised boundary treatment plan including retention and augmentation of the existing fence with planting and considers this acceptable given the separation distance to closest fairway on the golf course.

Traffic Safety / Car Parking

- Notes the FI response in relation to EV charging points to all 'in curtilage' spaces.
- Notes the RSA submitted under FI and states that the Area Engineer has no objection subject to various conditions including a CTMP.

Environmental Considerations

- Notes that the environment section recommends removal of the bin store for various reason including potential nuisance issues; states this will be conditioned.

Institutional Investors

- States that a condition of the permission through the provision of a Section 47 agreement should ensure sale of private housing units to individuals only.

Conclusion and Recommendation

- Final scheme represents a high-quality design approach and an efficient use of serviced zoned land resulting in compact residential development.
- Recommends a grant of permission subject to conditions.

4.2.3. Other Technical Reports

- | | |
|----------------------------|---------------------------------------|
| • Area Engineer (30/01/26) | No objection subject to condition(s). |
| • Environment (26/01/26) | No objection subject to condition(s). |
| • Fire (07/07/25) | No objection subject to condition(s). |
| • Housing (07/07/25) | No objection subject to condition(s). |

4.3. **Prescribed Bodies**

- | | |
|----------------------|---------------------------------------|
| • DAU-NMS (01/08/25) | No objection subject to condition(s). |
| • DAU-NPWS | No comments received. |
| • Uisce Éireann | No comments received. |

4.4. Third Party Observations

4.4.1. The planning authority received numerous observations. Issues raised reflect third-party appeal grounds. Concerns, as summarised from the Planner's Report, relate to:

- Proposal development threatens the unique charm of Strandhill, potentially leading to overpopulation and a decline in the quality of life for current residents.
- Overdevelopment of Strandhill leading to further traffic congestion.
- Restricted site access unsuitable for construction traffic.
- Proposal is on part of the general dunes area which is a natural ecosystem.
- Proposal will result in loss of privacy, overlooking and loss of residential amenity.
- Proposal will result in increased noise and disturbance from occupants and traffic.
- Proposal will result in an intensification of use of the site.
- Proposal will result overshadowing and loss of light – building height and proximity.
- Design of dwellings is overbearing and will adversely impact on visual amenity.
- Pedestrian access to the surf centre raises concerns regarding security, safety etc.
- Site clearance not assessed in the submitted reports and subject to enforcement.
- Invalid application – should include executed groundworks / site clearance.
- Site is of archaeological significance, and report does not include recent findings.
- Concerns raised regarding the efficacy of the AA screening report.
- Potential direct and indirect impacts on Annex I habitats and Annex II species etc.
- Badgers have been encountered in the area contrary to the ecological report.
- Concerns raised regarding the capacity of the Strandhill WwTP.
- Concerns raised regarding the efficacy of the construction management plan.
- Boundary with an adjacent property is not properly marked.
- Proposal would seriously affect the viability of the Strandhill Enhancement Plan.
- Local school is full, no capacity for additional population.
- Proposal would disadvantage the future potential of the golf course and Club.

- Inadequate boundary treatment along the boundary with the Golf Club.
- Raises concerns regarding trespass to the rear of dwelling on Shore Road.

4.4.2. In relation to the observations, the initial Planner's Report notes the following:

- Site is zoned for residential use in the Strandhill Village Plan which has been the subject of Appropriate Assessment and a Strategic Environmental Assessment.
- Adjacent dunes do not form part of Cummeen Strand / Drumcliff Bay Special Area of Conservation (SAC) and therefore are not protected.
- Relevant environmental and archaeological reports submitted with the application have been referred to the relevant prescribed bodies for comment.

4.4.3. Additional observations received by the planning authority at FI stage generally reflect initial concerns. New issues, as summarised from the Planner's Report, relate to:

- Further information provided is not sufficient to enable application to proceed.
- Golf Club requires a full-height net along southern boundary with maintenance etc.
- Potential future infill dwelling would overshadow rear of property and garden.
- Excavation to rear of property left chimney isolated and raises safety concerns.
- Drawings are inaccurate.
- Daylight and sunlight assessment does not address all surrounding structures.
- Public route to rear of home would result in a serious loss of privacy and security.
- Tree planting may restrict visibility of oncoming traffic when exiting property.
- Clarification required to address the if pedestrian access point is authorised.
- Loose / stockpiled materials have potential to be blown onto neighbouring property.
- Northern boundary treatments are inappropriate.

4.4.4. In relation to the subsequent observations, the Planner's Report notes the following:

- Site is a designated settlement consolidation site (SCS-6) as per the Development Plan guidelines and thus will give effect to the NPF / compact growth requirements.
- Relevant folio details have been submitted, confirming applicant's ownership.

5.0 Planning History

5.1. Appeal Site

- 5.1.1. None.

5.2. Adjacent Sites

National Surf Centre

- 5.2.1. PA ref. 23/60268 – in January 2024, the planning authority granted permission for two single-storey buildings (5 no. commercial / storage units and 1 no. social club) etc.
- 5.2.2. PA ref. 16/324 – in March 2017, the decision of the planning authority was upheld and permission granted on appeal (PL 21.247450) for the demolition of a house and construction of a surfing and community centre, retail unit and changing facilities etc.

5.3. Other Relevant History

- 5.3.1. Strandhill Public Realm Enhancement Part 8 – authorisation to proceed came via resolution of Sligo County Council in July 2025 subject to retention of the cannon etc.

6.0 Policy Context

6.1. Local Planning Policy

Sligo County Development Plan 2024-2030

- 6.1.1. The current Development Plan came into effect on 11th November 2024. The Plan was subject to a Draft Ministerial Direction in July 2024 and is pending a final decision by the Minister following public consultation and OPR recommendations (Oct. 2024). The Minister did, however, issue a letter in May 2026 in respect of six sites no longer subject to the Draft Direction, including c. 4ha of nRSES zoning in Strandhill (PAZ 57).
- 6.1.2. The appeal site is located within the development limit of Strandhill and thus subject to the provisions of Chapter 19 of the County Development Plan (Strandhill Village Plan), including section 19.2 relating to housing and population allocations i.e., 120 no. units.
- 6.1.3. The appeal site is zoned 'MIX – mixed uses' in the associated adopted zoning map.
- 6.1.4. Section 10.5.3 of the Plan sets out the zoning objective for 'MIX – mixed uses'. It seeks to promote the development of a dynamic mix of uses able to create and sustain viable

town and village centres, with commercial (including retail) and residential uses amongst the uses supported in mixed-use zones, as well as high-amenity open space.

6.1.5. I note that the appeal site is within designated settlement consolidation site (SCS-6) as per Figure 19.A of the Plan where it is described as a 'backland site between Main Car Park and Promenade'. The SCS site area, which includes since developed lands to the west of the site (rear of Seacrest View), is stated as 0.74ha of which net residential is stated as 0.37ha. Potential housing yield in SCS-6 is stated as 7 no. units.

6.1.6. Section 19.3.4 of the Plan relates specifically to mixed use zones and requires proposals on lands between the car park and the shore front Surf Centre incorporate:

- i. a pedestrian civic square, capable of being used for events and local markets;
- ii. pedestrian linkages to the Promenade to the west, behind existing development;
- iii. the location of any car parking behind the building line.

6.1.7. Other relevant policies are detailed in chapters 3 (Core Strategy), 5 (Settlement Strategy) and 6 (Housing), as well as chapters 10 (Urban Development), 24 (Natural Heritage), 26 (Residential Development) and 32 (Flood Risk) of the Development Plan.

6.1.8. The following sections are relevant:

- 3.2.4 – Designation of Sites for Housing Delivery
- 3.2.6 – Residential Density
- 3.3 – Core Strategy (Table 3.2)
- 5.4.1 – Satellite Villages
- 5.4.2 – Settlements with Special Coastal Tourism Functions
- 6.5 – Housing Land Provision
- 10.1 – Urban Regeneration
- 10.3 – Placemaking and Public Realm Improvements
- 10.4 – Compact Growth
- 24.1 – Biodiversity
- 26.1 – Urban Housing
- 26.5 – Miscellaneous Housing Provisions

6.1.9. The following policies are generally noted, as summarised:

- | | |
|----------|---|
| SP-S-4 | Seeks to carefully manage development in the Satellite Villages, by prioritising social infrastructure and active travel investment. |
| SP-HOU-1 | Seeks to encourage a balanced supply of housing in Sligo in a manner consistent with the Core Strategy and Settlement Hierarchy etc. |
| P-UR-1 | Seeks to promote the regeneration of the County's town and village centres by directing new development to infill sites, brownfield or underutilised lands before considering edge-of-town sites. |
| P-CG-1 | Seeks to ensure the expansion of that the expansion of towns or villages takes place in accordance with the principle of sequential development, from the settlement core outwards, on infill sites, back land sites and designated settlement consolidation sites. |
| P-CG-2 | Seeks to promote high-quality infill and backland development that consolidates and regenerates the existing urban core of the settlement and provides a diverse range of uses in towns and village centres. |
| P-BD-3 | Seeks to ensure that the ecological impact of all development proposals on habitats and species are appropriately assessed taking full account of the precautionary principle where uncertainty exists. |
| P-BD-4 | Seeks to minimise adverse impacts of proposed developments on existing habitats (whether designated or not) by including mitigation and/or compensation measures as appropriate. |
| P-BD-7 | Encourages proposals on sites under 0.5ha to demonstrate a site-specific biodiversity net gain (BNG), indicating how the approach to development will leave the natural environment in a measurably better state. BNG shall consist of the enhancement and restoration of existing habitats or by the creation of new areas for wildlife. |
| P-PS-1 | Seeks to ensure that development does not have a significant adverse impact incapable of satisfactory mitigation on species protected by law. |
| P-PS-5 | Requires all new developments to incorporate habitat facilities for wildlife species, including Swifts, in or on buildings / facades etc. |

- P-UHOU-1 Seeks to ensure residential development takes place in a manner and pace that does not exceed water / wastewater infrastructure capacity.
- P-UHOU-2 Seeks to ensure appropriate densities as per national Guidelines.
- P-UHOU-4 Seeks to ensure the provision of a suitable range of house types and sizes etc. with the following generally applied to private schemes:
- 1 bedroom min. 10% of units in 10+ unit schemes
 - 2 bedrooms min. 20% of total units
 - 3 bedrooms min. 30% of total units
 - 4+ bedrooms maximum 20% of total houses
- P-FRM-1 Seeks to protect Sligo's coastal areas and associated sand dunes etc.
- P-CP-1 Seeks to ensure visual and environmental considerations in the design of coastal defence works etc.

6.1.10. The following sections of Chapter 33 (DM Standards) are noted:

- 33.1 – General Standards
- 33.3 – Residential Development in Urban Areas (Table 33.1)
- 33.9 – Transportation, Roads and Parking Standards (Table 33.10)

6.2. Regional Planning Policy

Regional Spatial and Economic Strategy (RSES)

- 6.2.1. The Northern and Western *Regional Spatial and Economic Strategy 2020-2032* (NWRA, 2020) sets the regional policy context. It identifies Sligo as a regional growth centre as detailed in Section 3.7 (c) of the RSES. I note that Strandhill is amongst the 'satellite villages' within the regional growth centre strategic plan (RGCSPP) boundary.
- 6.2.2. Regional policy objective, RPO 3.7.37, supports population growth in the principal urban area of Sligo to a level of at least 27,200 persons by 2040. RPO 3.7.39 seeks to facilitate the provision of 3,000 to 5,000 residential units to accommodate the additional population envisaged by 2040. RPO 3.7.39 seeks to ensure that at least 40% of new residential development in the regional growth centre occurs within Sligo's built-up urban area, through regeneration and consolidation on infill / brownfield sites.

6.3. National Planning Policy / Guidelines / Guidance

National Planning Framework (NPF)

- 6.3.1. Project Ireland 2040, the National Planning Framework *First Revision* (DHLGH, April 2025), sets the national planning policy context. National Strategic Outcome (NSO) 1 promotes the concept of compact growth, noting that achieving effective density and consolidation, rather than more sprawl of urban development, is a top NPF priority.
- 6.3.2. Section 6.6 (Housing) of the revised NPF details a significant departure from its predecessor in terms of annual housing output. It considered that an average output of 25,000 new homes between 2018 and 2040 would be required in order to deliver 550,000 households to 2040 (NPO 32), whereas NPO 42 of the current revised NPF targets the delivery of approximately 50,000 additional homes per annum to 2040.
- 6.3.3. In this regard, NPO 43 prioritises the provision of new homes at locations that can support sustainable development and at an appropriate scale relative to location. NPO 45 seeks to increase residential density in settlements, through a range of measures including infill development schemes, regeneration and increased building heights.

NPF Implementation Guidelines

- 6.3.4. The purpose of the *NPF Implementation: Housing Growth Requirements Guidelines for Planning Authorities* (DHLGH, July 2025) is to assist with the appropriate integration of the strategic national and regional population parameters into the statutory planning processes, such as the preparation of the city / county development plan and the preparation of the housing strategy, informed by the Housing Need and Demand Assessment (HNDA) process outlined in NPO 47 of the NPF's *First Revision*.
- 6.3.5. It is a policy and objective of these Guidelines that the housing growth requirements for each planning authority set out in Appendix 1 are reflected in the relevant Development Plan, subject to consistency with the NPF *First Revision*, relevant Section 28 Guidelines etc. Appendix 1 of the Guidelines does not indicate any increase in the number of new units per annum in County Sligo to 2034, i.e., 672 no. units.

Compact Settlements Guidelines

- 6.3.6. The *Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities* (DHLGH, 2024) sets out policy and guidance in relation to the planning and development of urban and rural settlements, with a focus on sustainable

residential development and the creation of compact settlements. They are accompanied by a non-statutory Design Manual, albeit unpublished at time of writing.

- 6.3.7. Section 2.2 notes that these Guidelines should be read in conjunction with other guidelines where there is overlapping policy and guidance. Where there are differences between these Guidelines and other previously issued Section 28 Guidelines, it is intended that the policies and objectives and specific planning policy requirements (SPPR's) of the Compact Settlements Guidelines will take precedence.
- 6.3.8. In this regard, section 3.0 of the Guidelines deals with settlement, place and density. Section 3.3.4 relates to small and medium sized towns (1,500 – 5,000 population). The key priorities for compact growth in such settlements in order of priority are to:
- (a) strengthen town centres,
 - (b) protect, restore and enhance historic fabric, character, amenity, natural heritage, biodiversity and environmental quality,
 - (c) realise opportunities for adaption, reuse and intensification of existing buildings and for backland, brownfield and infill development, and
 - (d) deliver sequential and sustainable urban extension at locations that are closest to the urban core and are integrated into, or can be integrated into, the existing built-up footprint of the settlement.
- 6.3.9. Table 3.6 outlines a policy and objective to generally apply densities in the range 25-40dph (net) at the edge of small to medium sized towns whereas the scale of new development in the central areas should respond positively to the scale, form and character of existing development, and to the capacity of services, infrastructure etc.
- 6.3.10. Section 5.0 of the Guidelines sets out the standards for new housing, including SPPR 1 (separation distances), SPPR 2 (private open space) and SPPR 3 (car parking).

Apartment Guidelines

- 6.3.11. The *Planning Design Standards for Apartments Guidelines for Planning Authorities* (DHLGH, July 2025) set out policy and guidance in relation to apartment development in all housing or mixed-use schemes that include apartments that may be made available for sale, whether for owner occupation, individual lease or rental purposes.

6.3.12. Section 3.0 of the Guidelines relates to apartment design standards. Design parameters include apartment mix, internal space standards for different apartment types, including amenity spaces etc. Many of these parameters are subject to SPPRs which take precedence over any conflicting Development Plan policies and objectives.

Development Management Guidelines

6.3.13. Section 5.13 of the Development Management Guidelines (DEHLG, 2007) states that the planning system is not designed as a mechanism for resolving disputes about title to land or premises or rights over land and this is ultimately a matter for resolution in the Courts. In this regard, it notes that a person is not entitled solely by reason of a permission to carry out any development as per Section 34(13) of the Planning Act.

6.3.14. It also states that where in making an application, a person asserts ownership, and there is nothing to cast doubt on the *bona fides* of that assertion, the planning authority is not required to inquire further into the matter. If, however, the terms of the application or a third-party submission raises doubts as to the sufficiency of the legal interest, further information may have to be sought under Article 33 of the Regulations.

6.3.15. Whilst the Guidelines also state that permission should be refused where it is clear from the further information response that the applicant does not have sufficient legal interest, they go on to suggest that the planning authority may still grant permission where some doubt remains, confident in the knowledge that Section 34(13) prevails.

Housing for All

6.3.16. *Housing for All*, a New Housing Plan for Ireland (DHLGH, 2021) is the government's housing policy to 2030. In this regard, it notes that Ireland needs an average of 33,000 homes built per annum until 2030 to meet the NPF targets. These homes need to be affordable, built in the right place, to the right standard and in support of climate action.

6.3.17. This Government policy has not been updated to reflect the NPF *First Revision*.

Climate Action Plans

6.3.18. The Climate Action and Low Carbon Development Act 2015, as amended, ('the Climate Act'), commits the State to a legally binding 51% reduction in overall GHG emissions by 2030 and to achieving net zero by 2050. Section 15 places an obligation on the Commission to make all decisions in a manner consistent with the Climate Act.

- 6.3.19. The *Climate Action Plan 2024* (CAP24) follows the commitment in the Climate Act and sets out the range of emissions reductions required for each sector to achieve the committed targets. Measures to reach a 50% reduction in transport emissions include a 20% reduction in total vehicle kilometres and a 50% increase in daily active travel.
- 6.3.20. The *Climate Action Plan 2025* (CAP25) was published in April 2025 (DECC) and builds upon CAP24 by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings and states that it should be read in conjunction with CAP24. As with CAP24, the CAP25 Annex of Actions contains only new, high-impact actions for delivery in 2025 e.g., in terms of total vehicle kms reduction, Action TR/25/11 relates to the NTA's Connecting Ireland rural mobility plan.

National Sustainable Mobility Policy

- 6.3.21. The *National Sustainable Mobility Policy* (Dept. of Transport, 2022) sets out a policy framework to 2030 for active travel and public transport to support Ireland's overall requirement to achieve a 51% reduction in greenhouse gas emissions by 2030.

National Cycle Design Manual

- 6.3.22. Guidance relating to the design of both on-road and off-road cycle facilities for both urban and rural locations is set out in this manual (NTA, 2023). Section 2.6 states that the absolute minimum width of a cycle track at pinch points, over short lengths only, is 1.25m and the desirable minimum width is 2m for less than 300 peak hour flows.

Design Manual for Urban Roads and Streets (DMURS)

- 6.3.23. Guidance relating to the design of urban roads and streets is set out in DMURS (DTTS and DHPLG, 2013, updated May 2019). Section 3.3.1 notes that new street networks should be based on layouts where all streets lead to other streets. Section 3.3.2 notes that on larger and / or irregular blocks short cul-de-sacs may be used to serve a small number of dwellings and to enable more compact / efficient forms of development.
- 6.3.24. Section 4.3.4 notes that shared surface streets are highly desirable where movement priorities are low and there is a high place value in promoting more liveable streets (i.e. homezones), as on *local streets* and where a low-speed environment is recognisable.
- 6.3.25. Section 4.4.1 notes that the standard carriageway width on *local streets* should be between 5 and 5.5m (i.e., lane widths of 2.50 – 2.75m) and states that total carriageway width on *local streets* where a shared surface is provided should not exceed 4.8m.

Traffic and Transport Assessment Guidelines (PE-PDV-02045)

6.3.26. This TII technical guidance (May 2014) relates to traffic and transport assessments (TTA). Section 2.1 considers the thresholds at which the production of a TTA in relation to planning applications is recommended. Table 2.1 details the relevant thresholds, including where traffic to/from the development exceeds 10% of the traffic flow on the adjoining road or 5% where congestion exists or the location is sensitive; residential development in excess of 200 dwellings. Table 2.3 sets out sub-threshold TTA criteria.

6.4. Natural Heritage Designations

6.4.1. Nearest proposed Natural Heritage Areas (pNHAs):

- Cummeen Strand/Drumcliff Bay (Sligo Bay) (000627) – c. 0.23km northeast
- Ballysadare Bay (000622) – c. 0.44km southwest
- Knocknarea Mountain And Glen (001670) – c. 1.23km southeast

6.4.2. Nearest Special Areas of Conservation (SACs):

- Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (000627) – c. 0.22km northeast
- Ballysadare Bay SAC (000622) – c. 0.42km southwest

6.4.3. Nearest Special Protection Areas (SPAs):

- Ballysadare Bay SPA (004129) – c. 0.34km southwest
- Cummeen Strand SPA (004035) – c. 1.37km northeast

6.4.4. Nearest Ramsar sites:

- Cummeen Strand (842) – c. 0.25km north

7.0 EIA Screening

7.1. The proposed development has been subject to preliminary examination for environmental impact assessment (Appendix 1). 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 proposal, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not therefore required.

8.0 The Appeal

8.1. Grounds of Appeal

- 8.1.1. As noted, third-party appeals have been lodged by Kyra McKenna and Maura Grimes, Aine Nic Amhlaidh, Breda Gaynor, Noeline McLoughlin etc. and Strandhill Golf Club.
- 8.1.2. The joint appeal by Kyra McKenna and Maura Grimes is summarised as follows:

Residential Amenity

- Scale, massing and proximity – the three-storey gable, at a separation distance of 10 – 12 metres, will give rise to a visually dominant and overbearing impact, inconsistent with the established suburban character and contrary to the Plan.
- Overlooking and impacts on privacy – oblique views over rear gardens by virtue of alignment and proximity; overlooking not confined to directly opposing windows.
- Raises concerns regarding the efficacy of the submitted daylight and sunlight assessment i.e., does not indicate that a site inspection was undertaken.
- Raises concerns regarding the proximity of the proposal with domestic oil storage tanks serving houses at Cannon View i.e., lack of meaningful separation buffer.
- Proposal conflicts with Chapter 3.3 of the County Development Plan.

Public Realm Project

- Proposal will adversely affect the viability of the Public Realm Enhancement project i.e., traffic associated with the development will lead to more congestion.

Site Clearance / Habitat Impacts

- Raises concerns regarding site clearance prior to lodgement of application and notes that support documentation was prepared after clearance works took place.

- 8.1.3. The appeal by Áine Nic Amhlaidh can be summarised as follows:

Site Clearance / Habitat Impacts / Enforcement

- Destruction of Annex I dune system prior to assessment invalidates the NIS.
- Permission granted by competent authority whilst enforcement action was ongoing for the removal of protected habitat; a failure under Section 35 of the Planning Act.

- Similar approach by the Council in respect of the surf centre redevelopment; and conflicts of interest identified as the Council are named as “owner / other”.
- Submits that the site originally contained embryonic shifting dunes, white dunes and grey dunes and notes that these are protected under the Habitats Directive, adding that their total removal prior to EIA makes the assessment invalid.
- Refers case C-258/11 and states that a valid Appropriate Assessment is impossible when the baseline environment has been destroyed to facilitate the proposal.
- NIS is fundamentally flawed, failing to take into account in-combination effects, specifically in relation to the Surf Centre, adding that it should have been a Part 8.
- States that permission must be refused if there is any reasonable scientific doubt as to the absence of adverse effects; baseline data scientifically compromised.
- Removal of primary habitat for the Narrow-mouthed Whorl Snail cannot be “cured” retrospectively, and the planning system cannot regularise it as per C-215/06.

Archaeological Impacts

- Submits that the Archaeological Impact Assessment is factually deficient by failing to mention a number of national monuments in the wider area as well as an earthwork (SMR ref. SL013-03----) adjacent to the proposed development area.

Procedural Issues

- Invalid – applicant failed to demonstrate sufficient legal interest contrary to Article 22 of the Regulations; part of the folio details provided relate to a different townland.
- Council identified as “owner / other” whilst also being the planning authority, contrary to the principle of natural justice / administrative law, adding that proposing the pathway through the site indicates a pre-determined outcome.
- Council facilitated the clearance of dunes to resolve topographical issues for what should have been a Part 8 local authority project.

Public Realm Project

- Proposal directly obstructs the Public Realm Enhancement project in material contravention of the strategic objectives of the Development Plan.

- Proposal is part of a larger, interdependent project including the Surf Centre and public realm projects and submits that the planning authority avoided public scrutiny by allowing individual applications to be made, tantamount to project-splitting.

Other Issues

- Raises concerns regarding the capacity of WwTP (opened in 2021) in relation to anticipated loading of the Surf Centre in 2016, adding it should have been a Part 8.
- Alleged breach of NPF in relation to compact growth (NPO 3c and NPO 72 a-c).
- Planning authority has not only erred in fact but presided over a process that is fundamentally incompatible with European and national law.
- Raises general concerns regarding the applicant's FI response in respect of site levels, noting that requested cross-sections were not provided.
- Alleges material contravention of the Development Plan in respect of coastal protection policies P-CP-1 and P-FRM-1 which strictly prohibit sand dune removal.

8.1.4. The appeal by Breda Gaynor can be summarised as follows:

Traffic Impacts

- Raises concerns in relation to pedestrian safety arising from increased traffic.

Site Clearance / Habitat Impacts / Enforcement

- Dismayed at the wilful destruction of flora and fauna, adding that the is an area of marram grass where badgers have been noted; the EclA should not be accepted.

Residential Amenity

- Three-storey houses will overshadow surrounding two-storey houses and cut off evening sunlight to a recently built garden room.
- Raises concerns regarding impacts on privacy generally and specifically in relation to the 'potential future infill dwelling' which would also overshadow the back garden.

8.1.5. The appeal by Noeline, Sinéad and Fergal McLoughlin can be summarised as follows:

Procedural Issues

- Submit that the decision to grant permission was made on the basis of incomplete and inaccurate information; external chimney not shown on the drawings.

- Absence of visible structures undermines the reliability of the submitted drawings which do not accurately reflect the established boundary / longstanding use.
- Site levels following clearance works not accurately reflected on the drawings.

Residential Amenity

- Proposal will have a significant and unacceptable impact on residential amenity, structural safety, access and enjoyment of property, including appellant's chalet.
- Chalet and garage not included in daylight and sunlight assessment and raises general concerns regarding the efficiency of the assessment e.g., no site visit.
- Raises concerns regarding the impact of the 2-metre-high wall in terms of overshadowing and specifically in relation to a kitchen window and on the chalet.
- Concerns regarding overlooking, overbearance, loss of privacy, fundamentally altering the setting of a long-standing family home, contrary to Plan objectives.
- No meaningful or effective physical separation between the proposed and existing house (and garden) notwithstanding the separation distances illustrated.
- Acknowledges some form of boundary treatment between the proposal and appellant's property would be appropriate, however 2-metre-high wall is excessive.
- Proposal fails to show how chalet, garage and access steps would be accommodated / protected at the interface between existing and new development.
- Immediate area characterised by low-rise residential development; the appeal site forms part of this open setting, contributing positively to residential amenity.
- Proposal will be visually dominant and obtrusive due to height, scale and elevated position, representing an abrupt change out of keeping with established character.
- Height concerns were not sufficiently resolved at FI stage.
- Raises concerns regarding noise, dust and general disturbance during construction in addition to general nuisance from noise and light spill during occupation.

Site Clearance / Habitat Impacts / Enforcement

- An area within the site (to the rear of appellant's property) formed part of the established amenity space with related features removed during clearance works.

- AA Screening Report and EclA could not properly assess the original site condition and cannot be relied upon; mitigation in the latter cannot address the losses.
- States that the appeal site included areas of established vegetation, including marram grass and stable dune-like topography prior to clearance in March 2025.
- States that the site formed part of the wider coastal landscape, including adjoining lands where similar habitat remains present today.
- Wildlife activity observed on site prior to clearance (e.g., badger and common lizard) and the removal of vegetation would have resulted in displacement.

Archaeological Impacts

- Raises concerns regarding the efficacy of the archaeological assessment which was undertaken following site clearance i.e., not in undisturbed condition.

Wastewater Capacity

- Raises concerns regarding the capacity of the Strandhill WwTP and the lack of confirmation of feasibility (CoF) by Uisce Éireann in terms of wastewater.

Traffic Impacts

- Raises concerns regarding the additional traffic on the Shore Road, adding that a detailed traffic assessment has not been undertaken in the absence of a TTA.
- Raises concerns regarding the impact of construction traffic on the Shore Road.
- Suggests the proposal is at odds with the Part 8 which will limit the Shore Road capacity to safely accommodate additional traffic, particularly during construction.

Other

- Pathway to rear of proposed houses raises concerns regarding security and maintenance of the external walls and general access to the rear of the property.
- Pathway also raises safety and public liability concerns due to unrestricted access and fall risk given the difference in ground levels at this location.
- Raises concerns regarding the structural integrity and stability of existing buildings, adding that no engineering assessment has been provided in this regard.
- Unclear whether the “potential” linkage through the site will be delivered.

8.1.6. The appeal by David Kiely on behalf of Strandhill Golf Club is summarised as follows:

General

- No objection in principle to new housing in the village where there is considerable need, but proposal represents overdevelopment of a restricted site.

Impact on Golf Club

- Expresses concerns regarding proximity of elements to the golf course resulting negative impacts and impacting on the future potential of the course and Club.
- Highlights specific concerns regarding playability of the course and health and safety issues to third parties arising from errant golf balls / boundary instability.
- Intensification of activity will have a direct impact due to noise and disturbance, in addition to traffic impacts from vehicular movements adjacent to the course.
- Suggests that the proposed open space is unsuitable for the dwellings proposed.
- Notes that the appellants were not approach for a letter of consent and even if the retaining structure is located outside their lands, it will impact on their boundary.
- Golf Club require full height nets along the common boundary similar to Buenos Aires Drive with maintenance agreements by the developer.

Site Clearance / Habitat Impacts / Enforcement

- Site clearance works previous to 10th March 2025 left a cliff edge boundary.
- Submits that the application is invalid as does not comply with AA legislation.
- Application should be to retain executed ground works in addition to new housing.
- Raises concerns regarding the efficacy of the AA Screening and states that the dunes, shifting dunes and white dunes, are protected under the Habitats Directive.
- Submits that Substitute Consent is required for the proposed development.

8.2. Applicant Response

8.2.1. The first party responded as follows to the Kyra McKenna and Maura Grimes appeal:

Residential Amenity

- Separation distance is 11.66 metres and there are no windows in the gable end.

- Oblique views likely to be in excess of 16 metres and at an extremely oblique angle and no material overlooking is likely to occur.
- Highlights that House Type 3 is a two-storey building with dormer as opposed to three-storey and notes that there are no windows at second floor level to the rear.
- Proposal is fully compliant with SPPR 1 of the Compact Settlements Guidelines, noting that the relationship with Cannon View is not one of 'opposing windows'.
- Notes that sunlight and daylight impacts on the properties at Cannon View were considered in the assessment and no material impact was identified.

Public Realm Project

- Notes that the junction from the appeal site to the Shore Road was redesigned at FI stage to ensure full tie in and compatibility with the public realm improvements.
- States that the public realm enhancements do not intend to remove traffic from Shore Road, rather improve pedestrian experience which the proposal facilitates.
- Submits that the residents of the proposal will not need to drive to the promenade, particularly given the additional pedestrian / cycle linkages proposed.

Site Clearance / Habitat Impacts / Enforcement

- Applicant accepts that there has been some site clearance but states that this took place to the extent required to maintain a safe curtilage to the property, adding that this happens commonly with managed properties and within domestic gardens.
- Refers to an Enforcement Notice issued in respect of the above and states that the applicant responded in June 2025 by suggesting that the works was exempt.
- Notes that the appeal site is not within or adjacent to any European site and states that no designated habitats were identified on the site.

8.2.2. The first party responded as follows to the Áine Nic Amhlaidh appeal:

Procedural Issues

- Submits that enforcement action does not affect the validity of an application.
- Refers to the clarification provided at FI stage in relation to legal interest; the appellant referenced incorrect folio and has failed to note the pending registration.

- Notes that the submission of a letter of consent in the making of an application is common practice where works to footpaths / roads and is prescribed by Regulation.
- Absurd to suggest that the proposal is part of a larger, interdependent project given the disparate ownerships and there is clearly no issue of project splitting.

Site Clearance / Habitat Impacts / Enforcement

- Response is as per section 8.1.2 above, i.e., accepts that there has been some site clearance but suggests that it is exempt and no designated habitats were identified.

Archaeological Impacts

- States that the alleged failure to identify relevant monuments in the area is incorrect and refers to page 8 of the submitted Archaeological Impact Assessment.

Other Issues

- A pedestrian link is proposed contrary to the appellant's assertion where they appear to have misunderstood a statement regarding tie-in at the public car park.
- Expresses amazement at the appellant's suggestion that the proposal contravenes the compact growth policies in the NPF given the zoning, SCS designation etc.
- Appellant is fundamentally in error in her facts in respect of the Ministerial direction.

8.2.3. The first party responded as follows to the Breda Gaynor appeal:

Traffic Impacts

- Response is as per section 8.1.2 above, i.e., continuous footpath along Shore Road with pedestrian priority, future residents will have no need to drive to the shore front.
- Considers the proposal will in fact improve east-west pedestrian permeability.

Site Clearance / Habitat Impacts / Enforcement

- Response is as per section 8.1.2 above, i.e., accepts that there has been some site clearance but suggests that it is exempt and no designated habitats were identified.

Residential Amenity

- Notes that sunlight and daylight impacts on the properties along Shore Road were considered in the assessment and no material impact was identified.

- Submits that any perceived overlooking or privacy concerns are not supported by the facts within in excess of 20 metres separation distances in all cases.

8.2.4. The first party responded as follows to the Noeline McLoughlin etc. appeal:

Procedural Issues

- Both the garage and chalet are shown on the drawings and notes that whilst the chimney is not shown, it is unclear how this could impact on the assessment.
- Appellant does not clarify the nature of the chalet and there is no record of permission for it or indeed evidence of access rights to the claimed part of the site.

Residential Amenity

- Appellant's rear boundary will not be affected and the 2-metre-high block wall to the rear of the proposed gardens will ensure full privacy.
- Garage and chalet are depicted on the submitted daylight assessment, adding that the garage is non-habitable and the chalet does not qualify as a habitable room.
- As above, separation distances are in excess of 20 metres in all cases, with private access to the rear of each proposed garden adding further physical separation.
- Separation to the garage / chalet is irrelevant as they are not habitable structures.
- Acknowledges the alteration to grounds levels but states that this is not untypical to facilitate development and any minor retaining structures will not affect appellant.
- Notes that a construction management plan has been prepared to ensure the appropriate control of construction activities in terms of noise and disturbance.
- Refers to an extract from the Planner's Report and their consideration of the height at scale issues following receipt of FI.
- Refers to the submitted public lighting report which shows no material impact on existing residential amenities.

Site Clearance / Habitat Impacts / Enforcement

- Baseline position for ecological assessments is the date of inspection for the purposes of a planning application.

- Response is as per section 8.1.2 above, i.e., accepts that there has been some site clearance but suggests that it is exempt and no designated habitats were identified.

Archaeological Impacts

- Notes that DAU-NMS agreed with the submitted archaeological assessment and submit that the appellant's have misrepresented the Council's Planner's Report.

Wastewater Capacity

- Notes that it is not possible to enter into a wastewater connection agreement with Uisce Éireann in the absence of permission, adding that a CoF was issued.

Traffic Impacts

- Notes that no traffic concerns were raised by the local authority and reiterate that there will be no requirement of future occupiers to drive to the promenade.
- Pedestrian / cycle link is fully delivered within the site, but the applicant cannot control how it will be delivered onwards through third party lands.

Other

- Pathway to the rear of the appellant's property is gated and not a through route.
- Access for maintenance is a matter for the appellant, as there was never a right of access via the appeal site, and refutes any suggestion of structural impacts etc.

8.2.5. The first party responded as follows to the Strandhill Golf Club etc. appeal:

Site Clearance / Habitat Impacts / Enforcement

- Response is as per section 8.1.2 above, i.e., accepts that there has been some site clearance but suggests that it is exempt and no designated habitats were identified.

Impact on Golf Club

- Proposal does not encroach in any way on to lands owned by the Golf Club.
- States that the design response is retain the existing boundary and supplement it with new hedging and thus consultation with the Golf Club was unnecessary.
- Requirement for a full height net along the boundary is not reasonable, if there is a risk of stray balls, this is a matter for the Golf Club and not the applicant.

8.3. Planning Authority Response

8.3.1. The planning authority's response can be summarised as follows:

- Refers the Commission to the Planner's Report and other reports prepared in connection with the assessment of the application, as well as the decision to grant.
- Notes that the appeal has raised the issue of cumulative impact and project splitting which was not previously raised during the course of the application and refers to Section 19.3.4 of the Development Plan regarding linkages through the site.
- Notes that the site is designated as SCS-6 which gives effect to the NPF requirement for compact growth, adding that the National Surf Centre and Public Realm Enhancement were not dependent on the pedestrian linkage.
- The appellants have not raised any additional issues, save for the above, that would alter the planning authority's decision; the proposal remains suitable for this location and is consistent with the policies and provisions of the Development Plan.

8.4. Further Responses

8.4.1. A further response was received from Noeline, Sinéad and Fergal McLoughlin. Whilst it is supportive of the other appeal submissions, it does not raise any new core issues.

9.0 Assessment

9.1. Preliminary Points

9.1.1. Having examined the application details and all other documentation on the appeal file, including the appeal submissions and observations, and inspected the site, and having regard to relevant local, regional and national policies and guidance, I consider that the main issues in this appeal are those raised in the grounds of appeal.

9.1.2. The issues can be addressed under the following headings:

- Land Use and Development Principle
- Residential Amenity Impacts
- Natural Heritage Impacts
- Procedural Matters
- Other Issues

9.2. Land Use and Development Principle

- 9.2.1. Planning permission is sought to demolish an existing shed, and the rear and dividing boundary walls of Knocknarea House and Strandhill Lodge & Hostel ('Arus Mhuire') and construct 12 no. dwellings to the rear with a new access off the Shore Road.

General Arrangements

- 9.2.2. The dwellings are laid out in linear form in two blocks divided by the access road. Both blocks would be south facing and form back-to-back gardens with the existing properties that front onto the Shore Road, including Strandhill Lodge & Hostel and Knocknarea House, which form part of the site. Amendments to the existing garden areas/plots of these properties are proposed to facilitate the works, including access.
- 9.2.3. The access transitions to an east-west aligned homezone at a T-junction and it is flanked by open space to the south and the dwellings to the north. Unit nos. 01-02, a pair of maisonette apartments, bookend the larger of the two blocks to the west of the access. They have a FFL of 8.30mAOD. The FFLs then step gradually down to Unit 08, a three-bed end-terrace house, at 7.85mAOD. Units 09 and 12 bookend the block to the east of the access and have FFLs of 8.175mAOD and 8.625mAOD, respectively.
- 9.2.4. Car parking is located to the front of the dwellings on permeable paving and private gardens are located to the rear. All gardens have rear access via a gated pathway except for Unit nos. 01-02 and Unit no. 12 which would be accessible from the front.
- 9.2.5. The landscaped open space to the south of the homezone incorporates a pedestrian and cycle link connection from the public car park to the east of the site, to the National Surf Centre, to the west (and on to the promenade), and partly crosses the homezone.
- 9.2.6. The layout drawing also indicates a 'potential future infill dwelling' to the east of Knocknarea House and whilst I note the concerns of one of the appellants in this regard, it is purely indicative and does not form part of the proposed development.

Zoning

- 9.2.7. As noted, the appeal site is zoned 'MIX – mixed uses' where apartments and houses are 'normally permitted' as per the land-use zoning matrix in the Plan (Section 10.5.4).

- 9.2.8. According to the Development Plan, the proposal is therefore acceptable to the planning authority in theory but still subject to other policies and objectives in the Plan, including that in relation to the Core Strategy and housing allocation per settlement.

Core Strategy

- 9.2.9. In this regard, I note that the Sligo Development Plan is subject to a Draft Ministerial Direction, and one of the appellants has argued that the Council are trying to “bypass” this Draft Direction which “ordered the deletion of unsustainable zoning in Strandhill”.
- 9.2.10. The Commission should note, however, that the Minister decided not to issue a Direction to Sligo County Council in relation to six sites which were included in the Draft Direction, including ‘PAZ-57’ which relates to the aforementioned zoning. No other aspects of the Draft Direction relate to zoning in Strandhill or Core Strategy and thus the suggestion there was an attempt to circumvent a Draft Direction is unsubstantiated.
- 9.2.11. According to Section 19.2 of the Plan, which is now untethered from the Draft Direction, the housing allocation for Strandhill in this Plan period is 120 no. units. The proposal represents 10% of this allocation and is thus fully consistent with policy SP-HOU-1.

Compact Growth

- 9.2.12. The same appellant suggests that the proposal represents a breach of the NPF in relation to compact growth and refers to NPO 3c and NPO 72 a-c. The cited NPO’s relate to the previous NPF and whilst compact growth remains a key component of the NPF *First Revision*, the annual housing output represents a significant departure as per NPO 42. It is in this context that Ministerial Guidelines on the implementation of the revised NPF (housing growth requirements) were issued and whilst it does not indicate any increase in the annual output, it does vindicate the Core Strategy of 672 units/annum. The proposal represents c. 1.8% of the annual requirement in this regard.
- 9.2.13. In any event, NPO 9 of the NPF *First Revision* reflects the provisions of cited NPO 3c and it seeks to deliver at least 30% of all new homes that are targeted in settlements (other than the cities and their suburbs) within their built-up footprints and ensure compact and sequential growth patterns. Similarly, NPO 101 to NPO 103 reflect the provisions of NPO 72, a to c, in relation to the tiered approach to zoning and services.
- 9.2.14. In addition, the planning authority submission highlights the fact that the site is a designated settlement consolidation site (SCS-6) which accords with compact growth.

Conclusion on Land Use and Development Principle

- 9.2.15. The reality is that the appeal site is zoned, as noted, and serviced as indicated by Uisce Éireann in the confirmation of feasibility. It is evidently within the built-up footprint of Strandhill, bounded on three sides by urban development and Strandhill Golf Course on the other. There is no evidence therefore to suggest that the proposal represents anything but compact, sequential growth through densification on an underutilised backland plot in accordance with policies P-UR-1, P-CG-1 and P-CG-2 of the Plan.
- 9.2.16. On balance, I am satisfied that the proposed development is acceptable in principle and represents an appropriate use of the appeal site subject to consideration of the various other issues raised, including residential amenity and natural heritage impacts.

9.3. Residential Amenity Impacts

- 9.3.1. A considerable portion of the various appeal grounds are given over to perceived negative impacts on the residential amenity by reason of overlooking, overshadowing and overbearance, in addition to general character impacts. In this regard, I note that three of the five appellant parties have residential property bounding the appeal site.
- 9.3.2. I also acknowledge that one of these appellants raises concerns regarding the loss of established amenity space to the rear of their home. In this regard, I note that they utilised an area of ground within the site as a back garden and have submitted photographs of same prior to clearance works. Whilst the access steps to this area were evident during my inspection, I note that the fence and grass have been removed.
- 9.3.3. The applicant, on the other hand, states that there was never a right of access to these lands with the inference being that there is no legitimate expectation that this access, whether for maintenance or otherwise, can be retained. I address procedural matters, including ownership, below but suffice to say that this portion of land may not have been within the appellant's legal control. I therefore note that there is a distinction to be made between loss of amenity in the physical sense and in the perceived sense.

Overlooking

- 9.3.4. In terms of overlooking, the applicant notes that separation distances exceed 20 metres in all cases, with rear access via a gated pathway providing further separation.
- 9.3.5. In this context, I accept that the structures to the rear of the aforementioned appellant's dwelling (referred to as a chalet and garage) are not habitable structures and thus the

reduced separation distance between these structures, and indeed the ground floor projections to the rear of Knocknarea House and No. 1 Seacrest View, are acceptable.

- 9.3.6. In this regard, SPPR 1 of the Compact Settlements Guidelines states that when considering a planning application for residential development, a separation distance of at least 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units and apartment units, above ground floor level shall be maintained. Whilst I note that the separation distance between the gable end of Unit 12 (House Type 3) and one of the appellant's at Cannon View is at most 11.66 metres and this gable does include windows at upper floor level, these windows serve non-habitable rooms (i.e., bathroom and en-suite) and both incorporate opaque glazing.
- 9.3.7. I also note that the appellant's at Cannon View raise concerns regarding oblique views over their rear gardens, suggesting that overlooking is not just confined to directly opposing views. The applicant, on the other hand, states that any such views are likely to be in excess of 16 metres and at an extremely oblique angle and as such no material overlooking is likely to occur. In this regard, they note that House Type 3 is a two-storey building with dormer as opposed to three-storey and there are no windows at second floor level to the rear, and thus the proposal is fully compliant with SPPR 1.
- 9.3.8. Given the layout of the proposed houses with rear walls perpendicular to those in Cannon View, and the reasonable separation distance of c. 11.66m, I am unpersuaded that the proposed development would give rise to overlooking by virtue of oblique views. Whilst there will be limited views over rear gardens, this is commonplace in an urban setting and no different than existing views between the houses at Cannon View.
- 9.3.9. The proposal is therefore fully consistent with the guidance contained in Section 33.3.5 of the Sligo Development Plan in relation to overlooking and related privacy impacts.

Overbearance

- 9.3.10. The appellants at Cannon View also submit that the proposal will give rise to a visually dominant and overbearing impact due to the scale, mass and proximity of the three-storey gable to their property. Whilst the proposed development is described in the statutory notices as including "three storey houses", I accept that House Type 3 is a two-storey building with dormer, as opposed to three-storey, as noted by the applicant.

- 9.3.11. Similarly, the appellants to the north of the site raise concerns regarding overbearance, and whilst overbearing effects are referenced in Section 33.3.5 of the Development Plan, there is no definition contained therein or indeed in any Ministerial guidelines. It can, however, be considered as the extent to which a development impacts upon the outlook of the main habitable room in a home or the garden, yard or private open space serving a home. It is therefore a negative perception derived from the proximity of a building, whereas overlooking, perceived or actual, relates to the building's occupants.
- 9.3.12. The site layout drawing does not include FFLs of any of the adjoining properties, including those at Cannon View but does illustrate the finished ridge levels (FRLs).
- 9.3.13. Given a FFL of 8.625mAOD and overall height of 9.65m, the end-terrace unit adjacent to Cannon View will have a FRL of 18.275m, approximately 1 metre higher than Nos. 3-4 Cannon View. Whilst there will be an appreciable change for the occupants of Nos. 3-4 Cannon View, and to a lesser extent the occupants of Nos. 1-2, and I am sympathetic to their concerns in relation to impacts on outlook from the rear of their properties where generally uninterrupted views exist, I do not consider any significant overbearance will arise. In this regard, the ridgeline, whilst the high part of the gable, is not representative of the impact of what is effectively a two-storey house with dormer.
- 9.3.14. Similarly, with FFLs ranging from 7.850 to 8.300mAOD and overall heights of 9.422m and 9.650m, unit Nos. 03-06 will have FRLs ranging from c. 17.50 to 17.70m and some 1.70 to 1.90 metres above the appellant's property to the north of the appeal site. This level change is however acceptable over a separation distance in excess of 20 metres, and I am thus satisfied that the proposal is consistent with Section 33.3.5 of the Plan.

Overshadowing

- 9.3.15. All of the appellants with property on adjoining boundaries raise concerns regarding overshadowing, with some also raising concerns regarding the efficacy of the daylight and sunlight assessment that was submitted under FI. I specifically note that one of the appellants suggests that the 'three-storey houses will cut off evening sunlight to a recently built garden room'. Whilst I observed the garden room as a mono-pitch single storey building to the rear of the appellant's house during my site inspection, it is not a habitable structure and thus distinct and distinguishable from the residential amenity afforded to the house. It is also important to reiterate that nearest houses, unit Nos. 11-12, are not three-storey, and not within the threshold for assessment in any event.

- 9.3.16. In this regard, I note that the submitted sunlight and daylight assessment has been prepared in accordance with the recommendations set out in the BRE guidance, as requested under FI, and includes all properties within three times the height of the proposal i.e., Nos. 1-2 Seacrest View, White House, Strandhill Lodge & Hostel, Knocknarea House and Nos. 1-4 Cannon View. I also note that this represents a conservative approach and in some instances windows that did not meet the geometric criteria for further assessment have been included i.e., where the proposal does not subtend 25° when measured in a perpendicular section through an existing window. I also note that the 45° approach has been taken into account as per the guidance.
- 9.3.17. In terms of daylight, the report indicates that none (0%) of the assessed windows fall below the BRE guidance. The assessment indicates that this favourable outcome is as a result of the modest height of the development and deliberate setback distances. In terms of the appellant's properties, effects of the proposal on the assessed windows are rated as negligible in all cases (i.e., between 0.86 and 0.96 the former value). Whilst I note that a result for window CV2d was not indicated, I do not consider adverse impacts likely having regard to the results for windows CV2c (0.95) and CV3c (0.92).
- 9.3.18. In this regard, I note Section 2.2.7 of the guidance states that if the VSC, with the new development in place, is both less than 27% and less than 0.80 times its former value, occupants of the existing building will notice the reduction in the amount of skylight.
- 9.3.19. In terms of sunlight, the report indicates that none (0%) of the assessed windows fall below the recommended 25% annual probable sunlight hours (APSH) and recommended 5% winter sunlight hours (WSPH). In this regard, I note that an APSH/WSPH assessment was not carried out on the windows of Nos. 1-4 Cannon View on the basis that the windows of these properties that face the proposed development are not orientated within 90° of due south as per Section 3.2 of the guidance. I also note that reduction in APSH/WSPH to the appellant's property to the north of the site is rated as negligible for all assessed windows and thus compliant.
- 9.3.20. In this regard, I agree that the proposal will not materially reduce sunlight to neighbouring properties and that assessed windows will continue to receive sunlight in line with BR 2009 2022 and reasonable sunlight will be maintained throughout the year.
- 9.3.21. In terms of sunlight to existing back gardens and amenity areas, the report indicates that at least 50% of open space for all assessed properties will receive at least 2 hours

sunlight on 21st March, with the exception of No. 1 Seacrest View. In this regard, I note that the baseline for this property is low and will be unaltered by the proposed houses. In relation to the appellant's dwellings, I note that sunlight to the existing back garden of only one of the houses will be reduced marginally (by 3%) with the others unaltered. Thus, none of these amenity spaces will be materially affected by overshadowing and this is equally important to note in the context of overbearance in terms of outlook.

- 9.3.22. I am therefore satisfied that the proposal accords with the guidance set out in Section 33.3.5 of the Development Plan and is fully consistent with Section 5.3.7 of the Compact Settlements Guidelines. The latter reminds us of the general presumption in favour of increased scales of urban residential development when weighing up the overall design quality of the scheme and the measures proposed to maximise daylight.

General Character Impacts

- 9.3.23. Finally, I note that some of the appellants suggest that the proposal will adversely affect the residential character of the area. In this regard, I note that the planning authority initially requested FI seeking a reduction in the overall height of the houses to reflect the established character of the area but ultimately accepted the applicant's rationale for keeping the proposed heights unchanged. The subsequent Planner's Report, as noted above, accepts that there are some three-storey structures in the area and the setback from the edge of the Shore Road reduces the visual impact with only intermittent views due to intervening structures. I fully agree, save for the reference to three-storey, which Unit nos. 11-12 are clearly not. I am therefore unpersuaded that the proposal would result in significant negative impact on the character of Strandhill village or would have a prominent appearance when viewed from the Shore Road.

- 9.3.24. In this regard, whilst I note that the FFL of Unit nos. 01-02 is some 0.8m higher than the adjoining ground level at the National Surf Centre and it's FRL is some 2.7m higher than that of No. 1 Seacrest View, it is unlikely to give rise to a jarring effect given the setback and fleeting views when viewed in an easterly direction from the Shore Road. All other houses are well screened by buildings along Shore Road and Cannon View.

Conclusion on Residential Amenity

- 9.3.25. On balance, I do not consider that the proposed development would adversely impact on the residential amenity of neighbouring properties by reason of overshadowing, overbearance, or overlooking nor would it compromise the amenities of the occupants.

9.3.26. If the Commission are minded to grant permission, I recommend that construction related residential amenity impacts are mitigated insofar as possible through standard construction hours and a CEMP, particularly in relation to noise and dust etc. Should the Commission have any residual concerns regarding the FFLs of Unit nos. 01-04 vis-à-vis existing ground levels or adjoining ridge heights they may wish to consider stepping the FFLs similar to Unit nos. 06-12 but I do not consider that this is necessary.

9.4. **Natural Heritage Impacts**

- 9.4.1. The other major concern in the various appeal grounds relates to site clearance works prior to the lodgement of the application and the impact this has had on sand dune habitat. There are a number of associated concerns raised in relation to the enforcement of planning control, including the provisions under Section 35 of the Planning Act, validation of the application, and land ownership. These issues are addressed under procedural matters. The sole focus here is ecological impact and, in this regard, the applicant states that no designated habitats were identified on the site. The applicant also notes that the site is not within or adjacent to any European sites.
- 9.4.2. This assessment does, therefore, overlap with Appropriate Assessment (AA) issues, and I note that the core of the submissions in this regard allege there was destruction of Annex I dune habitat and concerns are raised over the efficacy of the baseline data in the Ecological Impact Assessment (EclA) and AA Screening Report. Indeed, one appellant suggests that the proposal now requires Substitute Consent and another states that a valid AA is impossible when the environmental baseline is gone. Concerns are also raised regarding the displacement of wildlife i.e., badger and common lizard.
- 9.4.3. As noted, the application is accompanied by an EclA and AA Screening Report. I have reviewed both and I accept that the baseline ecological information was recorded in a post-clearance scenario in May 2025 i.e., the predominant habitats are buildings and artificial surfaces (BL3), spoil and bare ground (ED2) and scattered trees and parkland (WD5). The EclA also notes that the southern section of the site comprises previously cleared ground characterised by bare sand with vegetation cover less than 50%, although notes that vegetation was starting to re-colonise. This generally reflects site conditions during my inspection although re-colonisation is at a more advanced stage. In this regard, there were numerous stands of *Malva arborea* (Tree Mallow) present which are not amongst the species identified in the EclA, particularly to the east and

west of the site. The other species listed were generally observed however, including *Rosa rugosa* (Rugosa Rose) along the western boundary, adjacent to the tree mallow.

- 9.4.4. In relation to badgers, the EclA states that there are no signs which definitively confirm that badger have utilised the site such as setts, prints, snuffle holes, latrines or scat but this must be tempered by the site conditions at the time of the statement. In this regard, I am inclined to accept the appellant's anecdotal evidence that badgers have utilised the site, but generally for commuting purposes as opposed to sett construction or foraging given the sandy substrate and proximity to anthropogenic activity. I thus agree with the EclA that the appeal site is suboptimal for this crepuscular species.
- 9.4.5. The EclA also considered the suitability of the site for amphibians, bats (for roosting and foraging), birds (for nesting, breeding and wintering), otters, hedgehogs, shrews and other species including pine martin and Irish hare, and no issues were identified. Whilst I note that reptiles, including common lizard, were not included for assessment in the EclA, I have reviewed the NBDC 1km grid dataset and no reptiles are listed, nor is the Narrow-mouthed Whorl snail *Vertigo angustior*, as mentioned in Annex I context.
- 9.4.6. I note that Table 5-1 of the EclA 'screens in' badgers for further consideration given the potential for this species to become entrapped in trenches / excavations during the construction phase. Bats, invasive species and trees are also screened in, in addition to European sites which are considered separately in the AA Screening (Section 10).
- 9.4.7. The mitigation measures set out in Section 5.3 of the EclA in relation to the protection of trees, bats, birds, terrestrial mammals including badger and other nocturnal species, and to ensure the control of invasive species during construction generally reflect industry standards. I specifically welcome the appointment of an Ecological Clerk of Works (ECoW), and I agree that no significant impacts on flora or fauna are anticipated.
- 9.4.8. Similarly, the measures outlined for the operational phase, including the protection of water quality through infiltration and SuDs measures and protection of bats through bat friendly street lighting design, are considered acceptable, in addition to the ecological enhancement measures detailed in Section 5.4 of the EclA. In relation to the latter, I note that c. 79 metres of native hedgerow mix and c. 177m of native hedge will be planted in addition to c. 71 trees, 210sq.m of low evergreen planting mix, 251sq.m of wildflower meadow mix, 185sq.m of grassland and 747sq.m of private

gardens / grassed lawn, and a bioretention area. I note that the enhancement measures also include artificial bat and bird boxes and deadwood habitat/bug hotels.

- 9.4.9. Notwithstanding the criticisms of the AA Screening Report and EclA, I found both reports relatively robust and include the baseline of the site at the time the site walkover was conducted. I therefore agree that the conclusions set out in the latter are reasonable, i.e., the site is currently of low local ecological value and is not considered to be of high suitability or importance for any Annex I or Annex II species etc. I am thus satisfied that the proposal will not adversely impact on any ecological receptors.

Prior Clearance Works

- 9.4.10. Whilst I note the concerns raised in relation to alleged destruction of an Annex I dune system (prior to the application) and commentary regarding the prior condition of the site (i.e., shifting / white / grey dunes), there is no evidence to support the contention that the sand dunes, which occupied a small part of the site, were Annex I habitat.
- 9.4.11. According to Fossitt¹, embryonic or shifting dunes are unstable mounds of sand that occur between the high tide mark and white dunes and rarely exceed 1 metre in height. They represent the initial phase of dune formation and are susceptible to storms. White or marram dunes are partially stable hills or ridges that occur along the seaward edge of the main sand dune system. They encompass most of the vegetation of unstable dunes where there is active sand movement. White dunes tend to be taller than shifting dunes and form further inland but can erode quickly due to the presence of bare sand.
- 9.4.12. There was no evidence on site of active sand movement with the bare sand surfaces evidently connected with the prior clearance works. Whilst there is some evidence of re-colonising marram grasses, this is due to excavation as opposed to natural processes. Thus, I do not agree the site contains or contained shifting or white dunes and it is certainly not located between the high tide mark and the seaward edge.
- 9.4.13. Grey or fixed dunes mainly occur on the largest dune systems, being those which have the width to allow them to develop. They are the more stabilised areas of the dune system located inland from the mobile dune habitats where sand mobility is greatly reduced leading to a mostly fixed carpet of vegetation. According to Fossitt²,

¹ Fossitt, J.A., 2000. *A Guide to Habitats in Ireland*. The Heritage Council.

² Ibid.

vegetation is usually characterised by herb-rich grassland such as *Festuca rubra* (Red Fescue) and extensive moss and lichen cover such as *Cladonia* which is grey in colour. Whilst marram may also be present, it should not be in abundance according to Fossitt.

- 9.4.14. Whilst I note that one of the appellants with property bounding the site submits that the appeal site included areas of established vegetation, including marram grass and stable dune-like topography prior to clearance in March 2025, adding that it formed part of the wider coastal landscape, including adjoining lands where similar habitat remains present today, there is a paucity of information to corroborate it was Annex I.
- 9.4.15. In this regard, I note that Section 4.1.1 (Habitat Loss etc.) of the AA Screening Report states that Annex I fixed dunes were recorded 'directly adjacent to the southern site boundary within the golf course' during the site walkover survey, and whilst I observed dune formation along this boundary, it was generally characterised by a mix of scrub, grassland and marram with no evidence of herb-rich grassland, moss or lichen cover.
- 9.4.16. Moreover, the quality of the dune system further within the golf course site appears to improve and could possibly represent Annex I habitat, but for present purposes, I am satisfied that there is no Annex I habitat on site nor immediately adjacent and it is therefore highly unlikely that any Annex I habitat was present prior to clearance works.
- 9.4.17. For clarity, and having regard to publicly available imagery, in addition to photos submitted with the appeal, I note the area to the rear of Knocknarea House was previously laid out as a private lawn with two small mounds of marram grass along the golf course boundary, and shrubbery along the eastern boundary. Similarly, the area behind Strandhill Lodge & Hostel ('Arus Mhuire'), albeit possibly forming the curtilage of Knocknarea House, included shrubbery on an elevated mound with marram grass.
- 9.4.18. I do not therefore consider that the appeal site represents a stepping stone in the wider dune network. It meanders through (is managed within) the golf course but predominantly occurs in a southerly direction from the golf course towards Portacurry Point, which is the archetypical sand-spit feature at the mouth of Ballysadare Bay, and an actively growing peninsula according to the Site Synopsis for Ballysadare Bay SAC. It is also worth considering that the peninsula consists primarily of grey dunes and other QI's of the SAC i.e., shifting dunes, white dunes and dune slacks. Similarly, the sand dune QI habitat of Sligo Bay SAC terminates north of Strandhill Camping Park.

9.4.19. In this regard, I accept that Annex I fixed dunes habitat, where they occur within the wider vicinity of the site, lie entirely outside the site boundary and no construction or operational activities will occur within or extend into such adjacent habitat. Moreover, the site has no hydrological connection with the nearby European sites for which dune habitat is designated, namely Cummeen Strand / Drumcliff Bay (Sligo Bay) SAC and Ballysadare Bay SAC which are located c. 200m and 400m from the site respectively.

Conclusion on Natural Heritage

9.4.20. On balance, I do not consider that the proposed development would adversely impact on the natural heritage of the area, including Annex I dune systems where they exist.

9.4.21. I recommend that the mitigation measures contained within the EclA be conditioned in the event of a grant of permission in addition to bat lighting and demolition conditions.

9.5. Procedural Matters

9.5.1. The appellant's raise a number of procedural matters which generally relate to the validity of the application. Specific concerns in this regard relate to the legal interest of the applicant and the inferred legal interest of the local authority, as well as concerns in relation to the accuracy of the submitted drawings and ongoing enforcement action.

9.5.2. The appellant's also raise other matters which more broadly relate to the National Surf Centre and public realm Part 8, and I note specific allegations are made in this regard.

Enforcement of Planning Control

9.5.3. I note specific concerns raised regarding the granting of permission whilst enforcement action was ongoing. In this regard, one of the appellants submits that this is a failure under Section 35 of the Act. It relates to a refusal of permission for past failures to comply and whilst it is generally concerned with non-compliance with a previous permission, it does also relate to carrying out substantial unauthorised development.

9.5.4. In such circumstances, the planning authority may form the opinion that there is risk that the proposed development would not be completed as permitted. This, however, as is the case with enforcement action generally, is a matter for the planning authority.

9.5.5. Similarly, whilst I note the applicant's suggestion that the clearance works were exempted development, it is beyond An Coimisiún Pleanála's remit to engage with this. I do, however, recommend a security bond condition should permission be granted.

Validation

- 9.5.6. Elsewhere in the appeal submissions it is suggested, or at least inferred, that the application should have been made invalid given the live enforcement case at that time. There is no statutory basis for such an invalidation, either in the Planning Act or under Part 4 of the Planning and Development Regulations 2001, as amended, ('the Regulations') which governs processes around the validation of planning applications.
- 9.5.7. The appellants to the north of the site also raise concerns regarding the accuracy of the drawings, noting specifically that the chimney which serves their chalet and is located within the site has not been illustrated on any of the plans. In this regard, they suggest that the established boundary / longstanding use is not accurately reflected.
- 9.5.8. Having reviewed Article 23 of Part 4 of the Regulations, I am unpersuaded that the failure of the applicant to illustrate a free-standing chimney located on the appeal site of a structure not located on the appeal site would give rise to any invalidation. I certainly don't agree that any informal boundary which once stood should be shown.

Legal Interest

- 9.5.9. As noted above, I am unconvinced that the aforementioned appellant has legal control of the relevant portion of the land within the appeal site, irrespective of the chimney's location. Regardless, Section 5.13 of the Development Management Guidelines state that the planning system is not designed as a mechanism for resolving disputes about title to or rights over land and this is ultimately a matter for resolution in the Courts.
- 9.5.10. Another of the appellant's raises specific concerns regarding the legal interest of the applicant in the appeal site, suggesting that this is also a validation issue as per Article 22 of the Regulations. The same appellant also raises concerns regarding Sligo County Council being listed as "other" in Section 8 of the planning application form.
- 9.5.11. The applicant, on the other hand, states that their legal interest in the appeal site was clarified at FI stage and notes that a letter of consent from third party landowners is a requirement under Article 22 of the Regulations, and common practice in relation to local authorities where the works to the public footpaths or road are also proposed.
- 9.5.12. As noted above, legal disputes are a civil matter outside the scope of the planning process, and whilst I am cognisant of the provisions of Section 34(13) of the Act, this does not obviate the need to comply with the provisions of Article 22(2)(g) of the

Regulations. However, based on the information before me, including the land registry details provided by the applicant in his FI response, I am fully satisfied that the applicant has complied with the statutory requirements in all aspects. I specifically note that the letter of consent provided by Sligo County Council was explicitly for the purposes of submitting an application and thus no conflict of interest or bias arises.

Unrelated Matters

9.5.13. A number of other issues are raised in the appeal grounds and appear to be entirely extraneous to the proposed development before the Commission. For example, one of the appellant's submits that the National Surf Centre should have been subject to Part 8 procedures, and whilst it is relevant in terms of considering in-combination effects and cumulative impacts, the framing of the submission, would appear to me at least, to be a challenge to the legality of that decision, as opposed to the proposal at hand. It is in this context that I refer to Section 138 of the Planning Act which provides the Commission with absolute discretion to dismiss an appeal where, having considered the grounds of appeal, is of the opinion that it is without substance or foundation. This concern relates only to specific issues raised within that appeal, and in the round, there are other grounds raised that merit assessment and determination.

9.5.14. Finally, I note that a number of serious allegations are levelled against the planning authority in the appeal submissions. For the most part, I have addressed these allegations where they relate to procedural matters, however other allegations are beyond the remit of An Coimisiún Pleanála. I note that one of the appellant's has signalled their intention to refer the matters raised to the Office of the Planning Regulator (OPR), and indeed that body is best placed to carry out such investigations.

Conclusion on Procedural Matters

9.5.15. I am unpersuaded by any of the grounds advanced in relation to procedural matters and I am therefore fully satisfied that the Commission has a valid appeal to consider.

9.6. Other Issues

9.6.1. Finally, the appellants also raise concerns in relation to archaeology, traffic (including the proposals interaction with the public realm Part 8 scheme) and WwTP capacity.

Archaeology

- 9.6.2. I note that the appellants raise concerns regarding the efficacy of the Archaeological Impact Assessment (AIA) in a post site clearance scenario and by failing to mention a number of national monuments in the wider area as well as one in relative proximity.
- 9.6.3. The applicant, on the other hand, states that the alleged failure to identify relevant monuments in the area is incorrect and notes that the DAU-NMS agreed with the recommendations contained in the submitted AIA i.e., pre-development testing etc.
- 9.6.4. I have reviewed the submitted AIA and whilst the archaeological inventory does focus on monuments to the south and east of the site, I do not consider the failure to mention middens or other archaeological features to the north of the site, in the vicinity of Sligo Airport, to be a significant deficiency given the distance from their zone of notification. Moreover, I note that the site inspection was conducted in May 2025 in a post clearance scenario and thus the recommendation in relation to pre-development testing, as endorsed by DAU-NMS, the relevant prescribed body, is reasonable. I recommend that such a condition be attached in the event of a grant of permission.

Traffic

- 9.6.5. In terms of traffic, a number of appellants suggest that the proposal will adversely affect the viability of the Part 8 public realm enhancement project with associated traffic (incl. construction traffic) leading to more congestion and pedestrian safety concerns. In this regard, one of the appellants suggests that the proposal lacks a detailed assessment.
- 9.6.6. In response, the applicant notes that a continuous footpath will be provided along the Shore Road and moreover, the proposal will improve eastern-western permeability with the pedestrian / cycle link fully delivered within the appeal site. They also note that no traffic concerns were raised by the local authority following FI response.
- 9.6.7. Having regard to PE-PDV-02045 (TII, 2014), I accept that the proposal, which is a modest development of 12 no. dwellings, does not trigger the requirement for a TTA and I am thus satisfied that the traffic impacts have been sufficiently considered and assessed by the planning authority. I also agree that the proposal will improve east-west pedestrian / cycle permeability between the public car park and promenade and there is no evidence to suggest that it will impact on the viability of the Part 8 scheme.
- 9.6.8. I recommend standard road and CTMP conditions in the event of a grant of permission.

Wastewater Capacity

- 9.6.9. Whilst concerns have also been raised in relation to the capacity of Strandhill WwTP, the applicant has highlighted the fact that Uisce Éireann issued a CoF and a copy of this is included in their appeal response. Moreover, I note that the latest Annual Environmental Report (Uisce Éireann, 2024) indicates that the WwTP has remaining capacity for 1,091 PE and this is not expected to be exceeded in the next 3 years. It also states that the WwTP is operating in compliance with its discharge licence (ELVs).

Institutional Investment

- 9.6.10. I note that Condition 22 of the planning authority decision is appropriately applied having regard to the guidelines on the regulation of commercial institutional investment in housing and I recommend such a condition is attached if permission is to be granted.

Residual Issues

- 9.6.11. A panoply of issues were raised in the grounds of the five appeal submissions, one of which individually exceeded 330 pages including appendices. The core appeal grounds have been summarised in section 8 and are considered and assessed above.
- 9.6.12. One of the residual issues that did not fit within any of the main grounds was the alleged material contravention of Development Plan policies P-CP-1 and P-FRM-1 which, according to the appellant, strictly prohibit sand dune removal. These policies relate to coastal protection and flood risk management, and I do not consider the proposal will impact on either. I specifically note that the site is located within Flood Zone C in terms of coastal events and thus no contravention, let alone a material one, arises.
- 9.6.13. Finally, I note that concerns are also raised regarding the pathway serving rear gardens from a security and public liability (fall risk) perspective, with public safety issues also raised by Strandhill Golf Club in terms of errant golf balls and boundary instability.
- 9.6.14. The applicant, on the other hand, states that the pathway to the rear of the appellant's property is gated and not a through route and access for maintenance is a matter for the appellant, as there was never a right of access via the appeal site. They also submit that the proposal does not encroach in any way on to lands owned by the Golf Club, noting that the design response is to supplement the existing boundary with new hedging and the risk of stray balls is a matter for the Golf Club and not the applicant.

9.6.15. Having regard to the layout of the golf course, a distinction can be drawn between the proximity of the nearest tee-fairway-green to the appeal site and that presented as an analogous case along the boundary with Buenos Ayres Court to the east of the public car park. Whilst that boundary does incorporate a high catch net, I do not consider the same is required in this case, particularly given the intervening dunes. Whilst I am also inclined to agree with the applicant in terms of maintenance of the appellant's chalet and garage, I consider that this can be reasonably achieved via the proposed pathway.

Conclusion on Other Issues

9.6.16. The above assessment represents my *de novo* consideration of all planning issues material to the proposal to construct 12 no. residential units at the appeal site.

10.0 AA Screening

10.1. In accordance with Section 177U of the Planning and Development Act 2000, as amended, and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on Ballysadare Bay SPA, or any other European site, in view of the sites Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required.

10.2. This determination is based on:

- Information provided in the AA Screening, ecological and engineering reports
- The scale of the development on zoned and serviced lands as confirmed by Uisce Éireann
- Distance from and weak indirect connections to the European sites
- No ex-situ impacts on wintering birds as confirmed by the wintering bird survey
- Possible impacts identified would not be significant in terms of site-specific conservation objectives for Ballysadare Bay SPA and would not undermine the maintenance of favourable conservation condition for those qualifying interest species and features.

10.3. No mitigation measures aimed at avoiding or reducing impacts on European sites were required to be considered in reaching this conclusion.

11.0 Water Framework Directive

- 11.1. A screening for the purposes of the Water Framework Directive (2000/60/EC) has also been carried out. On the basis of objective information, I conclude that the proposal 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 waterbody in reaching its WFD objectives. Therefore, it can be excluded from any further assessment (Appendix 3).

12.0 Recommendation

- 12.1. I recommend that permission be **granted** for the reasons and considerations below.

13.0 Reasons and Considerations

- 13.1. Having regard to the provisions of Sligo County Development Plan 2024-2030, the location of the proposed development on Tier 1 serviced lands within the built-up footprint of Strandhill, the infill nature, scale, design and density of the proposed development and the Settlement Consolidation Site (SCS-6) designation in this regard, and the prevailing pattern and character of development in the 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 residents, and would not be prejudicial to traffic safety or public health, would not adversely impact on the natural environment or give rise to significant effects on any European site, and would otherwise constitute an appropriate form of development on mixed-use zoned lands. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

14.0 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 on the 17th 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 interests of clarity.

2. The proposed development shall be amended as follows:

(a) The communal bin area shall be omitted,

(b) The resultant area shall be retained as open space for biodiversity enhancement.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of residential amenity and natural heritage

3. All of the mitigation, enhancement and monitoring measures detailed in the submitted Ecological Impact Assessment (EclA), shall be implemented in full within the timescales listed within those documents. 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: In the interests of natural heritage and biodiversity.

4. 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.

5. The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths and kerbs shall be in accordance with the

requirements and detailed construction standards of Sligo County Council, as the roads authority for such works, and the design standards outlined in DMURS.

Reason: In the interest of traffic and pedestrian safety.

6. A detailed Construction Traffic Management Plan (CTMP) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interest of traffic safety and convenience.

7.
 - (a) 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.
 - (b) 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.
 - (c) 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.
 - (d) 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.
 - (e) 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 will advise the Applicant/Developer with regard to these matters.
 - (f) 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.

8. Public lighting shall be provided in accordance with a scheme prepared in line with the principles of the Bat Conservation Trust *Guidance on Bats and Artificial Lighting at Night*. The scheme shall include lighting along pedestrian routes through open spaces, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the occupation of the development hereby permitted.

Reason: In the interests of amenity and public safety, and wildlife protection.

9. Prior to the commencement of development (including demolition and tree clearance), 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.

Reason: In the interest of wildlife protection.

10. Details of the materials, colours and textures of all the external finishes to the proposed dwellings 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. (a) A boundary treatment plan for the eastern and western boundaries shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Details shall include overall heights, the materials to be used and the exact width of the openings on each boundary serving the cycle / pedestrian link. Where retaining walls are proposed, a section shall be submitted showing existing and proposed levels either side of the wall. The development shall be carried out as agreed.
(b) Tree protection and removal shall be carried out in accordance with the details lodged with the application, as amended by the further plans and particulars received on the 17th day of December 2025, unless otherwise agreed in writing with the planning authority prior to the commencement of development.

(c) Prior to the occupation of any of the dwellings hereby permitted all boundary treatment delineating individual plots shall be constructed as detailed in the plans and particulars received on the 17th day of December 2025, unless otherwise agreed in writing with the planning authority prior to the commencement of development.

(d) The landscaping scheme submitted with the application, as amended by the further plans and particulars received on the 17th day of December 2025, shall be carried out within the first planting season following substantial completion of construction works, unless otherwise agreed in writing with the planning authority prior to commencement of development.

(e) All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of 5 years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

(f) Areas of public open space shall be reserved for such use and maintained by the developer until taken in charge by the local authority.

Reason: In the interests of residential and visual amenity, and biodiversity.

12. The development hereby permitted shall be carried out and completed at least to the construction standards set out in Sligo County Council's *Policy on Taking in Charge of Residential Developments* (April 2013), or any superseding document. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority.

Reason: To ensure that the development is carried out and completed to an acceptable standard of construction.

13. Proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing

signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.

14. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Uisce Éireann.

Reason: In the interest of public health.

15. 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.

16. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare 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) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. 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.

Reason: In the interest of sustainable waste management, environmental protection and public health.

17. 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.

Reason: In the interests of visual amenity.

18. Site development and building works shall be carried out only between the hours of 0800 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.

19. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Coimisiún Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

20. (a) Prior to the commencement of the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant residential units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.
- (b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.
- (c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence

from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

21. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

22. 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.

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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Philip Maguire

Inspectorate

29th June 2026

Appendix 1 (EIA Screening)

Form 1 – EIA Pre-Screening

Case Reference	PL-500905-SO-26
Proposed Development Summary	12 no. residential units (see IR for full description).
Development Address	Shore Road, Strandhill, Co. 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)	☒ Yes, it is a 'Project'. Proceed to Q2.
	☐ 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)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
☒ 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?	
☐ 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.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☒ 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)	Class 10(b)(i) 'more than 500 dwellings units' 12 no. dwelling units proposed. Class 10(b)(iv) 'urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere'. Site area is stated as 0.48ha.

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 ☐	
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	PL-500905-SO-26
Proposed Development Summary	12 no. residential units (see IR for full description).
Development Address	Shore Road, Strandhill, Co. 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).	Permission is sought to demolish a single-storey shed and the rear and dividing boundary walls of Knocknarea House and Strandhill Lodge & Hostel ('Arus Mhuire') and construct 12 no. two- and three-storey dwellings. Amendments to the existing garden areas/plots of Strandhill Lodge & Hostel and Knocknarea House are proposed to facilitate the works, including a new access off the Shore Road. The access transitions to a homezone at a T-junction and is flanked by open space. The 0.48ha site slopes gently in a westerly direction from c. 8.86mAOD to 7.24mAOD with localised undulations and notable spot heights at c. 9mAOD more centrally. Works to achieve the proposed FFL will therefore involve cut and fill in places and thus require the removal of excavated sands, soils, boulder clay, rock / bedrock and vegetation. No estimations of cut and fill have been provided and it is not anticipated to be significant, but I do acknowledge the site has been partially cleared as detailed in the appeals. Construction and demolition activities would require the use of potentially harmful materials, such as fuels, concrete etc. and give rise to waste for disposal. Such wastes are typical of construction sites and significant wastes; emission or pollutants are not anticipated. Noise and dust emissions during construction are likely but such impacts would be localised and temporary in nature as detailed in Section 2 of the Construction, Environmental, Resource & Waste Management Plan. Connection to public water and wastewater infrastructure is proposed and Uisce Éireann have issued a confirmation of feasibility (CoF) which indicates that both water and wastewater connections are feasible without infrastructure upgrades.

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).	Urban backland site. The nearest designated European sites, Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC and SPA and Ballysadare Bay SAC and SPA are all within c. 1.4km. Cummeen Strand is also a Ramsar site. The nearest proposed Natural Heritage Areas (pNHA's) are Cummeen Strand/Drumcliff Bay (Sligo Bay), Ballysadare Bay and Knocknarea Mountain and Glen. No other pNHA's, SACs or SPAs within 5km of the site. There are no protected / NIAH structures or monuments in immediate proximity of the site, the closest being 'The Cannon' (RPS ref. 102) on Strandhill promenade and an earthwork (RMP ref. SL013-033) on Golf Course Road to the southeast. Knocknarea House is, however, identified as a 'building of note' (Strandhill – BoN No. 10) in Appendix B of the Sligo Development Plan 2024-2030. Whilst I note the wider coastal location of the appeal site and its proximity to adjoining sand dunes on Strandhill Golf Course and the ecological sensitivities in this regard, the site is bound on three sides by urban development and appears functionally distinct from the Golf Course as evidenced by the existing timber fence along the southern boundary. The site has also been subject to SEA as part of the Development Plan process and indeed a further buffer of mixed-use zoning lies between the appeal site boundary and the open space zoning that is designated for the majority of the Golf Course. The proposal is not considered to be exceptional in the context of this built-up receiving environment adjacent to established, low density housing and whilst I accept that the backland section of the site comprises previously cleared ground, as noted in the EclA and detailed in the various appeal submissions, the environmental sensitivity of geographical areas likely to be affected by the development is limited to the immediate environs and deemed substantially below the threshold of significant. In this regard, I do not consider the appeal site represents a stepping stone in the wider dune network which meanders through (is managed within) the Golf Course in a southerly direction towards Portacurry Point, which is the archetypical sand-spit feature. Beyond the Golf Course, Strandhill Dunes stand impressively above the beach at a high point of c. 39mAOD and are distinctively separate to lower-scale dune formation on the Golf Course, a residual piece thereof being within the site.
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Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Likely effects are limited to the construction phase through increased noise and dust from construction traffic and operations but will be substantially below the threshold of significant through established construction practices as detailed in the Construction, Environmental, Resource & Waste Management Plan. Having regard to the scale of the proposed development there is no potential to significantly impact on environmental parameters or on the ecological sensitivities of the aforementioned pNHA's, European sites, including transboundary designations, or other significant environmental sensitivities in the area. Whilst there is, however, limited potential for impacts on coastal vegetation, including re-colonising marram grasses, which were evident during my site inspection and not explicitly identified in the EcIA, the impacts will be localised and not result in habitat fragmentation. This does not, however, trigger the requirement for an EIA. Whilst I am also cognisant of the many submissions in relation to site clearance works in advance of the application generally and site surveys specifically, I do note that the habitat suitability of the sand dunes beyond the site boundary was taken into consideration in the AA and EcIA and I am generally satisfied with their efficacy.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)

Appendix 2 (AA Screening)

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	12 no. residential units (see IR for full description).
Brief description of development site characteristics and potential impact mechanisms	The 0.48ha site slopes gently in a westerly direction from c. 8.86mAOD to 7.24mAOD with localised undulations and notable spot heights at c. 9mAOD more centrally. Works to achieve the proposed FFL will therefore involve cut and fill in places and thus require the removal of excavated sands, soils, boulder clay, rock / bedrock and vegetation. No estimations of cut and fill have been provided and it is not anticipated to be significant, but I do acknowledge the site has been partially cleared as detailed in the appeals. Boundaries are generally defined by timber fencing and block walls. No drainage ditches or groundwater vectors identified or evident during site inspection. Construction and demolition activities would require the use of potentially harmful materials, such as fuels, concrete and other such substances and give rise to waste for disposal. Such wastes will be typical of construction sites and significant wastes; emission or pollutants are not anticipated. Noise and dust emissions during construction are likely but such construction impacts would be localised and temporary in nature. Connection to public water / wastewater infrastructure is proposed and Uisce Éireann have issued a confirmation of feasibility (CoF). Surface water drainage designed to incorporate SuDS principles including local soakaways and permeable paving.
Screening report	Yes –Malone O'Regan (July 2025)
Natura Impact Statement	No
Relevant submissions	Third party / appeal grounds – removal of habitat.
Additional information	Sligo Co. Council screened out the need for AA. Application referred to DHLGH (DAU) and Uisce Éireann - no objections received by planning authority.

Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
European Site (code)	Qualifying interests¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections²	Consider further in screening³ Y/N
Cummeen Strand / Drumcliff Bay (Sligo Bay) SAC (000627)	Marine, coastal and grassland habitats Petrifying springs Narrow-mouthed Whorl snail Sea Lamprey River Lamprey Harbour Seal Conservation Objectives Link (NPWS, 2024)	c. 0.22km northeast of appeal site (from closest point)	No – no downstream hydrological connection or relevant mobile QI associated with this SAC.	N
Ballysadare Bay SPA (004129)	Wintering water birds (5x species) Wetland and waterbirds Conservation Objectives Link (NPWS, 2013)	c. 0.34km southwest of appeal site	Yes – potential temporary disturbance / noise impacts.	Y
Ballysadare Bay SAC (000622)	Marine, coastal and grassland habitats Narrow-mouthed Whorl snail Harbour Seal Conservation Objectives Link (NPWS, 2013)	c. 0.42km southwest of appeal site	No – no downstream hydrological connection or relevant mobile QI associated with this SAC.	N

Cummeen Strand SPA (004035)	Wintering water birds (3x species) Wetland and waterbirds Conservation Objectives Link (NPWS, 2013)	c. 1.37km northeast of appeal site	No – no downstream hydrological connection – the SPA is sufficiently remote to avoid disturbance during construction works and the appeal site is unsuitable for roosting or foraging.	N
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¹Summary description / **cross reference to NPWS website** is acceptable at this stage in the report

²Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species

³if no connections: N

Further Commentary / Discussion

All Conservation Objective links are up to date at the time of writing and have been cross-referenced against the Statutory Instruments, where relevant.

Due to the relatively limited scope of the works and the backland nature of the appeal site, I consider that the proposal is unlikely to generate impacts that could extend to a large geographical area, thus a potential zone of influence limited to c. 5km is reasonable.

Sources of impact and likely significant effects are considered in the Table below.

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Ballysadare Bay SPA (004129) Light-bellied Brent Goose <i>Branta bernicla hrota</i> Grey Plover	Direct: none. Indirect: Noise from construction activity has the potential to	Possibility of significant effects are limited given the lack of habitat suitable to support any QI species. The appeal site consists largely of bare / sparsely vegetated ground, albeit re-colonising,

<i>Pluvialis squatarola</i> Dunlin <i>Calidris alpina</i> Bar-tailed Godwit <i>Limosa lapponica</i> Redshank <i>Tringa totanus</i> Wetland and Waterbirds	cause disturbance to resting, foraging and commuting QI species.	with no features likely to attract feeding, roosting or nesting birds associated with coastal / estuarine environments; with designated species likely to utilise more suitable habitat closer to the SPA, away from the anthropogenic / urban activities in surrounding area. Moreover, the site is separated from the shoreline by a mix of commercial and residential buildings, some three-storey height, and a busy road network / promenade, which is a well-used recreational and tourist area, with high levels of human activity, thus any bird species using this stretch of shoreline would already be habituated to regular anthropogenic disturbance, including foot traffic and vehicular noise. Construction works would not encroach on designated sites / supporting habitat and conservation objectives would not be undermined.
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
Further Commentary / discussion (only where necessary) N/a.		

Step 4 Conclude if the proposed development could result in likely significant effects on a European site

I conclude that the proposed development (alone / in combination with other plans and projects) would not result in likely significant effects on European sites. No further assessment is required for this project.

No mitigation measures are required to come to this conclusion.

Screening Determination**Finding of no likely significant effects**

In accordance with Section 177U of the Planning and Development Act 2000, as amended, and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on Ballysadare Bay SPA, or any other European site, in view of the sites Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required.

This determination is based on:

- Information provided in the AA Screening, ecological and engineering reports
- The scale of the development on zoned and serviced lands as confirmed by UÉ
- Distance from and weak indirect connections to the European sites
- No ex-situ impacts on wintering birds as confirmed by the wintering bird survey
- Possible impacts identified would not be significant in terms of site-specific conservation objectives for Ballysadare Bay SPA and would not undermine the maintenance of favourable conservation condition for those qualifying interest species and features.

No mitigation measures aimed at avoiding or reducing impacts on European sites were required to be considered in reaching this conclusion.

Appendix 3 (WFD Screening)

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	PL-500905-SO-26	Townland, address	Shore Road, Strandhill, Co. Sligo
Description of project		12 no. residential units (see IR for full description).	
Brief site description, relevant to WFD Screening		The 0.48ha site slopes gently in a westerly direction from c. 8.86mAOD to 7.24mAOD with localised undulations and notable spot heights at c. 9mAOD more centrally. Existing ground is largely bare (exposed sand) / sparsely vegetated, albeit re-colonising. No topsoil layer evident on exposed face along southern boundary. Ground conditions indicative of good permeability in the upper layers. Works to achieve the proposed FFL will involve cut and fill in places and thus require the removal of excavated sands, soils, boulder clay, rock / bedrock and vegetation. No estimations of cut and fill have been provided and it is not anticipated to be significant. Boundaries are defined by manmade features including timber fences and block walls. No drainage ditches or groundwater vectors evident on site or identified by applicant.	
Proposed surface water details		'Public Sewer/Drain' ticked in Q. 20 of the Application Form. This appears to be in error. SuDS measures proposed as per the engineering report (Section 1 and Section 3).	

Proposed water supply source & available capacity			‘New Connection’ ‘Public Mains’ ticked in Q. 20 of the Application Form. UÉ mains water connection – capacity available (Strandhill). UÉ CoF issued – no upgrades required.			
Proposed wastewater treatment system & available capacity, other issues			‘New Connection’ ‘Public Sewer’ ticked in Q. 20 of the Application Form. UÉ mains water connection – potential spare capacity (Strandhill). UÉ CoF issued – no upgrades required.			
Others?			N/a			
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
Groundwater Waterbody	Underlying site	Drumcliff-Strandhill IE_WE_G_0044	Good	Not at risk	None identified	Yes – good permeability in the underlying soils providing pathway to groundwater / water table
Coastal Waterbody	c. 120m	Sligo Bay IE_WE_450_000 0	Good	At risk	Unknown	Yes – via public sewer, including storm network in public road

Step 2: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.

CONSTRUCTION PHASE

No.	Component	Waterbody receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Ground	Drumcliff-Strandhill IE_WE_G_0044	Existing – bare / exposed sand surfaces. New – open cut excavations.	Siltation, pH (Concrete), hydrocarbon spillages.	Best practice construction measures key environmental controls as outlined in CERWMP.	No	Screened out.
2.	Coastal	Sligo Bay IE_WE_450_0000	Existing – buildings on site connected to public infrastructure / outfall. New – as above in respect of storm drains.	Degradation of receiving water quality.	As above	No	Screened out.

OPERATIONAL PHASE							
1.	Ground	Drumcliff-Strandhill IE_WE_G_0044	New – stormwater infiltration to ground including permeable paving and local soakaways.	Degradation of receiving groundwater quality.	SuDS measures proposed to negate discharge to public drain and ensure silt and pollutant control.	No	Screened out.
1.	Coastal	Sligo Bay IE_WE_450_0000	New – wastewater connection to public network which discharge to Sligo Bay following treatment.	Degradation of receiving water quality.	Wastewater will be treated at Strandhill WwTP.	No Latest AER (UÉ, 2024) for Strandhill WwTP indicates remaining capacity for 1,091 PE and this is not anticipated to be exceeded in the next 3 years.	Screened out – no risk to the water environment as Strandhill WwTP is operating in compliance with its wastewater discharge licence (ELVs). CoF issued by UÉ.

DECOMMISSIONING PHASE							
1.	N/A	N/A	N/A	N/A	N/A	N/A	N/A

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