

Larass,
Strandhill,
Sligo

Date: 14/12/2025

AN COIMISIÚN PLEANÁLA	
LDG-	085 974-25
ACP-	
18 DEC 2025	
Fee: €	220 Type: PMO
Time:	9.15 By: post

RE: Submission to An Bord Pleanála - Section 5 Referral – Planning Reference PL 19218

Section 5 Referral – Planning Reference PL 19218

To whom it may concern,

I am submitting this referral under Section 5 of the Planning and Development Act 2000 (as amended) for the sole purpose of obtaining regulatory clarity. I respectfully request a determination as to whether the development carried out pursuant to Planning Reference PL 19218, as constructed and/or altered, constitutes exempted development, development requiring planning permission, or unauthorised development within the meaning of the Act.

This referral arises from documented and objective discrepancies between:

- the pre-planning consultation record;
- the planner's report and grant of permission;
- enforcement and compliance records (including FOI material);
- commencement notice documentation; and
- the development as constructed.

These matters give rise to a legitimate Section 5 question as to what development, in fact and in law, is authorised.

Core Issues Requiring Determination

The following issues, each evidenced within the accompanying addendums, require clarification:

1. Pre-planning contradictions – the pre-planning file identifies the site as visually vulnerable, queries the acceptability of a septic tank, and describes the proposal as three-storey, whereas the grant and planner's report subsequently characterise the development differently without explanation.
2. Change of materials / enforcement – FOI material confirms the existence of enforcement records relating to a change of materials under PL 19218.
3. Commencement notice anomaly – the commencement notice issued for this development PL 19218 has the address of the development as a property already constructed and occupied within an adjacent estate, raising questions as to the accuracy and validity of commencement procedures.

I respectfully submit that these matters fall squarely within the statutory purpose of Section 5.

1. Introduction and Nature of Submission

The purpose of this submission is to:

- place all information gathered and relied upon before the Board in one coherent file;
- consolidate historic material, analysis, and evidence;
- formally introduce additional FOI and enforcement-related material;
- and assist the Board by presenting a structured and indexed record relevant to the Section 5 question.

2. Planning Reference and Subject Matter

This referral relates to development carried out pursuant to Planning Reference PL 19218, within the functional area of Sligo County Council.

The statutory question arising for determination under Section 5 is whether the development, as constructed and/or altered, constitutes:

- exempted development;
- development requiring planning permission; or
- unauthorised development within the meaning of the Act.

3. Historic Information and Evidence Relied Upon

I rely upon the following categories of information, each of which is indexed and appended:

- the original grant of planning permission PL 19218, including approved drawings, plans, and conditions;
- the pre-planning consultation file, which identifies the site as visually vulnerable, queries the acceptability of a septic tank, and describes the proposal as three-storey;
- the planner's report and grant of permission, including conditions governing materials, finishes, scale, height, and external appearance;
- evidence of the development as constructed, including discrepancies between approved plans, descriptions, and on-site works;
- documentation demonstrating that alterations and/or re-characterisation occurred subsequent to pre-planning and the grant of permission;
- records relating to the issuance of a commencement notice referencing a property already constructed and occupied within an adjacent estate;
- Freedom of Information material evidencing enforcement and compliance considerations, including enforcement records relating to a change of materials;
- correspondence and representations relevant to enforcement, compliance, and statutory interpretation.

4. Newly Added Information – FOI Enforcement Records

On 27 November 2020, I submitted a request under the Freedom of Information Act 2014 seeking:

“A copy of the Enforcement Notice – change of materials, PL 19218.”

Sligo County Council acknowledged this request under FOI Reference 64/20, confirming that enforcement-related records concerning a change of materials were held.

This acknowledgment is relied upon as objective evidence that the planning authority itself identified a potential compliance issue in relation to PL 19218.

5. Legal Relevance of the FOI Material

The existence of enforcement records relating to a change of materials is a material planning consideration for the purposes of a Section 5 determination. It raises questions as to:

- whether the development as executed complies with the approved plans and conditions;
- whether the change of materials constitutes a material alteration;
- whether such alteration required a further grant of planning permission;
- whether the development falls within the scope of exempted development; and
- whether enforcement procedures were initiated and addressed in accordance with the Act.

The FOI acknowledgment does not determine these questions, but it establishes their legal relevance.

6. Proper Framing of the Planning Issue

The matters raised are framed as issues of planning compliance, procedural clarity, and statutory interpretation. No allegation of wrongdoing is made. The submission seeks clarity as to whether:

- the planning code was applied consistently;
- material alterations were properly assessed;
- and enforcement mechanisms operated transparently and lawfully.

These are precisely the matters for which the Section 5 procedure exists.

7. Consolidated Schedule of Addendums

The material relied upon is organised as follows:

- Addendum A – Planning Permission and Conditions (PL 19218)
- Addendum B – Development as Constructed (photographs and analysis)
- Addendum C – Chronology Table
- Addendum D – Freedom of Information Requests (including FOI 64/20)

- Addendum E – Enforcement and Compliance Material
- Addendum F – Pre-Planning Consultation Records
- Addendum G – Commencement Notice and Validation Issues
- Addendum H – Additional Supporting Documentation

All addendums form an integral part of this submission.

8. Matters Requiring Determination

I respectfully submit that the following matters arise for determination under Section 5:

- whether the development is consistent with the pre-planning consultation record;
- whether the re-classification from three-storey to two-storey accurately reflects the development as built;
- whether the site's identification as visually vulnerable was properly addressed;
- whether the provision of a septic tank was lawfully assessed;
- whether the change of materials constitutes a material alteration;
- whether the commencement notice was valid and accurately applied;
- whether the development, in whole or in part, requires planning permission;
- whether the development should be regarded, in whole or in part, as unauthorised development.

9. Request

I respectfully request that An Bord Pleanála consider all historic material and newly added information together and issue a clear, reasoned, and legally sound declaration under Section 5 of the Planning and Development Act 2000 (as amended).

This submission is made in good faith, without prejudice, and in the interests of regulatory clarity, consistency in planning decision-making, and the proper application of planning law.

Yours faithfully,



Áine Nic Amhlaidh

- Addendum A -



ARCHITECTS



Planning Dept
Sligo County Council
City Hall
Quay St
Sligo Town

05 June 2019

RE : Re Design of a Dwelling at Larass, Strandhill, Co Sligo - Ref PL/365

Dear Planning Dept,

Please see enclosed the proposed house design for our site in Larass, Strandhill Co Sligo.

This is a re submission of the house design previously agreed and that was previously submitted for Planning approval. On the previous submission the site notice was missing from or had been removed from the site when the Council Engineer inspected the site during the planning 5 week objection period.

As stated previously :

The house proposal is on the zoned (residential) half of the site. The other unzoned half is garden space and used for the percolation area / septic tank. The re design is based on the Permission PL/365 granted for a dwelling on the 16/01/2019.

Like the first design, the house bridges the suburban feel of the immediate cul de sac of houses and the backdrop of Dorrins Strand houses with the rural feel of the untouched fields to the West and North. The design breaks down the mass of the house into separate blocks in keeping with the sloping site, blending the house into the site and keeping the highest two 1/2 storey element to the lowest part of the site. The ridge at the lowest part of the site match the eaves of the Dorrins Strand houses adjacent allowing the dwelling fit into and be framed by the surrounding houses when looking from the Kilaspugrone walk (as seen in the 3D montage included).

The mono pitch roof is akin to the rural sheds with sedum roof blending the roof into the landscape. The materials help to bend the house into the site and its surroundings with sedum on the roof, natural finish cedar cladding and dry stone cladding in parts. The materials along with planting that will mature will allow the house blend into the site.

NOJI Architects,
Desk 22 Collaborative Area, Ground Floor,
The Building Block,
Bridge Street,
Sligo.

info@noji.ie
www.noji.ie



ARCHITECTS



The house will be built to passive standards and with sensitively chosen materials. Its low energy principles will allow it to have minimal carbon footprint as well as being a delicate intervention into this side of Strandhill.

This planning submission has taken into account all items raised during the further information stage of the first planning process.

We hope all is in order and look forward to a speedy planning Grant of Permission

Please call with any queries.

Kind regards,

John Monahan MRIAI NOJI Architects

AN COIMISIÚN PLEANÁLA	
18 DEC 2025	
LTR DATED	FROM REF <i>APP 11</i>
LDG-	
ACP-	323969-25

NOJI Architects,
Desk 22 Collaborative Area, Ground Floor,
The Building Block,
Bridge Street,
Sligo

info@noji.ie
www.noji.ie

Sligo County Council Planning Department *Planner's Report*

Applicant:	John & Lisa Monaghan
Proposed Development:	Permission is sought for a development consisting of the construction of a new dwelling, a new garage, a new gateway for vehicular access, a septic tank and percolation area, and all associated site works
Site Location:	Larass, Strandhill
Register Reference:	PL19/218

1.0 SITE LOCATION AND DESCRIPTION

The subject site is located on the edge of an established residential area within the village of Strandhill. The site is located adjacent to the northern development limit of the Strandhill Mini Plan. There are existing dwelling houses to the east and south and agricultural fields to the west and north.



☆ Shows position of the site. Image courtesy of googlemaps.

2.0 DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The proposal is for a dwelling house and garage and all associated site works on a stated site area of 0.28 hectares. The gross floor area of the proposed dwelling is stated to be 375sqm and the floor area of the proposed garage is stated to be 48sqm.
- It is proposed to serve the development with a public water supply, and a septic tank system.
- The house design proposed is split level with a two storey section and a single storey section. There is also a small basement level. The maximum overall height of the proposed dwelling above ground level is stated to be approximately 9.5 metres. The ground floor FFL's are stated to be 34.20m OD and 33.20m OD relative to the public road at approx 36.45m OD. Proposed finishes include a sedum roof, cedar timber and dry stone.

3.0 PLANNING HISTORY

PL 18/365 - Permission granted for development consisting of the construction of a new dwelling, a new garage, a new gateway for vehicular access, a septic tank and percolation area, and all associated site works

4.0 PRE PLANNING

Pre-planning discussions were held with the applicant under PPN 3725

5.0 DEVELOPMENT PLAN 2017 - 20123

Section 5.2 Urban housing

P-UHOU-4 Promote more compact forms of residential development, such as infill and backland development, and ensure – through the development management process – that access points to backland areas are reserved or that adequate road frontage is reserved to provide future road access, to enable comprehensive backland development

Section 13.3 Residential development in Urban Areas - Also applicable

7.1.1 Designated sites for nature conservation

P-DSNC-1 Protect and maintain the favourable conservation status and conservation value of all natural heritage sites designated or proposed for designation in accordance with European and national legislation and agreements. These include Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Natural Heritage Areas (NHAs), Ramsar Sites, Statutory Nature Reserves.

In addition, the Council will identify, maintain and develop non-designated areas of high nature conservation value which serve as linkages or 'stepping stones' between protected sites in accordance with Article 10 of the Habitats Directive.

P-DSNC-3 Carry out an appropriate level of assessment for all development plans, land-use plans and projects that the Council authorizes or proposes to undertake or adopt, to determine the potential for these plans or projects to impact on designated sites, proposed designated sites or associated ecological corridors and linkages in accordance with the Habitats Directive, All appropriate assessments shall be in compliance with the provisions of Part XAB of the Planning and Development Act 2000.

Waste water Policies

P-WW-4 Require all new developments to connect to the public wastewater treatment plants, where capacity exists in the system.

In cases where a settlement is not served by a public wastewater treatment plant, or where no spare capacity exists in the relevant wastewater treatment plants, proposals for single houses using on-site wastewater treatment will be considered subject to appropriate scale, site assessment, design and ground conditions, taking groundwater vulnerability into account and subject to compliance with the Habitats Directive.

Any such permitted development shall be subject to legally binding maintenance arrangements agreed with the Planning Authority and shall be required to connect to the public wastewater treatment plant when adequate capacity becomes available. However, communal on-site wastewater treatment systems for multiple housing developments (i.e. systems servicing more than one residential unit) will not be permitted.

P-WW-5 All proposals for on-site treatment systems shall be designed, constructed and maintained in accordance with the Environmental Protection Agency's Code of Practice for Wastewater Treatment and Disposal Systems Serving Single Houses (PI 10). (2009) and/or Treatment Systems for Small Communities, business, Leisure Centres and Hotels, EPA (1999) as amended, and any guidance documents issued by the County Council.

Strandhill Mini 2017 – 2023

The southern portion of the subject site (i.e. including the proposed location of the house) is zoned 'residential uses' in the plan. The remaining northern portion of the site is zoned 'green belt'.

6.0 SUBMISSIONS FROM PRESCRIBED BODIES

None.

7.0 3RD PARTY SUBMISSIONS OR OBSERVATIONS

There were no 3rd party submissions.

8.0 INTERNAL REPORTS

- Area Engineer - Confirms that Site Notice was erected satisfactorily. No objection subject to the conditions.
- Environment Section - no objection in principle to the proposed development subject to conditions.

9.0 PART V

The applicant has been granted an exemption cert. EC 213 applies.

10.0 HABITATS DIRECTIVE ASSESSMENT - SCREENING

Having regard to the nature and scale of the proposed development and its remove from the EU designated sites in the Natura 2000 network it is considered that the proposed development on its own or in combination with other projects will not have any impact on such sites and accordingly, that Appropriate Assessment is not required.

11.0 EIA SCREENING

Having regard to the nature of the proposal; its minor scale and the absence of requirement for AA, I consider that there is no real likelihood of significant effects on the environment arising from the relevant development, and that there is no requirement for an EIA screening determination.

12.0 ASSESSMENT

The proposed development will be assessed under the following headings

12.1 Site Notice

Roads Engineer has indicated that the site notice was erected on site in accordance with Article 19 (1) of the Planning & Development Regulations 2001 (as amended).

12.2 Development plan zoning

As outlined above the portion of the subject site which shall accommodate the dwelling is zoned for residential uses. The northern portion of the site is zoned as 'green belt' and will remain undeveloped apart from underground services etc.

It is considered that the proposed development would be consistent with the zoning objectives of the Strandhill Mini Plan. There is therefore no objection in principle to the proposed development.

12.3 Visual Amenity

The overall height and floor area of the proposed dwelling has been reduced compared to that previously permitted under PL 18/365.

As mentioned previously the subject site is located on the edge of an established residential area with existing dwelling houses to the east and west. While the dwelling house is larger in scale than the adjacent dwelling houses it must be noted that the proposed dwelling house is located on a much larger and lower site than the adjacent dwelling houses. The applicant has proposed to construct a contemporary styled split level dwelling house on site, which reflects the existing levels on site. The proposed dwelling is broken into two main sections, a two storey section and a single storey section. The proposed two storey section is located on the lower section of the site.

Having inspected the site and the general area it is considered that the proposed dwelling will integrate with surrounding development and will not have an adverse impact on the visual amenities of the area.

12.4 Residential Amenity

The proposed dwelling is adequately distanced from the rear gardens of the adjacent housing development and the separation distance between existing and proposed dwellings exceeds 22 metres. It is considered that the design, siting and location of the dwelling house will not have a negative impact on the residential amenities of the area.

12.5 Traffic

The area engineer has not raised any objection in this regard.

12.6 Services

Under the previous application the applicant has stated that discussions took place with Irish Water regarding the possibility of connecting to the public sewage network. The applicant also consulted with CST Group Engineers who concluded that the only means of connecting to the public sewer was to open up the cul-de-sac road to the nearest man hole 153 meters away. This included pumping from the site and pumping again from the manhole. The applicant concluded that the cost, disturbance and upkeep of pumps meant this was not a viable option. The applicant has proposed to install a septic tank system and has submitted a site layout plan showing other houses in the vicinity connected to septic tanks.

It is considered that the applicant has adequately demonstrated that it would be onerous to connect to the public sewer and therefore the Planning Authority have no objection to the installation of a septic tank system on site. As outlined previously, the environment section has no objection in principle to the proposed septic tank system.

12.7 Development contributions

As per the 2018 Scheme, Proposed dwelling house 375sqm x €28 = €10,500.

13.0 REASONS AND CONSIDERATIONS

Having regard to the following:

- The provisions of the current Sligo County Development Plan and the Strandhill Mini Plan 2017-2023
- Art. 6.3 of EU Habitats Directive (Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora)
- The EPA Code of Practice: Wastewater treatment and disposal systems serving single houses (p.e. ≤10) (2009).
- The existing pattern of development
- The scale and design of the proposed dwelling house.
- The reports from the Area Engineer and the Environment Section

It is considered that the proposed development, subject to compliance with the following conditions, would not be injurious to the amenities of property in the vicinity, would not be prejudicial to public health, would be acceptable in terms of traffic safety and convenience, does not have an adverse impact on the *Natura 2000* network and would be in accordance with the proper planning and sustainable development of the area.

Accordingly, I recommend that planning permission should be granted subject to the following conditions:

Conditions

1. The proposed development shall be carried out in accordance with the plans and particulars submitted to the Planning Authority on the 5th June 2019, save where amended by the following conditions.

Reason: In order to clarify the documents to which this permission relates

2. The finished floor level of the proposed dwelling house shall be in accordance with the floor plans (Drawing Number I719_P.02) submitted to the Planning Authority on the 5th June 2019.

Reason: In the interest of proper planning & sustainable development of the area

3. (a) The roof shall be finished in sedum, unless otherwise agreed in writing with the planning authority.
- (b) Any stone facing shall be of natural local stone. All pointing shall be recessed or flush.
- (c) Remainder of external finishes shall be in accordance with the details submitted to the Planning Authority on 5th June 2019.
- (d) No floodlighting of the proposed development is permitted.

Reason: In the interest of visual amenity

4. All existing tree/hedgerows on the site/boundaries shall be retained and maintained unless their removal is necessitated by a condition of this permission. The tree/hedgerows and their roots shall be protected during the course of site construction by the erection of a 1m high fence around the tree(s)/hedgerow at a radius of not less than 1M beyond the outer branches of the tree.

Reason: In the interest of visual amenity and the protection of wildlife.

5. (a) Landscaping shall be carried out in accordance with the details submitted to the Planning Authority on the 5th June 2019.
- (b) All planting shall be carried out within the first planting season following completion of the development.

Reason: In the interests of visual amenity

7. (a) Proper provision shall be made to ensure that no surface water or road surface materials are diverted or allowed to flow onto the adjoining public road.
- (b) Provision shall be made for the interception and disposal of surface water that may flow off the public road onto site as a result of this development.
- (c) The existing road drainage system shall not be obstructed by the development.
- (d) The gradient of the access road shall not exceed 1:10 for a minimum distance of 10 metres from its junction with the public road.

Reason: In the interest of road safety and to prevent damage to the public road

8. (a) The septic tank, wastewater pumping module and percolation area shall comply with the requirements of the Environmental Protection Agency Code of Practice (CoP) on Wastewater Treatment and Disposal Systems serving Single Houses (p.e.<10) and design details/drawings and manufacturer specifications submitted to the Planning Authority
- (b) The septic tank shall comply with Part H of the Building Regulations, have I.S. EN 12566-1 or 4 certification and comply with S.R.66:2015.
- (c) The Local Authority shall be given at least two weeks written notice prior to the installation of the septic tank and percolation area. This notification shall confirm the site specific details regarding the competent technical professional who shall supervise the installation of the onsite wastewater treatment system
- (d) Clean surface water from roof areas of the development and impermeable hard surface areas shall not be discharged to the foul effluent drainage system. Clean surface water run-off from roof areas of the development and impermeable hard surface areas on site shall be discharged to a surface water soak-pit system in accordance with the proposals submitted to the Planning Authority.
- (e) All domestic wastewater and grey water generated on site shall be discharged to the septic tank and discharged to the percolation area.

(f) The applicants/homeowner shall de-sludge the septic tank in accordance with the Environmental Protection Agency Code of Practice (CoP) on Wastewater Treatment and Disposal Systems serving Single Houses (p.e.≤10) and as recommended by the manufacturer's instructions. De-sludging shall be carried out by a waste disposal contractor who holds a valid waste collection permit for the collection and disposal of sewage sludge. Records of de-sludging shall be retained by the applicants for a period of 5 years and made available to the local authority on request.

(g) A competent technical professional with professional indemnity insurance shall supervise the installation of the onsite wastewater treatment system and take site specific photographs detailing its installation before backfilling to show the system is installed correctly. Prior to occupation of the dwelling house; certification shall be submitted to the Planning Authority from the technical professional (including certified photographs) to certify that;

(i) The effluent treatment system (including the percolation area) complies with the Environmental Protection Agency Code of Practice (CoP) on Wastewater Treatment and Disposal Systems serving Single Houses (p.e.≤10) and the planning conditions.

(ii) All domestic wastewater and grey water generated on site is discharged to the septic tank and discharged via the percolation area.

(h) An audio/visual alarm shall be installed on the wastewater pumping module to alert the residents to system malfunction.

(i) The domestic wastewater drainage system and all associated connections to the wastewater pumping station and septic tank system shall be adequately sealed to prevent groundwater and surface water infiltration into the foul effluent drainage system

Reason: In the interest of public health and to ensure the system is adequately maintained and works effectively and in order to ensure that the effluent complies with EU Regulations.

9. All construction waste associated with the development shall be disposed of by a licensed/permitted waste contractor who holds a current, valid, waste collection permit for the collection and disposal of construction and demolition waste.

Reason: In the interest of waste management.

10. A potable water supply shall be provided that complies with the requirements of the European Union (Drinking Water) Regulations 2014 (S.I. No. 122 of 2014), as amended. The potable water supply shall be taken from the Irish Water mains network as indicated in the plans and proposals submitted to the Planning Authority.

Reason: To ensure an adequate and potable supply of water to serve the development

11. The developer shall pay the sum of €10,500 to Sligo County Council as a contribution towards expenditure that was and/or that is proposed to be incurred by the local authority in respect of public infrastructure and facilities benefiting development in the area of the Authority, as provided for in the current (2018) Development Contribution Scheme for Sligo County Council made in accordance with section 48 of the Planning and Development Act 2000 (as amended). The contribution shall be paid prior to

18 DEC 2025

LTR DATED

LDG: 3236

ACP: 3236

FROM

REF: 18/11/19

commencement of development, or in such phased payments as may be agreed in writing with the planning authority prior to the commencement of development.

Advice Note: A 10% reduction shall apply where development contributions are paid in full within 6 months of lodgement of a commencement notice (excluding retention permissions).

The breakdown of the contribution is as follows:

Type of Development	Amount of Contribution
Roads and public infrastructure	4200
General recreational and Community Facilities and amenities	6300
Total	10,500

REASON: It is considered reasonable in accordance with section 48 of the Planning and Development Act 2000 (as amended) that the payment of a contribution be required in respect of the public infrastructure and facilities benefiting development in the area of the planning authority that is provided, or that is intended to be provided, by or on behalf of the Local Authority.

Advice Notes:

Where the applicant proposes to connect to a public water/wastewater network operated by Irish Water, the applicant must contact Irish Water, apply for and sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions in that agreement.

In the interest of public health and environmental sustainability, Irish Water infrastructure capacity requirements and proposed connections to the water and wastewater infrastructure will be subject to the constraints of the Irish Water Capital Investment Programme.

In terms of construction and demolition waste management and disposal of construction and demolition waste, the applicant is advised to refer to the document titled "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects" a useful aid in managing their activities in a sustainable manner. This document is available from the Department of the Environment, Heritage and Local Government; (<http://www.environ.ie/en/Publications/Environment/Waste/WasteManagement/> Phone No. 1890 20 20 21).

The Department of Housing, Planning and Local Government has amended the Technical Guidance Document H (TGD H)- Drainage and Wastewater Disposal to reference S.R. 66:2015 and remove references to national annexes. The amendments to TGD H will become effective from 1-1-2017 and all works started after that date involving small wastewater treatment systems will have to comply with the requirements of S.R. 66:2015. This means that all wastewater treatment products have to be in compliance with S.R 66:2015 to be eligible for use in Ireland.

Signed:

Stephen Ward
Senior Executive Planner

Signed:

Frank Moylan
Senior Planner

AN COIMISIÚN PLEANÁLA

18 DEC 2025

LTR DATED _____ FROM *Peter Apple*

LDG- _____

ACP- *323969-25*

A1.2

Receipts to Support
Section 5
Query
Application

#2. - Proof of -
Submission



COMHAIRLE CONTAE SHLIGIGH
ÁRAS CONTAE COIS ABHAINN SLIGEACH

SLIGO COUNTY COUNCIL
COUNTY HALL RIVERSIDE SLIGO

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(x2)

21/11/2025

File Ref: ED610/FL/SMCG

Aine Nic Amhlaidh
Larass
Strandhill
Co Sligo

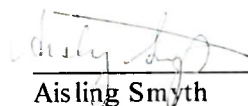
Re: Application for exemption in accordance with Section 5 of the Planning and Development Act 2000 (as amended) in respect of Residential Dwelling and boundaries in Strandhill Larass townland.

I enclose herewith a declaration in accordance with Section 5 of the Planning and Development Act, 2000 (as amended) in respect of the following:

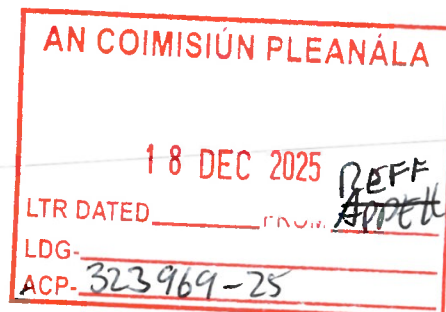
Name & Address of Applicant:	Aine Nic Amhlaidh Larass Strandhill Co Sligo
Declaration Requested for:	Residential Dwelling and boundaries in Strandhill Larass townland
Location:	Larass Strandhill Co Sligo
File Reference:	ED610
Application Received:	30/10/2025

Where a Declaration is issued under this Section, any persons may, on payment to An Coimisiún Pleanála of such fee as may be prescribed, refer a declaration for review to the Coimisiún within four weeks of the date of issuing of the declaration by Sligo County Council.

Signed on behalf of Sligo County Council



Aisling Smyth
Administrative Officer
PLANNING SECTION



**SLIGO COUNTY COUNCIL
(Comhairle Chontae Shligigh)**

CHIEF EXECUTIVE'S ORDER

**P 622 /25
ED610**

**APPLICATION FOR DECLARATION OF EXEMPTED DEVELOPMENT PURSUANT TO SECTION 5
OF THE PLANNING & DEVELOPMENT ACT 2000 (AS AMENDED)**

Name & Address of Applicant: Aine Nic Amhlaidh, Larass, Strandhill, Co. Sligo

Declaration Requested for: Residential dwelling and boundaries in Strandhill
Larass townland

Location: Larass, Strandhill, Co. Sligo

Having regard to:

- The details submitted under Exemption Certificate ED610 received on 31st October 2025.
- The provisions of the County Development Plan and the Strandhill Village 2024 – 2030.
- The provisions of the Planning and Development Acts and Regulations.
- The EIA Directive and Habitats Directive.
- Inspection of the site.

The Planning Authority considers that:

Order: A Declaration pursuant to section 5 of the Planning & Development Act 2000 (as amended) shall be issued to the applicant stating that the status of the works as submitted to the planning authority on the 31st of October 2025, which are appropriate to be addressed in a section 5 declaration are as follows:

- The “new height of the development is 10.5 m, according to the planner’s report, the height limit is 9.5 m”.

This is not development as the site was surveyed on the 11/08/2020 and it was concluded that the overall height of the dwelling was compliant with the planning permission granted on site. Refer to ENF2701.

- The house built is not the 'split level two storey and single storey' planning application appraised by the planners.

The alterations to the house design constitutes ‘development’, however this issue was resolved under PL21/182, retention permission granted for a development consisting of the addition of a new window on ground floor, alterations to window size and positions, alterations to rooflight dimensions and a reduction in the height and width of the garage from that permitted under the planning application PL19/218.

- **The “boundary wall and wooden fence”**

Constitutes ‘development’ and does NOT constitute ‘exempted development’ for the following reason:

The overall height of the wall exceeds 2m.

- **The lower end of the site and the neighbouring site were raised by the importation of hundreds of tonnes of soil and fill to absorb the lake which appeared following construction of the septic system.**

The deposition of soil would constitute ‘development’; however the soil was imported to raise the ground at the location of percolation area, and the works are therefore in accordance with the permission granted on site under PL19/218.

- **Excavated materials, soil and rocks were disposed of into the fields surrounding this site development?**

The deposition of soil would constitute ‘development’, however there is no evidence in the subject application that this occurred, it was not evident on inspection of the site, and the issue was not raised by any of the adjoining landowners.

- **The import of hundreds of tonnes of fill and soil classified development, this was done to fill the lake that opened up at the bottom of the site upon completion of the roof following heavy rain, changing the levels of the land from 2800D and 2900D**

Constitutes ‘development’, however the soil was imported to raise the ground at the location of percolation area, and the works are therefore in accordance with the permission granted on site under PL19/218.

In accordance with Section 5 (2) (a) of the Planning 7 Development Act 2000 (as amended) the declaration shall also be issued to the landowner.

Advice Note:

You are advised that the issue of the wall and fence is currently the subject of Enforcement Action under ENF3083



DIRECTOR OF SERVICES

To Whom this function has been delegated in accordance with the provisions of Section 154 of the Local Government Act, 2001, by Order No. No. 21A/25 dated 01/04/ 2025

21/11/2025

DATE



BY REGISTERD POST

Ref: ED610/SMcG/FL

31/10/2025

Aine Nic Amhlaidh
Larass
Strandhill
Co Sligo

Re: Application under Section 5 of the Planning and Development Act 2000 (as amended)

To Whom It Concerns,

The Planning Authority wish to acknowledge receipt of your application for Exempted Development, under Section 5 of the Planning and Development Act 2000 (as amended) which was received on 30/10/2025 and payment received on 31/10/2025

Yours sincerely,

Aisling Smyth
Administrative Officer
Planning Section



Planning Section
Sligo County Council
Riverside
Sligo
=====

31-10-2025 14:26:40

Receipt No. : PLANNING/0/33977

Aine Nic Amhlaidh
Larass Strandhill Co Sligo
ED610

S10 PL	FEE EXEMPTED DEVT CERT	80.00
GOODS		80.00
VAT		0.00

Total 80.00 EUR

Tendered:
Credit Card 80.00
Visa
3213

Issued By : Daniel Thompson
From: Planning Section



19/08/2025

File Ref: ED591/FL/SMCG

Aine Nic Amhlaidh,
Larass,
Strandhill,
Co. Sligo.

Re: Application for exemption in accordance with Section 5 of the Planning and Development Act 2000 (as amended) in respect of Residential Dwelling and boundaries in Strandhill Larass townland

I enclose herewith a declaration in accordance with Section 5 of the Planning and Development Act, 2000 (as amended) in respect of the following:

Name & Address of Applicant:	Aine Nic Amhlaidh
Declaration Requested for:	Residential Dwelling and boundaries in Strandhill Larass townland
Location:	John Monahan Larass Strandhill Co Sligo
File Reference:	ED591
Application Received:	29/07/2025

Where a Declaration is issued under this Section, any persons may, on payment to An Coimisiún Pleanála of such fee as may be prescribed, refer a declaration for review to the Board within four weeks of the date of issuing of the declaration by Sligo County Council.

Signed on behalf of Sligo County Council

pp Fidelma Loughlin

Aisling Smyth
Administrative Officer
PLANNING SECTION

- The “addition of one metre to the height of the dwelling”.
The issue of the overall height of the dwelling was resolved under ENF2701. The site was surveyed on the 11/08/2020 and it was concluded that the overall height of the dwelling was compliant with the planning permission granted on site.
- The “split level two storey and single storey dwelling re-submitted application exempted development per John Monahan application cover letter, PL 19218 on 5/6/2019 which was appraised by the planners or is this in fact a different design completely”.
The dwelling was originally permitted under PL19/218 and the retention of alterations to the dwelling house were permitted under PL21/182, which resolved any issues relating to the design of the dwelling.

In accordance with Section 5 (2) (a) of the Planning 7 Development Act 2000 (as amended) the declaration shall also be issued to the landowner.

Advice Note:

You are advised that the issue of the wall and fence is currently the subject of Enforcement Action under ENF3083.

Order: Pursuant to Section 5 of the Planning & Development Act 2000 (as amended), Sligo County Council hereby decides that Residential Dwelling and boundaries in Strandhill Larass townland as detailed in submissions received by the Planning Authority on 29/07/2025 is considered as detailed above.



DIRECTOR OF SERVICES

To Whom this function has been delegated in accordance with the provisions of Section 154 of the Local Government Act, 2001, by Order No. No. 21A/25 dated 01/04/ 2025

19/08/2025

DATE

**SLIGO COUNTY COUNCIL
(Comhairle Chontae Shligigh)**

CHIEF EXECUTIVE'S ORDER

**P 431/25
ED 591**

**APPLICATION FOR DECLARATION OF EXEMPTED DEVELOPMENT PURSUANT TO SECTION 5
OF THE PLANNING & DEVELOPMENT ACT 2000 (AS AMENDED)**

Name & Address of Applicant: Aine Nic Amhlaidh

Declaration Requested for: Residential Dwelling and boundaries in Strandhill Larass townland

Location: John Monahan Larass Strandhill Co Sligo

Having regard to:

- The details submitted under Exemption Certificate ED 591 received on 29th July 2025.
- The provisions of the County Development Plan and the Strandhill Village 2024 – 2030.
- The provisions of the Planning and Development Acts and Regulations.
- The EIA Directive and Habitats Directive.
- Inspection of the site.

The Planning Authority considers that:

A Declaration pursuant to section 5 of the Planning & Development Act 2000 (as amended) shall be issued to the applicant stating that the status of the works as submitted to the planning authority on the 29th of July 2025 are as follows,

- The “new high boundary brick wall and wooden fence” constitutes ‘development’ and does NOT constitute ‘exempted development’ for the following reason:
The overall height of the wall exceeds 2m and the development contravenes conditions 1 & 4 of the permission granted on site under PL19/218.
- The “removal of boundary hedging at the lower end of the site”.
In accordance with Section 2 of the Planning and Development Act 2000 (As Amended), the removal of a hedgerow does not constitute development.
- The “import of tonnes of soil and fill to significantly raise the ground level within and beyond the property boundary by the septic tank percolation area”.
The ground at the location of percolation area was raised in accordance with the permission granted on site under PL19/218.

Larass,

Strandhill,

Sligo

Date: 30/10/2025

AN COIMISIÚN PLEANÁLA	
18 DEC 2025	
LTR DATED _____	FROM <i>Appell</i>
LDG- _____	
ACP- <i>323969-25</i>	

Submission for Section 5 – Declaration on Development and Exempted Development

Dear Mr. Moylan,

I am following up on my emails which requested the outcome of the section 5 exempted development I submitted at the end of July (28/7/2025). I am resubmitting this Section 5 Exempted Development declaration as I never received the letter from Sligo Co. Co. Planning Office advising me of the outcome of my earlier submission. This was not posted on the planning file either, thus, I was not afforded the opportunity to appeal.

This re-submission is with reference to the afore mentioned development in Larass, Strandhill.

Reference: Residential Property PL 19218 – Larass, Strandhill, Sligo

1 Is it exempted development that the new height of the development is 10.5 m, according to the planner's report, the height limit is 9.5 m

- PL 19218 – Description of the Proposed Development and the Commencement Notice are incongruent.
- The site stated in the Planners description 1.0 – *The subject site is located on the edge of an established residential area within the village of Strandhill [...] adjacent to the northern development limit of the Strandhill Mini Plan.*
- As the planner's report states, this site is 'adjacent to the northern development limit of the Strandhill Mini Plan'. This site was never rezoned officially as residential. The Architect owner claimed it was rezoned, however, the legal documents for the change of zoning do not exist. The 2013 Strandhill Mini Plan was supposed to be incorporated as Chapter 44 into the County Sligo Development Plan, however, it never was.

- This site rezoning was submitted but not approved. 'A-18' was assessed in the Draft Amendment/Variation 1/Strandhill Mini Plan 2013 Screening Addendum 1. 8/13, 'This change of zoning objective is a material alteration. Development on this greenfield site has the potential to affect soil and biodiversity'.
- The entire site was excavated to a depth of 7m +/- to accommodate the dwelling which exceeds the height limit by 1 meter, 10.5 m per the plans submitted and based on the bench marking by the architect 'below the eaves of the neighbouring houses'.
- Is it exempted development that the area of the approved dwelling been exceeded from the 375sqm permitted by approx. 100 sqm.

1. Is it exempted development that the house built is not the 'split level two storey and single storey' planning application appraised by the planners. *Condition 1 – The proposed development shall be carried out in accordance with the plans and particulars submitted to the Planning Authority on the 5th of June 2019 save where amended by the following conditions.*

This planning application is a resubmission of the planning application PL 18365 which the architect/owner addressed in his 're-submission' of plans and letter dated 05/06/2019 when he stated, 'This is a re submission of the house design previously agreed and that was previously submitted for Planning approval. On the previous submission the site notice was missing from or had been removed from the site when the Council Engineer inspected the site during the planning 5 week objection period.'

2. Is the new boundary wall and fence exempted development, the wall extends the length of the dwelling and the fence which extends to the boundary of the property? (Enforcement 3083)

Condition 4 In the Interest of visual amenity – all existing tree/hedgerows on the site/boundaries shall be retained and maintained [...]

Is it exempted development to remove of all boundary hedging at the lower end of the site for ground solar panels in an aerodrome environment with a helipad and airport

within 500 m development ? *Condition 4 In the Interest of visual amenity – all existing tree/hedgerows on the site/boundaries shall be retained and maintained [...]*

3. Is it exempted development that the property zoning was changed outside of the Development Planning process from agricultural to residential.
4. Is it exempted development that the land level of the lower site and that of the neighbouring site were raised by the importation of hundreds of tonnes of soil and fill to absorb the lake which appeared following construction of the septic system.

The import of hundreds of tonnes of fill and soil infilled the lake that opened up at the bottom of the site upon completion of the roof following heavy rain, changing the levels of the land from 280OD and 290OD

5. Is it exempted development that no commencement notice has been issued for this development? This residential property's commencement notice for site PL19218 the address given is a private occupied dwelling at 1 Dorrin's Strand, CN0056944SO instead of the correct address of Larass, Strandhill.
6. Is it exempted development that the stipulation in the Engineer's Report requiring a connection for site waste water disposal to the closest man hole been met or is the current disposal to surface considered exempted development?

Has a licence for the discharge from the dwelling's DWWTS system's percolation area directly to surface been issued by the local authority?

- *P-WW-4 Require all new developments to connect to the public wastewater treatment plants where capacity exists in the system*

- *There is also a basement level. This basement changed the entire wastewater treatment evaluation and should have required a full re-evaluation of the percolation and site suitability etc given that site is in a highly sensitive ground water vulnerable area.*
- *Moreover, the percolation trial hole was dug in the wrong area based on the EPA's Code of Practice – see photos in application PL 19218. The Engineer stated that waste water was to be connected to the public sewer system, this did not happen.*
- *With reference to PL 00/1225 – another neighbouring property – the engineers report stated:*
- *'It is evident that the site has a high water table or low porosity.'*
- *The topography of both sites is similar, no house was constructed in Strandhill with a septic tank in the four years prior to this applicant being approved. Furthermore,*
- *the new Strandhill Sewage Treatment plant opened in 2021, a connection to it was not viable, thus planning should not have been approved under the constraints governing planning approval in the County Sligo Development Plan.*

7. Is it exempted development that no pre-connection application or mandatory disclosure to Irish water for this connection to the Irish Water Network has been made? is site s high groundwater vulnerable, directly adjacent to the location oaf a septic tank and percolation area for the resident behind the house.

Planner's Report - Advice notes PL 19218 – *Where the applicant proposes to connect to a public water/wastewater network operated by Irish water, the applicant must contact Irish Water, apply for and sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions in that agreement.*

8. Is it exempted development that all the excavated materials, soil and rocks were disposed of into the fields surrounding this site development? Google Earth Photos attached.

Planner's Report - Advice notes PL 19218 – In terms of construction and demolition waste management and disposal of construction and demolition waste, the applicant is advised to refer to the document titled 'Best Practice Guidelines on the Preparation of Waste management Plans for Construction and Demolition Projects'. [...]

9. Is the import of hundreds of tonnes of fill and soil classified development, this was done fill the lake that opened up at the bottom of the site upon completion of the roof following heavy rain, changing the levels of the land from 280OD and 290OD

Controversial Rezoning

Should an Environmental Impact Assessment have been undertaken?

2.0 in the Planner's Report PL 19/218 states that the proposal is for a dwelling house and garage and all associated site works on a stated site of 0.28 hectares.

The planner's report 5.0 states

P-DSNC-3. Carry out an appropriate level of assessment for all development plans, land use plans and projects that the Council authorises or proposes to undertake or adopt to determine the potential for these plans or projects to impact on designated sites, proposed designated sites or associated ecological corridors and linkages in accordance with the habitat's Directive. All appropriate assessments shall be in compliance with the provisions of Part XAB of the Planning and Development Act 2000.

P-DSNC-1 Protect and maintain the favourable conservation status and conservation value of all natural heritage sites designated or proposed for designation in accordance with European and national legislation and agreements. These include Special Area of

conservation (SAC's), Special Protection Areas (SPA's), Natural heritage Areas, (NHA's) Ramsar Sites, Statutory Nature Reserves.

In addition, the Council will identify, maintain and develop non-designated areas of high nature conservation value which serve as linkages or stepping stones between protected sites in accordance with Article 10 of the Habitat's Directive.

Commencement Notice - CN0056944SO

No commencement notice has ever been issued for this location. The commencement notice for this development was issued for a dwelling that had been occupied for almost ten years, 1 Dorrin's Strandhill, Strandhill, Sligo. Commencement notice Number CN0056944SO, commencement date 17/9/2019, PL 19/218, Owner, John Monahan, Owner Company, Noji Architects, Builder Stephen Taylor, Designer name, John Monahan.

P-WW-4 Require all new developments to connect to the public wastewater treatment plants where capacity exists in the system

There is also a basement level. This basement changed the entire wastewater treatment evaluation and should have required a full re-evaluation of the percolation and site suitability etc given that site is in a highly sensitive ground water vulnerable area.

Moreover, the percolation trial hole was dug in the wrong area based on the EPA's Code of Practice – see photos in application PL 19/218. The Engineer stated that waste water was to be connected to the public sewer system, this did not happen.

With reference to PL 00/1225 – another neighbouring property – the engineers report stated:

‘It is evident that the site has a high water table or low porosity.’

The topography of both sites is similar, no house was constructed in Strandhill with a septic tank in the four years prior to this applicant being approved. Furthermore.

the new Strandhill Sewage Treatment plant opened in 2021, a connection to it was not viable, thus planning should not have been approved under the constraints governing planning approval in the County Sligo Development Plan.

12.3 - Visual Amenity

The applicant has proposed to construct a contemporary styled split level dwelling house on site, which reflects the existing levels on site. The proposed dwelling is broken into two main sections, a two storey section and a single storey section. The proposed two storey section is located on the lower section of the site.

It would appear that the architect resubmitted the original drawings for which permission was granted PL18365 and these were appraised by the planner, however, the house that is built is not a split level and appears not to have been approved.

The new dwelling mass and height are contrary to Sligo Co. Co.'s Development Planning for landscape characterisation and appraisal study. This was commissioned by Sligo County Council and completed by CAAS Environmental Consultants in 1996. Accordingly, this dwelling is in an extremely sensitive area, obliterating the view of the community to Benbulbin and to the sea.

Sensitive Rural Landscapes: areas that tend to be open in character, highly visible, with intrinsic scenic qualities and a low capacity to absorb new development – e.g. Knocknarea, the Dartry Mountains, the Ox Mountains, Aughris Head, Mullaghmore Head etc.

Visually Vulnerable Areas: distinctive and conspicuous natural features of significant beauty or interest, which have extremely low capacity to absorb new development – examples are the Ben Bulbin plateau

I am seeking a declaration on the exempted development of the above mentioned items.

Yours faithfully,

Áine Nic Amhlaidh

Encl. Site Location Map, Site Layout Map and Floor Plans and Elevations and Fee enclosed



Ref: ED 591/SMcG/FL

29/07/2025

Aine Nic Amhlaidh,
Larass,
Strandhill,
Co. Sligo.

Re: Application under Section 5 of the Planning and Development Act 2000 (as amended)

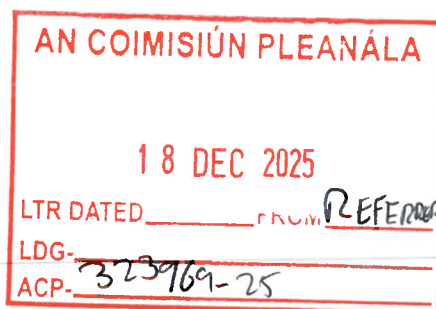
To Whom It Concerns,

The Planning Authority wish to acknowledge receipt of your application for Exempted Development, under Section 5 of the Planning and Development Act 2000 (as amended) which was received on 29/07/2025.

Yours sincerely,

pp. Fidelma Loughlin

Siobhán Gillen
Administrative Officer
Planning Section



I never got a response to this -

Larass,

Strandhill,

Sligo

Date: 29/07/2025

- Original Section 5
letter
with receipt
- Mr. Moylan refused to
accept the section 5 query
the previous day in person

Reference: Residential Property PL 19218 – Larass, Strandhill, Sligo, F91 H79H

Submission for Section 5 – Declaration on Development and Exempted Development

Dear Mr. Moylan,

Further to our conversation yesterday and your advice to edit my Section 5 submission, I am hereby submitting this new edited Section 5 to ask Sligo Co. Co. if the below works are exempt or considered development.

1. Is the new high boundary brick wall and wooden fence development? (Enforcement 3083, Condition 4)
2. Is the removal of boundary hedging particularly at the lower end of the site for ground solar panels inside the Strandhill Airport aerodrome environment development? (condition 4)
3. Is the import of tonnes of soil and fill to significantly raise the ground level within and beyond the property boundary by the septic tank percolation area development?
4. Is the addition of one metre to the height of the dwelling development? Architectural plans state 10.5 metre height. (Planner's Report 9.5 m residential dwelling)
5. Is this the split level two storey and single storey dwelling re-submitted application per John Monahan application cover letter, PL 19218 on 5/6/2019 which was appraised by the planners or is this in fact a different design completely? (Condition 1)

Please assess the above submission under Section 5.

Yours faithfully,

Áine Nic Amhlaidh

Complaint →
to Sligo Co. Co.
attached

Receipt for Section 5 (#1)
Monahan Larass

I never received a response for this Section 5 Planning Query.

10/12/25

Att: An Bord Pleanála

To whom it may concern

This is my initial receipt, (I submitted two) there is no record of this on Sligo Co. Co.'s Planning File Documents.

I never received a decision on this Section 5.

When I brought my paperwork to the Sligo Co. Co. office the senior planner, Mr. Maylan refused it.

I followed up weeks later the Planning office claim to send a letter to me by An Post (not registered) I never received this.

Yours faithfully

Aine Nic Amhlaidh.



Planning Section
Sligo County Council
Riverside
Sligo

29-07-2025 16:03:49

Receipt No. : PLANNING/0/33871

Aine NicAmhlaidh
Larass
Strandhill
Co Sligo
ED591

S10 PL	FEE EXEMPTED	DEVT CERT	80.00
GOODS			80.00
VAT			0.00
Total			80.00 EUR
Tendered:			
Cash			80.00
Issued By : Shinara McGowan			
From: Planning Section			



Ann McKirdy <annmckirdy@gmail.com>

RE: My planning query section 5 exempted development

4 messages

From: Frank Moylan <frankmoylan@sligo.co.ie>
To: Ann McKirdy <annmckirdy@gmail.com>

Ann

As previously stated, the notification of decision on ED591 was issued by post on 19th August 2025. The address used was taken from the application form completed by yourself (a.L).

There is no provision under the Planning Acts that requires the Planning Authority to 'update' a historical planning file on foot of the making of a decision on a Section 5 request.

I do not accept that Sligo County Council have not followed appropriate procedures in processing ED591.

I can confirm that there is also provision under the Planning Acts that would facilitate a Planning Authority to extend the date for making an appeal on a planning decision.

With regard to your enforcement complaint, a warning letter was issued to the owner of the property on 30th July 2025. I understand that discussions have been held with regard to reg.

regards

Frank Moylan

Senior Planner

Planetary Structures

Comhairle Chontae Shligigh

Halla na Cathrach, Sráid na Cú, Sligeach F91 PP44

Sligo County Council | Quay Street | Sligo | F91 PP44

071 911 4490 | frankmoylan@sligo.co.ie

[sligo.co.ie](#) | [Sligo](#)



From: Ann McKirdy <annmckirdy@gmail.com>

Sent: Monday, 5 October 2025 18:16

To: Frank Moylan <frankmoylan@sligo.co.ie>

Subject: Re: My planning query section 5 exempted development

Dear Frank,

I am formally complaining about the handling of my Section 5 submission. I never received any letters by post to notify me of the outcome of this decision. Moreover, a Section 5 under 1

Under the circumstances, please extend the Planning Authority's date to appeal this decision to An Bord Pleanála given the Sligo Co. Co. has not followed the proper protocol and proc

Please confirm this extension has been granted.

I am also asking formally, what is the time frame for the Enforcement? What is the deadline for the demolition and removal of this fence and wall?

Yours sincerely,

Ann McKirdy

On Mon, Oct 6, 2025 at 12:47 PM Ann McKirdy <annmckirdy@gmail.com> wrote:

Dear Frank,

I never received this

I have waited for this response. It is very disappointing to not have received this notification by post or email.

Why is there no cover letter?

I submitted this with all my details attached, there is no evidence that this was passed.

What is the current status of this wall and fence? How long do the home owners have to remove it?

I trust this will not be the same as the grass plot three years of following up with the county council.

I do not believe that the measurement of the height of the house is correct. It does not align with the wire part the submitted architectural plans and I noted the plans as a height of 1

Yours sincerely,

Ann McKirdy

On Mon, 6 Oct 2025 at 11:12, Frank Moylan <frankmoylan@sligo.co.ie> wrote:

Ann

A notice of the decision on the application was issued by post on 19 August 2025. I attached details of the decision.

regards

Frank Moylan

Senior Planner

Planetary Structures

Comhairle Chontae Shligigh

Halla na Cathrach, Sráid na Cú, Sligeach F91 PP44

Sligo County Council | Quay Street | Sligo | F91 PP44

071 911 4490 | frankmoylan@sligo.co.ie

[sligo.co.ie](#) | [Sligo](#)



From: Ann McKirdy <annmckirdy@gmail.com>

Sent: Sunday, 5 October 2025 20:39

To: Frank Moylan <frankmoylan@sligo.co.ie>

Subject: My planning query section 5 exempted development

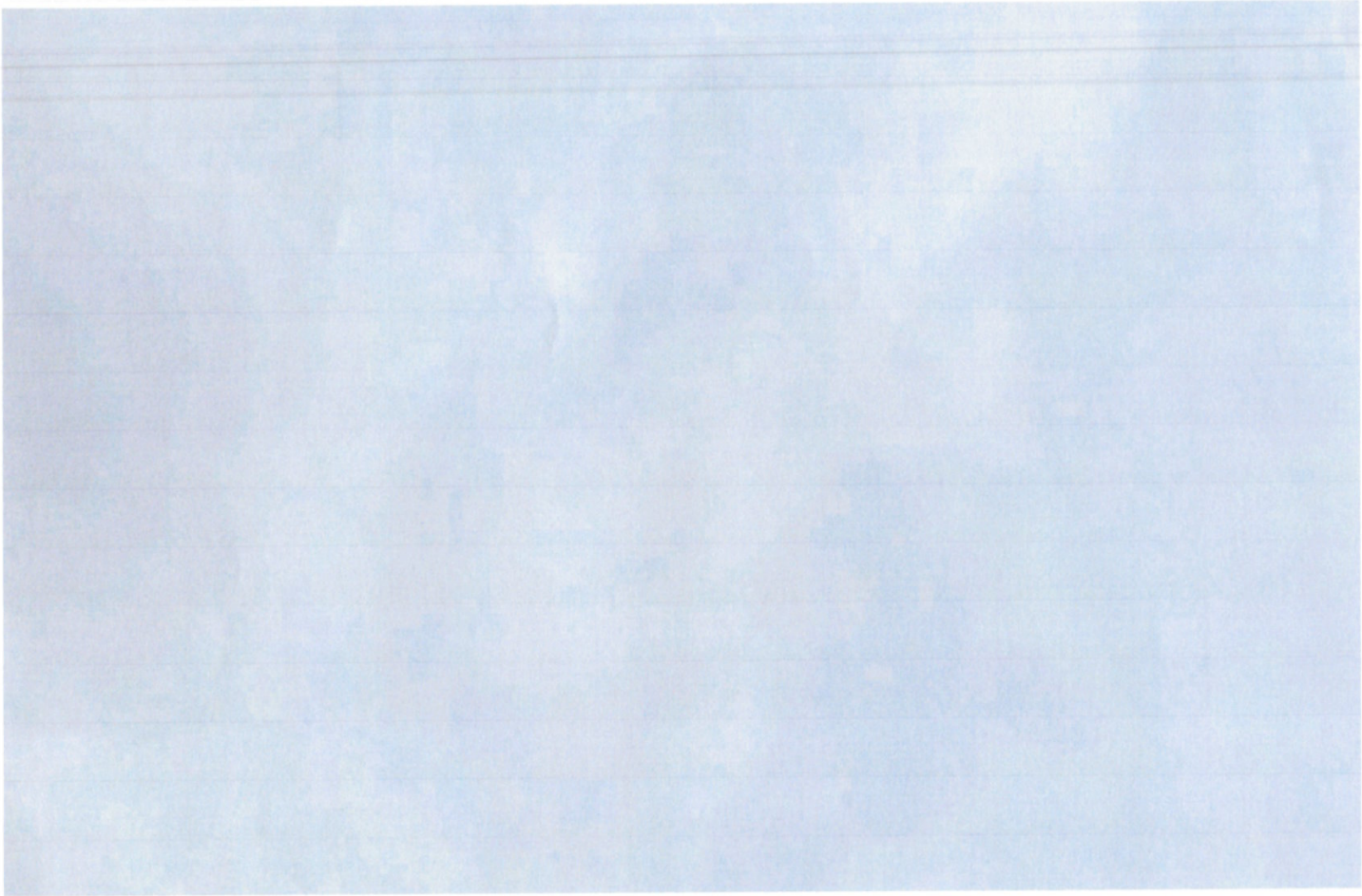
Dear Frank,

I am writing to follow up on my submission to ask when I will be notified of the outcome.

I'm attaching a photo taken today following the storm, as you can see the fence is in the path of the storm and the land is waterlogged and incapable of supporting fence posts and

Sincerely,

Ann McKirdy





Ann McKirdy <annmckirdy@gmail.com>
To: Frank Moylan <fmoylan@sigpoco.ie>

Tue, Oct 7, 2025 at 7:13 PM

Dear Frank,
Thank you for your reply.
Given the fact that I did not receive the notice nor did I receive a receipt which I was assured would be posted to me when I made my submission, I don't understand your argument recent postal code. I have checked with A Post in Finland and they've advised me they do not use it.
If my letter had been posted and not delivered A Post would have returned it to the planning office, which would then have alerted you to the fact I did not receive these letters.
I am requesting access to the provision to make an appeal under the planning act.
Please advise how to proceed.

Many thanks,
Sincerely,
Ann McKirdy
(Please see above)

Frank Moylan <fmoylan@sigpoco.ie>
To: Ann McKirdy <annmckirdy@gmail.com>

Wed, Oct 8, 2025 at 9:45 AM

Ann

The receipt was posted out on 30 July 2025 with the acknowledgment letter and similar to the notification of decision - this post was not returned as undelivered by A Post.
Please note that you can request that all future notifications should be issued to you electronically.

Apologies, my earlier email should have read as follows:



I can confirm that there is also no provision under the Planning Acts that would facilitate a Planning Authority to extend the date for making an appeal on a planning decision.

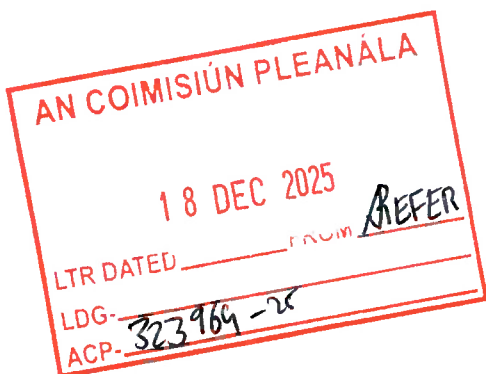
[Quoted text hidden]

Any Mocking <amc@camhain@gmail.com>
To: Frank Moyle <frankmoyle@sigocco.ie>

Wed Oct 8, 2025 at 11:47 AM

Thanks Frank, I will submit a new Section 5 request all correspondence in this matter and future matters to be mailed to be by certified post.

Many thanks,
Frank Moyle
ACP
[Quoted text hidden]



There is NO provision under the planning Act to extend the date for making an appeal, per Mr. F. Moyle

- Addendum B-

photos

and

maps purchased
from Sigo Council
of proposed development

1

PL 19/218

Planning register map on:
land:

07/06/2019

LARASS or STRANDHILL

1010 - A

(if any) of previous planning applications for this site: Road No: R-292-70/L-35045-0
19/136 (incomplete Application)
18/365

Number of exempted development (if any):

Planning application reference number:

SEE MAPS ATTACHED

Number:

PP 3725

On certificate number:

On number:

On corridor:

Zoning
RESIDENTIAL USES + GREEN BELT

Plans

Name of Plan: STRANDHILL MP and site is zoned as

Reference number: NIAH number:

Number: 16

Open Rural Landscape: NORMAL

Urban Influence Need of 13/8/20 19218 one

Code:

Code:

and Site Code:

Record Number: Class

Sligo County Council
Referral Of Further Information Received

File No: PL 18/365
Name: John + Lisa Warrahan

Decision Due On: 26.01.2019

I have examined the submission received on 21/12/18 in relation to the above file reference number and I consider that

1(a) The submission is a full Response to the Request for Further Information. (Please update Due Date)

☒

OR

1(b) The submission is an Incomplete Response to the Request for Further Information
To date, Items no's _____, Have NOT been submitted, and remain outstanding. Please inform applicant. Do Not update due date on file.

☐

2 (a) The submission received is a full response and I do not deem it as Significant

☒

OR

2 (b) The submission received is a full response to Further Information and I deem it as Significant under Section 34 of the Planning and Development Act 2000 - 2010.

☐

AND Pursuant to Art 35 of the 2006 Regulations:

2(b)(i) Require the applicant to publish a Notice in an Approved Newspaper and to notify and submit a copy of the notice to the Planning Authority.

☐

2(b)(ii) Require the applicant to erect or fix a site notice on the land or structure to which the further information relates in the form set out in Form No.4 of Schedule 3 of the 2006 Planning and Development Regulations and submit a copy of the notice to the Planning Authority.

☐

Advise the applicant that the Planning Authority shall make its decision on the application within 4 weeks beginning on the day on which notice of that publication is given by the applicant to the Planning Authority or in the case of a planning application accompanied by an environmental impact statement or a Natura impact statement, within 8 weeks beginning on the day on which notice of that publication is given by the applicant to the planning authority.

Internal Reports	Referred on:	Prescribed Bodies	Referred on:
Executive Planner		NRA	
Area Engineer - Roads		Health Service Executive	
SEE Sanitary Services		EPA	
Tony Parkinson, Housing Section		DOE Architectural Heritage	
Road Design		DOE Natural Heritage	
Harbour Office		DOE Archaeological Heritage	
Chief Fire Officer		An Taisce	
Environment Section	21/1/19	Iarnrod Eireann	
Forward Planning		ESB (lines > 68k)	
Siobhan Ryan, Heritage Officer		IAA - Aer Rianta	
Sligo Borough Council		NSA (Seveso)	
Other		Regional Fisheries Board	
		Waterways Ireland	
		Other	

Name: Stephen Ward Date: 21/1/19

N.B. - Please ensure 3rd party is notified SW.

NOJI ARCHITECTS

Planning Dept
Sligo County Council
City Hall
Quay St
Sligo Town

12 September 2018

Dear Planning Dept,

Please see enclosed the proposed house design for our site in Larass, Strandhill Co Sligo. The house proposal is on the zoned (residential) half of the site. The other unzoned half is garden space and used for the percolation area / septic tank.

The house bridges the suburban feel of the immediate cul de sac of houses and the backdrop of Dorrins Strand houses with the rural feel of the untouched fields to the West and North. The design breaks down the mass of the house into separate blocks in keeping with the sloping site, blending the house into the site and keeping the highest two storey element to the lowest part of the site. While the roofs are likened to the sloping roofs of the existing surrounding houses, they have a rural feel with the grouping of the separate blocks and the integration into the site.

The materials help to bend the house into the site and its surroundings with natural slate on the roof, natural finish cedar cladding and dry stone cladding in parts. The materials along with planting that will mature will allow the house blend into the site.

The roofs are hipped to reduce the mass of the roof area, this minimises the effect on neighbouring properties and helps to minimise the mass of the house on the site.

The house will be built to passive standards and with sensitively chosen materials. Its low energy principles will allow it to have minimal carbon footprint as well as being a delicate intervention into this side of Strandhill.

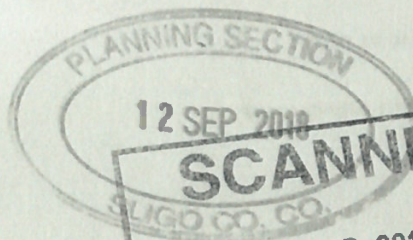
This submission has taken into account the items listed for invalidation.

18365
Photo imploring
today 13/9/20

REGISTERED
ARCHITECT

2018

RIAI



28 SEP 2018

NOJI Architects,
Desk 22 Collaborative Area, Ground Floor,
The Building Block,
Bridge Street,
Sligo

(32)

From: Cathal Black <Cathal.Black@housing.gov.ie>
Date: 10 August 2020 at 22:03:18 GMT+1
To: Ann McKirdy <annmckirdy@me.com>
Cc: Myplan <MyPlan@housing.gov.ie>
Subject: RE: Query re planning

Hi Ann,

The Sligo County Development Plan 2017-2023 Myplan.ie upload date was 01/09/2017 (1st Sept '17).

Regards,

Cathal.

From: Cathal Black
Sent: Monday 10 August 2020 15:03
To: 'Ann McKirdy' <annmckirdy@me.com>
Subject: RE: Query re planning

Hi Ann,

See current zoning at location in question as per Myplan.ie screenshot below:

Re: Re-Zoning date 1st Sept 2017

Attached is
confirmation from

Cathal Black
GIS and Spatial Data
National & Regional
Policy Section
Dept of Housing Planning
and Local Government

78
/

This land was never
legally rezoned
residential.

1. The first part of the paper is devoted to a discussion of the general principles of the theory of the structure of the atom.

2. In the second part, we shall consider the question of the influence of the external magnetic field on the structure of the atom.

3. The third part of the paper is devoted to a discussion of the question of the influence of the external electric field on the structure of the atom.

4. In the fourth part, we shall consider the question of the influence of the external magnetic field on the structure of the atom.

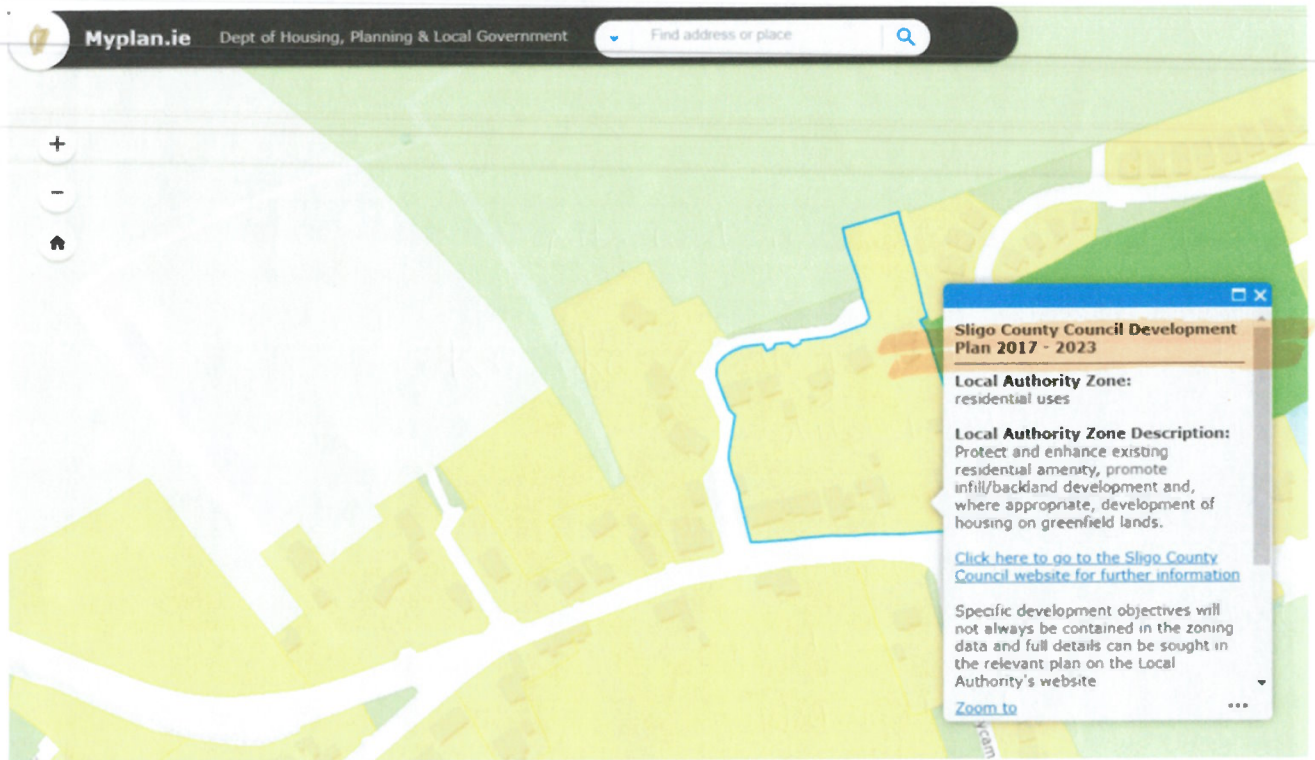
5. The fifth part of the paper is devoted to a discussion of the question of the influence of the external electric field on the structure of the atom.

6. In the sixth part, we shall consider the question of the influence of the external magnetic field on the structure of the atom.

7. The seventh part of the paper is devoted to a discussion of the question of the influence of the external electric field on the structure of the atom.

8. In the eighth part, we shall consider the question of the influence of the external magnetic field on the structure of the atom.

9. The ninth part of the paper is devoted to a discussion of the question of the influence of the external electric field on the structure of the atom.

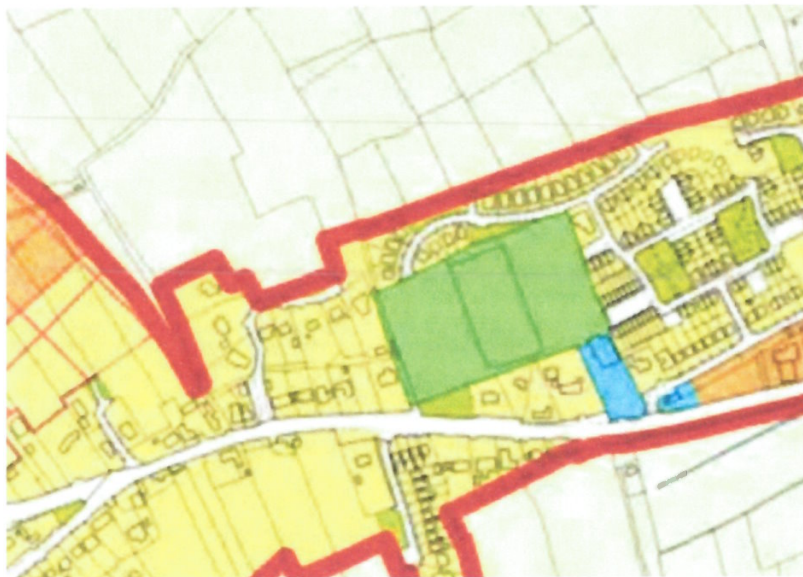


Please note: Myplan.ie is not the statutory zoning. This is found in written statement and maps available from Sligo County Council.

The current County Development Plan for Sligo 2017-2023 (including Mini-Plan for Strandhill) can be found at the link below:

<https://www.sligococo.ie/cdp/>

See screenshot of current zoning at location in question from Sligo County Council website here:



Map Legend:

- plan limit
- development limit
- residential uses
- mixed uses
- community facilities
- business & enterprise
- open space
- sports and playing fields
- public utility
- tourism related uses
- transport and parking node
- green belt
- strategic land reserve residential uses
- strategic land reserve mixed uses

Source webpage: <https://www.sligococo.ie/cdp/Vol2/#d.en.39902>

Source PDF: [https://www.sligococo.ie/media/SligoCountyCouncil2015/Services/Planning/Downloads/SCDP20172023/New/MiniPlans/32%20-%20Strandhill%20Mini-Plan%20\(web\)%20%2025%20August%202017.pdf](https://www.sligococo.ie/media/SligoCountyCouncil2015/Services/Planning/Downloads/SCDP20172023/New/MiniPlans/32%20-%20Strandhill%20Mini-Plan%20(web)%20%2025%20August%202017.pdf)

See screenshot as per Draft CDP Variation No. 1 – Strandhill Mini-Plan at location in question from Sligo County Council website below:



Map Legend:

- Plan Limit
- Development Limit
- residential uses
- community facilities
- mixed uses
- business and enterprise
- open space
- sports and playing fields
- transport related uses
- public utilities
- tourism
- strategic land reserve residential
- strategic land reserve mixed uses
- buffer zone

Source webpage: <https://www.sligococo.ie/planning/DevelopmentPlans/Archive/SligoCountyDevelopmentPlan2011-2017/Strandhill/>

Source PDF: <https://www.sligococo.ie/media/SligoCountyCouncil2015/Services/Planning/Downloads/StrandhillMiniPlan/Draft%20Strandhill%20Mini-Plan%20-%20Maps%20-%2018%20January%202013.pdf>

See proposed amendment A-18 at location in question in screenshot below as per Sligo County Council website:

A-18 (proposed by the Members)

Change the zoning of the site marked A-18 on the Proposed Amendments Map from 'buffer zone' to 'residential uses'.



Source webpage <https://www.sligococo.ie/planning/DevelopmentPlans/Archive/SligoCountyDevelopmentPlan2011-2017/Strandhill/>

Source PDF: <https://www.sligococo.ie/media/SligoCountyCouncil2015/Services/Planning/Downloads/StrandhillMiniPlan/Proposed%20Amendments%20to%20Strandhill%20Mini-Plan%20-%20full%20document%20-%2030%20July%202013.pdf>

I will have to pass your query as to when the current zoning for the Sligo County Development Plan was uploaded to Myplan.ie on to one of my colleagues and get back to you once I get a response.

I hope this helps.

Regards,

Cathal Black

GIS and Spatial Data

National and Regional Planning Policy Section

An Roinn Tithíochta, Pleanála agus Rialtais Áitiúil

Department of Housing, Planning and Local Government

Teach an Chustaim, Baile Átha Cliath 1. D01 W6X0

Custom House, Dublin 1, D01 W6X0

Mobile 086 8236646

www.tithrocht.gov.ie

www.housing.gov.ie

From: Cathal Black

Sent: Friday 7 August 2020 16:54

To: 'Ann McKirdy' <annmckirdy@me.com>

Subject: RE: Query re planning

Hi Ann,

The screenshot you have included is from the Property Registration Authority (PRA) map viewer for which we have no involvement and identifies land ownership.

Myplan.ie primarily makes current planning data (such as land use zoning) available to the public. Previous land use zoning at Strandhill can be found on Sligo County Council's website here: <https://www.sligococo.ie/planning/DevelopmentPlans/Archive/SligoCountyDevelopmentPlan2011-2017/Strandhill/>

This was part of the Sligo Draft County Development Plan Variation No. 1 – Strandhill Mini-Plan, as carried out in August 2013.

If you wish to discuss further please get back to me.

Regards,

Cathal Black
GIS and Spatial Data

National and Regional Planning Policy Section

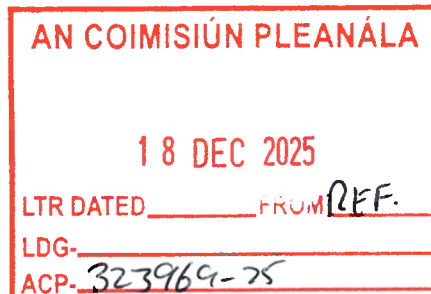
An Roinn Tithíochta, Pleanála agus Rialtais Áitiúil
Department of Housing, Planning and Local Government

Teach an Chustaim, Baile Átha Cliath 1. D01 W6X0
Custom House, Dublin 1, D01 W6X0

Mobile 086 8236646

www.tithiocht.gov.ie

www.housing.gov.ie



-----Original Message-----

From: Ann McKirdy [<mailto:annmckirdy@me.com>]

Sent: Friday 7 August 2020 16:35

To: Cathal Black <Cathal.Black@housing.gov.ie>

Subject: Query re planning

Dear Cathal,

Thank you so much for getting back to me. I am writing to ask if you could look at the electronic back up records for the rezoned site diagonally opposite my home. My address is Larass, Strandhill, F91X659. It's just recently been rezoned, maybe in last 8 weeks. I just need to know when it was updated on the OSI record.

Many many thanks,

Kind regards,

Ann

Is faoi rún agus chun úsáide an té nó an aonán atá luaite leis, a sheoltar an ríomhphost seo agus aon comhad atá nasctha leis. Má bhfuair tú an ríomhphost seo trí earráid, déan teagmháil le bhainisteoir an chórais.

Deimhnítear leis an bhfo-nóta seo freisin go bhfuil an teachtaireacht ríomhphoist seo scuabtha le bogearraí frithviorais chun viorais ríomhaire a aimsiú.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager.

This footnote also confirms that this email message has been swept by anti-virus software for the presence of computer viruses.

Ann McKirdy <ainenicamhlaidh@gmail.com>
To: Ombudsman Complaints <complaints@ombudsman.ie>

Tue, Jun 15, 2021 at 2:59 PM

Case Number: OMB-107834-Q0G2X2

Notice from Cathal Black advising the rezoning of the controversial parcel of land was effective on the 1st of September 2017.

This has been changed to accommodate this house. This was never officially rezoned.

[Quoted text hidden]

Ann McKirdy <annmckirdy@me.com>
To: Ann McKirdy <ainenicamhlaidh@gmail.com>

Tue, Jul 27, 2021 at 8:34 AM

[Quoted text hidden]



The Property Registration Authority
An tÚdarás Clárúcháin Maoine

Land Registry Sealed and Certified Copy Folio (& Filed Plan)

Ann
McKirdy
Larass
Strandhill
Sligo
Sligo

This page forms part of the official document

Folio Number: SL30810F
Application Number: P2020LR055332Q
Your Reference: home

This document comprises an office copy of the Land Folio mentioned folio/filed plan as of the date appearing.

Details of **dealings pending** (if any) on the enclosed folio/filed plan are listed in the **Schedule** below.

An officer duly authorised by the Property Registration Authority.

Schedule

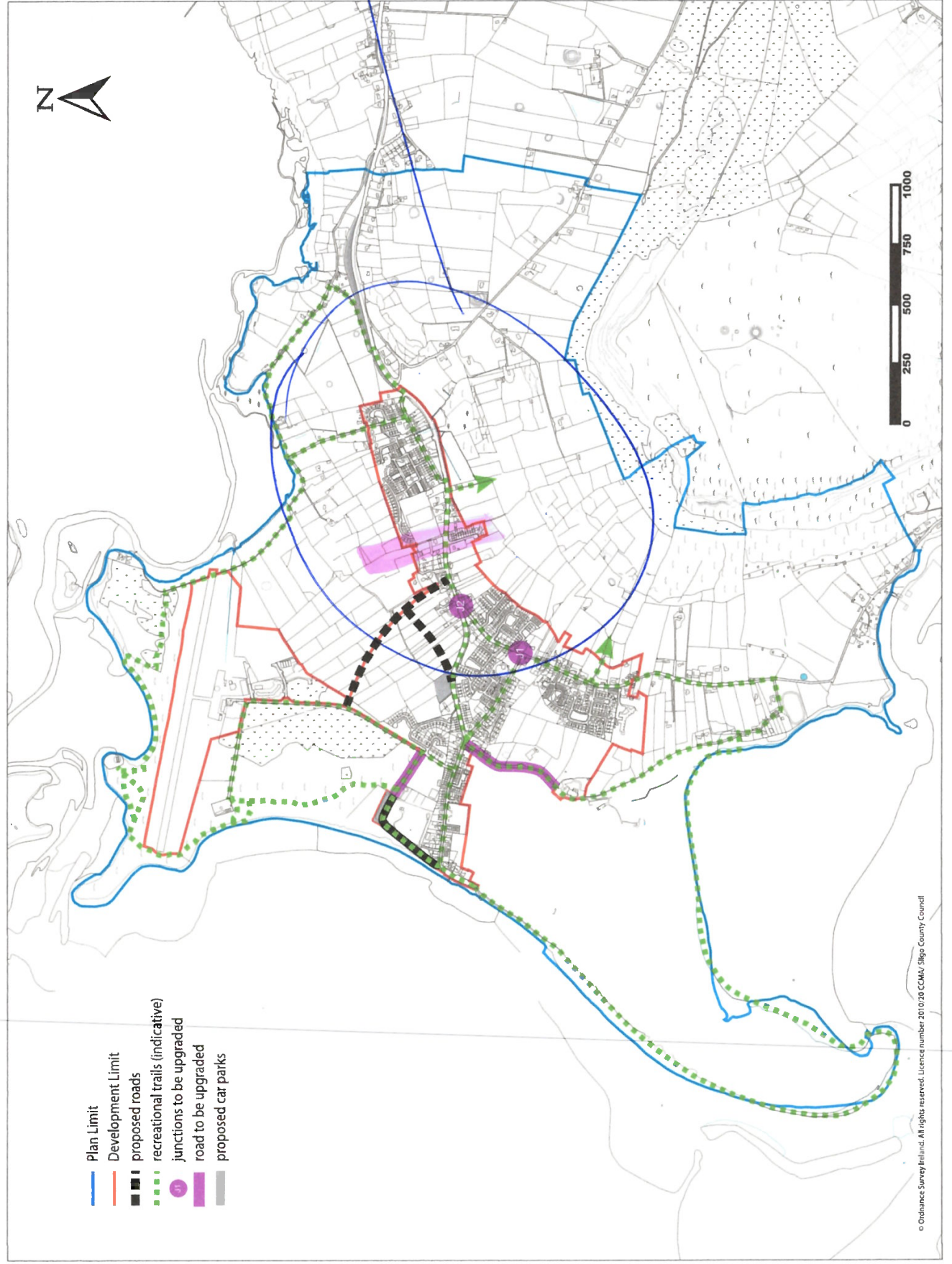
Notes:

1. Filed plans should be read in conjunction with the Register. The description of the land in the Register or on the filed plan is not conclusive as to the boundaries or extent of the land (see Section 85 of the Registration of Title Act 1964, as substituted by Section 62 of the Registration of Deeds and Title Act, 2006).
2. Filed plans greater than A3 in size may be provided as separate A3 tiles with an overlap and print gutter. When aligning the tiled sheets, customers are advised to use the underlying topographical detail.
3. On receipt of this record, please check to verify that all the details contained therein are correct. If this is not the case, please return the document to the Property Registration Authority immediately.

PL 19218
Agricultural
Land
2017
Stockproof fence

Map 3. Transport objectives

Draft Strandhill Mini-Plan





Full HD 1080

Type here to search



acer

11:07 ENG 02/08/2020

Newspaper Sunday Independent

02/8/2020



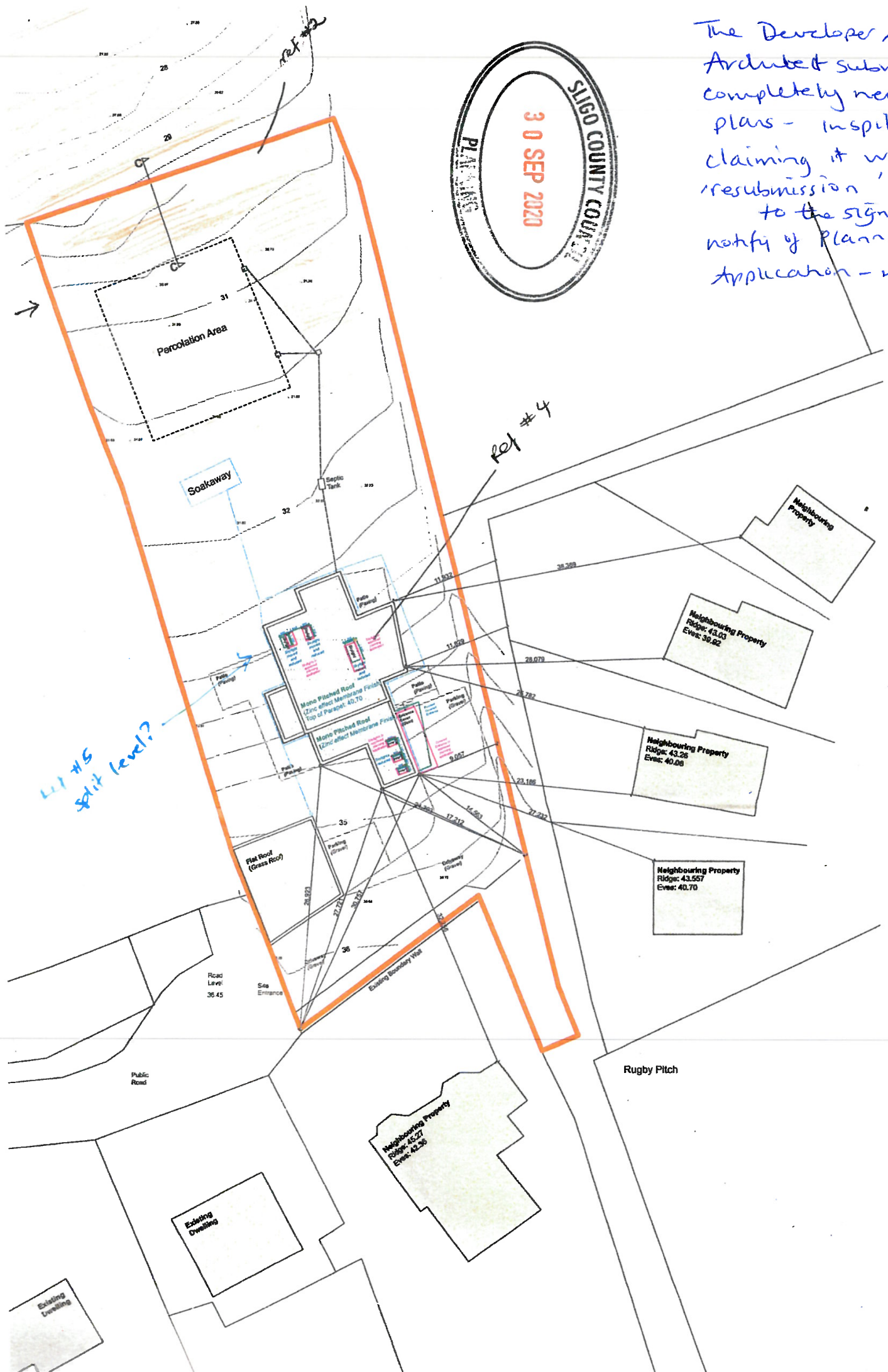
18 January 2013 - Draft mini Plan

Line straight across
NO - Long site approval extension





The Developer / Architect submitted completely new plans - inspite of claiming it was a resubmission 'due to the sign to notify of Planning Application - missing





This is the development which is stand alone and obliterates Benbulbin and Sligo Bay for residential dwellings in the cul de sac.

No Commencement Notice exists for this property.

The Commencement Notice for this property is for an occupied dwelling (10 years occupied) 1 Dorrins Strand - this is located in the Estate behind this dwelling



✓ slip base
SAC.

SAC

SAC

5/5/2021

Google Earth

PL 19218



This is a photo from
Google Earth Date stamped -
I brought this to the attention
of the Enforcement office,
nothing was done about this.

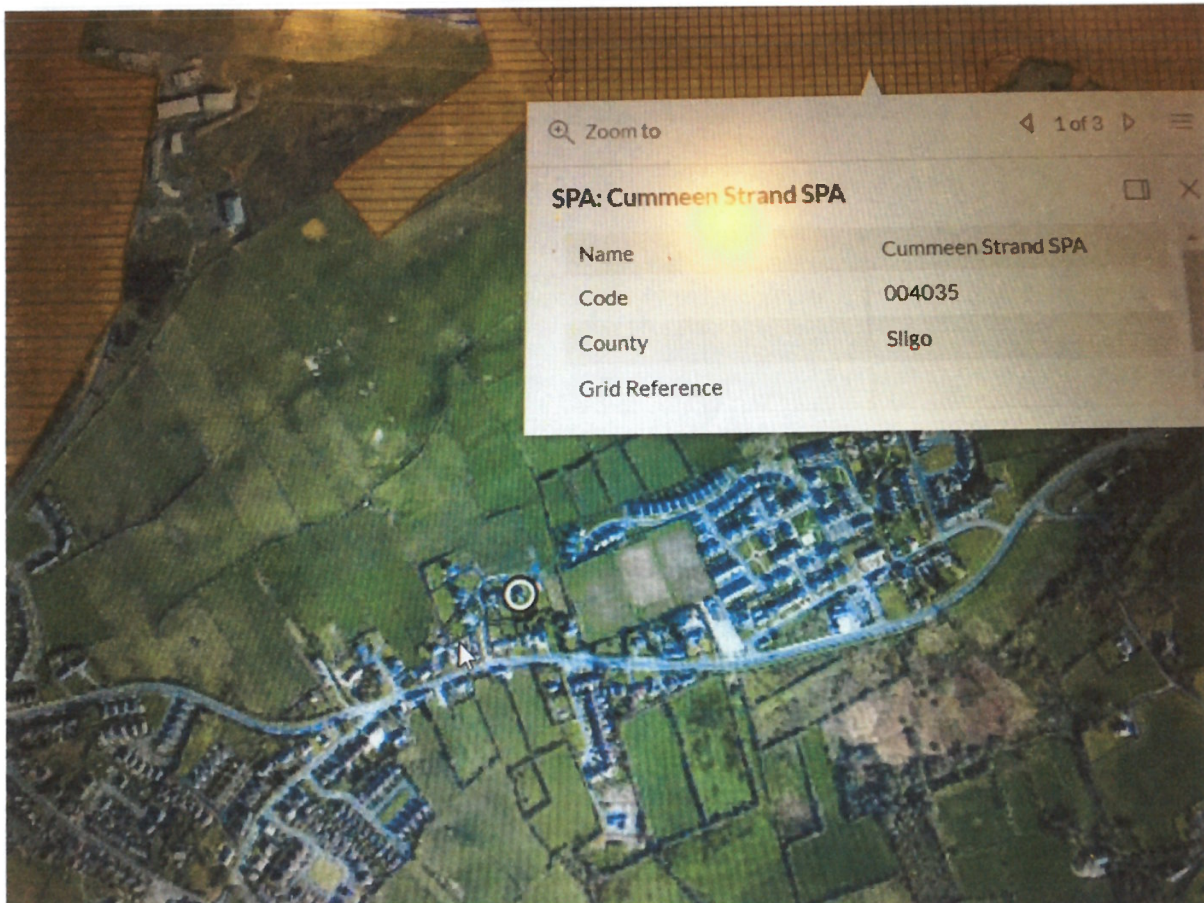


100%

Maxar Technologies

Camera: 253 m 54°16'14"N 8°35'17"W

37 m



Cummeen Strand SPA

Site Details

Site code

004035

Designation

Special Protection Area (SPA)

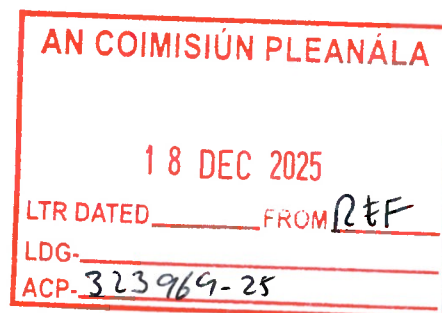
County

Sligo

Coordinates

Latitude: 54.2897

Longitude: -8.54575



Qualifying Interests

1. Light-bellied Brent Goose (*Branta bernicla hrota*) [A046]
2. Oystercatcher (*Haematopus ostralegus*) [A130]
3. Redshank (*Tringa totanus*) [A162]
4. Wetland and Waterbirds [A999]

Site Details

100

This fill has been transported
on-site to level the agricultural
fields adjacent due to ponding at



the edge of
site where
level on
original OR
was 27.8 and
now its
level -

It was a
'lake'
when it
drained
due to
extensive
excavations.





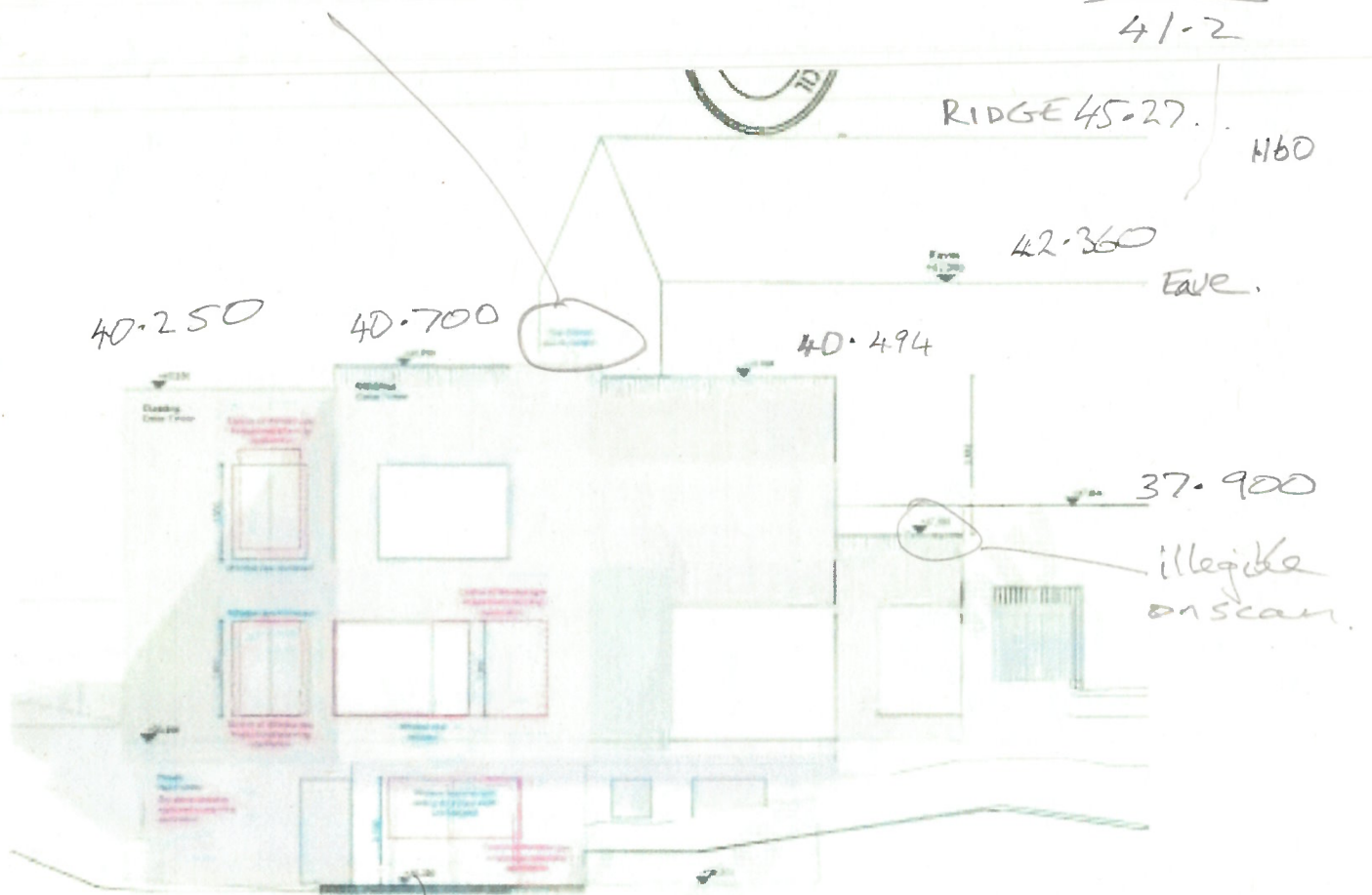
Earth moving excavators
every day (except during
COVID 19)

Since Sept 19 2020.



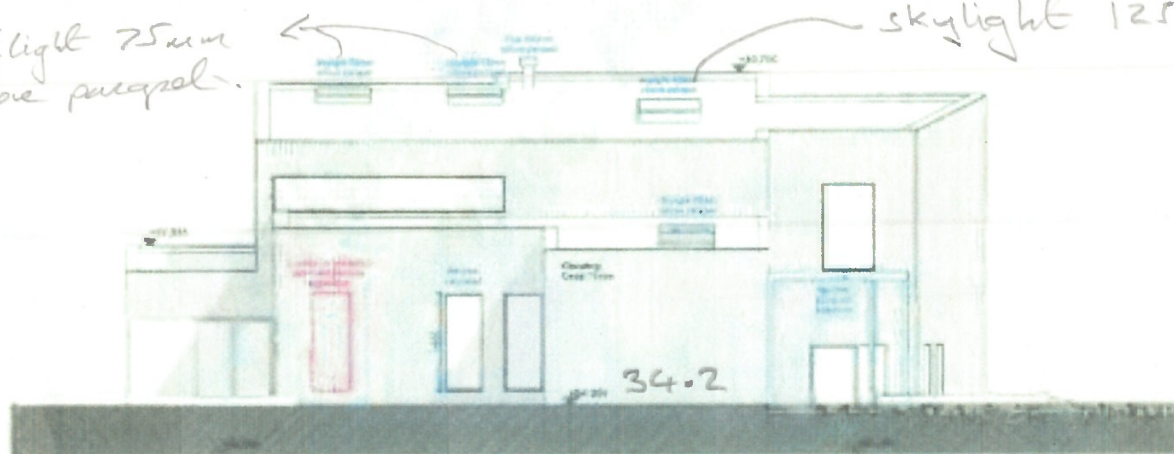
"Flue 500 mm above parapet" -Add B-

$$\begin{array}{r} 40.7 \\ 0.5 \\ \hline 41.2 \end{array}$$



North Elevation - Retention Application
 1:100 @ A3

Rooflight 75mm above parapet. skylight 125mm above parapet

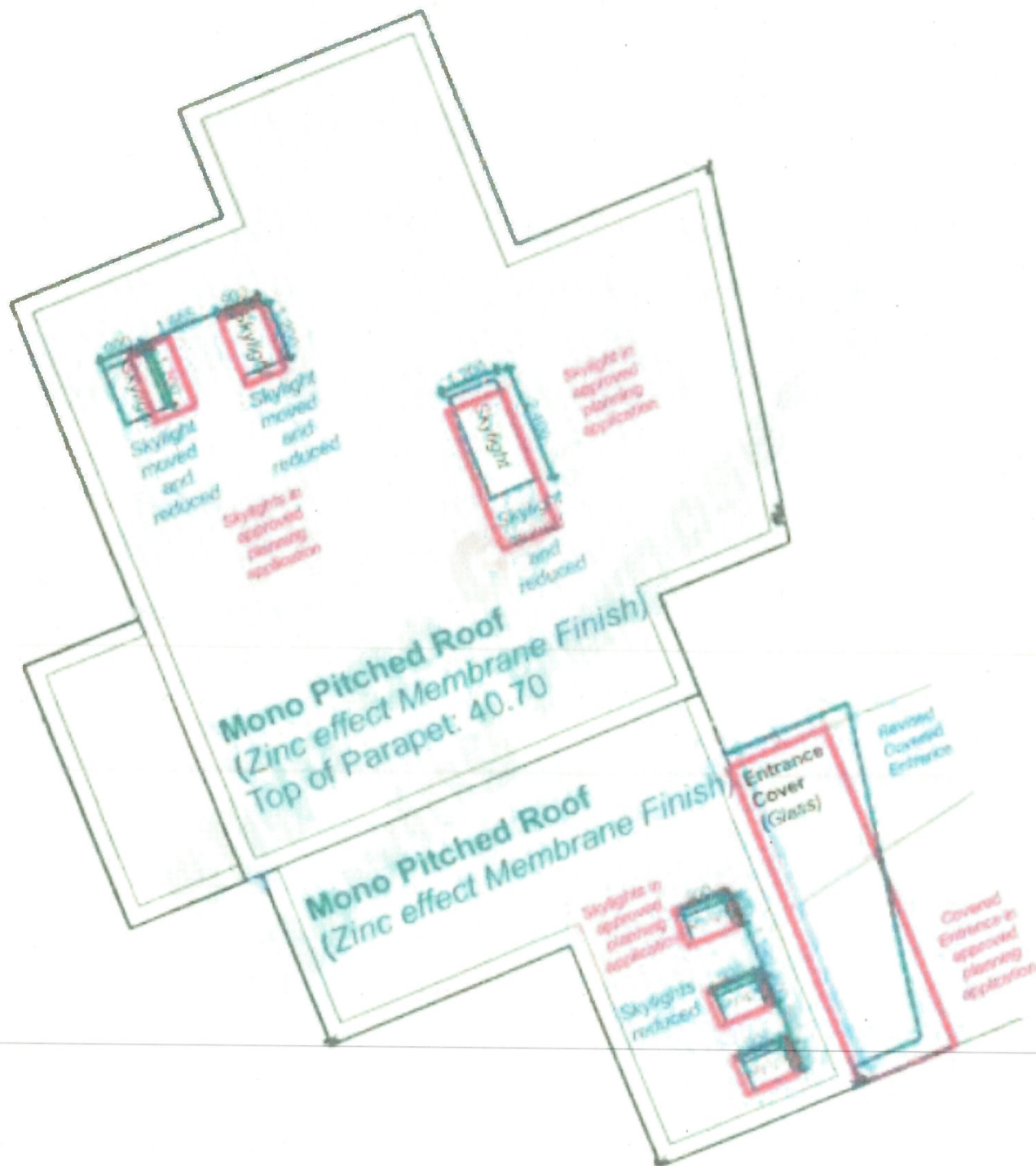


South Elevation - Retention Application
 1:100 @ A3



Retention elevations
 and ground
 Roof Plan.

NOTES 1. See also the existing site plan and elevation to be replaced and a street. 2. See also the existing site plan and elevation to be replaced and a street. 3. See also the existing site plan and elevation to be replaced and a street.	1:100 Outline of site in approved planning application. Site not highlighted areas of proposed existing application to be modified. Check for highlighting areas for retention application.	PROJECT Site plan and elevation CLIENT Retention Application DATE 1/10/2020	SCALE 1:100 @ A3	DRAWING NUMBER 1/10/2020	DESIGNER DR DATE 1/10/2020	REVISIONS 1/10/2020
---	---	---	--------------------------------	--	--	-----------------------------------



- ① Roof originally "natural slate"
- ② Waste water.
- ③ "hanger site" - raise issue
not within development area.
hence house too big for site
~~no~~

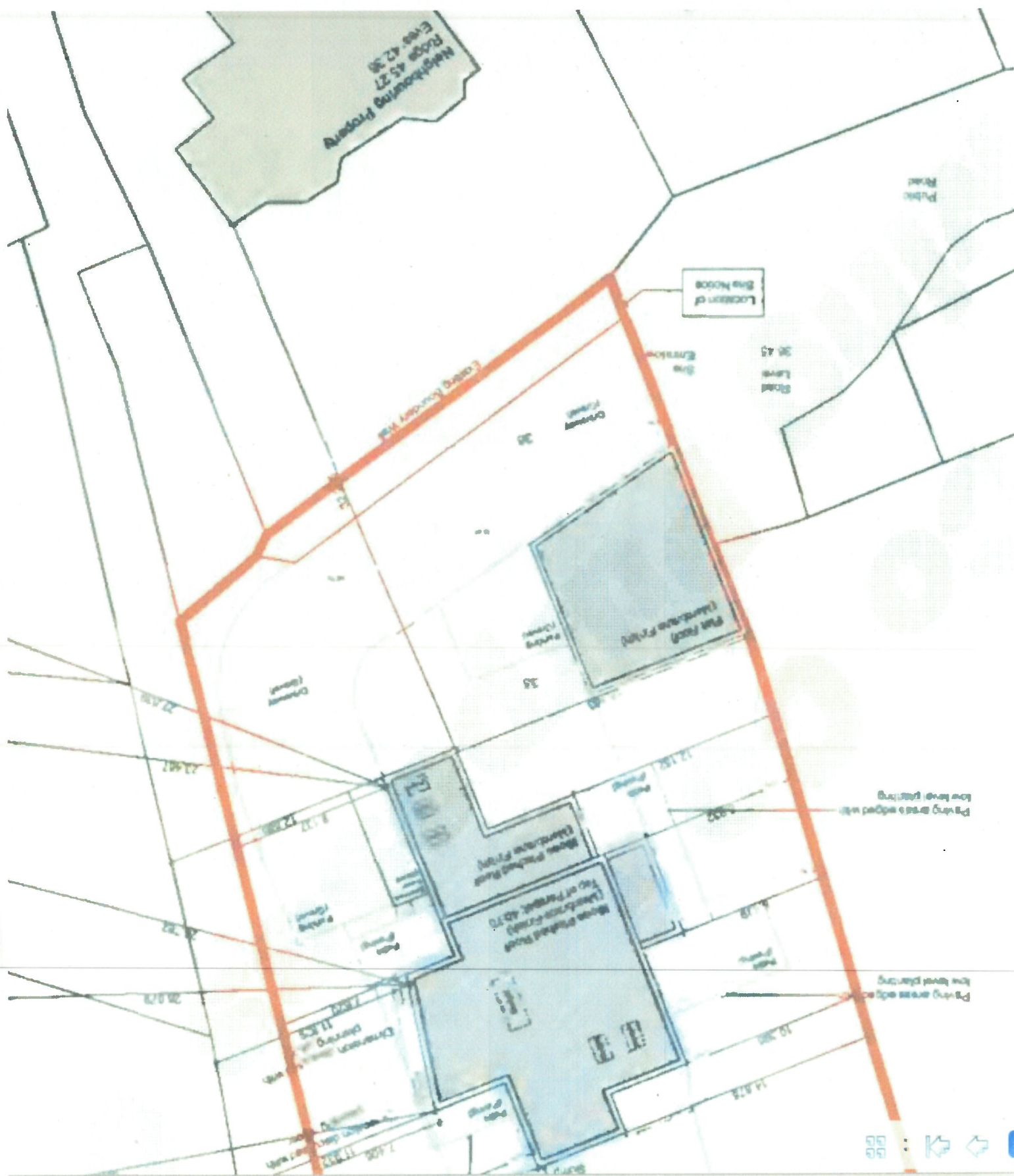


UNTY COUNCIL
SEP 2020
ANNING

A

N







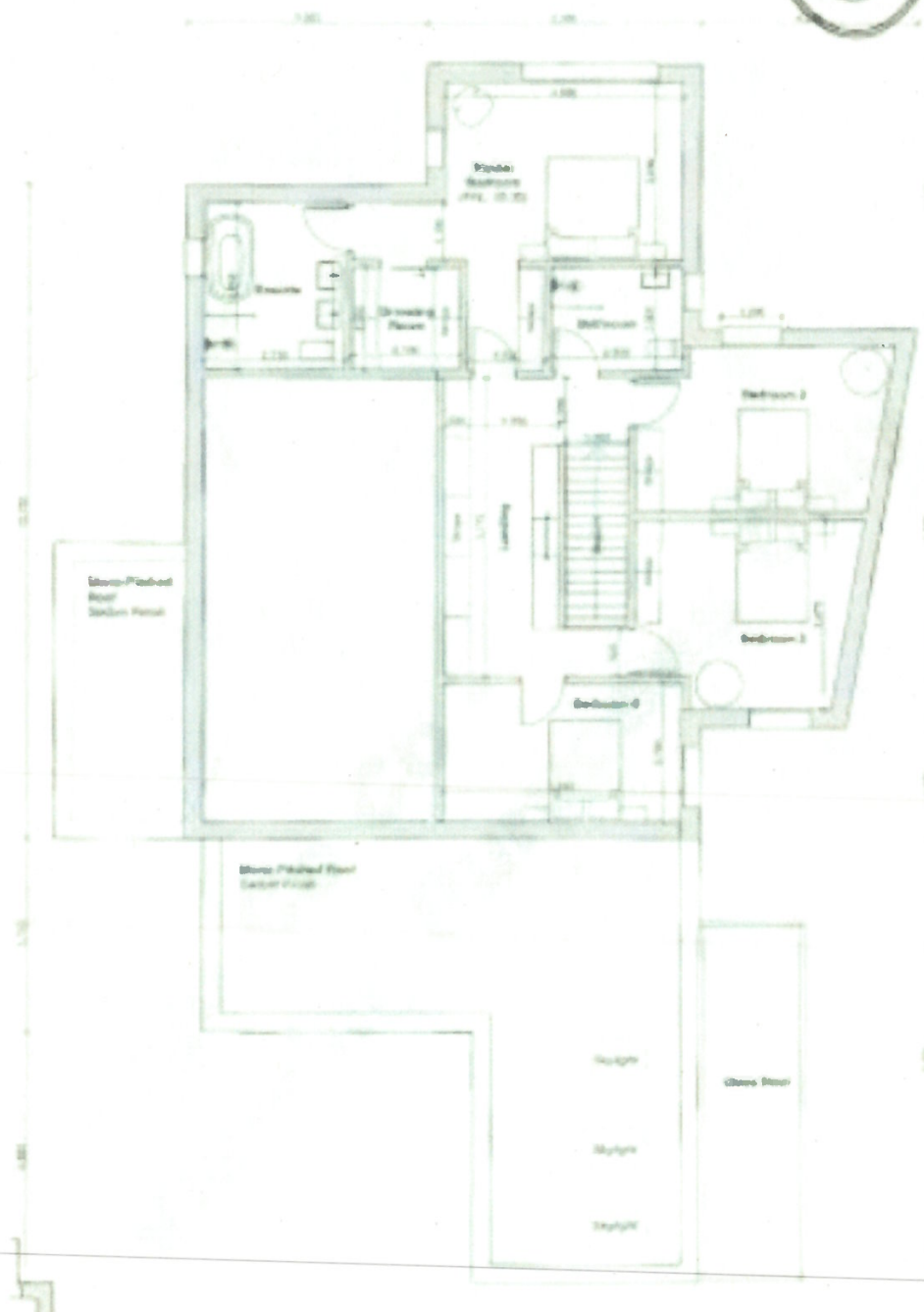
NOTES
 1. All dimensions are in feet and inches.
 2. All dimensions are to the center of the wall unless otherwise noted.
 3. All dimensions are to the center of the wall unless otherwise noted.

PROJECT
 Name of Building
 Address
 City, State, Zip
 Architect
 Name of Architect
 Address
 City, State, Zip

Orig. pl. drawings
 in cl. with retention
 application



Ground Floor Plan - Retention Application
11.00 @ A3



First Floor Plan - Planning Application
1:100 @ A3



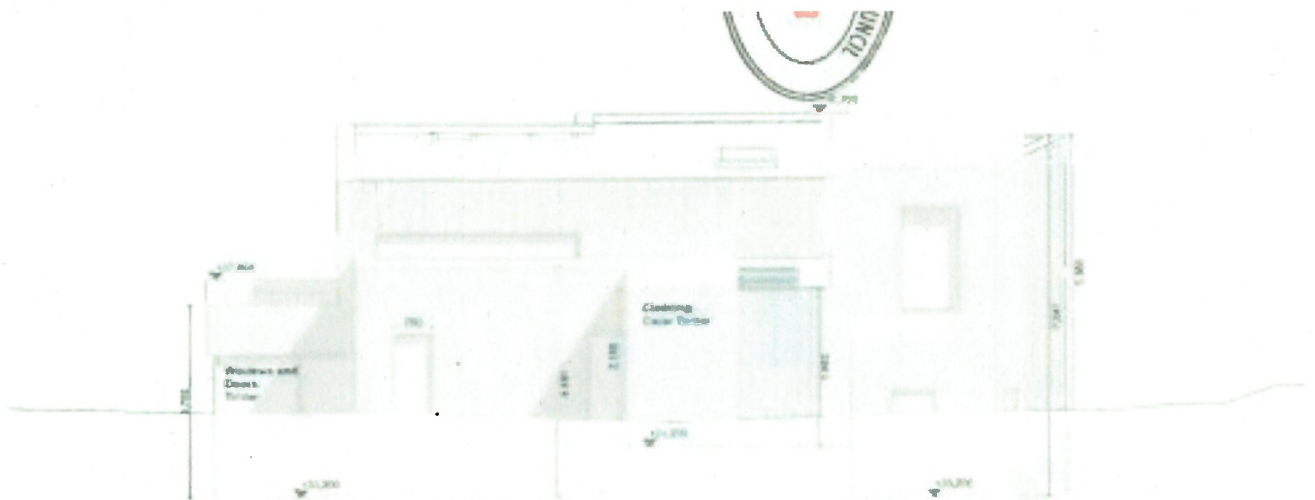
NO.	DATE	DESCRIPTION	BY	CHECKED BY	DATE	REVISION
1	15/09/2010	First Floor Plan - Planning Application	1:100 @ A3	1:100 @ A3	15/09/2010	1

A3

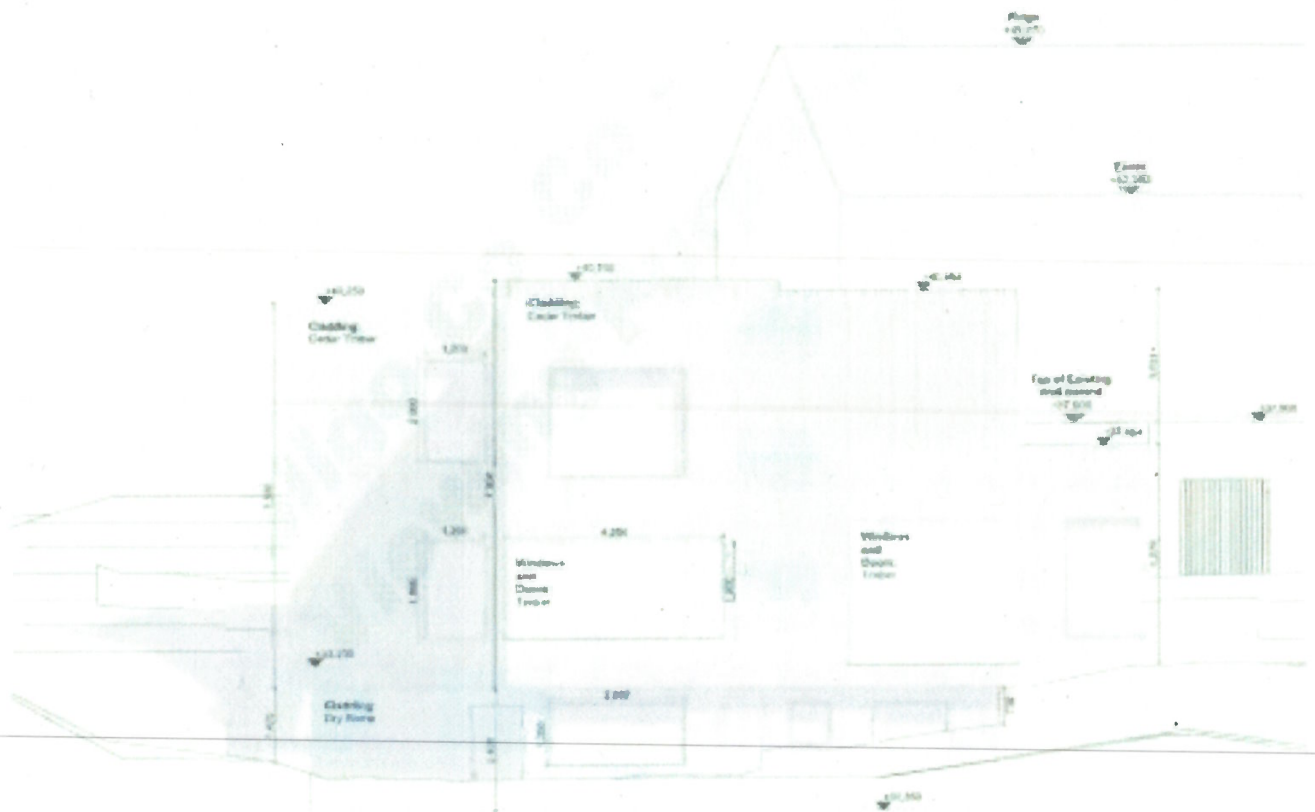


First Floor Plan - Retention Application
1100 @ A3

A3



South Elevation - Planning Application
1:100 @ A3

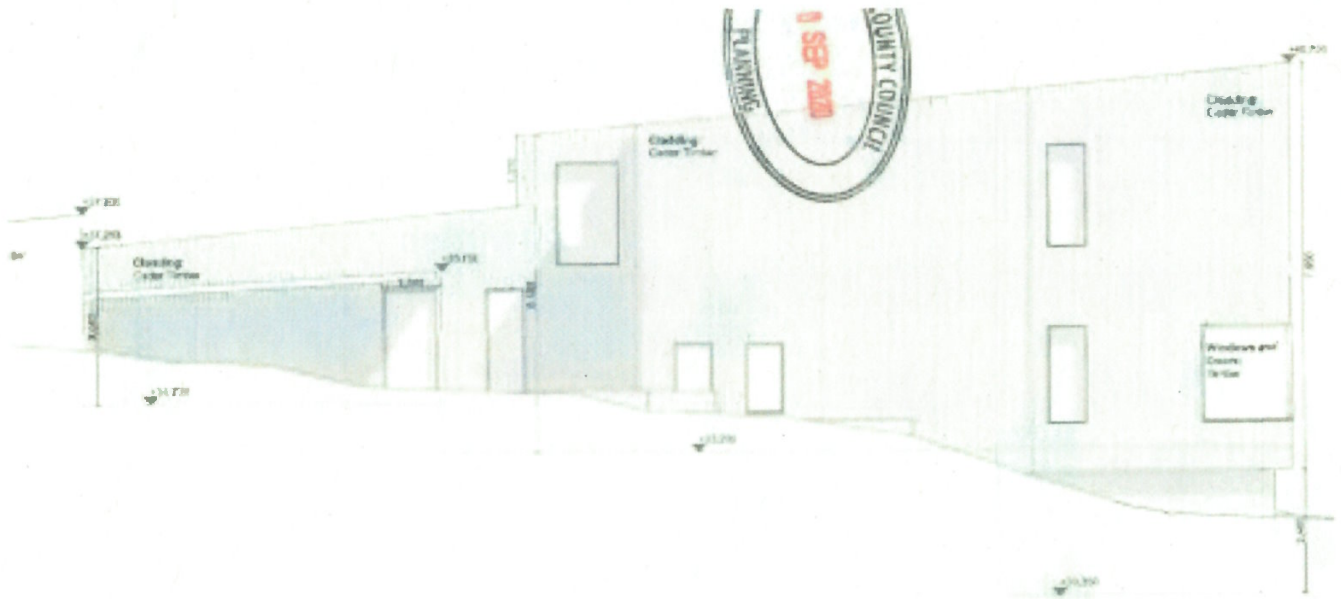


North Elevation - Planning Application
1:100 @ A3

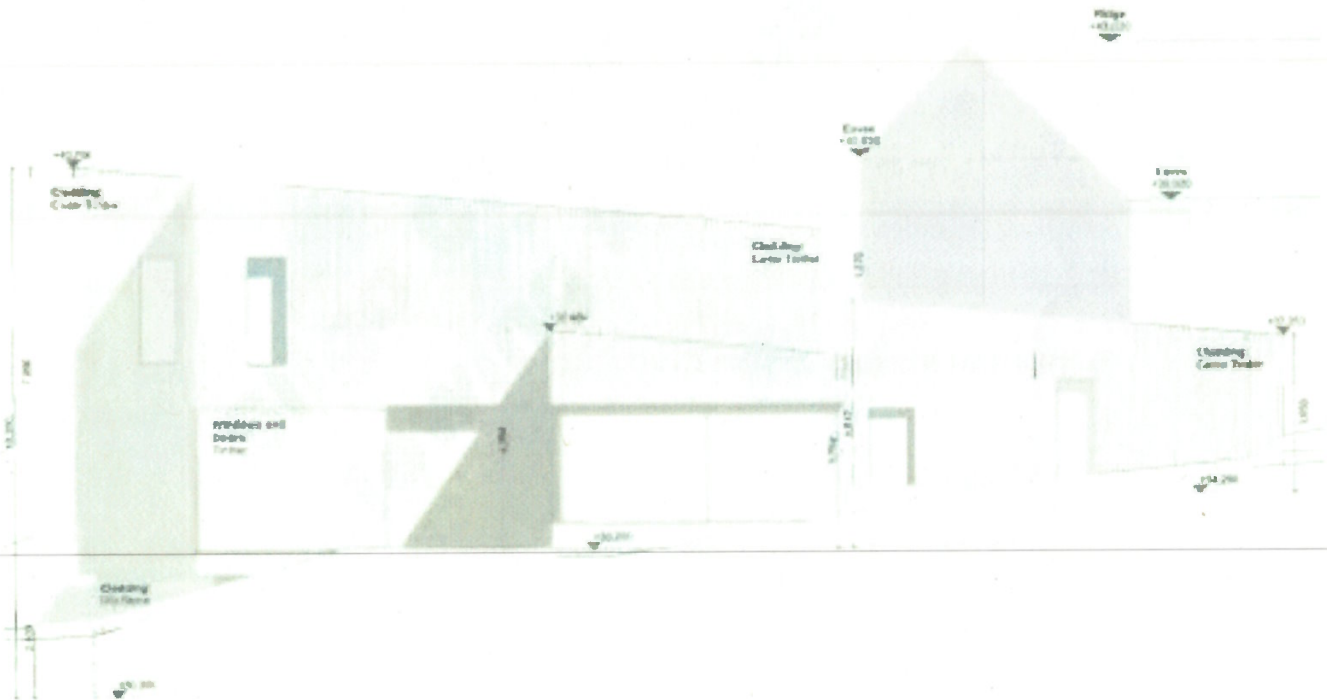
SCANNED

09 OCT 2020

CC
CC



East Elevation - Planning Application
1:100 @ A3



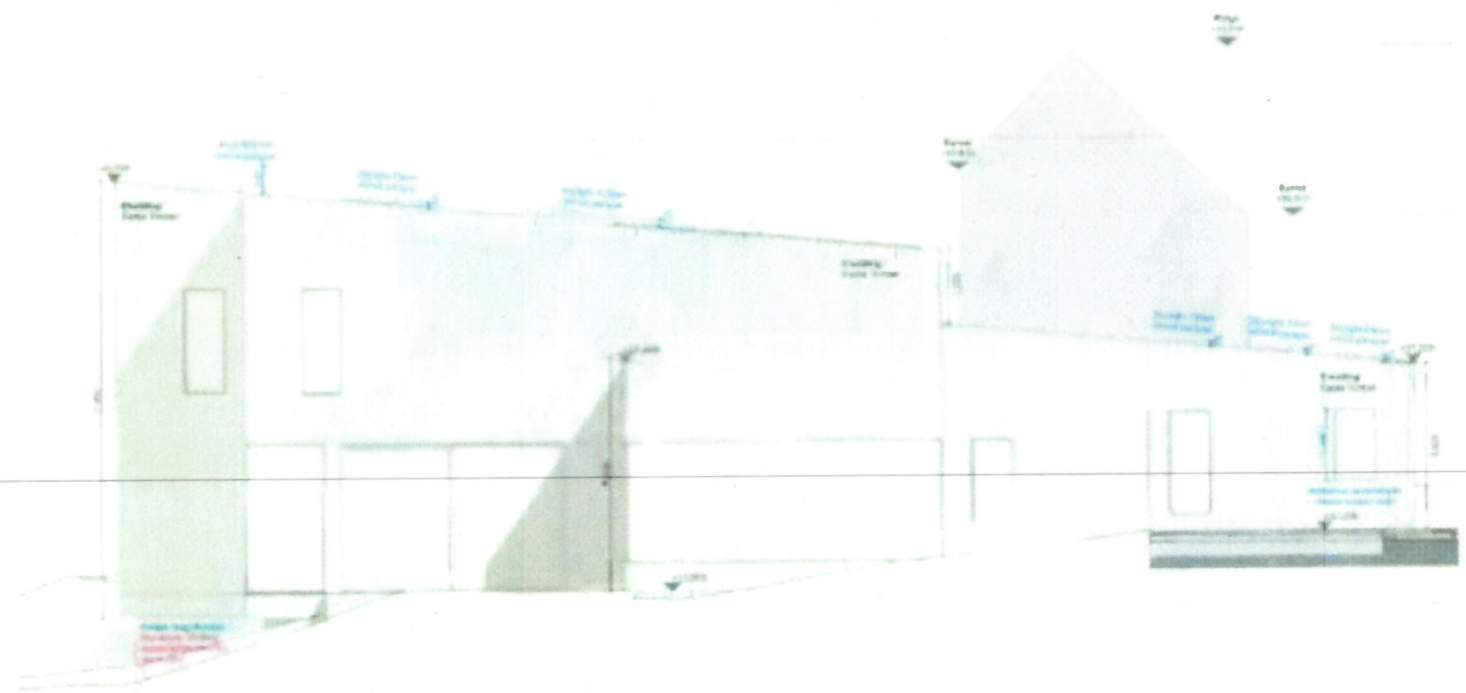
West Elevation - Planning Application
1:100 @ A3

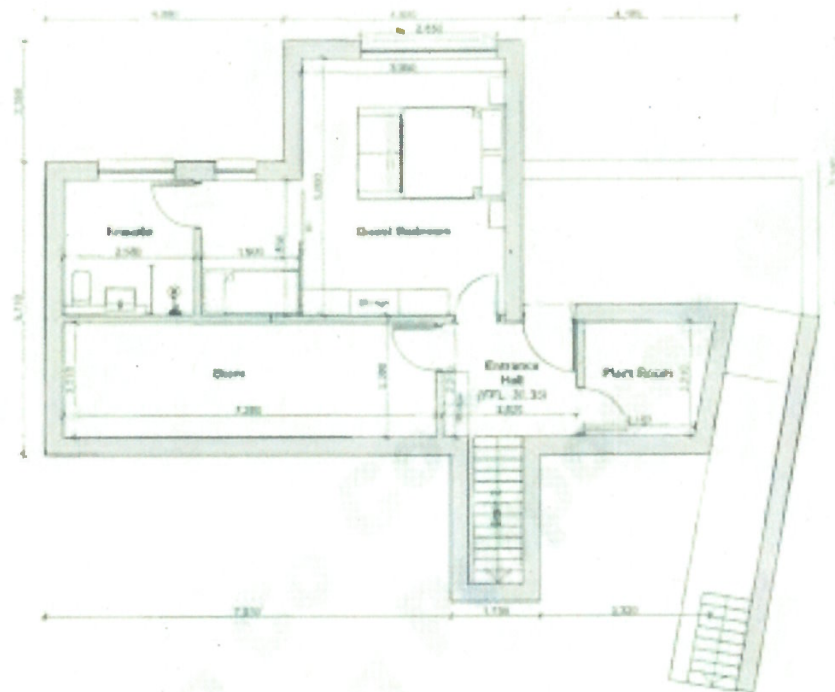


1.1



East Elevation - Retention Application
1:100 @ A3





Basement Plan - Planning Application
1:100 @ A3



24



NOTES

Do not scale from this drawing. Any dimension shown on drawings is to be used.
No other work will be done on this plan (including and including)
Copyright remains with the architect.
This drawing is to be used in conjunction with the specification and all other relevant drawings.

NOTES

PROJECT
House at [Address]
Drawing Title
Basement Plan - Planning Application
DATE
20/10/20

REVISIONS

DATE	REVISION	BY	REVISION
10/10/20	1	CH	1

CENTRE COORDINATES:
ITM 561646.836043

PUBLISHED: 09/09/2020
ORDER NO.: 50140147_2

MAP SERIES: 1:2,500
MAP SHEETS: 1010-A

Legend
Site Boundary
Land in Ownership

COMPILED AND PUBLISHED BY:
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Phoenix Park,
Dublin 8,
Ireland

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and Government of Ireland
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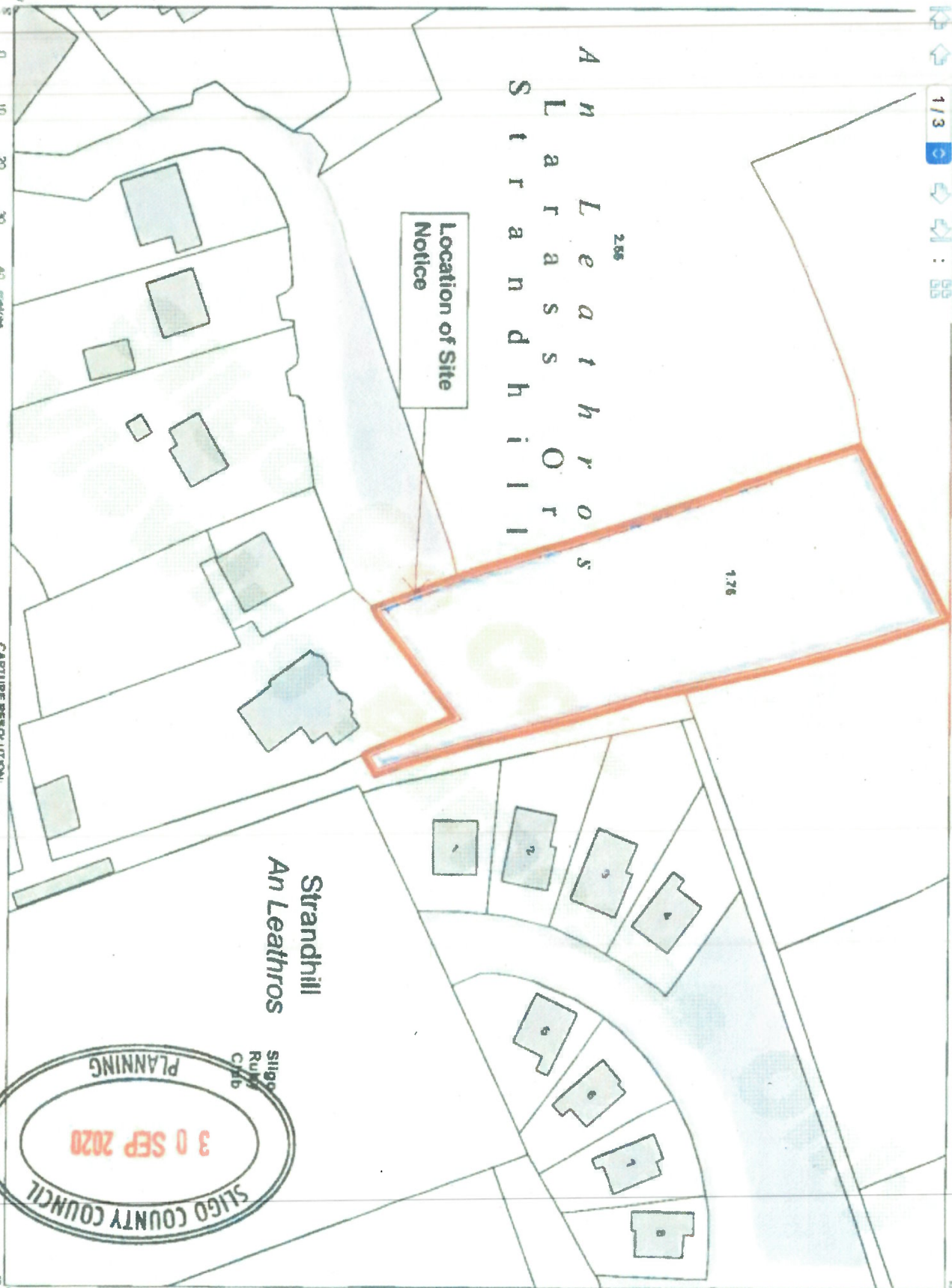
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Handwritten signature



OUTPUT SCALE: 1:1,000

CAPTURE RESOLUTION:
The map objects are only accurate to the
resolution at which they were captured.
Output scale is not indicative of data capture scale.



LEGEND:

