

AN COIMISIÚN PLEANÁLA

18 DEC 2025

LTR DATED _____ FROM REF

LDG- _____

ACP- 323969-25

Addendum C

Chronology

This was invalidated by A&P.
due to Object to retention in Larass
a missing letter from Sligo Co. Co.
to confirm receipt of submission

I object to this Planning/Retention Application given that Irish Water has not been notified of this development –

Irish Water is a prescribed body under the Planning Act 2000 mandated under planning law, they were not notified.

Under previous application PL 18365 the architect notes that “discussions took place with Irish water regarding the possibility of connecting to the public sewage network.”

Irish Water has confirmed that this statutory requirement was not fulfilled. CAS2001478. Per their correspondence ***neither did Sligo County Council send a decision notification to Irish Water regarding grant of permission for this development.*** (Dated: Friday, 4th of December, 2020).

This is the ***only*** development approved for a new septic tank in all of Strandhill in the years, 2017, 2018 and 2019.

The Sligo County Council has disregarded their own Development Plan with regards to granting permission for this house to use a septic tank. Under PWW4 of the Co. Sligo Development Plan 2017-2023 all new developments are required to connect to public wastewater treatment.

The EPA's guidelines and legislation have also been disregarded in the approval for this dwelling which is situated in an area with high groundwater vulnerability. The entire site for this house has been excavated to a depth of +/-7 meters without the requisite planning permission or the completion of an environmental impact assessment. Moreover, the developer has altered the topography of 2.5 hectares of the surrounding fields without a permit. A new waterfilled pond below the percolation area (in the adjacent field) resulted from this extensive excavation. This has now been filled in. An enforcement compliance request to the Sligo Co. Co. for this unpermitted releveilling of land in the corridor to the SAC without an environment impact assessment, permission or license was refused.

Per John Monahan, “*Consultation with CST group engineers who concluded the only means of connecting to the public sewer was to open up the cul de sac to the nearest man hole 153 meters away.*” This does not constitute notice to Irish Water.

The applicant by his own admission concluded that the cost, disturbance and upkeep of pumps meant this was not a viable option.

This conclusion clearly points to the fact that permission should not have been granted on this extremely sensitive site.

“The applicant has proposed to install a septic tank and has submitted a site layout plan showing other houses in the vicinity connected to septic tanks.” This is a clear breach of the requirements for Planning Permission for a septic tank.

According to the Planning Office, *"It is considered that the applicant has adequately demonstrated that it would be onerous to connect to the public sewer and therefore planning have no objection to the installation of septic tank on this site."*

This is arbitrary and not following the correct protocol and due diligence mandated in this instance. This ignores the mandatory notification of Irish Water prior to the grant for planning permission.

Email from Planner, Ms. Leonora McConville, 17-10-2017 - on record for this property in the Pre Planning File 3725

"Lads, they're proposing a septic tank. Shouldn't they be connecting to the public sewer at this location?"

Per email reply in pre-planning file 3725- from Noel Sweeney, County Engineer to Leonora McConville, Planner 19-10-2017

"There is a public sewer serving the existing houses on this road and obviously it would be preferable that the proposed house connect to it [...]"

There may be difficulty getting a fall from the site to the sewer but this could be overcome in any case by the use of a private pump sump.

Obviously if new applicant is adamant he wishes to install a septic tank then the application would be reported on by the Environment Section and Water Services and Irish Water would be commenting on the submission."

Below are the Co. Sligo Development Plan requirements 2017-2023

- PWW-4 - Sligo County council requires all new developments to connect to public wastewater treatment.
- The Sligo Development Plan PWW-15 Discourage the use of pumping stations in private development. Storm overflow from pumping stations serving private development WILL NOT BE PERMITTED.
- PWW 19 - In cases where capacity exists, all proposed developments WILL BE REQUIRED to connect to the public wastewater treatment plant.
- This area is designated in **red** on the Geological Survey Map as **'Highly Vulnerable'** for groundwater safety. This report and the geological map is included in the Site Assessment by Davitt Engineering attached to the planning file 19218
- The wastewater treatment for this plan 19218, per Davitt Engineer's Report include connection 153 meters to the nearest sewage manhole, pumping uphill and a septic tank. This is a significant deviation from the Strandhill and Co. Sligo Plan Objectives which prohibit Septic tanks where capacity exists in the sewage treatment locally.
- The test holes for the site assessment for the septic tank do not match any view from the site.
- The depth of the test hole is inadequate given the addition of a basement and the new requirements for depth testing, no new site assessment was carried out for this new application with basement- PL19218. To manage the increase in wastewater on the septic system due to the addition of a basement the engineer specified the necessity

for a connection to the city sewage and a pump. An enforcement request to Planning for this was refused.

Conflict of Interest

The architects/owner is a contractor for the Sligo County Council having been awarded numerous commissions. He is currently the appointed architect for the redevelopment of the Enniscrone Seafront. This relationship may explain the bias in this instance between the civil servants in Sligo Co. Council and this private individual.

Notifiable Actions

Given the scale of this development and the fact that it is located in the corridor to an SAC, in close proximity to a ZAP and in close proximity to the National Heritage Monument at Killaspugbrone and the site was subject to a SEA screening report and a Natura Impact Report. Proper planning protocol would necessitate an appropriate assessment and an archaeological assessment.

The Notifiable Actions quoted below relate to operations within the Special Area of Conservation and also include operations affecting the protected habitat.

The Notifiable Actions, per Habitat Type 1.4

Under EU community, Act 1972, Council Directive 92/43 EED (Habitat Directives) all persons must obtain written consent from the Minister for the Environment before performing any operations on or affecting the following habitat (Sand Dunes or Machair) where they occur on land within the Special Area of Conservation.

- Removal of soil, mud, gravel, sand or minerals
- Construction of buildings or sewage facilities

Notifiable actions, Habitat Type 7.1

Under EU Communities Act 1972 and Council Directive (Habitats Directive, May 1992) on the conservation of natural habitats and species of wild fauna and flora, all persons must obtain the written consent of the Minister for the Environment before performing any of the operations **on or affecting** the following habitats where they occur on lands within the candidate Special Area of Conservation.

Disturbance of Bats

Construction of fences, buildings and embankments

I OBJECT to the exclusion of the retention for the change of roof material from sedum to the current metal roof

1. Change in Roof Material – It would appear that the architect has used the Sedum Roof as a ruse to get planning approval and circumvent potential objections. The purpose at the outset was for aesthetic reasons to blend the house into the surrounding environment. a “delicate intervention.”

Locally this house has become known as 'the space ship that landed' given how it was constructed off site and appeared at its full scale and mass over a two week period. It is incongruous and out of place in this location.

The sedum roof was selected as a material in an attempt to minimise the overall visual impact of this incongruous building.

Per owner/architect John Monahan application letter PL19218, dated 5/6/2019,

The mono pitch roof is akin to the rural sheds with sedum roof blending the roof into the landscape.

The materials help to blend the house into the site and its surroundings with the 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.

The house will be built to passive standards and with sensitively chosen materials.

Its low level principles will allow it to have minimal carbon footprint as well as being a delicate intervention into this side of Strandhill.

The planning submission has taken account of 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.

The sedum roof was selected to compensate for the huge loss of biodiversity and ecology and the destruction of habitat that has occurred as a result of the scale and mass of this development in this delicate and environmentally sensitive area.

This proposal of a sedum roof by the architect allayed fears of the neighbours who trusted this individual promise to build a "low profile grass roof house in the field at the end of the cul de sac to "blend the house into the site" when he visited each homeowner individually. This is reflective of the language he used in his application PL19218 describing his proposal as a "delicate intervention."

According to the grant of permission, a request to change roof materials is required in writing two weeks prior to any alteration to the planning authority. The home is constructed of structurally insulated panels. The SIP compatibility assessment analysis for the use of sedum require analysis of the following;

- The exact Sedum system you propose. They vary for example in weight – anywhere from 65kg/m² – 120kg/m² or more
- Detailing to match the Sedum build up (e.g. whether ventilation required or not)
- You should always undertake a WUFI (condensation analysis) for such a roof, specific to your roof, in your location. This will determine for example, position of vapour control layer, within the build-up.

The exclusion of retention on this change of materials from that permitted is outrageous. The owner is an experienced RIAI architect who had ample time to plan and research compatibility for the sedum roof with the SIP panels prior to his submission for planning approval.

Beyond Limit of Residential Development Strandhill Plan 2017-2023

I strongly object to the situation of this house beyond the development limit per the Strandhill Development Plan 2017-2023. The architect's proposal to situate the house below the level of the eaves of the adjacent houses in Dorrins Strand only made sense in the context of the normal requirement to situate a house within the site. Instead this house is located at the limit of what he claims his site is zoned residential. Any rezoning of land is an executive function of the county councillors, not at the behest of the architect.

Enforcement

Per Margaret Rice, Department of Housing, Local Government and Heritage, Planning Policy Department, October 16th, 2020 (planning@housing.gov.ie)

No enforcement action under the Part VIII enforcement provisions of the Act shall be stayed or withdrawn by reason of an application for retention of unauthorised development.

It should be noted that the fact that a person has made an application for retention permission is not a defence to a prosecution for unauthorised development and a development carried out without planning permission, or in breach of planning conditions, remains unauthorised unless and until retention permission is granted. Section 162(3) of the Act provides that no enforcement action under the Part VIII enforcement provisions of the Act shall be stayed or withdrawn by reason of an application for retention of unauthorised development.

The removal of the retention application for the sedum roof does not infer permission to retain the existing roof which has been installed.

Non compliance with Planning Regulations to Notify Public

The initial application PL 18365 for this site was granted before I or any of the neighbours could object. We did not see the sign. It was not erected during the 5 week period required. This is acknowledged by John Monahan in PL 19218 the current house under construction.

This is a resubmission 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.

This a shocking indictment of how this planning permission has been pushed through without fair notice to the community and the proper oversight.

The exclusion of the community is a perversion of justice, our rights to object were not upheld.

Secondly, when the new planning permission PL19218 site notice (which increased the height of the house and added a basement) was erected, it failed to include these major changes on the site notice which is - a **legal requirement under Planning Act 2000**. Again,

acknowledged by Monahan in his application letter for PL19218. '*A resubmission of the house design previously agreed*' – This is simply a false and intentionally misleading statement. This new planning application PL19218 is a completely new house design with a larger mass, scale and height AND includes a basement. Moreover, the controversial roof which previously in PL 18365 were:

likened to the sloping roofs of the existing houses, they have a rural feel with the grouping of the separate blocks and the integration into the site. [...] The roofs are hipped to reduce the mass of the roof area, this minimises the effects on neighbouring properties and helps to minimise the mass of the house on the site.'

The aim of this design was in Monahan's application to

Break down the mass of the home 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.

Given that the site did not change, it is extraordinary that the new roof design which was not subjected to the scrutiny it merited given the significant deviation from that approved changed to :

A mono pitch roof [...] akin to the rural sheds with sedum roof blending the roof into the landscape. The materials help to blend the house into the site and its surrounding with the sedum on the roof, natural finish cedar cladding and dry stone cladding in parts.

This was a premeditated decision to change the entire plan and expedite planning approval and avoid scrutiny of plans by potential objectors. The architect having approached the homeowners in the community to pre-empt any objection with his assurance of building a 'low profile grass roofed house'. This was blatantly deceptive and contrary to the RIAI architect's code of practice. The 'sedum roof' is the subject of an enforcement notice and two previous retention applications which have been withdrawn.

The architect's planning application letter, PL 19218 concluding remark indicates a undue expectation of a speedy decision.

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

Registered in BSMS as 1 Dorrins Strand

The house is registered in the BCMS for 1 Dorrins Strand, a residence which has been occupied by the current owners for the past ten years. This mis-statement of the development address further eludes scrutiny by mandatory bodies. e.g. Irish Water.

Visually Vulnerable

The original Planner identified the site as a visually vulnerable (recorded in the pre-planning file) – this Planner was replaced. The geography and landscape did not change. However the new Planner's Report Grant for Permission describes this site as "adjacent to a housing estate" there is no mention of visual vulnerability.

The Planner in the 2018 meeting pre planning file noted concern about the impact of a building to a height of 3 storeys on the community. At that stage PL 18365 was considered three storey by the Planner at 9.05m. That house plan was superseded by PL19218 and the height increased per the Planner's Report by a half meter to 9.5 meters. Yet, alarmingly, the

height recorded in the architectural plans for the withdrawn retention, PL 20339 is 10.5 meters (measured from the ground to the apex of the roof).

The site had been subject to a Natura impact assessment in 2013 by Siobhan Ryan heritage officer for the Sligo Co. Co. when concerns were raised and noted about the potential impact of development and site excavation on the biodiversity of this sensitive site. Incredibly the present development did not undertake an Environment Impact Assessment in spite of the fact that the development spread beyond the owner's site boundary covering a landmass of over 2.5 hectares. The excavations resulted in huge volumes of earth being removed to accommodate the removal of 7m +/- of earth to accommodate the enormous house. These fields have recently again been interfered with again accessed through this site without the requisite planning permission by the owner/architect who recently imported tonnes of fill and soil to erase the large pond that opened below his site. The road level is 36.5m and finished floor 33.3 m with basement extending below this. The topography of the surrounding fields were 28m OD and 29m OD on the OSI Ireland Maps now they are almost level due to infilling.

I object to the planning application for a new stone boundary.

Building condition 4 PL 19218 (protecting the trees and hedging) was not complied with and the enforcement request was refused. The existing hedge row was removed three weeks ago at the site entrance to make way for the proposed new stone wall.

I object to the change of basement wall material : Dry stone cladding originally intended.

The Dry Stone Cladding intended to be sympathetic to the surrounding area and minimise the visual impact of this building has not been included in this 3rd request for planning permission/retention. According to the applicant, the basement is only visible from the northern portion of the garden on site.

This house stands starkly apart from the neighbouring houses, it is built beyond the red line limit for development in the 2017-2023 development plan. This zoning change to the residential development limit is an executive function of elected officials and requires a majority vote to be accepted. This is not a decision the Planner can take independent of elected officials.

This house is visible from the protected scenic routes; the airport, the loop trail and the historic Killaspugbrone Historic Ruins. If at the planning stage the architect and the planning authority thought this cladding would serve to integrate the house into the setting it is unclear why this material is no longer considered necessary by the applicant.

I object to the addition of a window on the Ground Floor –

The Addition of a window on the Ground Floor for 'air and is not valid given that it is counter-productive to install a window in a house which has MHRV resulting in the system working less efficiently. Mechanical Ventilation with Heat Recovery; is a

ventilation method that is predictable and consistent providing the required amount of fresh air into each room and extracting stale and polluted air where needed. Thus, no extra windows are required to facilitate operation of this MVHR system. Light can be provided by an electrical fitting as an alternative to an extra window which has not been allowed for in the original plans. The applicant/architect had ample opportunity to model and assess the lighting in this plan.

The large floor to ceiling opening to the west of the development specify 'wood' in the architectural drawings 'doors and windows – wood,' full fenestration has been installed in these apertures. This exceeds any reasonable retention request for change in size of windows and is out of character with all surrounding houses.

I object to window size alterations –

- The windows to the North in the first floor bedroom and the ground floor studio/office have been widened to allow in more light as facing north.
- The front door widened to allow a thick window next to it.
- The playroom window has moved position along the same south facing wall remaining the same size
- The basement window sill dropped to allow for a sliding door
- The living room window reduced in width as there was too much glass in this room, it is facing north.

There are no window measurements on the original architectural plans on file in the Planning Office or online on idocs. Therefore it is impossible to accurately assess this application. Moreover, the historic files have been 'withdrawn'. It is a pre-requisite for planning applications to include these dimensions and to provide the public with accurate architectural measurements. I object to all retention of changes of window sizes. This is not a lego set. It is a permanent structure. No retention of changes should be permitted given that this application cannot be objectively adjudicated without the essential original records.

The Planner's Report prohibits flood lighting of this development given the visually vulnerable location. An increase in window size contravenes this condition and would have a detrimental impact on the visual amenity given that this development is so imposing and protrudes beyond all existing development. An increase in light pollution will seriously impact on the provisions of the Co. Sligo Dev. Plan 2017-2023 to preserve the views to Knocknarea and Sligo Bay. These windows when illuminated from inside will be seen from as far away as Raughley. I strongly oppose ALL alterations to window size from what had generously been permitted.

The planning applicant and architectural drawings state 'windows - wood' on the West elevation. However, there is no wood on the frames and the fenestration expands the windows on the ground floor to such an extent that the lower level is wall to wall, floor to ceiling glass. This is exceptional in this community where all houses were obligated to have small uniform windows. At night, illumination through these windows will result in major light pollution and consequently will have a detrimental impact on wildlife and make the house visible from Rosses Point and Raughley.

Condition of planning was no flood lighting, this was to minimize light pollution. I object to any alteration or deviation from the original generous grant for permission.

I object to the change of basement window to a sliding door. This indicates that the basement is *at* ground level not below which changes the overall height of the house to 10.5 meters exceeding the 9.5m limit granted in permission.

According to the Planning Act 2000 and the requirements for an Appropriate Assessment under Article 42(2) of the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. 477 of 2011) this extensive excavation necessitates an appropriate assessment.

I object to the changes of rooflight dimensions and positions. The Planner's Report for the grant for permission for this development refers to drawing number 1719 -02. This is the architectural drawing with all requisite drawings for the planner's assessment. These drawings do not have any rooflights on the upper level. Therefore, no roof lights have been included in permission.

The upstands of the rooflights extend conspicuously above the parapet as does the flue which is installed (and not included in the grant for retention). The new architectural drawings 1719 R301 mis state the dimensions of these rooflights, the largest listed at 25mm above the parapet. These additions extend the ridge height significantly above the eaves of the neighbouring houses which contravenes permission and shows a complete disregard for the community. This was a very contentious issue explored at length in the previous associated planning application 18365 for this site.

I object to the addition of a flue. The application is for planning permission. This flue is already in place, thus it is not a retention item per this application. According to the architect

"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"

the addition of a flue negates both the passive standard item and energy principle of the proposal, furthermore the flue protrudes above the ridge line, certainly not a delicate intervention.

I object to the addition of a new outdoor seating area on the west elevation. This area is in the buffer zone and past the red line for residential development. It also increases even further the footprint of this controversial building which is larger in size than permitted. It further obliterates the view to the amenities of Sligo Bay and Benbulbin for the community which are preserved in the Sligo Development Plan 2017-2023. Furthermore, the new drawing plans 1709 R207 do not list the material proposed for the roof of the new outdoor seating area.

I object to the change in dimensions to the outdoor covered area in East elevation. The previous permission application PL 18365 gave rise to vehement objections based on the imposing nature of this house. The remedy was the move this house away from the neighbouring houses. This change of dimensions negates this remedy.

I object to the increase in size of this house— The measurements on the architect's plans are inconsistent with the grant for permission. This house floor area permitted and summarised on plan is 375m².

The actual house floor area when calculated as per measurements on the plans submitted for PL 20339 are in excess of **545m²**. **This is almost 1.5 times the size of the house permitted.** I object to this increase in scale and mass. I oppose the retention of this extension.

I object to the increase in height of this dwelling from that permitted - The height permitted is 9.5 meters in the Planner's Report. However, the new architect's drawings for retention PL 20339 (now withdrawn) show the height of the Northern portion of the development is 10.5 metres an extension of one metre in height.

Scant oversight is demonstrated in the Planner's Report PL 19218, "The level of the house is *lower* at 9.5 meters" the previous approved height was 9.05meters, PL18365. Obviously an incorrect assessment. It is an undisputed fact that 9.5 meters is higher than 9.05meters. I am opposed to this extension in height.

Moreover, an objection received on PL 18365 requested in writing for "Height Markers to be put in" given the "monstrosity of the house" being built. This request was *refused*.

In Summary:

This house was presented by the applicant and manager as low profile and a house designed to blend into the surrounding area with:

- 1- A passive house ridgeline matching the eaves of the houses adjacent in Dorrins Strand
- 2- Sedum Roof, blending the roof into the landscape.
- 3- Using materials to blend the house into its surrounding, sedum, cedar cladding, dry stone cladding.
- 4- Sensitively chosen materials
- 5- Minimum carbon footprint as well as being a 'delicate intervention' into the landscape.

This house is a monstrous imposition in a visually vulnerable area which correct oversight would never have been approved.

Illegally Rezoned

The Addendum to the SEA Screening Report relating to the Draft Variation no. 1 (Strandhill Mini Plan) Environmental consequences of the proposed Amendments to the Draft Variation, August 2013, Siobhan Ryan, Heritage Officer, Co Sligo;

A-18 – Proposed by Members – change site from 'buffer zone' to residential uses. This change of zoning objective is a material alteration. Development on this greenfield site **has the potential to affect soil and biodiversity.**

This entire site has been extensively excavated to a depth of +/- seven metres to accommodate the scale and mass of this development. This is contrary to the restrictions

identified. The scale of excavation of this site necessitates an appropriate assessment given the location in the corridor to an SAC, in proximity to a Zone of Archaeological Potential and its close proximity to a National Heritage Site. This area is a known location for the breeding and roosting of bat colonies. Correct procedure to mitigate environmental damage would ordinarily necessitate an appropriate assessment.

Zoning on this site is contentious given that both **Manager's Report 15 April 2013** and **August 1st 2013** clearly reject the proposal to rezone.

The Manager's Report 15.4.13 summary of submissions received prohibits the change of zoning to residential. The Manager's report clearly states that:

The subject site of this submission has been re-designated as buffer zone.

It should be noted that in Chapter 13 Mini Plans: general policies (p.3 in Vol 2 of the CDP) policy 13.8 E provides the following:

Within the Buffer Zone, proposals for one off rural housing shall only be accommodated in case of proven need of immediate family members of locally resident families who wish to build on their own land and have no suitable option on their holdings outside the buffer zone.

Based on the above policy, the daughters of M and C Kivlehan would be able to apply for planning permission to build on family land in the buffer zone.

Recommendation- NO change to the proposed variation

Proposed Amendments of the Draft CDP Variation 1, 1, August, 2013

The members resolved to propose a total of 18 amendments to the Draft Variation/Mini Plan. Of these 13 are based on the Manager's recommendations made in the First Manager's Report. The 5 additional amendments, proposed by the members, conflict with the Manager's recommendations.

This change of zoning conflict with the Manager's Recommendation

The Natura Impact Report for the Proposed Variation 1, by Siobhan Ryan, Heritage Office, Feb 2013 concluded the following: Buffer zone between the plan limit and the development to

- preserve views.
- Protect the integrity of archaeological sites and monuments in the area
- Protect and enhance designated nature conservation sites

The zoning on this site does not comply with the Co Sligo development objectives which require new development to avoid elevated or exposed locations such as hill slopes, ridge lines or vast open landscapes where the new building would appear intrusive or break the skyline or shore line. Further it states that a house should nestle into the site and not dominate the landscape or diminish the quality of scenic view of the surrounding countryside.

In addition, sites should be sheltered where possible by topography and by established natural boundaries, mature trees and hedgerows can offer shelter screening or backdrop to new

houses. Condition number 4 of the Grant for Permission required fencing around hedging and trees to protect them during construction. This was never adhered to.

This land re-zoning did not go through the correct regulatory procedures. In the Draft Amendment 2013 Manager's Report, the new landowner's submission to rezone was refused given the fact that he is a local farmer. The Manager's Report acknowledges that his family and heirs are exempted from the zoning requirements given that they farm the land. This folio purchased in 2013 as *agricultural land* was re-sold by said farmer as *agricultural land* in 2017. Incredibly, in spite of the fact that there is no public record for the sale and purchase of residential land in Larass in 2017, it is now re-zoned '*residential*.' This is NOT correct. According to Public record this land re-zoning was officially changed in September 2017. (Per OSI Ireland) All rezoning of land is effective immediately per Planning Act 2000. This re-zoning was done without public consultation or input.

This is confirmed in the October 2013 County Council minutes which note that one site was rezoned from the Draft Amendment was re-zoned residential. The local family in question who were granted re-zoning of their land spent 13 years trying to get their site rezoned. Permission was granted on condition that they remain resident in that house for a set period of years.

I am adamantly opposed to the granting of permission and retention for all items on this planning/retention application with the exception of the change in garage height and dimensions. I am also objecting to the exclusion of the previous planning retention for the change of roof materials. The current building does not have the permitted sedum roof.

This house should never have been granted planning permission given the location in an incredibly historic, ecologic and visually vulnerable area. The audacity to build this incongruous structure which soars upwards completely obliterating Benbulbin and Sligo Bay for the existing community is outrageously contemptuous and disrespectful.

Scenic and Heritage Assets

The pre-planning meeting file identified this site as visually vulnerable. This is consistent with Appendix G – Co. Sligo Development Plan 2011-2017 – County Landscape

According to the Sligo Co. Dev. Plan 2017-2023

Development that might be detrimental to scenic and heritage assets in SAC's SPA's, NHA, designated sensitive rural landscapes and visually vulnerable areas and along designated scenic routes will be strictly controlled.

Section 7.4.3 Current Knowledge and Policy (Landscape character assessment) classifies the County according to its visual sensitivity and capacity to absorb new development without compromising the scenic character of certain areas. It designates the following:

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. Knocknaree, the Dartry Mountains, the Ox Mountains, Aughris Head, Mullaghmore head, etc.

Visually Vulnerable Area: The Visually Vulnerable Areas are characterised by distinctive natural features which have an extremely low capacity to absorb new development without significant alterations of existing character over a very wide area. The eye is strongly drawn to such features, which include coastlines, lakeshores, ridgelines and hill/mountain tops i.e conspicuous linear features where land meets sky or water.

Due to their recognised natural beauty or interest and their susceptibility to damage, specified views of designated Visually Vulnerable Areas receive special protection. Development in, or in the context /setting of these features is also strictly controlled. To be considered for planning permission, a proposal must demonstrate, inter alia that the development will not impinge in any significant way on the integrity, distinctiveness and unique visual character of the area when viewed from the surroundings especially from designated Scenic Routes and the environs of archaeological and historical sites.

Applicable Landscape character assessment and protection policies:

P-LCAP-1 Protect the physical landscape, visual and scenic character of Co. Sligo and seek to preserve the County's landscape character (...)

P-LCAP-2 Discourage any developments that would be detrimental to the unique visual character of designated visually vulnerable areas.

P-LCAP-3 Preserve the scenic views listed in Appendix F and the distinctive visual character of designated Scenic Routes (...)

In all cases, strict location, siting and design criteria shall apply, as set out in Section 13.4 Residential Development in rural areas (development management standards)

32.1 Landscape, Natural Heritage, Open Space

A. Maintain and enhance the conservation value of the Natura 2000 sites surrounding the village. Ensure that Appropriate Assessment Screening is carried out for any plan or project within the Mini Plan area with potential to impact on Ballysadare Bay SAC (site code 000622), Cummeen Strand/Drumcliffe Bay SAC (site code 000627), Cummeen Strand SPA (site code 004035) and Ballysadare Bay SPA (site code 004129)

C. Apply the precautionary principle in relation to development proposals with potential to impact on the County Biodiversity Site within the buffer zone by requiring an ecological impact assessment to ensure that any proposed development will not affect the integrity and conservation value of the site.

D. Have regard to the need to protect existing views of Ballysadare Bay, Sligo Bay, Cummeen Strand and Knocknarea when assessing all new development proposals.

E. Encourage landowners in the green belt to manage their land in a sustainable manner by protecting heritage features and landscape character. The retention of stone walls, banks,

hedges and tress on townland boundaries is a particular priority. ***The green belt shall remain principally in low intensity agricultural use.***

G Protect the archaeological integrity of all natural monuments within the plan area and ensure that development in the vicinity of these areas is strictly controlled.

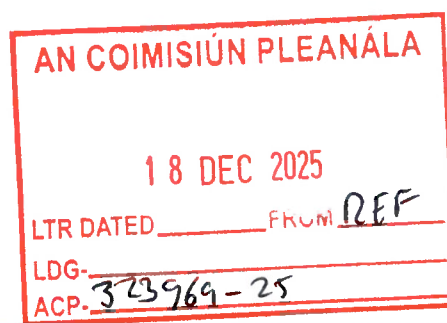
v. Views of Knocknarea from the Airport Road (L-35052) between the southern boundary of the Business and Enterprise Park and northern boundary of Community zoned lands.

From :

*Ann McKirdy
Larass, Strandhill, Sligo*

Date: 24/6/2021

Signed: _____



Addendum D

Freedom of Information



Appendix D1 — Freedom of Information / GDPR Requests (Non-Exhaustive Log)

This table documents a representative sample of FOI and GDPR-based requests made by the Applicant to Sligo County Council. It is not exhaustive, but illustrates a consistent pattern whereby the Applicant was required to rely on FOI mechanisms to access planning and enforcement information, often receiving refusals, redirections, or contradictory responses.

Ref. No.	Date of Request	Subject Matter	Council Response / Outcome	Procedural Significance
—	17 Aug 2020	CCTV footage – Planning Office, City Hall,	23 Sep 2020: Security contractor dealing; DPO to contact. c.30 Sep 2020: DPO stated memory stick blank; later advised footage erased	Loss/non-disclosure of corroborative evidence; contradictory explanations; material prejudice
(GDPR → (GDPR); resent FOI)	17–20 Sep 2020	Mon 10 Aug 2020 (10:10–13:00)		
FOI 45/20	1 Oct 2020	Records underpinning Planning Ref. 19/218 (site analysis; siting/height; SAC/ZAP/AA; heritage; wastewater; visual vulnerability)	9 Oct 2020: Refused as available online/hard copy; 16 Oct 2020: Planning reiterated	FOI used to deflect substantive queries; access not meaningful at material time
FOI 42/20	1 Oct 2020	Invalid retention application 20/312 — access, storage, policy, reclassification	9 Oct 2020: Application invalidated; docs returned; appeal outlined	Inability to inspect file advertised as publicly available
FOI 44/20	1 Oct 2020	Linked to FOI 42/20 (same subject)	9 Oct 2020: Same response	As above
FOI 39/20	Prior to 9 Oct 2020	Wastewater / potable water connection for 19218	9 Oct 2020: Directed to Irish Water	Redirection between bodies; lack of substantive response
FOI 37/20	Prior to 9 Oct 2020	Permissions 2018–2019 incl. new dwellings with septic tanks	9 Oct 2020: Refused as online; 16 Oct 2020: Planning confi	



COMHAIRLE CHONTAE SHLIGIGH

SLIGO COUNTY COUNCIL

E info@sligococo.ie

W www.sligococo.ie

Corporate Services Section

Tel: (071) 91 11111 Fax: (071) 91141119 Email: foi@sligococo.ie

56

Our Ref. FOI 63/21

19th July, 2021

By e-mail

ainenicamhlaidh@gmail.com

Dear Ms McKirdy,

I refer to your request received under the Freedom of Information Act, 2014 for records held by Sligo County Council.

Your request sought information regarding Sligo County Council's Engineer's report for inspection of the installation of the septic tank onsite in Larass (19/218)

In response to this request, please note that this is an open file and as such the report is not yet finalised and available for release. Section 15 (1) (a) states that a head to whom an FOI request is made may refuse to grant the request where the record concerned does not exist or cannot be found after all reasonable steps to ascertain it's whereabouts have been taken. However, please note that this report, once finalised will be available for you under FOI.

In the event that you are not happy with this decision you can make an appeal in relation to this matter by writing to the Freedom of Information Unit, Sligo County Council, County Hall, Riverside, Sligo, F91 Y763 or by e-mail to foi@sligococo.ie. You should make your appeal within 4 weeks (20 working days) from the date of this notification, where a day is defined as a working day excluding, the weekend and public holidays, however, the making of a late appeal may be permitted in appropriate circumstances. In relation to an appeal regarding this decision there is a fee payable in the amount of €30. The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of this body.

In the event that you need to make such an 'application for review' you can do so by writing to:

The Office of the Information Commissioner
18 Lower Leeson Street, Dublin 2, DO2 HE97

Should you write to the Information Commissioner making an appeal, please either refer to this letter or enclose a copy. Alternatively you may appeal using the Office of the Information Commissioner on-line application form which can be located at:

<https://www.oic.gov.ie/en/apply-for-review/apply-for-review-online/>



COMHAIRLE CHONTAE SHLIGIGH

SLIGO COUNTY COUNCIL

E info@sligococo.ie

W www.sligococo.ie

If an appeal is made by you and accepted, the Information Commissioner will fully investigate and consider the matter and issue a fresh decision.

Yours sincerely,

Sharon Malone
ppFOI Officer



COMHAIRLE CHONTAE SHLIGIGH

SLIGO COUNTY COUNCIL

E info@sligococo.ie

W www.sligococo.ie

Corporate Services Section

Tel: (071) 91 11111 Fax: (071) 91141119 Email: foi@sligococo.ie

Our Ref. FOI 76/21

30th July, 2021

By e-mail

ainenicamhlaidh@gmail.com

Dear Ms McKirdy,

I refer to your request received under the Freedom of Information Act, 2014 for records held by Sligo County Council, specifically:

I would like to see the waste license for the disposal of waste from the site PL 19218.

I would like to see the evidence of the tonnage removed and where it has been dumped.

I want the license, the waste management reference, the dates and times of disposal, and the volume of earthworks removed from this site.

This site has also seen a huge importation of soil and fill.

I am requesting tonnage imported, where this was sourced, what is the license and waste management reference, dates etc.

In response to this request, please note, Sligo County Council do not hold any records in relation to the above.

In the event that you are not happy with this decision you can make an appeal in relation to this matter by writing to the Freedom of Information Unit, Sligo County Council, County Hall, Riverside, Sligo, F91 Y763 or by e-mail to foi@sligococo.ie. You should make your appeal within 4 weeks (20 working days) from the date of this notification, where a day is defined as a working day excluding, the weekend and public holidays, however, the making of a late appeal may be permitted in appropriate circumstances.

In relation to an appeal regarding this decision there is a fee payable in the amount of €30. The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of this body.

In the event that you need to make such an 'application for review' you can do so by writing to: The Office of the Information Commissioner, 18 Lower Leeson Street, Dublin 2, DO2 HE97.

Should you write to the Information Commissioner making an appeal, please either refer to this letter or enclose a copy. Alternatively you may appeal using the Office of the Information Commissioner on-line application form which can be located at: <https://www.oic.gov.ie/en/apply-for-review/apply-for-review-online/>.

Yours sincerely,

Sharon Malone
ppFOI Officer



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FOI 80/21 – PL 18365 – IRISH WATER SUBMISSION

According to the Planner's Report for PL 18365 signed and dated 25/10/18 and 28/10/18, item 7.0 lists submissions from prescribed bodies, 'Irish Water' – Barry Ward and Stephen Ward (Planners) –

However, my FOI 80/21 returned the response that NO submission was received from Irish Water – please see FOI Attached.

No. 7.0 SUBMISSION FROM PRESCRIBED BODIES

Irish Water



Ann McKirdy <ainenicamhlaidh@gmail.com>

FOI Request - PI 18365 submission from Irish water (FOI 80/21)

1 message

Siobhan Gillen <sgillen@sligococo.ie>

Fri, Jul 30, 2021 at 1:23 PM

To: Ann McKirdy <ainenicamhlaidh@gmail.com>

Cc: Freedom of Information Sligo County Council <FOI@sligococo.ie>

Our Ref: FOI 80/2130th July 2021

Copy of Submission

By e-mail:ainenicamhlaidh@gmail.com**Re. Freedom of Information Request – FOI Act, 2014**

Dear Ms McKirdy,

Requested copy of Submission
from Irish water

- Planners Report: No. 7.
"Irish water"

Response from FOI -
No submission received

I refer to your request received via email on 11th July '21 which you made under the Freedom of Information Act 2014, for records held by Sligo County Council, specifically:

"Please issue a new FOI for the above, I would like a copy of the Submission from Irish Water, per the Planner's Report, Barry Ward and Stephen Ward on pl 18365."

In response to this request, please note, no submission was received from Irish Water on this planning application.

In the event that you are not happy with this decision you can make an appeal in relation to this matter by writing to the Freedom of Information Unit, Sligo County Council, County Hall, Riverside, Sligo, F91 Y763 or by e-mail to foi@sligococo.ie. You should make your appeal within 4 weeks (20 working days) from the date of this notification, where a day is defined as a working day excluding, the weekend and public holidays, however, the making of a late appeal may be permitted in appropriate circumstances.

In relation to an appeal regarding this decision there is a fee payable in the amount of €30. The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of this body.

In the event that you need to make such an 'application for review' you can do so by writing to: The Office of the Information Commissioner, 18 Lower Leeson Street, Dublin 2, DO2 HE97.

Should you write to the Information Commissioner making an appeal, please either refer to this letter or enclose a copy. Alternatively you may appeal using the Office of the Information Commissioner on-line application form which can be located at: <https://www.oic.gov.ie/en/apply-for-review/apply-for-review-online/>.

Yours sincerely,

Siobhán Gillen
Administrative Officer

Planning Section

Sligo County Council,

City Hall, Quay Street, Sligo, F91 PP44

☎ +353-71-9114440

📞 +353-872905263

✉ sgillen@sligococo.ie

🌐 sligococo.ie | sligo.ie



Sligo County Council
Comhairle Chontae Shligigh

Sligo.

From: Ann McKirdy [<mailto:ainenicamhlaidh@gmail.com>]

Sent: Sunday 11 July 2021 06:40

To: Freedom of Information Sligo County Council; Sharon Malone; Siobhan Gillen

Subject: PI 18365 submission from Irish water

Dear Sharon and Siobhan,

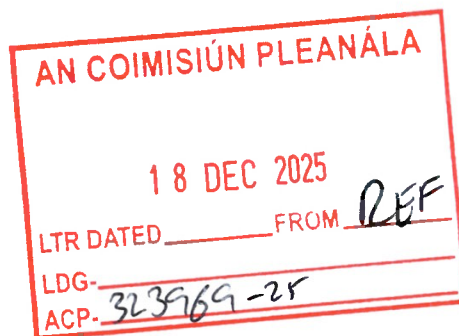
Please issue a new FOI for the above , I would like a copy of the Submission from Irish Water, per the Planner's Report, Barry Ward and Stephen Ward on pl 18365. .

Many thanks,

Ann MCKIRDY

20312 –retention application for PL 19218 – the Sligo Co. Co. refused me access to this
'Invalid application' – now 'incomplete on idocs' – attached email communications
requesting access to this attached

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Suzanne Siberry
to Janet, me

Dear Ann

I acknowledge your email below. I am forwarding it on to the Planning Section as it is not my area of work.

Regards

FOI - 20312 - Invalid Application

Ann McKirdy <ainenicamhlaith@gmail.com>
to Sharon

Dear Sharon,
I would like to submit an FOI for the above invalid retention application, 20312.

I would like to know why I was not permitted to see this file when I asked for it after learning it had been invalidated?

I would like to know why following an explicit emailed request to Suzanne Siberry and my visit to the office on Monday the 28th of September

I would like to know why this file was not with the planning application 19218 in spite of the fact that there was an advertisement in the newspaper and a sign at the site that this application was available for inspection at the planning office?

I would like to know where this file was stored given that I went to the planning office every day since publication in the newspaper to view this

I would like to know what is the standard policy on invalid applications. It is always the Planning Office's mandate to withhold this information I

I would like to know why this file which was *invalidated* by the planning office is now re-classified as 'incompleted application'?

Many thanks,
Ann McKirdy

Ann McKirdy <ainenicamhlaith@gmail.com>
to foI, Sharon

----- Forwarded message -----
From: Ann McKirdy <ainenicamhlaith@gmail.com>
Date: Thu, Oct 1, 2020 at 8:40 PM
Subject: FOI - 20312 - Invalid Application
To: Sharon Malone <smalone@sligococo.ie>

Dear Sharon,
I would like to submit an FOI for the above invalid retention application, 20312.

I would like to know **why** I was not permitted to see this file **when** I asked for it **after** learning it had been invalidated?

I would like to know **why** following an explicit emailed request to Suzanne Siberry and my visit to the office on Monday the 28th of September that I was not allowed to view this file?

I would like to know **why** this file was not **with** the planning application 19218 in spite of the fact that there was an advertisement in the newspaper and a sign at the site that this application was available for inspection at the planning office?

I would like to know **where** this file was stored given that I went to the planning office every day since publication in the newspaper to view this file.

I would like to know **what** is the standard policy on invalid applications. It is always the Planning Office's mandate to withhold this information from the public?

I would like to know why this file which was **invalidated** by the planning office is **now re-classified as 'Incompleted application'?**

Many thanks,
Ann McKirdy

Automatic reply: FOI - 20312 - Invalid Application

Inbox

Sharon Malone
to me

I am out of the office until Wednesday 7th October 2020 and will reply to your e-mail on my return. If your query relates to a Freedom of Information request please e-mail FOI@sligococo.ie

Thank you

URGENT - Reclassification of 20312 planning application for retention

Inbox

Ann McKirdy <ainenicamhlaith@gmail.com>
to chayes

Dear Mr. Hayes,

I am writing to ask why the file for retention 20312 for pl 19218 has been reclassified from invalidated to incomplete. I requested twice by email (Monday 28/9/20) and in person to the planning administration : but was told it was not available because it had been invalidated.

I asserted that legally under the planning act 2000 that this document is required to be available for public viewing.

I asked specifically to whom I should address my query and was told to sent my email to the general email address in spite of my specific and direct query.

I have very serious concerns about how this planning application has been approved and how it is proceeding.

Please advise,
Sincerely,

Ann McKirdy

----- Forwarded message -----

From: **Ann McKirdy** <ainenicamhaidh@gmail.com>
Date: Thursday, October 1, 2020
Subject: Reclassification of 20312 planning application for retention
To: Suzanne Siberry <ssiberry@sligococo.ie>

Dear Suzanne,

I am really concerned with how this retention application file is being handled. I looked online this evening to see if the new planning application has been posted as there is a new sign onsite. There is no new application up online, however, there is a reclassification of the 'invalidated application' which I was not permitted to see, it is now reclassified as 'incomplete.'

Why is this now incomplete when I was not permitted to see it because it was invalid?

Please advise,

Sincerely,

Ann McKirdy

Clodagh Quinn <cquinn@sligococo.ie>

to me

Dear Ms. McKirdy,

I wish to acknowledge receipt of your email below to the Chief Executive, Mr. Ciarán Hayes, in relation to planning application PL 20/312.

Please be advised that Mr. Hayes has referred your correspondence to Ms. Dorothy Clarke, Director of Services, for her attention.

Kind Regards,

Clodagh Quinn

Clodagh Quinn

Office of the Chief Executive/Corporate Services

Sligo County Council, County Hall, Riverside, Sligo F91 Y763

Tel: (071) 9111005

Email: cquinn@sligococo.ie

 cid:image003.jpg@01D5CBC8.60EEAD10

Ann McKirdy <ainenicamhaidh@gmail.com>

to Clodagh
Thank you!

Sligo
Planning
Office -
withholding
information
on a
retention
application

Ann McKirdy <ainenicamhlaigh@gmail.com>
to Ombudsman

Dear Ombudsman,

I am writing to request intervention to see the retention application 20339 for retention of items added to the building not included in the grant for planning permission. The earlier file 20312 submitted on 15-9-20 was not available when I went to view it. The planning office said it was in-valid. I asked why it had been invalidated (I have an enforcement objection in on this construction) and told them I had been in the office every day since the retention was advertised and the file was no The file was later reclassified as 'incomplete'.

The new application has been pre-validation classified with no documents available since 30-9-20.

I am not getting any response from the Planning Office.
Please request the release of this file for viewing.

Many thanks,
Sincerely,
Ann McKirdy

RE: Sligo Planning Office - withholding information on a retention application Case Number: OMB-98481-F5K7M8

Ombudsman Complaints
to me

Our Reference: OMB-98481-F5K7M8
20 October 2020

Dear Ms McKirdy,

Thank you for contacting the Ombudsman's Office with your complaint against Sligo County Council.

Before the Ombudsman can examine any complaint, the person making the complaint must make all "reasonable efforts" to resolve their complaint. In this regard, the Ombudsman considers that statutory or set appeals or complaints procedures that are in place, or if no such appeals or complaints procedures exist, they have put their complaint to the public service provider in writing and €

In order to process your complaint please forward any correspondence between yourself and the Council regarding this matter, to this Office by 3 November 2020.

If this Office does not hear from you by this date, we will assume you no longer wish to continue with your complaint.
Yours sincerely,

Della Aires
Early Resolutions Unit

Tabhair freagra ar an ríomhphost seo ach an rogha 'tabhair freagra do' a úsáid nó seol ríomhphost chuig complaints@ombudsman.ie, agus an Uimhir Thagartha á lua

Please respond to this email by using the reply to option or email complaints@ombudsman.ie with the Reference No. in the email Subject line.

Office of the Ombudsman, 6 Earlsfort Terrace, Dublin 2, D02 W773 | ✉ complaints@ombudsman.ie | ☎ (+353-1) 639 5600 | www.ombudsman.ie

8 attachments

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1K

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2K

 [image006.png](#)
1K

 [image002.jpg](#)
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 [image005.png](#)
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 [image004.png](#)
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 **Sligo.** [image001.jpg](#)
5K

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

Dear Ms McKirdy,

Thank you for your email.

Could you please confirm your address?

We will contact the Council in relation to your complaint, however the Ombudsman cannot examine the FOI aspects of your complaint, and therefore you may wish to contact the Office of the Information Commissioner for such matters:

6 Earlsfort Terrace, Dublin 2, D02 W773
Phone: +353-1-639 5689
Email: info@oic.ie

Yours sincerely,

Fri, Nov 6, 2

7/30/2021

Delia Aires
Caseworker

Gmail - Our Reference: OMB-98481-F5K7M8

Tabhair freagra ar an ríomhphost seo ach an rogha 'tabhair freagra do' a úsáid nó seol ríomhphost chuig complaints@ombudsman.ie, agus an Uimhir Thagartha á lua agat i líne ábhair an ríomhphoist.

Please respond to this email by using the reply to option or email complaints@ombudsman.ie with the Reference No. in the email Subject line.

Office of the Ombudsman, 6 Earlsfort Terrace, Dublin 2, D02 W773 | complaints@ombudsman.ie | [\(+353-1\) 639 5600](tel:+353-1-6395600) | www.ombudsman.ie

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

From: McKirdy, Ann
Received: 29/10/2020
To: Ombudsman Complaints
Subject: Our Reference: OMB-98481-F5K7M8

Dear Ombudsman,

I am following up with the information to support my complaint. On the 28th of September I wrote to Suzanne Siberry, Head of Enforcement advising that I would be in to view the retention application. 20312 in the Planning office. This file never appeared in Idocs and was to view. I had been informed it was in compliance with validation protocols, however, when I asked for it, I was advised it was not available and had been invalidated. I asked the admin assistant to see it in planning and she said it is not available. I asked to see it as there erected as the site and an ad in the newspaper to say it is available to view in the planning office. I asked for the engineers report from enforcement. I was given 19218 file and told it was in it. I looked and it was not in the file. I asked for the enforcement engineers report available either. Suzanne Siberry came down and said she could not show me the outcome of the enforcement because it was live and could be prejudicial. She got Mark Cummins to speak with me after she left. He said the height of the property was in compliance and change of material was in for retention and he was awaiting the rest of the retention details. Original retention submitted on 15/9/20, withdrawn on 22/9/20 was for change of roof material and addition of window. The New retention, 20339 submitted on 30-9-20is for :

change of roof material

addition of new window on ground floor

window size and position alterations

new flue

alterations to existing roof light dimension

change of dimensions to covered outdoor area

change of cladding in basement wall

This site also has approval for a controversial septic tank given that none are permitted in Strandhill with new capacity in new sewage treatment. The planning file calls for a connection to city sewage - 153 meters away (No Irish Water permission or license to open the pl a pump to pump wastewater uphill - which is not permitted under Co. Sligo Dev. Plan regulations. The septic tank is oresently being installed inspite of my objections and requests for further engineer and environmental oversight

Please intervene on my behalf .

Many thanks,

Ann McKirdy

Ann McKirdy <amenicamhaidh@gmail.com>
to Suzanne

Dear Suzanne,
I'm writing to ask that you notify me when the Complete application for the above is received. I have been in the Planning Office several times and have not seen this file with the folder of relevant planning applications. I looked online and it is not there, just 'incomplete application'. Please let me know when the complete application is submitted.

601

Addendum **F**

- Enforcement & Compliance

AN COMISIUN PLEANALA	
18 DEC 2025	
LTR DATED	FROM REF
LDG-	
ACP-	323464-25

Ref COM012704 Disposal of Waste PI 19218

2 messages

Environmental Complaints <E.Complaints@epa.ie>

To: Ann McKirdy <ainenicamhlaidh@gmail.com>

Dear Ms McKirdy,

The Environmental Protection Agency (EPA) acknowledges receipt of copies of your correspondences to Sligo County Council on 17th May 2021 concerning the above referenced matter. Sligo County Council has responsibility for dealing with the issues described in your correspondence.

The EPA recommends that you continue to follow up this matter, preferably in writing, with Sligo County Council for their action and direct response to you.

Yours sincerely,

Cyrina Okoro

Programme Officer - Networks and Legal Team – Complaints Unit

Office of Environmental Enforcement, Wexford

Oifigeach Cláir IV, Foireann Lionraí agus DLí – Aonad Gearán

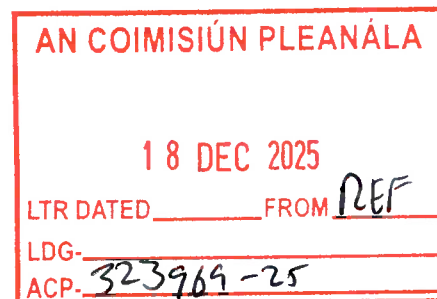
Oifig Forheidhmithe i leith cúrsaí Comhshaoil, Loch Garman



053-9170762 (Direct dial)

environmentalcomplaints@epa.ie

www.epa.ie



From: Ann McKirdy <ainenicamhlaidh@gmail.com>

Sent: Saturday 15 May 2021 21:44

To: Mark Cummins <mcummins@sligococo.ie>; enforcement@sligococo.ie; Enda Killoran <ekilloran@sligococo.ie>; Sligo County Council (Environment Section) <enviro@sligococo.ie>; <dclarke@sligococo.ie>

Subject: Disposal of Waste PI 19218

Dear Mr. Kilfeather and Sligo County Council Planning and Environment Office,

In response to the Sligo Co. Co. Enforcement Office email that no enforcement is required for the levelling of land due to the land being agricultural, I would like to draw your attention. I am referring to Mr. Cummins's reply to my request for the enforcement of planning conditions by Sligo Enforcement Office submitted on 4th of May response dated 13th of May advising I request clarification, why this development has permission to dump waste and level land in the fields surrounding this site to the extent that it is very significantly changing the surrounding area. The hectares affected in this development by the SAC necessitates an Environmental Impact Assessment given the biodiversity and the environmental sensitivity of the site. I flagged the conditions contained in the PL 19218. The levelling of agricultural land does require a permit according to the Office of the Planning Regulator.

- 'Exemptions do not apply if development interferes with site features, listed for preservation in the development plan or draft plan. - See Strandhill Development Plan, area list

In addition, exempted development does not apply in the following situations per Office of Planning Regulator:

- Where the development is contrary to a planning condition attached to a planning permission relating to the site (REF PL 19218 - Condition for waste disposal)
- Where the development would interfere with the character of a landscape view or prospect designated of special amenity in the development plan. - REF - Strandhill Dev. Plan 2C
- Land reclamation consisting of re-contouring of land, including infilling of soil within a farm holding. Numerous massive trucks are bringing soil onsite and a digger is tipping this
- Development consisting of the carrying out of drainage and/or reclamation of wetlands, subject to the conditions that the affected area must not exceed 0.1 hectares - GOOGLE
- An Environmental Impact assessment is REQUIRED: When Development consisting of carrying out of drainage

I believe this is an enforcement issue. Please revert.

Sincerely,

Ann McKirdy



Dropped pin

Mark Cummins

to me

Ann

The levelling of top soil in the land to the north of the development site is on agricultural land and is being carried out for agricultural purposes and is therefore considered e

The land in question is not within a SAC or within the zone of any recorded national monuments.

Regards

Mark Cummins

a/Senior Executive Engineer

Planning Enforcement & Building Control

Sligo County Council | Quay Street | Sligo | F91 PP44.

☎ 071 911 4441 📧 mcummins@sligococo.ie

🌐 sligococo.ie | sligo.ie

 Title: Liffade - Description: Image of Liffade river  Title: Tullisk - Description: Image of Tullisk river  

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

[Quoted text hidden]

Sun, Dec 14, 2025 at 9:49 AM

- Can unauthorised development be regularised and how? **Genuine mistakes** can be made regarding the need for planning permission. If you discover that you have undertaken unauthorised development, *you may apply for permission to retain it*. This approach should not be relied on in order to avoid seeking planning permission before starting work as you may not be granted planning permission for retention, or you may be required to carry out costly modifications.
- In addition, making an application for permission to retain an unauthorised development does *not mean that you cannot still be prosecuted if enforcement action has already been initiated*.
- An application for retention will be considered 'de novo', a new application and normal standards and policies will be adhered to.
- It is not always possible to seek planning permission to retain unauthorised development in circumstances where impacts on the environment have occurred.
- For example, in most circumstances, a planning authority cannot accept an application for permission to retain development which would have required: • environmental impact assessment (EIA), • a determination as to whether EIA was required (i.e. screening for EIA), or • an appropriate assessment (AA) under the Habitats Directive.
- Otherwise, you face the risk of enforcement action requiring the land to be restored.

Per the Irish Times, **"Only one inspection was carried out last year in each of the counties of Kerry, Sligo and Longford. EPA report says 54% of septic tank systems failed inspection in 2020. Septic tanks not built and operated properly can contaminate household wells or cause pollution due to run-off into waterways."** Wed, Jun 30, 2021, Kevin O'Sullivan Environment & Science Editor, Irish Times

THIS IS THE ONE INSPECTION I INSISTED ON - SHOCKING

Proceeding to install septic tank in-spite of enforcement - alarming concerns - PL 19218
Inbox

You are viewing an attached message.

Ann

Following a site inspection carried out on the 18/5/21 I am satisfied that the only material to have been moved from the site to the field north of the site was soil and that is not considered to be construction and demolition waste. The levelling of this soil is for agricultural purposes and as stated previously this is considered to be exempted development.

Regards

Mark Cummins

a/Senior Executive Engineer

Planning Enforcement & Building Control

Sligo County Council | Quay Street | Sligo | F91 PP44.

É 071 911 4441 | mcummins@sligococo.ie

sligococo.ie | sligo.ie

AN COIMISIÚN PLEANÁLA	
18 DEC 2025	
LTR DATED	FROM <u>DEF</u>
LDG-	
ACP-	<u>323569-25</u>

From: Ann McKirdy [mailto:ainenicamhlaidh@gmail.com]

Sent: Saturday 15 May 2021 21:44

To: Mark Cummins; Enforcement; Enda Killoran; enviro; Suzanne Siberry; Tom Kilfeather; Dorothy Clarke

Subject: Disposal of Waste PL 19218

Dear Mr. Kilfeather and Sligo County Council Planning and Environment Office,

In response to the Sligo Co. Co. Enforcement Office email that no enforcement is required for the releveling of land due to the land being agricultural, I would like to draw your attention to Planning Legislation regarding agricultural land.

I am referring to Mr. Cummins's reply to my request for the enforcement of planning conditions by Sligo Enforcement Office submitted on 4th of May response dated 13th of May advising the dumping of soil transported to the site by the truckload on a daily basis is compliant.

I request clarification, why this development has permission to dump waste and relevel land in the fields surrounding this site to the extent that it is very significantly changing the surrounding landscape in this **visually sensitive area less than 80 meters from the SAC?**

The hectares affected in this development by the SAC necessitates an Environmental Impact Assessment given the biodiversity and the environmental sensitivity of the site. I flagged this previously during the excavations stage with Sligo Enforcement, I do not understand why this is exempt given the conditions contained in the PL 19218. The levelling of agricultural land does require a permit according to the Office of the Planning Regulator.

- *'Exemptions do not apply if development interferes with site features, listed for preservation in the development plan or draft plan. - See Strandhill Development Plan, area listed as buffer zone between residential and SAC.*

In addition, exempted development does not apply in the following situations per Office of Planning Regulator:

- *Where the development is contrary to a planning condition attached to a planning permission relating to the site (REF PL 19218 - Condition for waste disposal)*
- *Where the development would interfere with the character of a landscape view or prospect designated of special amenity in the development plan. - REF - Strandhill Dev. Plan 2017-2023 and Sligo Dev. Plan 2017-2023*
- *Land reclamation consisting of re-contouring of land, including infilling of soil within a farm holding. Numerous massive trucks are bringing soil onsite and a digger is tipping this into the surrounding field.*

- *Development consisting of the carrying out of drainage and/or reclamation of wetlands, subject to the conditions that the affected area must not exceed 0.1 hectares - **GOOGLE EARTH** shows a photo of the huge expanse of land re levelling, **photo attached.***

- *An Environmental Impact assessment is **REQUIRED**: When Development consisting of carrying out of drainage*

I believe this is an enforcement issue. Please revert.

Sincerely,

Ann McKirdy

Mark Cummins

Thu, May 13, 5:09
PM (2 days ago)

to me

Ann

The levelling of top soil in the land to the north of the development site is on agricultural land and is being carried out for agricultural purposes and is therefore considered exempted development.

The land in question is not within a SAC or within the zone of any recorded national monuments.

Regards

Mark Cummins

a/Senior Executive Engineer

Planning Enforcement & Building Control

Sligo County Council | Quay Street | Sligo | F91 PP44.

É 071 911 4441 f mcummins@sligococo.ie

sligococo.ie | sligo.ie

Exemption from planning law

Inbox

Ann McKirdy <ainenicamhlaidh@gmail.com>

to Mark

Wed, May 26,
1:53 PM

Dear Mark,

I would like a full explanation as to why the development in Larass Strandhill PL 19218 is exempt from planning law.

Under legislation this major levelling of agricultural land via this site requires a planning permit. It is less than 80 m from the Dorrins Strand SAC.

There are massive mounds of soil onsite, the maintenance has been already covered over with soil but this too requires a planning permit.

I am sure you have done the due diligence and have photos of your inspection.

Please explain.

I am at a loss as to why this is exempt.

Yours sincerely,

Ann McKirdy

Ann McKirdy <ainenicamlaidh@gmail.com>

to Mark

Tue, Jun 1,
11:55 PM

Dear Mark,

This exemption from planning regulations is indicative that there is planning process is not transparent. I am perplexed as to why you have not responded?

Yours faithfully,

Ann McKirdy

Mark Cummins

to me

Ann

See attached response I sent to you on the 19/5/21.

Regards

Mark Cummins

a/Senior Executive Engineer

Planning Enforcement & Building Control

Sligo County Council | Quay Street | Sligo | F91 PP44.

Wed, Jun 2,
10:25 AM

É 071 911 4441 í mcummins@sligococo.ie

sligococo.ie | sligo.ie

Ann McKirdy <ainenicamlaidh@gmail.com>

to Ciaran

Nov 10, 2020,
6:39 PM

Dear Mr. Hayes,

I am writing to let you know that I received an email from Dorothy Clarke yesterday, 9/11/20, it was a follow up to my Freedom of Information request for specifics on the approval process for pl 19218.

I never heard back from Suzanne Siberry despite several emails requesting follow up details regarding my wastewater treatment enforcement submission.

I am concerned that my communications and requests for information are not being handled fairly or responded to in a timely manner.

Yours sincerely,

Ann McKirdy

Ciaran Hayes <chayes@sligococo.ie>

Nov 10, 2020,
6:43 PM

to Tom, me

Dear Ms. McKirdy,

I wish to acknowledge your e-mail regarding the above and advise that as I have referred the matter to Mr. Tom Kilfeather, who will be acting as Chief Executive for the immediate future.

Regards,

Ciarán Hayes

Chief Executive

Sligo County Council

County Hall, Riverside, Sligo F91 Y763

+353-71-9111005

chayes@sligococo.ie

sligococo.ie | sligo.ie

Dear Suzanne,

I just wanted to follow up on our impromptu meeting this afternoon with regards to the invalidated planning retention and the engineer's comment on roof height explanation. (Please follow up on my behalf with a copy of his note as the office was closing while I was there).

I thought the retention file would be available for inspection given the wording on the notice.

Sincerely,

Ann

Suzanne Siberry <ssiberry@sligococo.ie>

to me

Dear Ann

Attached is scanned inspection report as requested.

Regards

Suzanne Siberry
Senior Staff Officer

Sligo County Council

Enforcement Section, City Hall, Quay Street, Sligo F91 PP44

+353-71-9114443

ssiberry@sligococo.ie
sligococo.ie | sligo.ie

----- Forwarded message -----

From: **Ann McKirdy** <ainenicanhlaidh@gmail.com>

Date: Friday, September 18, 2020

Subject: Pl. 19218 Monahan, Larass, Strandhill -skylights , chimney and condition 4

To: enforcement@sligococo.ie, Suzanne Siberry <ssiberry@sligococo.ie>

Dear Suzanne,

I am entering a new enforcement order notification on the above planning.

The above planning application is not in compliance with the following conditions;

1. Chimney addition at front of roof is a deviation from plan.
2. Two large skylights and one extra large protruding skylight not permitted in drawing 1709/02 Planner's Report of approved permission.
3. Condition 4 of Permission; fencing around hedging and trees- not being adhered to.

Please action the above enforcement urgently and advise.

Yours sincerely,

Ann McKirdy

Ann McKirdy <ainenicamhlaidh@gmail.com>

to Suzanne

Dear Suzanne,

Thank you for your email.

I have not received an acknowledgement of these infringements on approved planning.

Please acknowledge enforcement submission.

Tue, Sep 22, 2020,
3:10 PM

Thank you!

Kind regards,

Ann

----- Forwarded message -----

From: **Ann McKirdy** <ainenicamhlaidh@gmail.com>

Date: Friday, September 18, 2020

Subject: Pl. 19218 Monahan, Larass, Strandhill -skylights , chimney and condition 4

To: enforcement@sligococo.ie, Suzanne Siberry <ssiberry@sligococo.ie>

Suzanne Siberry <ssiberry@sligococo.ie>

to me

Dear Ann

I acknowledged email on the 18th Sept. at 16.19pm.

Tue, Sep 22, 2020,
5:04 PM

Regards

Suzanne Siberry
Senior Staff Officer

Sligo County Council

Enforcement Section, City Hall, Quay Street, Sligo F91 PP44

+353-71-9114443

ssiberry@sligococo.ie
sligococo.ie | sligo.ie

RGENT - URGENT - EPA - Waste Water Treatment 19218 Enforcement Notification (Strandhill, Sligo)
Inbox

Ann McKirdy <ainenicamlaidh@gmail.com>

to info, Tomryan

Tue, Oct 6, 2020,
10:43 PM

PLEASE ENSURE THIS EMAIL MESSAGE IS FORWARDED TO MR TOM RYAN, MANAGER, ENFORCEMENT EPA.

Dear Mr. Ryan,

I am very distressed by a huge breach in Environmental Protection that I have been trying to get the Sligo County Council to inspect and investigate since the first Lockdown in June. A huge house has been built off site and craned onsite beside where I live. This is a 'buffer zone' which has somehow been changed to 'residential' since 2017 inspite of it never having gone through the proper legislative process to re-zone. It was included in an extensive Environmental Impact Assessment by Siobhan Ryan, Sligo Co. Co. Heritage Officer in 2013. The Manager's Report from that time has clearly refused to change zoning due to the fact that the owners and heirs of that land would be entitled to build in the buffer zone. It is now rezoned as 'residential'. A huge house 9.5 meters over a basement has been built there.

It is in the corridor to the SAC where migrating Brent Geese return year on year, it is close to the Whorl Snail protected habitat in the Strandhill SAC and close to the Dune /Machair system protected under EU Legislation.

It is also in a Zone of Archaeological Potential and has been excavated to a depth of 6 meters + to accommodate the house on the sloping site. The landfill from this excavation is spread over two + acres not owned by the residential land owner.

It is in a visually vulnerable area which the Planner Identified in the Pre Planning report and failed to identify in the subsequent Grant for Permission.

It is in close proximity to the 6th Century ruin of Killaspugbrone.

I feel hugely distressed by this build and have expended hundreds of hours of my time trying to get Sligo County Council to address my concerns. This site is of huge significance both archaeologically and environmentally.

The email I have attached below was sent to the Enforcement Manager, of Sligo Co. Co on the 20th of September. I have only received a note to say that the Manager, Suzanne Siberry will forward to the Environmental Section. Three huge diggers/land moving plant had been onsite for 8

hours from Sunday the 20th of September. This continued for over 7 days and past when I had emailed the Enforcement Manager, Suzanne Siberry.

How is it permissible for a house to be granted planning permission for a septic tank when there is a new facility in Strandhill? Furthermore they have permission to use a pump to pump the wastewater to the nearest sewage manhole 153 meters away. which means an Irish Water Sewage Connection in addition to a septic tank.

Presently there is a Pre- Validation Retention application in for all of the following: Change of roof materials, new window 2 m x .33 m on the ground floor, enlargement of windows, repositioning of windows, chimney flu, change of basement wall material, change to dimensions of outdoor covered area. I will attach the recent advertised retention planning notice from the Sligo Champion herewith. The house is registered in the BCMS for 1 Dorries Strand, this residence has been occupied by the current owners for the past ten years. I am not sure why the Architect/Owner would mis-state the address location.

I am gravely concerned about this development and the mis management of waste, the extensive quarrying to clear the site, the devastating impact this has had on the breeding and resting bat habitat and the ecologically sensitive SAC environment in close proximity to historic sites of international significance and in a Zone of Archaeological Potential.

I implore the EPA to enforce compliance. This house should never have been granted planning. It is in a buffer zone which was maintained for a reason.

Yours sincerely,

Ann McKirdy

----- Forwarded message -----

From: Ann McKirdy <ainenicamhlaidh@gmail.com>
Date: Tue, Sep 22, 2020 at 10:10 PM
Subject: Waste Water Treatment 19218 Enforcement Notification
To: Suzanne Siberry <ssiberry@shgococo.ie>

Dear Suzanne,
It has come to my attention that the above planning is not compliant with the Irish Water Regulations for Septic Tank Systems. It is in breach of the strict EPA guidelines for the safe disposal and treatment of wastewater.

The addition of the basement changed the wastewater treatment plan significantly. This new addition requires a new Irish Water Application. The process takes 16 weeks at minimum. Permission for this new planning application was granted in 7 weeks, thus, this has not been notified to Irish Water and Planning Regulations have not been adhered to.

Email from Leonora McConville, 17-10-2017 - on Pre Planning File 3725

"They're proposing a septic tank. Shouldn't they be connecting to the public sewer at this location?"

Per email in original pre-planning file 3725- for this application from Noel Sweeney, County Engineer to Leonora McConville, Planner 19-10-2017

"There is a public sewer serving the existing houses on this road and obviously it would be preferable that the proposed house connect to it [...] There may be difficulty getting a fall from the site to the sewer but this could be overcome in any case by the use of a private pump sump. Obviously if new applicant is adamant he wishes to install a septic tank then the application would be reported on by the Environment Section and Water Services and Irish Water would be commenting on the submission."

AN COIMISIÚN PLEANÁLA	
18 DEC 2025	
LTR DATED	FROM REF
LDG-	
ACP-323961-25	

- The Sligo Development Plan PWV-15 Discourage the use of pumping stations in private development. Storm overflow from pumping stations serving private development WILL NOT BE PERMITTED.
- PWV 19 - In cases where capacity exists, all proposed developments WILL BE REQUIRED to connect to the public wastewater treatment plant.
- Refer to the above mentioned prescribed bodies all proposals for linear development over 1 km in length and proposals of half a hectare or more and for proposals for development on present or former wetlands, unenclosed land, rivers and estuaries. - This has not been done, consequently the additional oversight has not been raised as is required for this site located less than a half km from Killaspugbrone National Monument.

THE CONTOUR LINES ON THE MAP - which indicate the level above sea level have been ignored, this site is in a HIGH VULNERABLE area. The original house permission 18365 finished floor level was at 35.15m on the longitudinal study, yet the revised longitudinal DESK STUDY the new land level is 34.35m „ this is .8 of a meter differential. One can only conclude that these results are unreliable and the measurements appear to be arbitrary.

The reason the applicant sought permission for a septic tank was that it 153 meters to the nearest waste water drain. Per Noji correspondence, 21-12-18,

'After consulting with the CST Group Engineers our options to reach the main road was to open the Cul De Sac from the nearest manhold 153 meters away. THIS INCLUDED PUMPING UPHILL FROM OUR SITE TO THE MAIN ROAD AND PUMPING AGAIN FROM THE MANHOLE ALONG THE ROUTE TO THE CORNER AND PUMPING AGAIN THE ROUTE. The cost, the disturbance to the road and the upkeep of pumps meant that THIS WAS NOT A VIABLE option.

YET - the NEW approved permission 19218 HAS BEEN APPROVED TO DISPOSE of wastewater connecting to this drain and INCLUDES A PUMPING STATION which is prohibited under Sligo Development Plan.

I want to see the evidence that this has been approved by Irish Water?

***** Habitats Directive** - This site is adjacent to a highly vulnerable Special Area of Conservation, Planning Legislation Act 2000 stipulates an obligation to undertake an Environmental Impact Assessment.

- Groundwater quality and level monitoring is required in groundwater bodies associated with Species and Habitat Protected Areas to determine the impacts of groundwater on these ecosystems. The hydrological interaction between groundwater and such ecological systems is frequently complex and very dependent on site-specific conditions.

This site has been so extensively excavated it is worrying what the environmental impact will be. There has been no oversight by the Planning Authority. Huge diggers and massive land moving plant have been onsite all day Sunday, Monday and Today, I expect this will be the case for sometime into the future given the land mass mounds that have yet to be cleared.

I want a Co. Sligo Engineer to oversee this and report.

Please confirm receipt of my enforcement submission.

Many thanks,

Ann McKirdy

Attachments area

Wexford Receptionist <REC_WEX@epa.ie>

to me

A Chara,

Your correspondence on October 6th has been forwarded for attention.

Kind regards,

Ruth O'Connor

Duty Receptionist/Programme Officer

Environmental Protection Agency

P.O. Box 3000

Johnstown Castle Estate

Wed, Oct 7, 2020,
10:28 AM

septic tank

Case Number: OMB-98481-F5K7M8 Case Number: OMB-98481-F5K7M8
Inbox

Ann McKirdy <aainenicamhlaidh@gmail.com>
to Ombudsman

Mon, Nov 23,
2020, 9:13 PM

Dear Ombudsman,

I am writing again about the planning process for retention file 20312. This application was advertised in the Sligo Champion on the 8th of September, however, it was never published on the Sligo Co. Co Planning Office's website until after the file was withdrawn and retrospective receipt date of 15-9-20.

The planning file was not notified in the weekly planning list for the 7-13 of September.

However, it was notified in the weekly file online for the 15-23 and only published on the Sligo Co. Co. website on the 23rd of September which is after the planning file had been withdrawn.

I added enforcement items that were excluded from the retention application which seemed to expedite invalidation in spite of the fact that it is not legally reason to invalidate. I asked the Planning Office why the file had been invalidated, they would not tell me. It is now listed as 'incomplete application.' I have several more communications with the enforcement office and went in person to speak with Suzanne Siberry head of Enforcement and Mark Cummins, I requested to know why it the file was invalidated and why I cannot see it. I was told by Suzanne Siberry it was 'live' and it 'might prejudice the outcome if it were legally challenged'.

I have had to submit Freedom of Information for every shred of information I have sought on this file. This house is completely out of character with the neighbouring houses, it is three story over basement and extends beyond the red line for development. It completely obliterates my view of Benbulbin and Sligo Bay. It was manufactured offsite and assembled onsite. The scaffolding was only in place as the levels were built. In the earlier file, 18365, which preceded this, the development was objected to and height markers were requested. These were not put in place in spite of a written objection to the 'monstrosity'.

I do not believe that this planning application has been assessed based on the restrictions of the Co. Sligo Dev. Plan and The Strandhill Mini Plan.

I am extremely upset with how my queries have been dealt with. I have had to ask Mr. Ciaran Hayes to intervene on my behalf as my communications are not answered in a timely manner nor are my queries dealt with fairly. The interim County Manager, Mr. Tom Kilfeather has taken over from Mr. Hayes and is now the person to whom I communicate. I live in a democracy. I am a tax paying Irish Citizen. I expect my rights to be respected and to be treated fairly. I expect that the planning process is fair and transparent and all applicants are treated fairly. The Planning Act 2000 establishes the legal framework which the Co. Co. is obligated to follow.

Please intervene on my behalf.

Sincerely,

Ann McKirdy

Attached Legislation - Quotes relevant below :

3.10 Validation Where the requirements of Article 18 (newspaper notice), Article 19(1)(a) (site notice) and Article 22 (application form and required accompanying documentation) are complied with the application is then deemed to be valid. As set out in the preceding paragraphs, planning authorities should adopt a reasonable approach towards validation.

It is in the planning authority's interest to ensure that planning applications are validated as quickly as possible to minimise the amount of time and effort that will otherwise go into returning the planning application and the fee, informing any objectors and returning such fees. As the authority's planning applications list must be prepared not later than the fifth working day following a particular week, (i.e. by the following Friday) a similar period of time should be aimed at for validating a planning application.

Under the Planning Regulations the weekly list must indicate which applications have been invalidated, so that persons wishing to make submissions are aware of this fact.

[...] about the invalidation of a planning application or the process of validation, he or she should have recourse to the planning authority's complaints procedure and that the complaint should be treated seriously and dealt with promptly.

New Objection to the addition of a window 19218 Larass, Strandhill - Enforcement request

Ann McKirdy <ainenicamhlaidh@gmail.com>

to Suzanne

Tue, Sep 22,
10:13 PM

Dear Suzanne,

Please issue an enforcement notice for PL 19218 for the addition of a large rectangular shaped window, approx 2 meters in length and a half meter high facing overlooking the house at the end of the cul de sac.

This is a huge derogation from permission.

Please confirm receipt of my correspondence.

Many thanks,

Yours sincerely,

Ann McKirdy

Ann McKirdy <ainenicamlaidh@gmail.com>

to qcsofficer@housing.gov.ie

Wed, Oct 14,
2020, 3:40 AM

To whom it may concern,

I am writing to you with regards to a new development under construction in Strandhill, Sligo, P1 19218, retention PL 20339

This planning retention is for; 1. change of roof material (I submitted an enforcement objection to this in June, they were issued with an enforcement notice on July 20th, 2020.)

2. Change of basement wall material
- 3 Addition of a new window on the ground floor
- 4 window size and position alterations
- 5 new flu
- 6 alterations to existing rooflight dimensions
- 7 change in dimensions to covered outdoor area at dwelling in Larass, Strandhill.

There is also an enforcement notice 2701 which I flagged with the County Council for non compliance to the conditions for planning with regards to the septic tank. This property has approval for a septic tank (prohibited in Co, Sligo dev. plan, even more restricted given new sewage treatment facility open since 2019) It also has permission for a pump, also prohibited in Sligo Dev. Plan. And - permission to connect to the city sewage, 153 meters to the nearest manhole. This area in Strandhill for groundwater is designated, High Vulnerable. I am shocked that there was permission granted in the first place. (The pre-planning file I viewed raises huge concerns with regards to a connection to a septic system)

I received an email two days ago from Sligo Co. Co notifying me that in compliance with condition, 7 (c) the two week notice has been given for the installation of the septic tank.

I am bringing this to your attention as I believe this planning application for retention and the earlier planning application did not comply with statutory regulations to declare the location of this site in the corridor for SAC, in a hugely vulnerable area (this area is a breeding and resting place for bats, I sent the video recording to Sligo Co. Co., it is also the return path of the migrating Brent geese to the salt marsh in Dorrens Strand, less than .25K from this site. The SAC area's virtigo angustior,marram dunes, delicate and protected flora and fauna and habitat has not been declared.

It is in a zone of archaeological potential close to a Neolithic monumental.

It is also in an area of natural heritage in close proximity to the Killaspugbrone 6th century church.

I have a copy of the pre-planning file in which it was flagged by the planner as a visually vulnerable site. Later in the approval it was described as being adjacent to a housing estate, no mention of visual vulnerability.

In Pre planning file concern was raised about the height of 3 story, since that early pre-planning 2018 meeting, the height has increased by a half meter to 9.5 meters in a visually vulnerable area.

The site was subject to a Natura impact assessment in 2013 by Siobhan Ryan heritage officer for the Sligo Co. Co. Concerns were raised then at the potential impact of development and site excavation to the biodiversity. The present development to accommodate this huge house is to a depth of 6 meters, the development includes a basement. This site should have required an appropriate assessment prior to excavating to this depth. The road level is 36.5m and finished floor 33.3 m, the basement extends below this.

I put in an enforcement objection to require the builder to comply with condition 4 (to not protecting the trees and hedging) I re-submitted it 4 times. The last submission on Friday 18th of September prompted a flurry of onsite excavation, on Sunday a huge differ began clearing and land mass movement at 9 am and cleared all day until 4 pm, the following day there were three diggers working full tilt all week, no enforcement was issued.

I believe there is intent to mislead, the planning applicant has stated 'windows - wood', there is no wood on the frames and if the area not already clad is glassed, this would enlarge the windows on the ground floor to such an extent that the lower level will be walls of glass, which will have a detrimental impact on nocturnal bats and the returning Brent geese.

I believe the re-zoning of this site did not go through the correct regulatory procedures. It was refused re-zoning in 2013 as the original landowner submitted a request to re-zone and was advised that given the fact that he was a local farmer, his family and heirs could build in the buffer zone. It was re-sold in 2017 and is somehow re-zoned residential.

On the 10th of August, the first day the planning office in Sligo Co. Co re-opened I went in to see the permission for this application as I had been asking for the soil percolation rates and the specifics for the septic tank. In response to my emailed requests, I was sent photos of holes and a screen shot of the site assessment which was only a cover letter from Davitt Engineering in Leitrim. I asked to see the original bound Co. Development plan for 2011-2017, variation 1 and was refused access to it.

I insisted on speaking to one of the four planners who approved the above development (two earlier and two current planners)

A planning officer came to speak with me, he subjected me to a barrage of questions as to why I wanted an expired plan and said the planning office do not keep these records.

I then later requested CCTV of my interaction with this planner and was advised by the Data Protection Officer that this has disappeared.

I am hugely concerned and alarmed by how this planning permission has and is being handled.

Please advise how to proceed.

Yours faithfully,

Ann McKirdy

Irish Water



Ann McKirdy <ainenicamhlaidh@gmail.com>

CAS2001478 EMAIL:0051972

2 messages

newconnections <newconnections@water.ie>
To: Ann McKirdy <ainenicamhlaidh@gmail.com>

Wed, Nov 25, 2020 at 4:45 PM

Dear Ann,

Further to your complaint case CAS2001478 to New Connections, Irish Water the following update has been logged on your complaint below:

Both planning applications refs 18365 and 19218 have been granted permission. No appeal has been lodged against it.

Irish Water Planning has not issued any formal observations for this either of the applications so we didn't have a chance to comment on that development. We rely on Water Services departments for observations and in the case of this development we have not received them at all or got them after the planner had granted permission.

Kind regards,

Gosia O'Sullivan*Planning Application Specialist*

Kind regards,

Eimear Fitzgerald

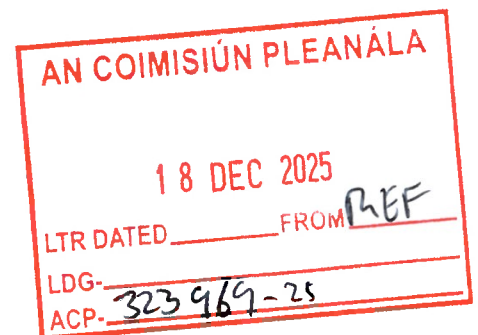
Uisce Eireann

Bosca OP 860, Oifig Sheachadta na Cathrach Theas, Cathair Chorcaí, Éire
Irish Water

PO Box 860, South City Delivery Office, Cork City, Ireland

T: 1850 278 278

Minicom: 1890 378 378

www.water.ie

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Thank you for your attention.

Tá an fhaisnéis á seachadadh dírithe ar an duine nó ar an eintiteas chuig a bhfuil sí seolta amháin agus féadfar ábhar faoi rún, faoi phribhléid nó ábhar atá íogair ó thaobh tráchtála de a bheith mar chuid de. Tá aon athsheachadadh nó



Ann McKirdy <ainenicamhlaidh@gmail.com>

CAS2001478 EMAIL:0051084

1 message

newconnections <newconnections@water.ie>
To: Ann McKirdy <ainenicamhlaidh@gmail.com>

Fri, Dec 4, 2020 at 4:59 PM

Dear Ann,

Hope you are well.

Please see update below from planning on your complaint case CAS2001478.

In response to the customer's query, I couldn't find any record of correspondence from John Monahan sent to planning@water.ie for these reference numbers: 18365 and 19218.
To be specific, Sligo County Council did not send a decision notification to IW regarding grant of permission for this development.

Kind regards,
Eimear Fitzgerald

Uisce Éireann
Bosca OP 860, Oifig Sheachadta na Cathrach Theas, Cathair Chorcaí, Éire
Irish Water
PO Box 860, South City Delivery Office, Cork City, Ireland
T: 1850 278 278
Minicom: 1890 378 378
www.water.ie

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Thank you for your attention.

Tá an fhaisnéis á seachadadh dírithe ar an duine nó ar an eintiteas chuig a bhfuil sí seolta amháin agus féadfar ábhar faoi rún, faoi phribhléid nó ábhar atá íogair ó thaobh tráchtála de a bheith mar chuid de. Tá aon athsheachadadh nó scaipeadh den fhaisnéis, aon athbhreithniú ar nó aon úsáid eile a bhaint as, nó aon ghníomh a dhéantar ag brath ar an bhfaisnéis seo ag daoine nó ag eintitis nach dóibh siúd an fhaisnéis seo, toirimiscthe agus féadfar é a bheith neamhdhleathach. Níl Uisce Éireann faoi dhliteanas maidir le seachadadh iomlán agus ceart na faisnéise sa chumarsáid seo nó maidir le haon mhoill a bhaineann léi. Ní ghlacann Uisce Éireann le haon dliteanas faoi ghnímh nó faoi iarmhairtí bunaithe ar úsáid thoirmiscthe na faisnéise seo. Níl Uisce Éireann faoi dhliteanas maidir le seachadadh ceart agus iomlán na faisnéise sa chumarsáid seo nó maidir le haon mhoill a bhaineann léi. Má fuair tú an teachtaireacht seo in earráid, más é do thoil é, déan teagmháil leis an seoltóir agus scríos an t-ábhar ó gach aon ríomhaire. Féadfar ríomhphost a bheith soghabhálach i leith truaillithe, idircheaptha agus i leith leasaithe

49

CAS2001478 EMAIL:0051084

Inbox

newconnections

Fri, Dec 4,
5:01 PM

to me

Irish
English

[Translate message](#)

[Turn off for: Irish](#)

Dear Ann,

Hope you are well.

Please see update below from planning on your complaint case CAS2001478.

In response to the customer's query, I couldn't find any record of correspondence from John Monahan sent to planning@water.ie for these reference numbers: 18365 and 19218.

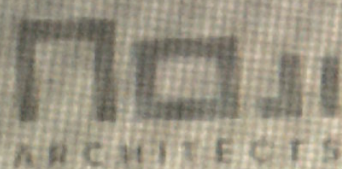
To be specific, Sligo County Council did not send a decision notification to IW regarding grant of permission for this development.

Kind regards,
Eimear Fitzgerald

Uisce Eireann
Bosca OP 860, Oifig Sheachadta na Cathrach Theas, Cathair Chorcaí, Éire
Irish Water
PO Box 860, South City Delivery Office, Cork City, Ireland
T: 1850 278 278
Minicom: 1890 378 378
www.water.ie

54

ARCHITECT
2018
RIAI



No consultation
on file or application 18365.
confirmed by Irish
Water original

Planning Department,
Sligo County Council,
City Hall,
Quay St.
Sligo Town

Discussions

21st December 2018

RE: Further information request on Planning application PL18/365. Permission 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.

Dear Barry,

I enclose the documentation identified on the schedule attached to this letter in response to the Further Information request for PL18/365.

The six points raised in the further information request are addressed below:

1. Discussions with Barry Ward have taken place, Drawing number D07 (Drainage and Sewerage Plan), satisfies the recommendations.

Prior to Submission we confirmed with Irish Water that a connection was possible at the main road. This was our preference and only when looking at the means to reach the main road did we look into a septic tank.

After consulting with CST Group engineers our options to reach the main road was to open up the Cul de Sac from the nearest manhole 153 metres away. This included pumping uphill from our site to the main road and pumping again from the manhole along the route the route to the corner and pumping again the route.

The cost, the disturbance to the road and the upkeep of pumps meant that this was not a viable option. Other houses on the roadside of the Cul de Sac have the luxury of running mains sewer out the back of their houses with shorter distance to the main road or via other properties.

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

info@noji.ie
www.noji.ie

Stamp: 2 JAN 2019



2. Please refer to 'F Davitt Planning & design engineers', report, plans, sections and manufacturer's specification for points a,b,c,e. Refer to Drawing number D01, Proposed Site Layout Plan, for point d.

3. Refer to Drawing number D01, Proposed Site Layout Plan.

Site Plan shows soak pit , hard landscaped areas , planted areas, and green roofs

4. Refer to Drawing number D01, Proposed Site Layout Plan.

Site layout plan and house plans show a 10 meter distance from the neighbours boundary, this was achieved by reducing the shed dimension , moving the entire house 2 metres Westwards and then moving the two story block another one metre Westwards.

5. Refer to Drawing number D06, Proposed Site Landscape Plan.

Site Landscape plan and boundary sections show all details as required

6. Refer to Drawing number D06, Proposed Site Landscape Plan.

Site Landscape plan and boundary sections show all details as required

A handwritten signature in black ink, appearing to read "John Davitt".

Kind regards,

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

info@noji.ie
www.noji.ie

Exemption from planning law

6 messages

Ann McKirdy <ainenicamhlaidh@gmail.com>
To: Mark Cummins <mcummins@sligococo.ie>

Dear Mark,
I would like a full explanation as to why the development in Larass Strandhill PL 19218 is exempt from planning law. Under legislation this major levelling of agricultural land via this site requires a planning permit. It is less than 80 m from the Dorins Strand SAC. There are massive mounds of soil onsite, the maintenance has been already covered over with soil but this too requires a planning permit.

I am sure you have done the due diligence and have photos of your inspection.

Please explain.
I am at a loss as to why this is exempt.

Yours sincerely,

Ann McKirdy

Ann McKirdy <ainenicamhlaidh@gmail.com>
To: Mark Cummins <mcummins@sligococo.ie>

Tue, Jun 1, 2021 at 11:55 PM

Dear Mark,
This exemption from planning regulations is indicative that there is planning process is not transparent. I am perplexed as to why you have not responded?

Yours faithfully,
Ann McKirdy
[Quoted text hidden]

Mark Cummins <mcummins@sligococo.ie>
To: Ann McKirdy <ainenicamhlaidh@gmail.com>

Ann

See attached response I sent to you on the 19/5/21.

Regards

Mark Cummins

a/Senior Executive Engineer

Planning Enforcement & Building Control

Sligo County Council | Quay Street | Sligo | F91 PP44.

☎ 071 911 4441 📧 mcummins@sligococo.ie

🌐 sligococo.ie | sligo.ie



Sligo County Council
Comhairle Chontae Shligigh

Sligo.

[Quoted text hidden]

----- Forwarded message -----

From: Mark Cummins <mcummins@sligococo.ie>
To: Ann McKirdy <ainenicamhlaidh@gmail.com>
Cc:
Bcc:
Date: Wed, 19 May 2021 08:41:36 +0000
Subject: RE: Disposal of Waste P1 19218

Ann

Following a site inspection carried out on the 18/5/21 I am satisfied that the only material to have been moved from the site to the field north of the site was soil and that is not considered as stated previously this is considered to be exempted development.

Regards

Mark Cummins

• Drainage of fields
Wed, May 26, 2021 at 1:53 PM

• Referral to
Ombudsman

Ref: OMB-107834-

Q O G 2 x 2

on May 26th 2021.

(attached)

• photo attached

Sligo County Council | Quay Street | Sligo | F91 PP44.

071 911 4441 | mcummins@sligococo.ie

sligococo.ie | sligo.ie



Sligo County Council
Comhairle Chontae Shligigh

Sligo.

From: Ann McKirdy [<mailto:ainenicamhlaidh@gmail.com>]

Sent: Saturday 15 May 2021 21:44

To: Mark Cummins; Enforcement; Enda Killoran; enviro; Suzanne Siberry; Tom Kilfeather; Dorothy Clarke

Subject: Disposal of Waste PL 19218

Dear Mr. Kilfeather and Sligo County Council Planning and Environment Office,

In response to the Sligo Co. Co. Enforcement Office email that no enforcement is required for the levelling of land due to the land being agricultural, I would like to draw your attention. I am referring to Mr. Cummins's reply to my request for the enforcement of planning conditions by Sligo Enforcement Office submitted on 4th of May response dated 13th of May advising

I request clarification, why this development has permission to dump waste and level land in the fields surrounding this site to the extent that it is very significantly changing the surrounding

The hectares affected in this development by the SAC necessitates an Environmental Impact Assessment given the biodiversity and the environmental sensitivity of the site. I flagged this in the conditions contained in the PL 19218. The levelling of agricultural land does require a permit according to the Office of the Planning Regulator.

- 'Exemptions do not apply if development interferes with site features, listed for preservation in the development plan or draft plan. - See Strandhill Development Plan, area 11:1'

In addition, exempted development does not apply in the following situations per Office of Planning Regulator:

- Where the development is contrary to a planning condition attached to a planning permission relating to the site (REF PL 19218 - Condition for waste disposal)
- Where the development would interfere with the character of a landscape view or prospect designated of special amenity in the development plan. - REF - Strandhill Dev. Plan 20
- Land reclamation consisting of re-contouring of land, including infilling of soil within a farm holding. Numerous massive trucks are bringing soil onsite and a digger is tipping this.
- Development consisting of the carrying out of drainage and/or reclamation of wetlands, subject to the conditions that the affected area must not exceed 0.1 hectares - GOOGLE
- An Environmental Impact assessment is REQUIRED: When Development consisting of carrying out of drainage

I believe this is an enforcement issue. Please revert.

Sincerely,

Ann McKirdy



Mark Cummins

to me

Ann

The levelling of top soil in the land to the north of the development site is on agricultural land and is being carried out for agricultural purposes and is therefore considered exempt

The land in question is not within a SAC or within the zone of any recorded national monuments.

Regards

Mark Cummins

a/Senior Executive Engineer

Planning Enforcement & Building Control

Sligo County Council | Quay Street | Sligo | F91 PP44.

☎ 071 911 4441 ✉ mcummins@sligococo.ie

 www.sligococo.ie | sligo.ie



 **RE: Disposal of Waste PI 19218.eml**
759K

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

Wed, Jun 9, 2021 at 8:20 PM

Case Number: OMB-107834-Q0G2X2

----- Forwarded message -----
From: **Ann McKirdy** <ainenicamhlaidh@gmail.com>
Date: Wed, May 26, 2021 at 1:53 PM
Subject: Exemption from planning law
To: Mark Cummins <mcummins@sligococo.ie>

[Quoted text hidden]

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

Sun, Dec 14, 2025 at 9:46 AM

----- Forwarded message -----
From: **Ann McKirdy** <ainenicamhlaidh@gmail.com>
Date: Wed, 26 May 2021 at 13:53
Subject: Exemption from planning law
To: Mark Cummins <mcummins@sligococo.ie>

[Quoted text hidden]

Ann McKirdy <ainenicamhlaidh@gmail.com>
Draft

Sun, Dec 14, 2025 at 5:40 PM

[Quoted text hidden]

OMB-98481-F5K7, OMB-98481-F5K7M8
Case Number: OMB-107834-Q0G2X2

OMB-100653-T6R5J4

Dear Ombudsman,

I am writing to follow up on my request for the intervention of the Ombudsman following receipt of a response from the Sligo Manager, Tom Kilfeather.

My enforcement, the Sedum Roof permitted in the Planning Permission has not been installed instead a metal roof is in place. ENF 2701 - property at Larass, Strandhill, Co. Sligo (confirmed by Suzanne Siberry, 21/7/20)

I was told the applicant was putting in for retention and the council would await the outcome. This retention application was submitted 15/9/2021, PL 20312, later withdrawn, 'incomplete'. A new application for retention was submitted, P120339, dated 30/9/21. The decision on this file was for retention was to grant six month period for 'further information.' No further information was submitted and this application was withdrawn on the 17th of June 2021. A new retention application has been submitted 21/5/21.

The roof is not sedum. This enforcement notice was issued almost a full year ago on the 21st of July, 2020.

Mr. Kilfeather's response does not address the derogation from responsibility by the County Council for this enforcement. His letter attached below states, *it is clear that the applicant has decided to lodge a new application rather than respond to the request for further information. There is nothing unusual about this and it was always likely that a new application would be required instead of responding to the request for further information. It is unfortunate that the applicant has taken so long to lodge the new application but there is nothing the planning authority could do about that.*

I contest this. I have read the new planning application/retention letter which is on idocs. It does not indicate any intention to amend or alter the roof.

Moreover, awaiting the outcome of the planning application which excludes any mention of the sedum room is grossly negligent.

The time legislated to issue an enforcement for non compliance has lapsed, it is now close to a full year since this enforcement was issued.

Please intervene on my behalf. I have attached the relevant correspondence below. As you will see, as a private citizen, I have put enormous effort into trying to ensure the integrity of this extraordinarily unique, biodiverse and beautiful landscape is protected.

I also requested enforcement on the installation of a chimney without permission and the non compliance with condition 4, protect the existing vegetation on site during construction.

Tom Kilfeather via sligococo.onmicrosoft.com

Mon, Jun 28, 12:34
PM (3 days ago)

to me

Dear Ms McKirdy

I acknowledge receipt of your complaint in relation to the enforcement on the dwellinghouse permitted pursuant to PL19/218.

The construction of the permitted dwellinghouse commenced in September 2019. On the 16th July 2020, Sligo County Council received your original complaint alleging that the development was not proceeding in accordance with the planning permission. A further e-mail received on 17th July 2020 clarified that the complaint was about the change in roof material and the overall height of the building under construction.

On foot of this complaint, Sligo County Council issued a warning letter on 20th July 2020 to the applicant raising concerns in respect of both overall height of the development under construction and the change to the permitted roof type. The applicant responded on 7th August 2020 stating that the overall height complies with the planning permission and that he will apply for retention of the change in roof type.

Following a site survey undertaken on 11th August 2020 by an engineer from the Enforcement Section of Sligo County Council, it was established that the overall height of the house is consistent with the planning drawings. It was also confirmed that the roof finish had been altered from the permitted

sedum roof to a metal type finish. This site inspection established that apart from some relatively minor changes (i.e. roof material and window sizes / positions), the house under construction is generally consistent with that which was originally permitted. Accordingly, the only outstanding matter arising from the previously issued warning letter related to the change in roof type.

An application for retention (PL 20/339) was lodged on the 30th September 2020. This application sought retention for the change in roof type and other minor deviations from that permitted pursuant to PL19/218.

Following a site inspection by the area planner as part of the assessment of this planning application, it was noticed that some of the alterations proposed for retention had not yet been undertaken (e.g. outdoor covered area) and some of the submitted drawings were not consistent with that which existed on site (i.e. three installed windows are different in dimensions from those on submitted drawings). A further information request was therefore sought on 23/11/20 seeking clarity around the nature of the proposed development the subject of the application. No response was received within 6 months of the date of the request and the application was therefore declared withdrawn in accordance with the provisions of 33(3) of the Planning and Development Regulations 2001 (as amended).

A new application has been lodged by the same applicant on 21/5/21 under planning reference PL21/182. The proposed development is the retention of alterations made to the dwellinghouse permitted pursuant to PL19/218. It is clear that the applicant has decided to lodge a new application rather than respond to the request for further information. There is nothing unusual about this and it was always likely that a new application would be required instead of responding to the request for further information. It is unfortunate that the applicant has taken so long to lodge the new application but there is nothing the planning authority could do about that.

The enforcement section will await the outcome of the current application before determining what, if any, further enforcement action is warranted. It is noted that the current application shows that the applicant is reverting back to the sedum type roof finish as originally permitted.

In the above context, I am satisfied that the Enforcement section has responded to your original complaint in the appropriate manner.

Tom Kilfeather

Ann McKirdy <ainenicamhlaidh@gmail.com>

Oct 20, 2020,
8:02 AM

to chayes, declarke, Frank

Dear Mr Hayes,

I am writing to request URGENT attention to PL 19218 in Strandhill, There is an enforcement notice for non compliance with the conditions for planning with regards to the installation of a septic tank. I received notice and the biodiversity in a corridor for SAC and a Zone of Archaeological Potential and National Heritage Area AND a geographically designated area of HIGH VULNERABILITY for groundwater

How has this development been approved septic tank, a pump (prohibited in the Co. Sligo Dev. Plan) and connection to the city sewage network 153 meters to the nearest manhole.

Where is the oversight? Sligo Co. Co. are not handling this situation according to their mandate under Planning Legislation and the Planning Act 2000. I AM REQUESTING A FULL INVESTIGATION, this area is unique in all of Europe, yet, Sligo County Council is not adhering to the legislative protocols to ensure compliance with Irish and European Legislation to protect groundwater and special areas of conservation or the status of this significant scenic and historic location.

THIS IS A LEGISLATIVE REQUIREMENT. Reporting to all the agencies is mandated. There is a new retention application in for changes to this building including change of roof materials, change of basement wall material, addition of new window on ground floor, window size and position alterations, new flue, alterations to existing rooflight dimensions, change in dimensions to covered outdoor area. This retention does not include changes or alterations to amend the septic tank and sewage treatment onsite in spite of the fact that the septic tank is not designed to manage wastewater from a house with the addition of the basement. (PL 20339)

A new enforcement notice has been issued, yet, ground clearance and septic tank installation is proceeding?

There is ponding on this site always, this shows that the site assessment, percolation rates etc are unreliable. The fact that Davitt Engineering has added a connection to the sewage treatment system and a pump highlight that a septic tank is inadequate for this property.

I sent numerous emails to request compliance to Condition 4, retention of hedging and fencing around trees and protection of bats given this is a breeding and resting place for bats. This planning enforcement was completely ignored.

My concern for this being a three story house at 9.5 meters above basement were dismissed, yet, in the pre-planning file the was flagged by the planner as a concern given the visual vulnerability of the area. Moreover, the new approved planning application is .45 m higher than in the pre-planning application meeting submission.

I have emailed Suzanne Siberry and have not received a reply to my questions.

I look forward to your response. If it is not within your remit to respond, please advise where I should address my concerns.

Yours sincerely,

Ann McKirdy

(Attached below are the historic emails I sent to raise my concerns regarding this to Sligo Enforcement)

----- Forwarded message -----

From: **Ann McKirdy** <ainenicamhlaidh@gmail.com>

Date: Thu, Oct 15, 2020 at 3:47 PM

Subject: 2710 Enforcement notice queries

To: Suzanne Siberry <ssiberry@sligococo.ie>

Dear Suzanne,

In response to your email for clarification, I would like to know what is happening now with the concerns I raised regarding the non compliance of this application approval with statutory environmental regulations.

Your email has notified me that Sligo Co Council will oversee compliance in relation to condition 7(c) . What exactly do you mean? Please explain.

Do you mean that the septic tank installation is going ahead without further site assessment and without changes to original septic tank specifications submitted. Yes/ No, if yes, please explain the Sligo Co Council rationale for this appraisal.

And am I correct in interpreting from your email that the installation will be overseen by the Environment Section of the County Council?
Yes/no. If yes, why as more thorough environmental assessment is required.

I had thought that the concerns I raised would warrant a full re-assessment. Is this the case? Yes/ no? If not, why?

I look forward to your response.

Sincerely,

Ann McKirdy

From: **Suzanne Silberry** <ssiberry@sligococo.ie>

Date: Mon, Oct 12, 2020 at 2:57 PM

Subject: ENF 2701 -

To: Ann McKirdy <ainenicamhlaidh@gmail.com>

Dear Ann

I refer to your email dated the 7th October, 2020.

As per condition No. 7(c) of PL 18/218, notice has been given of the installation of the septic tank and percolation area. Sligo County Council's Environment Section has been notified of this and they will carry out an inspection to ensure compliance with PL 18/218.

Regards

Suzanne Siberry
Senior Staff Officer

Sligo County Council

Enforcement Section, City Hall, Quay Street, Sligo F91 PP44

Ann McKirdy <ainenicamhlaidh@gmail.com>

to Suzanne

Wed, Oct 7, 8:03 AM
(13 days ago)

I am writing to submit the supporting conditions (from the Planning Grant of permission on 25/7/19) to support my earlier submission on wastewater disposal enforcement for the dwelling under construction in Larass, Strandhill, planning reference 19218.

The following items are in breach of planning conditions:

Condition 7 (a) The Septic Tank wastewater pumping module and percolation area shall comply with the waste water treatment and disposal system and design drawings and manufacturer specs submitted to the Planning Authority.

The addition of a basement changed the wastewater management plan significantly. The new wastewater treatment plan calls for a new connection to the wastewater manhole 153 meters away. There is a mandatory requirement to apply for a new wastewater connection with Irish Water. This application process takes a minimum of 16 weeks. Planning Permission with the addition of a basement was granted in 7 weeks on 25/07/19 receipt of application was on 05/6/19. This time line would indicate that Irish Water has not been notified, therefore, no connection has been approved.

Per Letter from F. Davitt Engineer (scanned 17/6/19) re: Proposed development item 2, 'The proposed dwelling now has a basement. It also identifies the *location of the pumping station and the location of the manhole* which the domestic wastewater from the basement shall discharge.'

There is no evidence of the location of the manhole in the site assessment or the longitudinal study submitted by Davitt Engineering.

A full site assessment should have been undertaken with the new addition of a basement which would increase capacity, especially given the ground water vulnerability of this site and the fact that it is a karst landscape.

The views in the site test photo 1 of the area tested do not match views from the stated test hole location on the site assessment. This invalidates the test hole results.

Condition 7 (e) All domestic wastewater and grey water generated onsite will be discharged to the septic tank and discharged to the percolation area.

Per Letter from F. Davitt Engineer (scanned 17/6/19) Item (2) Please find attached a new site layout drawing/design reflecting the fact that the proposed dwelling now has a basement. It also identifies *the location of the proposed pumping station and the location of the manhole which the domestic wastewater from the basement will discharge.*

This is directly in breach of Condition 7 which requires all wastewater and grey water to be discharged to the septic tank and percolation area.

Condition 7 (g) if All domestic wastewater and grey water generated onsite to be discharged to the septic tank and discharged via the percolation area.

Item (2) Please find attached a new site layout drawing/design reflecting the fact that the proposed dwelling now has a basement. It also identifies *the location of the proposed pumping station and the location of the manhole which the domestic wastewater from the basement will discharge.*

7 (e) (g) There is no evidence of the location of the manhole to which Davitt refers above in any of his drawings on file.

The Domestic Wastewater Treatment for this proposed development is in breach of the below Co. Sligo Dev. Plan wastewater regulations;

P-WW-15 – Discourage pumping stations in private development. Storm overflows from pumping stations serving private development will not be permitted.

P-WW-18 In cases where settlement is *not* served by a public wastewater treatment plant or where no spare capacity exists in an existing wastewater treatment plant, individual developments proposing to use on site wastewater treatment will be considered subject to appropriate scale, assessment, design and conditions, taking groundwater vulnerability into account.

The groundwater vulnerability has not been correctly assessed. F. Davitt's site assessment is not admissible. The test results are not results of this site given the high vulnerability of this area within .5 km of an SAC.

P-WW-19 In cases where capacity exists, all proposed developments will be required to connect to the public wastewater treatment plant.

P-WW13 – Regulate discharges to local authority sewerage schemes to protect and improve ground water and surface water quality in accordance with the requirements of the Water Framework Directive.

Condition 9 – In the interest of waste management a potable water supply shall be provided that complies with the requirements of the EU (drinking water regulations) 2014 (S.I. no 122 of 2014) as amended. The potable water supply shall be taken from Irish Water Mains network as indicated in the plans and proposals submitted to the planning authority.

This dwelling address is listed in the BDMS as 1 Dorrins Strand. This is an established and existing dwelling with existing connections to Irish Water. This is NOT the correct address.

There is no record of any connection to Irish Water on any file related to this permission, pre-planning PP 3725, PL18365, PL 19218.

Advice Notes conditions

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

There is no proof of any connection agreement or notifications to Irish Water on any file pertaining to this planning permission.

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 Irish Water Capital Investment Programme.

Per telephone inquiry with Irish Water the cost of laying 153 meters of wastewater piping and the connections would be in excess of €120,000. The disturbance of the public road necessitates a road opening licence. There is no evidence on file of either.

I have attached herewith a copy of the email I have submitted to Co. Sligo Planning Enforcement Office regarding this enforcement/planning objection.

Ann McKirdy <ainenicamhlaidh@gmail.com>

Sep 22, 2020, 10:10
PM (2 days ago)

Dear Suzanne,

It has come to my attention that the above planning is not compliant with the Irish Water Regulations for Septic Tank Systems. It is in breach of the strict EPA guidelines for the safe disposal and treatment of wastewater.

The addition of the basement changed the wastewater treatment plan significantly. This new addition requires a new Irish Water Application. The process takes 16 weeks at minimum. Permission for this new planning application was granted in 7 weeks, thus, this has not been notified to Irish Water and Planning Regulations have not been adhered to.

Email from Leonora McConville, 17-10-2017 - on Pre Planning File 3725

'They're proposing a septic tank. Shouldn't they be connecting to the public sewer at this location?'

Per email in original pre-planning file 3725- for this application from Noel Sweeney, County Engineer to Leonora McConville, Planner 19-10-2017

'There is a public sewer serving the existing houses on this road and obviously it would be preferable that the proposed house connect to it [...]
There may be difficulty getting a fall from the site to the sewer but this could be overcome in any case by the use of a private pump sump.

Obviously if new applicant is adamant he wishes to install a septic tank then the application would be reported on by the Environment Section and Water Services and Irish Water would be commenting on the submission.'

- The Sligo Development Plan PWW-15 Discourage the use of pumping stations in private development. Storm overflow from pumping stations serving private development WILL NOT BE PERMITTED.

- PWW 19 - In cases where capacity exists, all proposed developments WILL BE REQUIRED to connect to the public wastewater treatment plant.

- Refer to the above mentioned prescribed bodies all proposals for linear development over 1 km in length and proposals of half a hectare or more and for proposals for development on present or former wetlands, unenclosed land, rivers and estuaries. - This has not been done, consequently the additional oversight has not been raised as is required for this site located less than a half km from Killaspugbrone National Monument.

THE CONTOUR LINES ON THE MAP - which indicate the level above sea level have been ignored, this site is in a HIGH VULNERABLE area. The original house permission 18365 finished floor level was at 35.15m on the longitudinal study, yet the revised longitudinal DESK STUDY the new land level is 34.35m „ this is .8 of a meter differential. One can only conclude that these results are unreliable and the measurements appear to be arbitrary.

The reason the applicant sought permission for a septic tank was that it 153 meters to the nearest waste water drain. Per Noji correspondence, 21-12-18,

'After consulting with the CST Group Engineers our options to reach the main road was to open the Cul De Sac from the nearest manhold 153 meters away. THIS INCLUDED PUMPING UPHILL FROM OUR SITE TO THE MAIN ROAD AND PUMPING AGAIN FROM THE MANHOLE ALONG THE ROUTE TO THE CORNER AND PUMPING AGAIN THE ROUTE. The cost, the disturbance to the road and the upkeep of pumps meant that THIS WAS NOT A VIABLE option.

YET - the NEW approved permission 19218 HAS BEEN APPROVED TO DISPOSE of wastewater connecting to this drain and INCLUDES A PUMPING STATION which is prohibited under Sligo Development Plan.

I want to see the evidence that this has been approved by Irish Water?

***** Habitats Directive** - This site is adjacent to a highly vulnerable Special Area of Conservation, Planning Legislation Act 2000 stipulates an obligation to undertake an Environmental Impact Assessment.

- Groundwater quality and level monitoring is required in groundwater bodies associated with Species and Habitat Protected Areas to determine the impacts of groundwater on these ecosystems. The hydrological interaction between groundwater and such ecological systems is frequently complex and very dependent on site-specific conditions

This site has been so extensively excavated it is worrying what the environmental impact will be. There has been no oversight by the Planning Authority. Huge diggers and massive land moving plant have been onsite all day Sunday, Monday and Today, I expect this will be the case for sometime into the future given the land mass mounds that have yet to be cleared.

I want a Co. Sligo Engineer to oversee this and report.

Please confirm receipt of my enforcement submission.

**Many thanks,
Ann McKirdy**

Ciaran Hayes <chayes@sligococo.ie>

Oct 20, 2020,
8:27 AM

to me, Dorothy, Frank

Dear Ann,

I wish to acknowledge your e-mail regarding the above and advise that I have referred it to Ms. Dorothy Clarke, Director of Services, for examination and reply.

Yours Sincerely,

Ciarán Hayes
Chief Executive
Sligo County Council

Designated Official under the Lobbying Act

On 20 Oct 2020, at 08:03, Ann McKirdy <ainenicamhlaidh@gmail.com> wrote:

Ann McKirdy <ainenicamhlaidh@gmail.com>

to Ciaran

Oct 20, 2020,
9:13 AM

Good morning Mr. Hayes,

I appreciate your attention and prompt reply.

Sincerely,

Ann McKirdy

Ann McKirdy <ainenicamhlaidh@gmail.com>

Oct 20, 2020,
12:29 PM

to Ombudsman

Dear Ombudsman,

Please intervene on my behalf as this violation of planning law has proceeded with impunity despite the fact that I have raised serious concerns about the validity of the site analysis in a high vulnerable area given that the original site assessment was for a development without basement. The new development added a basement which required a sewage treatment connection and a pump. This permission contravenes Sligo Co Development Plan objectives. A septic tank is prohibited in an area where capacity exists (Strandhill sewage treatment was upgraded 2019). The Development Plan also prohibits pumps. More worrying is the fact that there is a proposal to connect 153 meters to the nearest manhole and Irish Water has confirmed that no road opening license was issued.

Please intervene.

Y ours faithfully,

Ann McKirdy

Ann McKirdy <ainenicamhlaidh@gmail.com>

to me

Jun 18, 2021, 9:28 AM
(13 days ago)

----- Forwarded message -----

From: **Ann McKirdy** <ainenicamhlaidh@gmail.com>



Our Ref: FOI 64/20

27th November, 2020

VIA EMAIL

ainenicamhlaidh@gmail.com

Dear Ms McKirdy,

I refer to your request received on 27th November, 2020, which you made under the Freedom of Information Act, 2014 for records held by Sligo County Council.

Your request sought information, specifically:

"A Copy of the Enforcement Notice – change of materials, PL 19218".

A final decision on your request would normally be sent to you within 4 weeks, where a week is defined as 5 working days excluding the weekend and public holidays. This means that you can expect a decision letter to issue not later than **23rd December, 2020.**

There are some limited situations under the FOI Act which could mean that the period for a final decision may be longer than this 4 week period. If this occurs in the case of your request, you will be advised promptly in writing setting out the reason and the new decision date.

Should our final decision not reach you on time, please feel free to contact the decision maker named above to discuss any problems that may have arisen. If you have not heard from us once the allotted time has expired, you are automatically entitled to appeal for a review of the matter. This review proceeds on the legal basis that the initial request is considered to be refused once the specified time for responding to it has expired. The review is a full and new examination of the matter carried out by a more senior member of staff.



In the event that you need to request such a review, you can do so by writing to FOI Unit, Sligo County Council, County Hall, Riverside, Sligo or alternatively by sending an e-mail to foi@sligococo.ie.

You should state that you are seeking this review because an initial decision was not sent to you within the time allowed for a response. In that event, you would normally have 4 weeks (after the initial decision should have been sent to you) in which to make the appeal and is subject to a fee of €30. The Council must complete the review within 3 weeks. Consideration will be given to late applications in appropriate circumstances.

You are then entitled to seek a further independent review of the decision if you are not satisfied with the decision on the review of this case, or if you have not heard from us once the allotted time has expired.

You are entitled to appeal the matter by writing to the Information Commissioner at the following address: Office of the Information Commissioner, 18 Lower Leeson Street, Dublin 2; Tel 01 6395689; Fax: 01 6395674, email: info@oic.gov.ie .

Yours sincerely,

Pp S Malone
FOI Officer

URGENT - GROUNDWATER IN HIGH VULNERABLE AREA - proceeding with installation of Septic tank in spite of Enforcement Notice

3 messages

Ann McKirdy <ainenicamhlaidh@gmail.com>

To: "ocsofficer@housing.gov.ie" <qcofficer@housing.gov.ie>

To whom it may concern,

I am writing to request URGENT attention to PL 19218 in Strandhill, Sligo. There is an enforcement notice for non compliance with the conditions for planning with regards to the installation of a septic system. Two week's notice for installation of the septic system has commenced. This approval for planning should never have been granted. The architect/owner failed to disclose to all the statutory office Sligo and this application in a usually vulnerable area with unique status for biodiversity in a corridor for SAC and a Zone of Archaeological Potential and National Heritage Area A approved premission for the installation of a septic tank. The enforcement notice is a submission I made to inquire how the development has permission for a septic tank, a pump (prohibited nearest manhole.) I received an email yesterday to my FOI to Irish water advising that no road opening permit has been issued.

How can this be?

And still installing the septic tank.

Where is the oversight? Sligo Co. Co. are not handling this situation according to their mandate under Planning Legislation and the Planning Act 2000. I AM REQUESTING A FULL INVESTIGATION adhering to the legislative protocols to ensure compliance with Irish and European Legislation to protect groundwater and special areas of conservation or the status of this significant site.

THIS IS A LEGISLATIVE REQUIREMENT. Reporting to all the agencies is mandated. There is a new retention application in for changes to this building including change of roof material and position alterations, new flue, alterations to existing rooflight dimensions, change in dimensions to covered outdoor area. This retention does not include changes or alterations to area designed to manage wastewater from a house with the addition of the basement. (PL 20339)

I have exhausted every avenue at my disposal and as you can see have put in every effort to protect this unique and highly vulnerable area. The planning office refused to give me the information August 10th. Instead I was interrogated as to why I wanted it. I later requested CCTV footage of my visit to the Planning Office only to be advised by the Data Protection Officer that it was not available.

I have included the historic emails I have sent to the enforcement office with regards to my concerns for how this development is proceeding. I also sent emails which were dismissed to the protection of bats given this is a breeding and resting place for bats.

My email to flag my concern for this being a three story house at 9.5 meters above basement were dismissed, yet, in the pre-planning file it was flagged by the planner as a concern given the proximity to the bats.

Please advise where I should address my concerns if this is not the correct government body.

Many thanks,
Yours faithfully,
Ann McKirdy

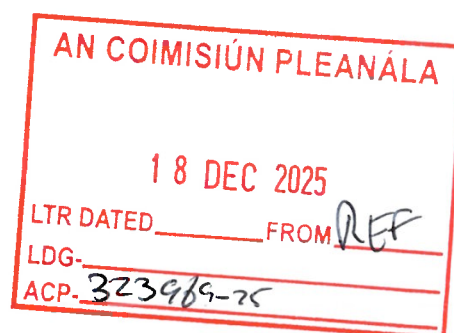
----- Forwarded message -----

From: Suzanne Siberry <ssiberry@sligococo.ie>

Date: Mon, Oct 12, 2020 at 2:57 PM

Subject: ENF 2701 -

To: Ann McKirdy <ainenicamhlaidh@gmail.com>



Dear Ann

I refer to your email dated the 7th October, 2020.

As per condition No. 7 (c) of PL 18/218, notice has been given of the installation of the septic tank and percolation area. Sligo County Council's Environment Section has been notified.

Regards

Suzanne Siberry
Senior Staff Officer

Sligo County Council

Enforcement Section, City Hall, Quay Street, Sligo F91 PP44

Title: phone - Description: phone-icon +353-71-9114443

Title: Email - Description: email-icon ssiberry@sligococo.ie

Title: website - Description: website-icon sligococo.ie | sligo.ie



----- Forwarded message -----

From: Ann McKirdy <ainenicamhlaidh@gmail.com>

Date: Wed, Oct 7, 2020 at 8:03 AM

Subject: Enforcement 19218 - Septic Tank and Waste water Treatment

To: Suzanne Siberry <ssiberry@sligococo.ie>, <info@epa.ie>, <Tomryan@epa.ie>

I am writing to submit the supporting conditions (from the Planning Grant of permission on 25/7/19) to support my earlier submission on wastewater disposal enforcement 19218.

The following items are in breach of planning conditions:

Condition 7 (a) The Septic Tank wastewater pumping module and percolation area shall comply with the waste water treatment and disposal system and design.

The addition of a basement changed the wastewater management plan significantly. The new wastewater treatment plan calls for a new connection to the wastewater manhole 153 with Irish Water. This application process takes a minimum of 16 weeks. Planning Permission with the addition of a basement was granted in 7 weeks on 25/07/19 receipt of application therefore, no connection has been approved.

Per Letter from F. Davitt Engineer (scanned 17/6/19) re: Proposed development item 2, 'The proposed dwelling now has a basement. It also identifies the location of the pumping station and There is no evidence of the location of the manhole in the site assessment or the longitudinal study submitted by Davitt Engineering.

A full site assessment should have been undertaken with the new addition of a basement which would increase capacity, especially given the ground water vulnerability of this site and the fact that the views in the site test photo 1 of the area tested do not match views from the stated test hole location on the site assessment. This invalidates the test hole results.

Condition 7 (e) All domestic wastewater and grey water generated onsite will be discharged to the septic tank and discharged to the percolation area.

Per Letter from F. Davitt Engineer (scanned 17/6/19) Item (2) Please find attached a new site layout drawing/design reflecting the fact that the proposed dwelling now has a basement. It also identifies the location of the proposed pumping station and discharge.

This is directly in breach of Condition 7 which requires all wastewater and grey water to be discharged to the septic tank and percolation area.

Condition 7 (g) All domestic wastewater and grey water generated onsite to be discharged to the septic tank and discharged via the percolation area.

Item (2) Please find attached a new site layout drawing/design reflecting the fact that the proposed dwelling now has a basement. It also identifies the location of the proposed pumping station and discharge.

7 (e) (g) There is no evidence of the location of the manhole to which Davitt refers above in any of his drawings on file.

The Domestic Wastewater Treatment for this proposed development is in breach of the below Co. Sligo Dev. Plan wastewater regulations;

P-WW-15 – Discourage pumping stations in private development. Storm overflows from pumping stations serving private development will not be permitted.

P-WW-18 In cases where settlement is not served by a public wastewater treatment plant or where no spare capacity exists in an existing wastewater treatment plant, individual developments must be assessed, design and conditions, taking groundwater vulnerability into account.

The groundwater vulnerability has not been correctly assessed. F. Davitt's site assessment is not admissible. The test results are not results of this site given the high vulnerability of this area.

P-WW-19 In cases where capacity exists, all proposed developments will be required to connect to the public wastewater treatment plant.

P-WW13 – Regulate discharges to local authority sewerage schemes to protect and improve ground water and surface water quality in accordance with the requirements of the Water Framework Directive.

Condition 9 – In the interest of waste management a potable water supply shall be provided that complies with the requirements of the EU (drinking water shall be taken from Irish Water Mains network as indicated in the plans and proposals submitted to the planning authority.

This dwelling address is listed in the BDMS as 1 Dorrins Strand. This is an established and existing dwelling with existing connections to Irish Water. This is NOT the correct address.

There is no record of any connection to Irish Water on any file related to this permission, pre-planning PP 3725, PL18365, PL 19218.

Advice Notes conditions

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

There is no proof of any connection agreement or notifications to Irish Water on any file pertaining to this planning permission.

In the interest of public health and environmental sustainability Irish water infrastructure capacity requirements and proposed connections to the water and Capital Investment Programme.

Per telephone inquiry with Irish Water the cost of laying 153 meters of wastewater piping and the connections would be in excess of €120,000. The disturbance of the public road necessitate

I have attached herewith a copy of the email I have submitted to Co. Sligo Planning Enforcement Office regarding this enforcement/planning objection.

Ana McKirdy <alnenicamhaidh@gmail.com>

Dear Suzanne,

It has come to my attention that the above planning is not compliant with the Irish Water Regulations for Septic Tank Systems. It is in breach of the strict EPA guidelines for the safe disposal and treatment of wastewater.

The addition of the basement changed the wastewater treatment plan significantly. This new addition requires a new Irish Water Application. The process takes 16 weeks at minimum. Permission for this new planning application was granted in 7 weeks.

Email from Leonora McConville, 17-10-2017 - on Pre Planning File 3725.

'They're proposing a septic tank. Shouldn't they be connecting to the public sewer at this location?'

Per email in original pre-planning file 3725- for this application from Noel Sweeney, County Engineer to Leonora McConville, Planner 19-10-2017

'There is a public sewer serving the existing houses on this road and obviously it would be preferable that the proposed house connect to it [...] There may be difficulty getting a fall from the site to the sewer but this could be overcome in any case by Obviously if new applicant is adamant he wishes to install a septic tank then the application would be reported on by the Environment Section and Water Services and Irish Water would be commenting on the submission.'

- The Sligo Development Plan PWW-15 Discourage the use of pumping stations in private development. Storm overflow from pumping stations serving private development WILL NOT BE PERMITTED.

•

- PWW 19 - In cases where capacity exists, all proposed developments WILL BE REQUIRED to connect to the public wastewater treatment plant.

•

- Refer to the above mentioned prescribed bodies all proposals for linear development over 1 km in length and proposals of half a hectare or more and for proposals for development on present or former wetlands, unenclosed land, river located less than a half km from Killybegbrone National Monument.

THE CONTOUR LINES ON THE MAP - which indicate the level above sea level have been ignored, this site is in a HIGH VULNERABLE area. The original house permission 18365 finished floor level was at 35.15m on the longitudinal study, yet conclude that these results are unreliable and the measurements appear to be incorrect.

The reason the applicant sought permission for a septic tank was that it 153 meters to the nearest waste water drain. Per Noji correspondence, 21-12-18.

'After consulting with the CST Group Engineers our options to reach the main road was to open the Cul De Sac from the nearest manhole 153 meters away. THIS INCLUDED PUMPING UPHILL FROM OUR SITE TO THE MAIN ROAD AND P ROUTE. The cost, the disturbance to the road and the upkeep of pumps meant that THIS WAS NOT A VIABLE option.

YET - the NEW approved permission 19218 HAS BEEN APPROVED TO DISPOSE of wastewater connecting to this drain and INCLUDES A PUMPING STATION which is prohibited under Sligo Development Plan.

I want to see the evidence that this has been approved by Irish Water?

*** Habitats Directive - This site is adjacent to a highly vulnerable Special Area of Conservation. Planning Legislation Act 2000 stipulates an obligation to undertake an Environmental Impact Assessment.

* Groundwater quality and level monitoring is required in groundwater bodies associated with Species and Habitat Protected Areas to determine the impacts of groundwater on these ecosystems. The hydrological interaction conditions

This site has been so extensively excavated it is worrying what the environmental impact will be. There has been no oversight by the Planning Authority. Huge diggers and massive land moving plant have been onsite all day Sunday, Monday to be cleared.

I want a Co. Sligo Engineer to oversee this and report.

Please confirm receipt of my enforcement submission.

Many thanks,

Ann McKirdy

----- Forwarded message -----

From: Ann McKirdy <ainenicamhlaidh@gmail.com>

Date: Fri, Jul 24, 2020 at 11:01 PM

Subject: Re: 19/218 Planning Septic Tank Approval and Percolation Area - Breach of planning law

To: Suzanne Siberry <ssiberry@sligococo.ie>

Dear Suzanne,

I am writing to confirm that I received an email from Karen Kennedy in the Sligo Co. Co. Planning office regarding the 'site assessment' in the view files for scanned documents to PL 19/218.

The 'site assessment' file I reviewed has a cover letter, photos and two soil topography/geology photos. I cannot determine the depth of the percolation test holes, it is INCOMPLETE.

The email reply from Ms. Kennedy does not satisfy my query. I am requesting answers to all of the issues I raised in my morning email. The letter from Davit Planning in the site assessment northern direction and it will be necessary to level up the ground prior to the construction of a percolation area.

(The below requirements are copied from the EPA's guidelines with regard to the slope of the site.)

This site assessment is incomplete. I am very concerned that this septic tank could leech pathogens into the water table and cause serious health problems.

I am alarmed that this has been permitted without due diligence especially taking into consideration the environmental sensitivity of the area and the unknown risks of contamination. Moreover, it seems the percolation area is not in the homeowner's property.

I trust you will follow up with the relevant departments.

I am very grateful for your assistance.

Yours sincerely,

Ann McKirdy

On Fri, Jul 24, 2020 at 2:53 PM Karen Kennedy <kkennedy@sligococo.ie> wrote:

Good afternoon Ann,

Please use the hyperlink I have given you below which will give you direct access into the planning application on entering the file reference number PL 19/218.

<http://www.eplanning.ie/SligoCC/searchtypes>

I have taken a screenshot from our i-plan system and the documents that are attached to this planning application. You will note that the site assessment is available to view on

Kind regards,

Karen Kennedy,

Planning.

(071)9114458

kkennedy@sligococo.ie

----- Forwarded message -----

From: **Ann McKirdy** <ainenicamhlaidh@gmail.com>
Date: Fri, Jul 24, 2020 at 9:07 AM
Subject: 19/218 Planning Septic Tank Approval and Percolation Area - Breach of planning law
To: Suzanne Siberry <ssiberry@sligococo.ie>

Dear Suzanne,

I am writing with regards to the above planning approval and request that the planning office provide details of specifics of the site assessment carried out prior to approval for planning permission. An urgent review is required. It is unsafe to proceed.

I am seriously concerned that sewage from this site could contaminate drinking water supplies and cause ponding on environmentally sensitive land given that the site has been excavated for human health as well as the environment.

With regard to the site layout, I am concerned about the placement of the percolation area, from what I can gather this percolation area is outside the .28 hectare site. If this is the case,

I believe a double standard has been applied in approving this planning permission on this site. The Sligo County Council is obliged to follow the EPA's guidelines and legislation.

I look forward to your response.

Yours sincerely,
Ann McKirdy

(attached below the EPA's guidelines).

According to- the planning report on this file,
PWW-4 - Sligo County council requires all new developments to connect to public wastewater treatment.

Under previous application, discussions took place with Irish water regarding the possibility of connecting to the public sewage network.

I consulted with the EPA - this is a process required in consultation with Sligo County Council.

Consultation with CST group engineers who concluded the only means of connecting to the public sewer was to open up the cul de sac to the nearest man hole 153 meters away.

How are the homes in Dorrins Strand disposing of their wastewater? All new planning in this area has required connection to the city wastewater network.

The applicant concluded that the cost, disturbance and upkeep of pumps meant this was not a viable option.

This conclusion would have pointed to the fact that permission should not have been granted on this site under the Strandhill Development Plan and Sligo County Development Plan.

The applicant has proposed to install a septic tank and has submitted a site layout plan showing other houses in the vicinity connected to septic tanks.

I would like to see this plan, it is not accessible to view on the Planning Office 'view files'. I know that Mr and Mrs Francis Rogers have a septic tank, their home is in situ for a house (Planning Permission 08767) had a request for Further Information from the Sligo County Council with regards to their wastewater disposal.

It is considered that the applicant has adequately demonstrated that it would be onerous to connect to the public sewer and therefore planning have no objection to the installation of septic tanks.

Due diligence is mandated that this is done by the Sligo County Council.

The environment section has no objection to a septic tank on this site.

The environment section has not carried out any of the necessary site assessments

EPA requirements

NO – not all sites are suitable. The following are possible reasons for site unsuitability:

- A high water table.
- A slow percolation rate of the soil which would result in ponding on the surface because effluent cannot get away
- A fast percolation rate of the soil, which would result in effluent moving through the soil too quickly without effective treatment.
- Site restriction issues i.e., not enough space to achieve the minimum separation distances between the treatment system and domestic wells, watercourses, other buildings etc.

The site suitability assessment process will determine the suitability of a site but the ultimate decision will rest with the local authority or planning authority

Septic tanks installed on or after 1 June 1992 must comply with Part H of the National Building Regulations. The relevant Technical Guidance Document is the revised document published in 2010:

- The design and installation of wastewater treatment systems for single houses should comply with the relevant parts of the Environmental Protection Agency's (EPA) Code of Practice for Wastewater Treatment Systems for Single Houses; and
- Guidance on the design and installation of wastewater treatment systems capable of serving larger buildings or more than one house is contained in I.S. EN 12566-1 and I.S. EN 12566-2, which give the design and installation requirements for wastewater treatment systems for use in wastewater treatment and the EPA's Wastewater treatment manual – Treatment systems for small communities, business, leisure centres and hotels:

Site characterisation involves the characterisation of the ground conditions of the site and then the selection of an appropriate wastewater treatment system.

- to determine if the site can adequately treat the wastewater;
- to check that the treated wastewater can get away; and
- to check that the minimum site separation distance can be achieved.

Detail of how to carry out site characterisation for a wastewater treatment system for single houses can be obtained in Section 6 and Annex C of the Code of Practice for Wastewater Treatment Systems for Single Houses (p.e. £10) (2009).

Firstly, a suitably qualified person must carry out a site assessment in accordance with the guidance set out in the Code of Practice Wastewater Treatment Systems for Single Houses, followed by the selection of a suitable wastewater treatment system, which is dependent on the site conditions determined during the site assessment.

The choices of on-site wastewater treatment and disposal systems are;

- Septic tank systems – septic tank and a properly constructed percolation area
- Secondary Treatment System: Constructed On-site – septic tank, filter system (including constructed wetlands) followed by a polishing filter for discharge to surface waters
- Secondary Treatment: Packaged Wastewater Systems – package system followed by a polishing filter for discharge to ground.
- Tertiary Treatment Systems – polishing filters, constructed wetlands or package tertiary systems.

It may be required to discharge effluent to surface waters if the percolation tests fail, in which case a discharge licence from your local authority is required.

What is an acceptable housing density?

The CoP sets out minimum separation distances between wastewater treatment systems and vulnerable features including houses, and increases these distances where it is deemed appropriate. One of the limiting factors for the siting of a wastewater treatment system is the groundwater in a particular area are elevated due to the high density of wastewater treatment systems in that area, then the Local Authority (LA) will require the applicant to carry out calculations to assess any potential impact on the groundwater quality from any proposed development. Section 6.4 and Annex D.2 of the Code of Practice for Wastewater Treatment Systems for Single Houses (p.e. £10) (2009).

The European Court of Justice has ruled that countries must comply with certain standards and procedures, such as inspections, to ensure that public health is protected.

Poorly constructed or operated on-site wastewater treatment systems (including septic tanks) for single houses can result in sewage contaminating drinking water and the environment.

When on-site systems fail to operate satisfactorily they threaten public health and water quality. When domestic wastewater is not absorbed by the soil it can form stagnant pools and be exposed to pathogens; also foul odours can be generated. In addition, inadequately treated wastewater through poor siting, design and/or construction may lead to contaminate drinking water supplies. It is essential that this effluent is properly treated and disposed of.

The key messages of the CoP are:

- The importance of proper site assessment, taking account of not only local conditions specific to the proposed site but also of wider experience in the area, patterns of development
- The need for design of on-site wastewater disposal systems specific to the local conditions
- The need for follow-through by the builder/homeowner/supervisory authority – i.e. installation/commissioning/maintenance as per design and attendant recommendations/conditions

The purpose of this CoP

is to provide guidance on the provision of wastewater treatment and disposal systems for new single houses with a population equivalent (p.e.) of less than or equal to 10 and

- An assessment methodology to determine site suitability for on-site wastewater treatment systems and to identify minimum environmental protection requirements
- A methodology to select suitable wastewater treatment systems for sites in un-sewered rural areas
- Information on the design and installation of septic tank systems, filter systems and packaged treatment systems
- Information on tertiary treatment systems, and
- Maintenance requirements. This CoP has been prepared having regard to current standards and guidelines and will assist planning authorities, builders, system manufacturers, and on-site systems for single houses. Site suitability assessors should carry out all assessments in accordance with the guidance provided in this CoP.

The site suitability Code of Practice: Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10) Environmental Protection Agency via assessment methodology of Article 22 (c) of the Planning and Development Regulations, 2006. There is also an obligation on the proposed house builder/owner to ensure that any planning application submitted complies with the guidance provided in this CoP. In addition, it is essential that the wastewater treatment system installed on site complies with the conditions of planning and that the system is

----- Forwarded message -----

From: Ann McKirdy <ainenicamhlaidh@gmail.com>
Date: Tue, Sep 22, 2020 at 10:10 PM
Subject: Wastewater Treatment 19218 Enforcement Notification
To: Suzanne Siberry <ssiberry@sligococo.ie>

Dear Suzanne,

It has come to my attention that the above planning is not compliant with the Irish Water Regulations for Septic Tank Systems. It is in breach of the strict EPA guidelines for the safe disposal of wastewater. The addition of the basement changed the wastewater treatment plan significantly. This new addition requires a new Irish Water Application. The process takes 16 weeks at minimum. It has not been notified to Irish Water and Planning Regulations have not been adhered to.

Email from Leonora McConville, 17-10-2017 - on Pre Planning File 3725
"They're proposing a septic tank. Shouldn't they be connecting to the public sewer at this location?"

Per email in original pre-planning file 3725- for this application from Noel Sweeney, County Engineer to Leonora McConville, Planner 19-10-2017

"There is a public sewer serving the existing houses on this road and obviously it would be preferable that the proposed house connect to it [...] There may be difficulty with the use of a private pump sump
Obviously if new applicant is adamant he wishes to install a septic tank then the application would be reported on by the Environment Section and Water Services and Infrastructure

- The Sligo Development Plan PWW-15 Discourage the use of pumping stations in private development. Storm overflow from pumping stations serving private development
-
- PWW 19 - In cases where capacity exists, all proposed developments WILL BE REQUIRED to connect to the public wastewater treatment plant.
-
- Refer to the above mentioned prescribed bodies all proposals for linear development over 1 km in length and proposals of half a hectare or more and for proposals for development where a sewer has not been done, consequently the additional oversight has not been raised as is required for this site located less than a half km from Killaspugbrone National Monument.

THE CONTOUR LINES ON THE MAP - which indicate the level above sea level have been ignored, this site is in a HIGH VULNERABLE area. The original house permission 18365 finished the new land level is 34.35m, this is .8 of a meter differential. One can only conclude that these results are unreliable and the measurements appear to be arbitrary.

The reason the applicant sought permission for a septic tank was that it is 153 meters to the nearest waste water drain. Per Noji correspondence, 21-12-18,

"After consulting with the CST Group Engineers our options to reach the main road was to open the Cul De Sac from the nearest manhole 153 meters away. THIS INCLUDED PUMPING STATION ALONG THE ROUTE TO THE CORNER AND PUMPING AGAIN THE ROUTE. The cost, the disturbance to the road and the upkeep of pumps meant that THIS WAS NOT THE BEST OPTION

YET - the NEW approved permission 19218 HAS BEEN APPROVED TO DISPOSE of wastewater connecting to this drain and INCLUDES A PUMPING STATION which is prohibited by the Planning and Development Regulations 2006
I want to see the evidence that this has been approved by Irish Water?"

*** Habitats Directive - This site is adjacent to a highly vulnerable Special Area of Conservation, Planning Legislation Act 2000 stipulates an obligation to undertake an Environmental Impact Assessment

- Groundwater quality and level monitoring is required in groundwater bodies associated with Species and Habitat Protected Areas to determine the impacts of groundwater extraction. Such ecological systems are frequently complex and very dependent on site-specific conditions.

This site has been so extensively excavated it is worrying what the environmental impact will be. There has been no oversight by the Planning Authority. Huge diggers are expected this will be the case for sometime into the future given the land mass mounds that have yet to be cleared.

I want a Co. Sligo Engineer to oversee this and report.

Please confirm receipt of my enforcement submission.

Many thanks,
Ann McKirdy

Planning <PLANNING@housing.gov.ie>
To: "ainenicamhlaidh@gmail.com" <ainenicamhlaidh@gmail.com>
Cc: qcsofficer <qcsofficer@housing.gov.ie>

Dear Ms McKirdy,

I wish to explain at the outset that the role of the Minister in relation to the planning system is, primarily, to provide a policy and legislative framework under which the planning authorities perform their statutory planning functions. The legislative framework chiefly comprises the Planning and Development Act, 2000, as amended (the 2000 Act), and the Planning and Development Regulations, 2000. The Minister has also issued Planning guidelines (available on the Department's website www.housing.gov.ie) under section 28 of the 2000 Act, which planning authorities and the Board are of operation of the planning system is, however, a matter for the planning authorities.

Under planning legislation, enforcement of planning control is a matter for the planning authority which can take action if a development does not have the required permission or enforcement notice in connection with an unauthorised development requiring such steps as the authority considers necessary to be taken within a specified period. If an enforcement notice is not complied with, the authority may itself take the specified steps and recover the expense incurred in doing so. A planning authority may also seek a court order under section 160 of the 2000 Act requiring any particular action to be done or not done, or to the City or County Chief Executive, as appropriate.

Where a development has been carried out without first obtaining the necessary planning permission, the developer may apply to their planning authority for retention permission in the same way as any other application, that is, the planning authority is required to consider the proper planning and sustainable development of the area, having regard to relevant Ministerial or Government policies, including any guidelines issued by this Department.

It should be noted that the fact that a person has made an application for retention permission is not a defence to a prosecution for unauthorised development and a developer may be prosecuted for unauthorised development unless and until retention permission is granted. Section 162(3) of the Act provides that no enforcement action under the Part VIII enforcement provisions of the Act may be taken against a person who has made an application for retention permission.

Under section 50 of the 2000 Act, anyone may apply to the High Court seeking a judicial review of any decision made by a planning authority or the Board under the Act in circumstances where the applicant is aggrieved by the decision. Application is required to be made to the High Court within eight weeks of the date of the decision being made. The Court may accept applications for leave to seek judicial review for doing so or where it can be proved that there were circumstances beyond the control of the applicant that prevented them from making the application within the timeframe.

A planning authority may issue an enforcement notice, non-compliance with which is an offence, in connection with an unauthorised development, requiring such steps as the authority considers necessary to be taken within a specified period. If an enforcement notice is not complied with, the authority may itself take the specified steps and recover the expense incurred in doing so. A planning authority may also seek a court order under section 160 of the 2000 Act requiring any particular action to be done or not done, or to the City or County Chief Executive, as appropriate. It is also open to anyone to seek a court order under section 160; such action is not confined to a planning authority.

If any person considers that he or she has been adversely affected by a planning authority's action, or lack of action, which he or she considers was unlawful, unfair or unreasonable (in the circumstances), it is open to him/her to make a complaint to the Ombudsman, provided that he or she has complained to the planning authority in the first instance. The Ombudsman's role is to investigate complaints and to recommend remedies where appropriate. The Ombudsman's contact details are:

The Ombudsman's contact details are:

Local Authority Section, Office of the Ombudsman, 6 Earlsfort Terrace, Dublin 2, D02 W773

Tel: 01 639 5600; lo-call: 1890 22 30 30 or e-mail complaints@ombudsman.gov.ie

Under section 30 of the Planning and Development Act, 2000, the Minister is specifically precluded from exercising power or control in relation to any particular case, including a case where a complaint has been made to the Ombudsman, except in specific circumstances that do not apply in this case. As a consequence of sections 30, 50 and 160 of the 2000 Act, as explained above, it would be inappropriate for the Minister to be involved in such cases.

I trust that this clarifies the position.

Kind Regards,

Margaret Rice

Planning Policy

An Roinn Tithíochta, Rialtais Áitiúil agus Oidhreacht

Department of Housing, Local Government and Heritage

Teach an Chustaim, Baile Átha Cliath 1, D01 W6X0

Custom House, Dublin 1, D01 W6X0

T +353 (0)1 888 2000 E Planning@housing.gov.ie

www.tithiocht.gov.ie

www.housing.gov.ie

Disclaimer:

Please be advised that the Department cannot give advice on the interpretation of planning legislation. The relevant planning authority and in certain cases, An Bord Pleanála, are the bodies empowered to give advice where appropriate. Under section 30 of the Planning and Development Act 2000 (as amended), the Minister is precluded from exercising any power or control in relation to any particular case, including a case where a complaint has been made to the Ombudsman, except in specific circumstances that do not apply in this case. The content of this email does not constitute an interpretation of the legislation, legal advice or planning advice. Advice on planning matters including legislation should be sought from the relevant planning authority.

From: Ann McKirdy <ainenicamhlaidh@gmail.com>

Sent: Thursday 15 October 2020 07:08

To: qcsofficer <qcsofficer@housing.gov.ie>

Subject: URGENT - GROUNDWATER IN HIGH VULNERABLE AREA - proceeding with installation of Septic tank in spite of Enforcement Notice

To whom it may concern.

I am writing to request URGENT attention to PL 19218 in Strandhill, Sligo. There is an enforcement notice for non compliance with the conditions for planning with regards to the installation of a septic system. A two week's notice for installation of the septic system has commenced. This approval for planning should never have been granted. The architect/owner failed to disclose to all the statutory offices Sligo and this application in a usually vulnerable area with unique status for biodiversity in a corridor for SAC and a Zone of Archaeological Potential and National Heritage Area A approved premission for the installation of a septic tank. The enforcement notice is a submission I made to inquire how the development has permission for a septic tank, a pump (prohibited nearest manhole.) I received an email yesterday to my FOI to Irish water advising that no road opening permit has been issued.

How can this be?

And still installing the septic tank.

Where is the oversight? Sligo Co. Co. are not handling this situation according to their mandate under Planning Legislation and the Planning Act 2000. I AM REQUESTING A FULL INVESTIGATION adhering to the legislative protocols to ensure compliance with Irish and European Legislation to protect groundwater and special areas of conservation or the status of this significant site.

THIS IS A LEGISLATIVE REQUIREMENT. Reporting to all the agencies is mandated. There is a new retention application in for changes to this building including change of roof material and position alterations, new flue, alterations to existing rooflight dimensions, change in dimensions to covered outdoor area. This retention does not include changes or alterations to a system designed to manage wastewater from a house with the addition of the basement. (PL 20339)

I have exhausted every avenue at my disposal and as you can see have put in every effort to protect this unique and highly vulnerable area. The planning office refused to give me the hearing on August 10th. Instead I was interrogated as to why I wanted it. I later requested CCTV footage of my visit to the Planning Office only to be advised by the Data Protection Officer that it was not available.

I have included the historic emails I have sent to the enforcement office with regards to my concerns for how this development is proceeding. I also sent emails which were dismissed to the enforcement office for protection of bats given this is a breeding and resting place for bats.

My email to flag my concern for this being a three story house at 9.5 meters above basement were dismissed, yet, in the pre-planning file it was flagged by the planner as a concern regarding the height of the building.

Please advise where I should address my concerns if this is not the correct government body.

Many thanks.

Yours faithfully,

Ann McKirdy

----- Forwarded message -----
From: Suzanne Siberry <ssiberry@sligococo.ie>
Date: Mon, Oct 12, 2020 at 2:57 PM
Subject: ENF 2701 -
To: Ann McKirdy <ainenicamhlaidh@gmail.com>

Dear Ann

I refer to your email dated the 7th October, 2020.

As per condition No. 7 (c) of PL 18/218, notice has been given of the installation of the septic tank and percolation area. Sligo County Council's Environment Section has been notified.

Regards

Suzanne Siberry
Senior Staff Officer

Sligo County Council

Enforcement Section, City Hall, Quay Street, Sligo F91 PP44

Title: phone - Description: phone-icon +353-71-9114443
Title: Email - Description: email-icon ssiberry@sligococo.ie
Title: website - Description: website-icon sligococo.ie, sligo.ie

----- Forwarded message -----
From: Ann McKirdy <ainenicamhlaidh@gmail.com>
Date: Wed, Oct 7, 2020 at 8:03 AM
Subject: Enforcement 19218 - Septic Tank and Waste water Treatment
To: Suzanne Siberry <ssiberry@sligococo.ie>, <info@epa.ie>, <Tomryan@epa.ie>

I am writing to submit the supporting conditions (from the Planning Grant of permission on 25/7/19) to support my earlier submission on wastewater disposal enforcement for the dwelling.

The following items are in breach of planning conditions:

Condition 7 (a) The Septic Tank wastewater pumping module and percolation area shall comply with the waste water treatment and disposal system and design drawings a

The addition of a basement changed the wastewater management plan significantly. The new wastewater treatment plan calls for a new connection to the waste new wastewater connection with Irish Water. This application process takes a minimum of 16 weeks. Planning Permission with the addition of a basement would indicate that Irish Water has not been notified, therefore, no connection has been approved.

Per Letter from F. Davitt Engineer (scanned 17/6/19) re: Proposed development item 2, 'The proposed dwelling now has a basement. It also identifies the **location of the p** basement shall discharge.'

There is no evidence of the location of the manhole in the site assessment or the longitudinal study submitted by Davitt Engineering.

A full site assessment should have been undertaken with the new addition of a basement which would increase capacity, especially given the ground water vulnerability of tl

The views in the site test photo 1 of the area tested do not match views from the stated test hole location on the site assessment. This invalidates the test hole results.

Condition 7 (e) All domestic wastewater and grey water generated onsite will be discharged to the septic tank and discharged to the percolation area.

Per Letter from F. Davitt Engineer (scanned 17/6/19) Item (2) Please find attached a new site layout drawing/design reflecting the fact that the proposed dwelling now has a **location of the manhole which the domestic wastewater from the basement will discharge.**

This is directly in breach of Condition 7 which requires all wastewater and grey water to be discharged to the septic tank and percolation area.

Condition 7 (g) ii All domestic wastewater and grey water generated onsite to be discharged to the septic tank and discharged via the percolation area.

Item (2) Please find attached a new site layout drawing/design reflecting the fact that the proposed dwelling now has a basement. It also identifies **the location of the prop wastewater from the basement will discharge**

7 (e) (g) There is no evidence of the location of the manhole to which Davitt refers above in any of his drawings on file.

The Domestic Wastewater Treatment for this proposed development is in breach of the below Co. Sligo Dev. Plan wastewater regulations;

P-WW-15 – Discourage pumping stations in private development. Storm overflows from pumping stations serving private development will not be permitted.

P-WW-18 In cases where settlement is not served by a public wastewater treatment plant or where no spare capacity exists in an existing wastewater treatment plant, indiv subject to appropriate scale, assessment, design and conditions, taking groundwater vulnerability into account.

The groundwater vulnerability has not been correctly assessed. F. Davitt's site assessment is not admissible. The test results are not results of this site given the high

P-WW-19 In cases where capacity exists, all proposed developments will be required to connect to the public wastewater treatment plant.

P-WW13 – Regulate discharges to local authority sewerage schemes to protect and improve ground water and surface water quality in accordance with the requirements of

Condition 9 – In the interest of waste management a potable water supply shall be provided that complies with the requirements of the EU (drinking water regulations) 2014 Water Mains network as indicated in the plans and proposals submitted to the planning authority.

This dwelling address is listed in the BDMS as **1 Dorrins Strand**. This is an established and existing dwelling with existing connections to Irish Water. This is NOT the correc

There is no record of any connection to Irish Water on any file related to this permission, pre-planning PP 3725, PL18365, PL 19218.

Advice Notes conditions

Where the applicant proposes to connect to a public water/wastewater network operated by Irish Water, the applicant must contact Irish water supply for and sign a connecti adhered to the standards and conditions in that agreement.

There is no proof of any connection agreement or notifications to Irish Water on any file pertaining to this planning permission.

In the interest of public health and environmental sustainability Irish water infrastructure capacity requirements and proposed connections to the water and wastewater infr Programme.

Per telephone inquiry with Irish Water the cost of laying 153 meters of wastewater piping and the connections would be in excess of €120,000. The disturbance of the public

I have attached herewith a copy of the email I have submitted to Co. Sligo Planning Enforcement Office regarding this enforcement/planning objection.

Ann McKirdy <ainenicamhaidh@gmail.com>

Dear Suzanne,

It has come to my attention that the above planning is not compliant with the Irish Water Regulations for Septic Tank Systems. It is in breach of the strict EPA guidelines for the safe disposal and treatment of wastewater.

The addition of the basement changed the wastewater treatment plan significantly. This new addition requires a new Irish Water Application. The process takes 16 weeks at minimum. Permission for this new planning applicati adhered to.

Email from Leonora McConville, 17-10-2017 - on Pre Planning File 3725

'They're proposing a septic tank. Shouldn't they be connecting to the public sewer at this location?'

Per email in original pre- planning file 3725- for this application from **Noel Sweeney, County Engineer to Leonora McConville, Planner 19-10-2017**

'There is a public sewer serving the existing houses on this road and obviously it would be preferable that the proposed house connect to it [...] There may be difficulty getting a fall from the site to the sewer but this could be ov

Obviously if new applicant is adamant he wishes to install a septic tank then the application would be reported on by the Environment Section and Water Services and Irish Water would be commenting on the submission.'

- The Sligo Development Plan PWW-15 Discourage the use of pumping stations in private development. Storm overflow from pumping stations serving private development WILL NOT BE PERMITTED.
-
- PWW 19 - In cases where capacity exists, all proposed developments WILL BE REQUIRED to connect to the public wastewater treatment plant.
-

- Refer to the above mentioned prescribed bodies all proposals for linear development over 1 km in length and proposals of half a hectare or more and for proposals for development on present or former wetland been raised as is required for this site located less than a half km from Killaspugbrone National Monument.

THE CONTOUR LINES ON THE MAP - which indicate the level above sea level have been ignored, this site is in a HIGH VULNERABLE area. The original house permission 18365 finished floor level was at 35.15m on the lor differential. One can only conclude that these results are unreliable and the measurements appear to be arbitrary.

The reason the applicant sought permission for a septic tank was that it 153 meters to the nearest waste water drain. Per Noji correspondence, 21-12-18,

'After consulting with the CST Group Engineers our options to reach the main road was to open the Cul De Sac from the nearest manhold 153 meters away. THIS INCLUDED PUMPING UPHILL FROM OUR SITE TO THE MA PUMPING AGAIN THE ROUTE. The cost, the disturbance to the road and the upkeep of pumps meant that THIS WAS NOT A VIABLE option.

YET - the NEW approved permission 19218 HAS BEEN APPROVED TO DISPOSE of wastewater connecting to this drain and INCLUDES A PUMPING STATION which is prohibited under Sligo Development Plan.

I want to see the evidence that this has been approved by Irish Water?

*** **Habitats Directive** - This site is adjacent to a highly vulnerable Special Area of Conservation, Planning Legislation Act 2000 stipulates an obligation to undertake an Environmental Impact Assessment.

- Groundwater quality and level monitoring is required in groundwater bodies associated with Species and Habitat Protected Areas to determine the impacts of groundwater on these ecosystems. 1 very dependent on site-specific conditions

This site has been so extensively excavated it is worrying what the environmental impact will be. There has been no oversight by the Planning Authority. Huge diggers and massive land moving plant have beer the land mass mounds that have yet to be cleared.

I want a Co. Sligo Engineer to oversee this and report.

Please confirm receipt of my enforcement submission.

Many thanks,

Ann McKirdy

----- Forwarded message -----

From: Ann McKirdy <ainenicamhlaidh@gmail.com>

Date: Fri, Jul 24, 2020 at 11:01 PM

Subject: Re: 19/218 Planning Septic Tank Approval and Percolation Area - Breach of planning law

To: Suzanne Siberry <ssiberry@sligococo.ie>

Dear Suzanne.

I am writing to confirm that I received an email from Karen Kennedy in the Sligo Co. Co. Planning office regarding the 'site assessment' in the view files for scanned documents to FL 19

The 'site assessment' file I reviewed has a cover letter, photos and two soil topography/geology photos. I cannot determine the depth of the percolation test holes, it is INCOMPLETE.

The email reply from Ms. Kennedy does not satisfy my query. I am requesting answers to all of the issues I raised in my morning email. The letter from Davit Planning in the site assessr northern direction and it will be necessary to level up the ground prior to the construction of a percolation area.'

(The below requirements are copied from the EPA's guidelines with regard to the slope of the site.)

This site assessment is incomplete. I am very concerned that this septic tank could leech pathogens into the water table and cause serious health problems.

I am alarmed that this has been permitted without due diligence especially taking into consideration the environmental sensitivity of the area and the unknown risks of contamination.

Moreover, it seems the percolation area is not in the homeowner's property.

I trust you will follow up with the relevant departments.

I am very grateful for your assistance.

Yours sincerely,

Ann McKirdy

On Fri, Jul 24, 2020 at 2:53 PM Karen Kennedy <kkennedy@sligococo.ie> wrote:

Good afternoon Ann,

Please use the hyperlink I have given you below which will give you direct access into the planning application on entering the file reference number PL 19/218.

<http://www.eplanning.ie/SligoCC/searchtypes>

I have taken a screenshot from our i-plan system and the documents that are attached to this planning application. You will note that the site assessment is available to view or

Kind regards,

Karen Kennedy,

Planning.

(071)9114458

kkennedy@sligococo.ie

----- Forwarded message -----

From: Ann McKirdy <ainenicamhlaidh@gmail.com>

Date: Fri, Jul 24, 2020 at 9:07 AM

Subject: 19/218 Planning Septic Tank Approval and Percolation Area - Breach of planning law

To: Suzanne Siberry <ssiberry@sligococo.ie>

Dear Suzanne,

I am writing with regards to the above planning approval and request that the planning office provide details of specifics of the site assessment carried out prior to approval for planning permission. An urgent review is required. It is unsafe to proceed.

I am seriously concerned that sewage from this site could contaminate drinking water supplies and cause ponding on environmentally sensitive land given that the site has been excavated for human health as well as the environment.

With regard to the site layout, I am concerned about the placement of the percolation area, from what I can gather this percolation area is outside the .28 hectare site. If this is the case,

I believe a double standard has been applied in approving this planning permission on this site. The Sligo County Council is obliged to follow the EPA's guidelines and legislation.

I look forward to your response.

Yours sincerely,

Ann McKirdy

(attached below the EPA's guidelines).

According to- the planning report on this file,

PWW-4 - Sligo County council requires all new developments to connect to public wastewater treatment.

Under previous application, discussions took place with Irish water regarding the possibility of connecting to the public sewage network.

I consulted with the EPA - this is a process required in consultation with Sligo County Council.

Consultation with CST group engineers who concluded the only means of connecting to the public sewer was to open up the cul de sac to the nearest man hole 153 meters away.

How are the homes in Dorrins Strand disposing of their wastewater? All new planning in this area has required connection to the city wastewater network.

The applicant concluded that the cost, disturbance and upkeep of pumps meant this was not a viable option.

This conclusion would have pointed to the fact that permission should not have been granted on this site under the Strandhill Development Plan and Sligo County Develop

The applicant has proposed to install a septic tank and has submitted a site layout plan showing other houses in the vicinity connected to septic tanks.

**I would like to see this plan, it is not accessible to view on the Planning Office 'view files'. I know that Mr and Mrs Francis Rogers have a septic tank, their home is insitu for r
house (Planning Permission 08767) had a request for Further Information from the Sligo County Council with regards to their wastewater disposal.**

It is considered that the applicant has adequately demonstrated that it would be onerous to connect to the public sewer and therefore planning have no objection to the installation of septic

Due diligence is mandated that this is done by the Sligo County Council.

The environment section has no objection to a septic tank on this site.

The environment section has not carried out any of the necessary site assessments

EPA requirements

NOT- not all sites are suitable. The following are possible reasons for site unsuitability:

- A high water table.
- A slow percolation rate of the soil which would result in ponding on the surface because effluent cannot get ~~into~~ ^{down}
- A fast percolation rate of the soil, which would result in effluent moving through the soil too quickly without effective treatment.
- Site restriction issues i.e., not enough space to achieve the minimum separation distances between the treatment system and domestic wells, watercourses, othe

The site suitability assessment process will determine the suitability of a site but the ultimate decision will rest with the local authority or planning authority

Septic tanks installed on or after 1 June 1992 must comply with Part H of the National Building Regulations. The relevant Technical Guidance Document (TGD) - H (Drainage and Waste

- The design and installation of wastewater treatment systems for single houses should comply with the relevant parts of the Environmental Protection Agency's (EPA) Technical Guidance Document (TGD) - H (Drainage and Waste Water) for Houses; and
- Guidance on the design and installation of wastewater treatment systems capable of serving larger buildings or more than one house is contained in I.S. EN 12566-1 (2000) and I.S. EN 12566-2 (2000) for fields for use in wastewater treatment and the EPA's Wastewater treatment manual – Treatment systems for small communities, business, leisure centres and hotels:

Site characterisation involves the characterisation of the ground conditions of the site and then the selection of an appropriate wastewater treatment system. The objective of site charac

- to determine if the site can adequately treat the wastewater;
- to check that the treated wastewater can get away; and
- to check that the minimum site separation distance can be achieved.

Detail of how to carry out site characterisation for a wastewater treatment system for single houses can be obtained in Section 6 and Annex C of the Code of Practice (p.e. £10) (2009).

Firstly, a suitably qualified person must carry out a site assessment in accordance with the guidance set out in the Code of Practice Wastewater Treatment and then followed by the selection of a suitable wastewater treatment system, which is dependent on the site conditions determined during the site assessment

The choices of on-site wastewater treatment and disposal systems are;

- Septic tank systems – septic tank and a properly constructed percolation area
- Secondary Treatment System: Constructed On-site – septic tank, filter system (including constructed wetlands) followed by a polishing filter for discharge to ground.
- Secondary Treatment: Packaged Wastewater Systems – package system followed by a polishing filter for discharge to ground.
- Tertiary Treatment Systems – polishing filters, constructed wetlands or package tertiary systems.

It may be required to discharge effluent to surface waters if the percolation tests fail, in which case a discharge licence from your local authority is required.

What is an acceptable housing density?

The CoP sets out minimum separation distances between wastewater treatment systems and vulnerable features including houses, and increase these distances where it is deemed appropriate. One of the limiting factors for the siting of a wastewater treatment system is in the groundwater in a particular area are elevated due to the high density of wastewater treatment systems in that area, then the Local Authority (LA) will require the developer to carry out calculations to assess any potential impact on the groundwater quality from any proposed development. Section 6.4 and Annex D.2 (

The European Court of Justice has ruled that countries must comply with certain standards and procedures, such as inspections, to ensure that public health

Poorly constructed or operated on-site wastewater treatment systems (including septic tanks) for single houses can result in sewage contaminating drinking water supplies and the environment.

The Agency is authorised under Section 76 of the Environmental Protection Agency (EPA) Act, 1992 (as amended), to prepare and publish codes of practice for the purpose of providing guidance on the provision of wastewater treatment and disposal systems for new single houses with a population equivalent (p.e.) of less than or equal to 10 and to identify minimum environmental protection requirements. This Code of Practice (CoP) replaces previous guidance issued by the Agency in 2000 and incorporates requirements of the new European standards for wastewater treatment and disposal systems. The document is published as a CoP under Section 76 of the Environmental Protection Agency Act, 1992 (as amended), and shall be received in evidence in any court of law. Recommendation I.S. SR 6:1991 issued by the National Standards Authority of Ireland when the Department of the Environment, Heritage and Local Government incorporates the

When on-site systems fail to operate satisfactorily they threaten public health and water quality. When domestic wastewater is not absorbed by the soil it can form stagnant pools and be exposed to pathogens; also foul odours can be generated. In addition, inadequately treated wastewater through poor siting, design and/or construction may lead to contamination of drinking water supplies. It is essential that this effluent is properly treated and disposed of.

The key messages of the CoP are:

- The importance of proper site assessment, taking account of not only local conditions specific to the proposed site but also of wider experience in the area, patterns of development and the need for design of on-site wastewater disposal systems specific to the local conditions
- The need for follow-through by the builder/homeowner/supervisory authority – i.e. installation/commissioning/maintenance as per design and attendant recommendations/conditions

The purpose of this CoP

CoP is to provide guidance on the provision of wastewater treatment and disposal systems for new single houses with a population equivalent (p.e.) of less than or equal to 10 and to identify minimum environmental protection requirements

- An assessment methodology to determine site suitability for on-site wastewater treatment systems and to identify minimum environmental protection requirements

- A methodology to select suitable wastewater treatment systems for sites in un-sewered rural areas
- Information on the design and installation of septic tank systems, filter systems and packaged treatment systems
- Information on tertiary treatment systems, and
- Maintenance requirements. This CoP has been prepared having regard to current standards and guidelines and will assist planning authorities, builders, system manufacturers, and on-site systems for single houses. Site suitability assessors should carry out all assessments in accordance with the guidance provided in this CoP.

The site suitability Code of Practice: Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10) Environmental Protection Agency via assessment methodology of Article 22 (c) of the Planning and Development Regulations, 2006. There is also an obligation on the proposed house builder/owner to ensure that any planning application submitted complies with the guidance provided in this CoP. In addition, it is essential that the wastewater treatment system installed on site complies with the conditions of planning and that the system is

----- Forwarded message -----

From: Ann McKirdy <ainenicamhlaidh@gmail.com>
 Date: Tue, Sep 22, 2020 at 10:10 PM
 Subject: Wastewater Treatment 19218 Enforcement Notification
 To: Suzanne Siberry <ssiberry@sligococo.ie>

Dear Suzanne,

It has come to my attention that the above planning is not compliant with the Irish Water Regulations for Septic Tank Systems. It is in breach of the strict EPA guidelines for the safe disposal of effluent. The addition of the basement changed the wastewater treatment plan significantly. This new addition requires a new Irish Water Application. The process takes 16 weeks at minimum. It has not been notified to Irish Water and Planning Regulations have not been adhered to.

Email from Leonora McConville, 17-10-2017 - on Pre Planning File 3725

'They're proposing a septic tank. Shouldn't they be connecting to the public sewer at this location?'

Per email in original pre-planning file 3725- for this application from Noel Sweeney, County Engineer to Leonora McConville, Planner 19-10-2017

'There is a public sewer serving the existing houses on this road and obviously it would be preferable that the proposed house connect to it [...] There may be difficulty with the use of a private pump sump.

Obviously if new applicant is adamant he wishes to install a septic tank then the application would be reported on by the Environment Section and Water Services and Infrastructure.

- The Sligo Development Plan PW-15 Discourage the use of pumping stations in private development. Storm overflow from pumping stations serving private development
- PW-19 - In cases where capacity exists, all proposed developments WILL BE REQUIRED to connect to the public wastewater treatment plant.
- Refer to the above mentioned prescribed bodies all proposals for linear development over 1 km in length and proposals of half a hectare or more and for proposals for development where a drainage system has not been done, consequently the additional oversight has not been raised as is required for this site located less than a half km from Killaspugbrone National Monument.

THE CONTOUR LINES ON THE MAP - which indicate the level above sea level have been ignored, this site is in a HIGH VULNERABLE area. The original house permission 18365 finalised the new land level is 34.35m, this is .8 of a meter differential. One can only conclude that these results are unreliable and the measurements appear to be arbitrary.

The reason the applicant sought permission for a septic tank was that it is 153 meters to the nearest waste water drain. Per Noji correspondence, 21-12-18,

'After consulting with the CST Group Engineers our options to reach the main road was to open the Cul De Sac from the nearest manhole 153 meters away. THIS INCLUDED PUMPING STATION ALONG THE ROUTE TO THE CORNER AND PUMPING AGAIN THE ROUTE. The cost, the disturbance to the road and the upkeep of pumps meant that THIS WAS NOT A VIABLE OPTION.

YET - the NEW approved permission 19218 HAS BEEN APPROVED TO DISPOSE of wastewater connecting to this drain and INCLUDES A PUMPING STATION which is prohibited by the Planning and Development Regulations 2006.

I want to see the evidence that this has been approved by Irish Water?

*** Habitats Directive - This site is adjacent to a highly vulnerable Special Area of Conservation, Planning Legislation Act 2000 stipulates an obligation to undertake an Environmental Impact Assessment.

- Groundwater quality and level monitoring is required in groundwater bodies associated with Species and Habitat Protected Areas to determine the impacts of groundwater extraction. Such ecological systems are frequently complex and very dependent on site-specific conditions.

This site has been so extensively excavated it is worrying what the environmental impact will be. There has been no oversight by the Planning Authority. Huge diggers and trucks are expected this will be the case for sometime into the future given the land mass mounds that have yet to be cleared.

I want a Co. Sligo Engineer to oversee this and report.

Please confirm receipt of my enforcement submission.

Many thanks,

Ann McKirdy

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 teagm 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 p

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: Aine Nic Amhlaidh <ainenicamhlaidh@gmail.com>

Fri, Jun 18, 2021 at 9:28 AM

----- Forwarded message -----

From: Ann McKirdy <ainenicamhlaidh@gmail.com>

Date: Thu, Oct 15, 2020 at 7:08 AM

Subject: URGENT - GROUNDWATER IN HIGH VULNERABLE AREA - proceeding with installation of Septic tank in spite of Enforcement Notice

To: qcsofficer@housing.gov.ie <qcsofficer@housing.gov.ie>

[Quoted text hidden]

Mark Cummins

Enforcement -

From: Stephen Taylor <stephentaylorconstruction@outlook.com>
Sent: Monday 20 December 2021 20:40
To: Mark Cummins
Subject: Larass - Excavated soil transfer
Attachments: Sales Invoice - Sligo(SAL013) - SI-067537.pdf; Sales Invoice - Sligo(SAL013) - SI-067937.pdf; Sales Invoice - Sligo(SAL013) - SI-068264.pdf; Sales Invoice - Sligo(SAL013) - SI-073649.pdf

Hi Mark,

Sorry about the delay in getting this to you, I was a little caught up over the weekend.

Please find attached the invoices for the excavated soil moved to Harringtons.

contradiction

Regards,

Stephen

Sent from [Mail](#) for Windows

AN COIMISIÚN PLEANÁLA	
18 DEC 2025	
LTR DATED _____	FROM REF
LDG- _____	
ACP- 323969-25	

All Receipts attached
confirm
soil imported
per my enforcement
appeal to Sligo Co. Co.

This was dismissed

Harrington

Quarry, Concrete, Tarmacadam & Asphalt Products Civil Eng. Contractors

Bank Details:

Bank Name AIB plc
IBAN IE35 AIBK 9372 7411 2168 60
BIC Code AIBKIE2D

Harrington Concrete Sligo

Ballisodare Co. Sligo Ph: 0719167254 VAT NO: IE6556834H CRO No.158834

Email: customers@harringtonconcrete.ie Web: www.harringtonconcrete.ie

Head Office Kilkelly, Co. Mayo Ph: 0949367072

STEPHEN TAYLOR
TULLYMORE HOUSE
TULLYMORE
BALLYGAWLEY
CO SLIGO

EXWORKS (Collected)

INVOICE SI-067537
SALES REF
DATE 13-07-21
PAGE 1 of 1

Account: TA053

DATE	REFERENCE	ORDER NUMBER	PRODUCT DESCRIPTION	QTY.	UNIT PRICE	PER	NETT VALUE	VC
09/07/21	TI-000583		Soil & Stones	C 11.10	5	TNS	55.50	S23
09/07/21	TI-000589		Soil & Stones	C 10.08	5	TNS	50.40	S23

*** Please Note all cheques are to be made payable to "Harrington Concrete" ***

PLEASE NOTE THE FOLLOWING

1. This is an important document for VAT purposes. Please retain.
 2. Discrepancies relating to this invoice must be notified in writing within 7 days to the head office at Kilkelly, Co. Mayo
 3. Account enquiries - Ring (094) 9367072
 4. Goods remain the property of the above named company until paid for in full.
- E. & O. E.

VC	RATE	GOODS AMOUNT	VAT
S23	23.00%	105.90	24.36

NETT 105.90
VAT 24.36
TOTAL 130.26

Harrington

Quarry, Concrete, Tarmacadam & Asphalt Products Civil Eng. Contractors

Bank Details:

Bank Name AIB plc
IBAN IE35 AIBK 9372 7411 2168 60
BIC Code AIBKIE2D

Harrington Concrete Sligo

Ballisodare Co. Sligo Ph: 0719167254 VAT NO: IE6556834H CRO No.158834
Email: customers@harringtonconcrete.ie Web: www.harringtonconcrete.ie

Head Office Kilkelly, Co. Mayo Ph: 0949367072

STEPHEN TAYLOR
TULLYMORE HOUSE
TULLYMORE
BALLYGAWLEY
CO SLIGO

EXWORKS (Collected)

INVOICE SI-067937
SALES REF
DATE 20-07-21
PAGE 1 of 1

Account: TA053

DATE	REFERENCE	ORDER NUMBER	PRODUCT DESCRIPTION	QTY.	UNIT PRICE	PER	NETT VALUE	VC
12/07/21	TI-000597		Soil & Stones	C 11.95	5	TNS	59.75	S23
12/07/21	TI-000600		Soil & Stones	C 10.40	5	TNS	52.00	S23
12/07/21	TI-000603		Soil & Stones	C 11.00	5	TNS	55.00	S23
12/07/21	TI-000605		Soil & Stones	C 10.60	5	TNS	53.00	S23
13/07/21	TI-000606		Soil & Stones	C 10.50	5	TNS	52.50	S23

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- E. & O. E.

VC	RATE	GOODS AMOUNT	VAT
S23	23.00%	272.25	62.62

NETT 272.25
VAT 62.62
TOTAL 334.87

Harrington

Quarry, Concrete, Tarmacadam & Asphalt Products Civil Eng. Contractors

Bank Details:

Bank Name AIB plc
IBAN IE35 AIBK 9372 7411 2168 60
BIC Code AIBKIE2D

Harrington Concrete Sligo

Ballisodare Co. Sligo Ph: 0719167254 VAT NO: IE6556834H CRO No. 158834

Email: customers@harringtonconcrete.ie Web: www.harringtonconcrete.ie

Head Office Kilkelly, Co. Mayo Ph: 0949367072

STEPHEN TAYLOR
TULLYMORE HOUSE
TULLYMORE
BALLYGAWLEY
CO SLIGO

EXWORKS (Collected)

INVOICE SI-068264
SALES REF
DATE 27-07-21
PAGE 1 of 1

Account: TA053

DATE	REFERENCE	ORDER NUMBER	PRODUCT DESCRIPTION	QTY.	UNIT PRICE	PER	NETT VALUE	VC
19/07/21	TI-000623		Soil & Stones	C	8.30	5 TNS	41.50	S23
19/07/21	TI-000626	STRANDHILL	Soil & Stones	C	9.50	5 TNS	47.50	S23
19/07/21	TI-000627		Soil & Stones	C	9.20	5 TNS	46.00	S23
19/07/21	TI-000629		Soil & Stones	C	10.44	5 TNS	52.20	S23
20/07/21	TI-000630		Soil & Stones	C	10.58	5 TNS	52.90	S23
20/07/21	TI-000631		Soil & Stones	C	10.88	5 TNS	54.40	S23
20/07/21	TI-000632		Soil & Stones	C	10.02	5 TNS	50.10	S23
20/07/21	TI-000634		Soil & Stones	C	10.30	5 TNS	51.50	S23
20/07/21	TI-000635		Soil & Stones	C	10.20	5 TNS	51.00	S23
21/07/21	TI-000637		Soil & Stones	C	10.98	5 TNS	54.90	S23
21/07/21	TI-000638		Soil & Stones	C	10.54	5 TNS	52.70	S23
21/07/21	TI-000639		Soil & Stones	C	10.16	5 TNS	50.80	S23
21/07/21	TI-000641		Soil & Stones	C	10.26	5 TNS	51.30	S23
21/07/21	TI-000642		Soil & Stones	C	10.68	5 TNS	53.40	S23

*** Please Note all cheques are to be made payable to "Harrington Concrete" ***

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- E. & O. E.

VC	RATE	GOODS AMOUNT	VAT
S23	23.00%	710.20	163.36

NETT	710.20
VAT	163.36
TOTAL	873.56

Harrington

Quarry, Concrete, Tarmacadam & Asphalt Products Civil Eng. Contractors

Bank Details:

Bank Name AIB plc
IBAN IE35 AIBK 9372 7411 2168 60
BIC Code AIBKIE2D

Harrington Concrete Sligo

Ballisodare Co. Sligo Ph: 0719167254 VAT NO: IE6556834H CRO No. 158834
Email: customers@harringtonconcrete.ie Web: www.harringtonconcrete.ie

Head Office Kilkelly, Co. Mayo Ph: 0949367072

STEPHEN TAYLOR
TULLYMORE HOUSE
TULLYMORE
BALLYGAWLEY
CO SLIGO

EXWORKS (Collected)

INVOICE SI-073649
SALES REF
DATE 10-11-21
PAGE 1 of 1

Account: TA053

DATE	REFERENCE	ORDER NUMBER	PRODUCT DESCRIPTION	QTY.	UNIT PRICE	PER	NETT VALUE	VC
01/11/21	TI-002450	STRANDHILL	Soil & Stones	C 11.10	5	TNS	55.50	S23
01/11/21	TI-002459	STRANDHILL	Soil & Stones	C 11.60	5	TNS	58.00	S23
01/11/21	TI-002468	STRANDHILL	Soil & Stones	C 12.00	5	TNS	60.00	S23
01/11/21	TI-002475	STRANDHILL	Soil & Stones	C 12.15	5	TNS	60.75	S23
04/11/21	TI-002577		Soil & Stones	C 9.46	5	TNS	47.30	S23
04/11/21	TI-002588		Soil & Stones	C 11.10	5	TNS	55.50	S23

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- E. & O. E.

VC	RATE	GOODS AMOUNT	VAT
S23	23.00%	337.05	77.53

NETT 337.05
VAT 77.53
TOTAL 414.58

Mark Cummins

From: Stephen Taylor <stephentaylorconstruction@outlook.com>
Sent: Thursday 6 January 2022 17:33
To: Mark Cummins
Subject: FW: Sales Invoice - Sligo(SAL013)
Attachments: Sales Invoice - Sligo(SAL013) - SI-075338.pdf

Hi Mark,

Please find attached the Harrington invoice for the 2 loads of sub soil sent on the 15th and 16th of December.

Sorry for the delay, the invoice only came to me on the 22nd.

Also, just to note the road sweeper was sent out from MP Hire on the 23rd to clean the road and verges from the main road in to the site including the parking area.

If you require any further information, please let me know.

Regards,

Stephen

Sent from Mail for Windows

From: nmcloughlin@harringtonconcrete.ie
Sent: Wednesday 22 December 2021 13:37
To: stephentaylorconstruction@outlook.com
Subject: Sales Invoice - Sligo(SAL013)

Regards Noreen
Noreen McLoughlin
Mob:
Email: nmcloughlin@harringtonconcrete.ie

Tel: 094 9367801
Fax: 094 9367347
Web:

<https://emea01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.harringtonconcrete.ie%2F&data=04%7C01%7C%7C5f8d345bd8424ec3655208d9c5503293%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C637757770680819073%7CUnknown%7CTWFpbGZsb3d8eyJWImd4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IkhWwILCJXVCi6Mn0%3D%7C3000&data=dp3YKMxD5GzQyEDdqGtfUH6NgycZ0rweaGOSng5z9AQ%3D&reserved=0>

Kilkelly, Co Mayo, Ireland
Confidentiality Note:

This email may contain confidential and/or private information. If you received this email in error please delete and notify sender.

Harrington

Quarry, Concrete, Tarmacadam & Asphalt Products Civil Eng. Contractors

Harrington Concrete Sligo

Ballisodare Co. Sligo Ph: 0719167254 VAT NO: IE6556834H CRO No.158834

Email: customers@harringtonconcrete.ie Web: www.harringtonconcrete.ie

Head Office Kilkelly, Co. Mayo Ph: 0949367072

Bank Details:

Bank Name AIB plc

IBAN IE35 AIBK 9372 7411 2168 60

BIC Code AIBKIE2D

STEPHEN TAYLOR
TULLYMORE HOUSE
TULLYMORE
BALLYGAWLEY
CO SLIGO

EXWORKS (Collected)

INVOICE SI-075338
SALES REF
DATE 22-12-21
PAGE 1 of 1

Account: TA053

DATE	REFERENCE	ORDER NUMBER	PRODUCT DESCRIPTION	QTY.	UNIT PRICE	PER	NETT VALUE	VC
15/12/21	TI-003076	STRANDHILL	Soil & Stones	C 4.45	5	TNS	22.25	S23
16/12/21	TI-003100		Soil & Stones	C 11.00	5	TNS	55.00	S23

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- E. & O. E.

VC	RATE	GOODS AMOUNT	VAT
S23	23.00%	77.25	17.77

NETT	77.25
VAT	17.77
TOTAL	95.02

Photo of soil brought to site for disposal into the fields adjacent to site PL 19218 - Strandhill

4 messages

Ann McKirdy <ainenicamhlaidh@gmail.com>

Sun, May 16, 2021 at 10:24 AM

To: Mark Cummins <mcummins@sligococo.ie>, enforcement@sligococo.ie, Enda Killoran <ekilloran@sligococo.ie>, enviro@sligococo.ie, Suzanne Siberry <ssiberry@sligococo.ie>, Tom Kilfeather <tkilfeather@sligococo.ie>, Dorothy Clarke <dclarke@sligococo.ie>, "bcc: Environmental Complaints" <E.Complaints@epa.ie>, info@epa.ie, Tomryan@epa.ie
Bcc: info@epa.ie, Tomryan@epa.ie, Environmentprotection.info@dcgae.gov.ie, Environmental Complaints <E.Complaints@epa.ie>

Pls see attached photo of soil mounds onsite PL 19218 Strandhill for distribution to adjoining fields in Buffer Zone, this importation and redistribution of soil is on an ongoing daily basis, all day every day since the re-opening of construction outdoors following Covid.



IMG_3649.JPG
819K

Wexford Receptionist <REC_WEX@epa.ie>
To: Ann McKirdy <ainenicamhlaidh@gmail.com>

Mon, May 17, 2021 at 9:34 AM

A Chara

Your correspondence on May 16th has been forwarded for attention.

Kind Regards,

Ruth O'Connor

Duty Receptionist / Programme Officer | Organisational Services Team

Office of Communications and Corporate Services, Wexford

Fáilteoir ar Dualgas / Oifigeach Cláir | Foireann Seirbhísí Eagraíochtúla

An Oifig Cumarsáide agus Seirbhísí Corparáideacha, Loch Garman



053-9160600 (Direct dial)

info@epa.ie

www.epa.ie



[Quoted text hidden]

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

Sun, Mar 12, 2023 at 8:29 PM

----- Forwarded message -----

From: **Ann McKirdy** <ainenicamhlaidh@gmail.com>

Date: Sun, May 16, 2021 at 10:24 AM

Subject: Photo of soil brought to site for disposal into the fields adjacent to site PL 19218 - Strandhill

[Quoted text hidden]

[Quoted text hidden]



IMG_3649.JPG

819K

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

Tue, Dec 5, 2023 at 4:25 PM

[Quoted text hidden]

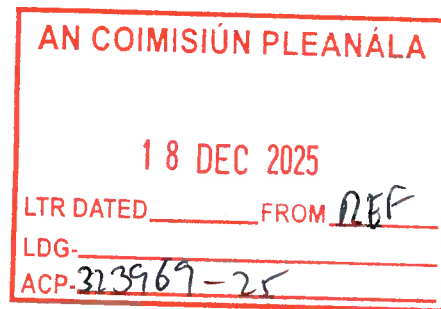
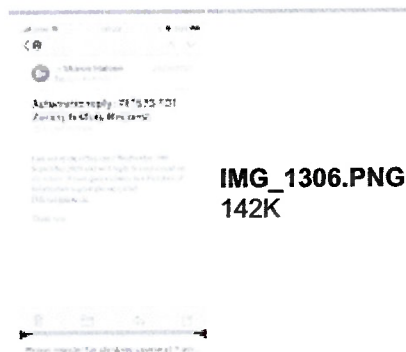
1571

3 messages

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

Fri, Dec 11, 2020 at 5:30 AM

Sent from my iPhone



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

Fri, Dec 11, 2020 at 6:03 AM

REFERENCE ~_ Case Number: OMB-98481-F5K7My Case Number: OMB-98481-F5K7M8 - Sligo Co. Co. Planning - 1571

Dear Ombudsman,

I am writing to notify you that my Freedom of Information requests to Sligo County Council to try to resolve the issue of zoning and the controversial planning permitting a three story flat roofed house in the field adjacent to my house are not being dealt with properly.

I submitted the below FOI request on the 28th of September. I received an automated reply to say it would be dealt with by the FOI officer upon her return. This has not been actioned. My request has been ignored.

The Planning I refer to 1571 is relevant to my query as the Sligo Co. Co. Minutes in October 2013 say that one house was granted re-zoning in Strandhill. This house 1571 has been built and yet the planning PL 19/218 claims that the rezoning of land in 2013 accommodated this new 2019-2020 residential development. The paperwork I received from an earlier FOI from Ciaran Hayes regarding this rezoning directly contradicts what the file 1571 and the history with An Bord Pleanála having refused and overturned the Sligo Co. Co's decision to grant permission on this site.

I am not being treated fairly by Sligo Co. Co. My only access to information is through FOI, the FOI officer's email is an automated reply that she will deal with queries upon her return. The time lapses have been up to 10 days. I submit detailed requests for information, they are summarised and I receive a snippet of information which I have to painstakingly follow up again to itemise the missing information. One specific request with a list of items was summarised into 'history of planning' and referred back to the online file for PL 19218. When I asked for details of the septic tanks approved in Strandhill, I was forwarded a link to all development for each year I requested. I had to painstakingly investigate each planning application for each of the three years to identify that in fact only one house has been granted planning for a septic tank in three years, 2017-2018-2018 and that house is the huge 500+ sq meter house blocking my view to Benbulbin and Sligo Bay (identified as visually vulnerable in Pre-Planning) in the corridor to the SAC, in a Zone of Archaeological Potential and in a High Vulnerable Groundwater area. I complained to the Manager that my FOI requests were not being responded to correctly, only by case reference, thus I could not identify what the FOI response I would receive was in reply to. This has been rectified, that being said, my requests are not being processed and handled according to legislative requirements.

There appears to be a deliberate attempt to stymie my access to information.

The Sligo Planning Office posted opening times were 9-5 pm, yet, I am chaperoned from the office by the building supervisor every time I go in at 4 pm when I try to physically look at files. I work full time, my efforts to get information are intentionally thwarted.

This site 19218 is vulnerable in every respect, visually, environmentally, historically, ecologically. The re-zoning of it as residential cannot be substantiated. Now, the architect has been given an extension of six months to comply with the Further Information request by the Planning Authority, this FI has skirted the deadline for a decision on the controversial retention which includes an enforcement issue which should have been decided.

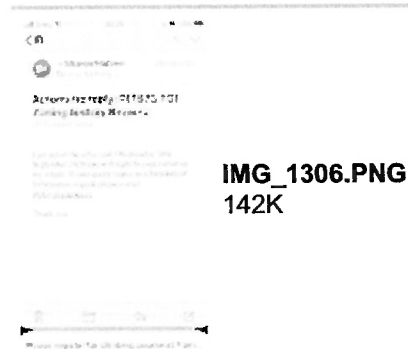
Please let me know if I am directing my query to the correct office. I don't know where to turn.

Sincerely,
Ann McKirdy

----- Forwarded message -----

From: **Ann McKirdy** <annmckirdy@me.com>
Date: Fri, Dec 11, 2020 at 5:30 AM
Subject: 1571
To: Ann McKirdy <ainenicamhlaidh@gmail.com>

Sent from my iPhone



Ann McKirdy <ainenicamhlaidh@gmail.com>
To: Aine Nic Amhlaidh <ainenicamhlaidh@gmail.com>

Thu, Apr 29, 2021 at 10:52 PM

History 1573 - not responded to

On Fri, Dec 11, 2020 at 5:30 AM Ann McKirdy <annmckirdy@me.com> wrote:

Sent from my iPhone

RE: Fwd: Disposal of Waste PI 19218 Case Number: OMB-107834-Q0G2X2

2 messages

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

Case Number: OMB-107834-Q0G2X2

21 May 2021

Dear Ms McKirdy,

I wish to acknowledge receipt of your complaint and correspondence in relation to Sligo County Council.

A case worker will be assigned to your case, and we will be in contact with you again as soon as possible.

Yours sincerely,

Mary Briody
Early Resolution Unit

Tabhair freagra ar an ríomhphost seo ach an rogha 'tabhair freagra do' a úsáid nó seol ríomhphost chuig complaints@ombudsman.ie, agus an Uimhir Thagar

Please respond to this email by using the reply to option or email complaints@ombudsman.ie with the Reference No. in the email Subject line.

Office of the Ombudsman, 6 Earlsfort Terrace, Dublin 2, D02 W773 | complaints@ombudsman.ie | ☎(+353-1) 639 5600 | www.ombudsman.ie

Original Message

From: ainenicamhlaidh@gmail.com;
Received: Wed May 19 2021 14:33:50 GMT+0100 (Irish Standard Time)
To: complaints@ombudsman.ie;
Subject: Fwd: Disposal of Waste PI 19218

Dear Ombudsman,
This enforcement issue is a new concern I have raised and like in the past, my concern has not been dealt with by the Sligo Co. Co.
It would appear that this developer is not required to comply with planning legislation.

I have raised this non compliance before with the Ombudsman. I would be grateful if you could investigate this issue.
Previously I raised the issue of non compliance with planning permission for the installation of a septic tank and the connection to the city sewage. This was not enforced, instead the pl

This new non compliance is for changing the topography of the surrounding area within 80 m of an SAC without a planning permit by importing fill and soil and raising the level of the hel
form. This has now been filled in. I flagged it with the council on the 4th of May, they investigated two weeks later after it was all filled in. I was then advised that there was no non compli

Is Sligo Co. Co. completely autonomous for all planning enforcement? Is there no oversight? The builder and the planning office are colluding, I have been stone walled when I try to get

I can see why there is a housing crisis and an environmental crisis. There is no accountability. There is no law. This is reminiscent of the historic cases of abuse. There was nowhere to r
Yours faithfully,
Ann McKirdy

OMB-100653-T6R5J4

----- Forwarded message -----
From: Ann McKirdy <ainenicamhlaidh@gmail.com>
Date: Wed, May 19, 2021 at 10:29 AM
Subject: Fwd: Disposal of Waste PI 19218
To: Ombudsman Complaints <complaints@ombudsman.ie>

Please add this to my complaint. An inspection following an urgent complaint only undertaken after two weeks, my complaint was submitted on the 4th of May. All of the infill stones have
planning regulations planning permission is required. This is especially alarming as no environment impact assessment was carried out.
The enforcement section in Sligo is colluding with the developer in the cover up.

----- Forwarded message -----
From: Mark Cummins <mcummins@sligococo.ie>
Date: Wednesday, May 19, 2021
Subject: Disposal of Waste PI 19218
To: Ann McKirdy <ainenicamhlaidh@gmail.com>

Ann

Following a site inspection carried out on the 18/5/21 I am satisfied that the only material to have been moved from the site to the field north of the site was soil and that is not c
as stated previously this is considered to be exempted development.

Regards

Mark Cummins

a/Senior Executive Engineer

Sligo County Council | Quay Street | Sligo | F91 PP44.

☎ 071 911 4441 ✉ mcummins@sligococo.ie

 sligococo.ie | sligo.ie

 Description: image of LinkedIn icon  Description: image of Twitter icon  Description: image of Instagram icon  Description: image of Facebook icon



From: Ann McKirdy [<mailto:ainenicamhlaidh@gmail.com>]

Sent: Saturday 15 May 2021 21:44

To: Mark Cummins; Enforcement; Enda Killoran; enviro; Suzanne Siberry; Tom Kilfeather; Dorothy Clarke

Subject: Disposal of Waste Pl 19218

Dear Mr. Kilfeather and Sligo County Council Planning and Environment Office,

In response to the Sligo Co. Co. Enforcement Office email that no enforcement is required for the levelling of land due to the land being agricultural, I would like to draw your attention I am referring to Mr. Cummins's reply to my request for the enforcement of planning conditions by Sligo Enforcement Office submitted on 4th of May response dated 13th of May advising

I request clarification, why this development has permission to dump waste and level land in the fields surrounding this site to the extent that it is very significantly changing the surrounding

The hectares affected in this development by the SAC necessitates an Environmental Impact Assessment given the biodiversity and the environmental sensitivity of the site. I flagged the conditions contained in the PL 19218. The levelling of agricultural land does require a permit according to the Office of the Planning Regulator.

- *'Exemptions do not apply if development interferes with site features, listed for preservation in the development plan or draft plan. - See Strandhill Development Plan, area list*

In addition, exempted development does not apply in the following situations per Office of Planning Regulator:

- *Where the development is contrary to a planning condition attached to a planning permission relating to the site (REF PL 19218 - Condition for waste disposal)*
- *Where the development would interfere with the character of a landscape view or prospect designated of special amenity in the development plan. - REF - Strandhill Dev. Plan 2018*
- *Land reclamation consisting of re-contouring of land, including infilling of soil within a farm holding. Numerous massive trucks are bringing soil onsite and a digger is tipping this.*
- *Development consisting of the carrying out of drainage and/or reclamation of wetlands, subject to the conditions that the affected area must not exceed 0.1 hectares - GOOGLE*
- *An Environmental Impact assessment is REQUIRED: When Development consisting of carrying out of drainage*

I believe this is an enforcement issue. Please revert.

Sincerely,

Ann McKirdy

 image.png

Mark Cummins

to me

Ann

The levelling of top soil in the land to the north of the development site is on agricultural land and is being carried out for agricultural purposes and is therefore considered exempt

The land in question is not within a SAC or within the zone of any recorded national monuments.

Regards

Mark Cummins

a/Senior Executive Engineer

Planning Enforcement & Building Control

Sligo County Council | Quay Street | Sligo | F91 PP44.

☎ 071 911 4441 ✉ mcummins@sligococo.ie

 sligococo.ie | sligo.ie

 Description: image of LinkedIn icon  Description: image of Twitter icon  Description: image of Instagram icon  Description: image of Facebook icon



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

Wed, Jun 9, 2021 at 8:21 PM

Case Number: OMB-107834-Q0G2X2

[Quoted text hidden]

Ref COM012704 Disposal of Waste PI 19218
1 message

Environmental Complaints <E.Complaints@epa.ie>
To: Ann McKirdy <aimenicamhlaidh@gmail.com>

Tu

Dear Ms McKirdy,

The Environmental Protection Agency (EPA) acknowledges receipt of copies of your correspondences to Sligo County Council on 17th May 2021 concerning the above referenced matter. Sligo County Council has responsibility for dealing with the issues described in your correspondence.

The EPA recommends that you continue to follow up this matter, preferably in writing, with Sligo County Council for their action and direct response to you.

Yours sincerely,

Cynthia Okoro

Programme Officer - Networks and Legal Team – Complaints Unit

Office of Environmental Enforcement, Wexford

Oifigeach Clár IV, Foiteann Linnraí agus Dí – Aonad Gearán

Oifig Forheidhmiúcháin leith cúrsaí Comhshaoil, Loch Garman

053-9170762 (Direct dial)

environmentalcomplaints@epa.ie

www.epa.ie



From: Ann McKirdy <aimenicamhlaidh@gmail.com>
Sent: Saturday 15 May 2021 21:44

To: Mark Cummins <mcummins@sligococo.ie>; enforcement@sligococo.ie; Enda Kiloran <ekiloran@sligococo.ie>; Sligo County Council (Environment Section) <enviro@sligococo.ie>; Suzanne Siberry <ssiberry@sligococo.ie>; Tom Killeather <tkilleather@sligococo.ie>
<ckillea@sligococo.ie>

Subject: Disposal of Waste PI 19218

Dear Mr. Killeather and Sligo County Council Planning and Environment Office,

In response to the Sligo Co. Co. Enforcement Office email that no enforcement is required for the releveling of land due to the land being agricultural, I would like to draw your attention to Planning Legislation regarding agricultural land.

I am referring to Mr. Cummins's reply to my request for the enforcement of planning conditions by Sligo Enforcement Office submitted on 4th of May response dated 13th of May advising the dumping of soil transported to the site by the truckload on a daily basis is compliant request clarification, why this development has permission to dump waste and relevel land in the fields surrounding this site to the extent that it is very significantly changing the surrounding landscape in this **visually sensitive area less than 80 meters**

The hectares affected in this development by the SAC necessitates an Environmental Impact Assessment given the biodiversity and the environmental sensitivity of the site. I flagged this previously during the excavations stage with Sligo Enforcement, I do not understand the conditions contained in the PL 19218. The levelling of agricultural land does require a permit according to the Office of the Planning Regulator.

- Exemptions do not apply if development interferes with site features, listed for preservation in the development plan or draft plan. - See Strandhill Development Plan, area listed as buffer zone between residential and SAC.

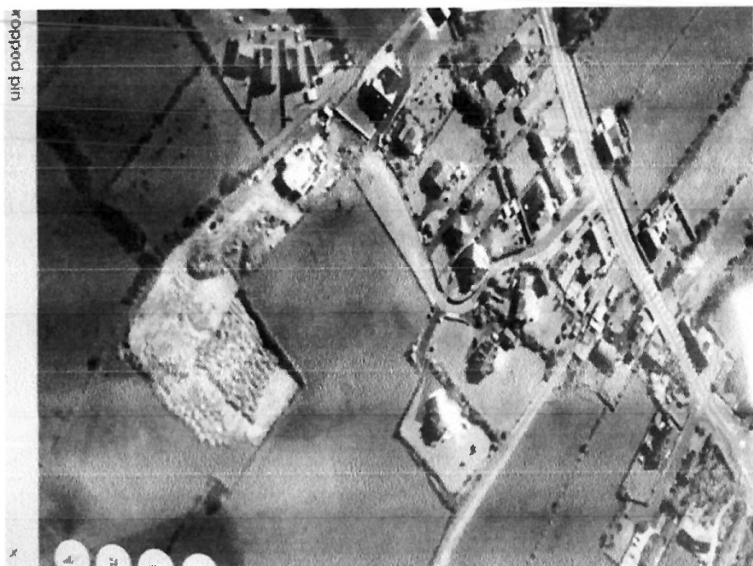
In addition, exempted development does not apply in the following situations per Office of Planning Regulator:

- Where the development is contrary to a planning condition attached to a planning permission relating to the site (REF PL 19218 - Condition for waste disposal)
- Where the development would interfere with the character of a landscape view or prospect designated of special amenity in the development plan. - REF - Strandhill Dev. Plan 2017-2023 and Sligo Dev. Plan 2017-2023
- Land reclamation consisting of re-contouring of land, including infilling of soil within a farm holding. Numerous massive trucks are bringing soil onsite and a digger is tipping this into the surrounding field.
- Development consisting of the carrying out of drainage and/or reclamation of wetlands, subject to the conditions that the affected area must not exceed 0.1 hectares - GOOGLE EARTH shows a photo of the huge expanse of land re levelling, photo attached.
- An Environmental Impact assessment is REQUIRED. When Development consisting of carrying out of drainage

I believe this is an enforcement issue. Please revert.

Sincerely,

Ann Mockirdy



cropped pin

Mark Cummins

to me

Ann

The levelling of top soil in the land to the north of the development site is on agricultural land and is being carried out for agricultural purposes and is therefore considered exempted development.

Thu, May 13, 5:09

The land in question is not within a SAC or within the zone of any recorded national monuments.

Regards

Mark Cummins

a/Senior Executive Engineer

Planning Enforcement & Building Control

Sligo County Council | Quay Street | Sligo | F91 PP44.

071 411 4441 mcummins@sligococo.ie

www.sligococo.ie | sligo.ie

[View image of Sligo 1 km](#) [View image of Sligo 5 km](#) [View image of Sligo 10 km](#) [View image of Sligo 15 km](#) [View image of Sligo 20 km](#) [View image of Sligo 25 km](#) [View image of Sligo 30 km](#) [View image of Sligo 35 km](#) [View image of Sligo 40 km](#) [View image of Sligo 45 km](#) [View image of Sligo 50 km](#) [View image of Sligo 55 km](#) [View image of Sligo 60 km](#) [View image of Sligo 65 km](#) [View image of Sligo 70 km](#) [View image of Sligo 75 km](#) [View image of Sligo 80 km](#) [View image of Sligo 85 km](#) [View image of Sligo 90 km](#) [View image of Sligo 95 km](#) [View image of Sligo 100 km](#)

[View image of Sligo 105 km](#) [View image of Sligo 110 km](#) [View image of Sligo 115 km](#) [View image of Sligo 120 km](#) [View image of Sligo 125 km](#) [View image of Sligo 130 km](#) [View image of Sligo 135 km](#) [View image of Sligo 140 km](#) [View image of Sligo 145 km](#) [View image of Sligo 150 km](#) [View image of Sligo 155 km](#) [View image of Sligo 160 km](#) [View image of Sligo 165 km](#) [View image of Sligo 170 km](#) [View image of Sligo 175 km](#) [View image of Sligo 180 km](#) [View image of Sligo 185 km](#) [View image of Sligo 190 km](#) [View image of Sligo 195 km](#) [View image of Sligo 200 km](#)



Ann McKirdy <ainenicamhaidh@gmail.com>

URGENT - URGENT - EPA - WasteWater Treatment 19218 Enforcement Notification (Strandhill, Sligo)

5 messages

Ann McKirdy <ainenicamhaidh@gmail.com>

To: info@epa.ie, Tomryan@epa.ie

Tue, Oct 6, 2020 at 10:43 PM

PLEASE ENSURE THIS EMAIL MESSAGE IS FORWARDED TO MR TOM RYAN, MANAGER, ENFORCEMENT EPA.

Dear Mr. Ryan,

I am very distressed by a huge breach in Environmental Protection that I have been trying to get the Sligo County Council to inspect and investigate since the first Lockdown in June. A huge house has been built off site and craned onsite beside where I live. This is a 'buffer zone' which has somehow been changed to 'residential' since 2017 inspite of it never having gone through the proper legislative process to re-zone. It was included in an extensive Environmental Impact Assessment by Siobhan Ryan, Sligo Co. Co. Heritage Officer in 2013. The Manager's Report from that time has clearly refused to change zoning due to the fact that the owners and heirs of that land would be entitled to build in the buffer zone. It is now rezoned as 'residential'. A huge house 9.5 meters over a basement has been built there.

It is in the corridor to the SAC where migrating Brent Geese return year on year, it is close to the Whorl Snail protected habitat in the Strandhill SAC and close to the Dune /Machair system protected under EU Legislation.

It is also in a Zone of Archaeological Potential and has been excavated to a depth of 6 meters + to accommodate the house on the sloping site. The landfill from this excavation is spread over two + acres not owned by the residential land owner.

It is in a visually vulnerable area which the Planner identified in the Pre Planning report and failed to identify in the subsequent Grant for Permission. It is in close proximity to the 6th Century ruin of Killaspugbrone.

I feel hugely distressed by this build and have expended hundreds of hours of my time trying to get Sligo County Council to address my concerns. This site is of huge significance both archaeologically and environmentally.

The email I have attached below was sent to the Enforcement Manager, of Sligo Co. Co on the 20th of September. I have only received a note to say that the Manager, Suzanne Siberry will forward to the Environmental Section. Three huge diggers/land moving plant had been onsite for 8 hours from Sunday the 20th of September. This continued for over 7 days and past when I had emailed the Enforcement Manager, Suzanne Siberry.

How is it permissible for a house to be granted planning permission for a septic tank when there is a new facility in Strandhill? Furthermore they have permission to use a pump to pump the wastewater to the nearest sewage manhole 153 meters away, which means an Irish Water Sewage Connection in addition to a septic tank.

Presently there is a Pre- Validation Retention application in for all of the following: Change of roof materials, new window 2 m x .33 m on the ground floor, enlargement of windows, repositioning of windows, chimney flu, change of basement wall material, change to dimensions of outdoor covered area. I will attach the recent advertised retention planning notice from the Sligo Champion herewith. The house is registered in the BCMS for 1 Dorrins Strand, this residence has been occupied by the current owners for the past ten years. I am not sure why the Architect/Owner would mis-state the address location.

I am gravely concerned about this development and the mis management of waste, the extensive quarrying to clear the site, the devastating impact this has had on the breeding and nesting bat habitat and the ecologically sensitive SAC environment in close proximity to historic sites of international significance and in a Zone of Archaeological Potential. I implore the EPA to enforce compliance. This house should never have been granted planning. It is in a buffer zone which was maintained for a reason.

Yours sincerely,
Ann McKirdy

----- Forwarded message -----

From: **Ann McKirdy** <ainenicamhlaidh@gmail.com>
Date: Tue, Sep 22, 2020 at 10:10 PM
Subject: WasteWater Treatment 19218 Enforcement Notification
To: Suzanne Siberry <ssiberry@sligococo.ie>

Dear Suzanne,

It has come to my attention that the above planning is not compliant with the Irish Water Regulations for Septic Tank Systems. It is in breach of the strict EPA guidelines for the safe disposal and treatment of wastewater.

The addition of the basement changed the wastewater treatment plan significantly. This new addition requires a new Irish Water Application. The process takes 16 weeks at minimum. Permission for this new planning application was granted in 7 weeks, thus, this has not been notified to Irish Water and Planning Regulations have not been adhered to.

Email from Leonora McConville, 17-10-2017 - on Pre Planning File 3725

'They're proposing a septic tank. Shouldn't they be connecting to the public sewer at this location?'

Per email in original pre-planning file 3725- for this application from **Noel Sweeney, County Engineer to Leonora McConville, Planner 19-10-2017**

'There is a public sewer serving the existing houses on this road and obviously it would be preferable that the proposed house connect to it [...] There may be difficulty getting a fall from the site to the sewer but this could be overcome in any case by the use of a private pump sump.

Obviously if new applicant is adamant he wishes to install a septic tank then the application would be reported on by the Environment Section and Water Services and Irish Water would be commenting on the submission.'

- The Sligo Development Plan PWV-15 Discourage the use of pumping stations in private development. Storm overflow from pumping stations serving private development WILL NOT BE PERMITTED.
-
- PWV 19 - In cases where capacity exists, all proposed developments WILL BE REQUIRED to connect to the public wastewater treatment plant.
-
- Refer to the above mentioned prescribed bodies all proposals for linear development over 1 km in length and proposals of half a hectare or more and for proposals for development on present or former wetlands, unenclosed land, rivers and estuaries. - This has not been done, consequently the additional oversight has not been raised as is required for this site located less than a half km from Killaspugbrone National Monument.

THE CONTOUR LINES ON THE MAP - which indicate the level above sea level have been ignored, this site is in a HIGH VULNERABLE area. The original house permission 18365 finished floor level was at 35.15m on the longitudinal study, yet the revised longitudinal DESK STUDY the new land level is 34.35m ,, this is .8 of a meter differential. One can only conclude that these results are unreliable and the measurements appear to be arbitrary.

The reason the applicant sought permission for a septic tank was that it 153 meters to the nearest waste water drain. Per NojI correspondence, 21-12-18,

'After consulting with the CST Group Engineers our options to reach the main road was to open the Cul De Sac from the nearest manhold 153 meters away, THIS INCLUDED PUMPING UPHILL FROM OUR SITE TO THE MAIN ROAD AND PUMPING AGAIN FROM THE MANHOLE ALONG THE ROUTE TO THE CORNER AND PUMPING AGAIN THE ROUTE. The cost, the disturbance to the road and the upkeep of pumps meant that THIS WAS NOT A VIABLE option.

YET - the NEW approved permission 19218 HAS BEEN APPROVED TO DISPOSE of wastewater connecting to this drain and INCLUDES A PUMPING STATION which is prohibited under Sligo Development Plan.

I want to see the evidence that this has been approved by Irish Water?

***** Habitats Directive** - This site is adjacent to a highly vulnerable Special Area of Conservation, Planning Legislation Act 2000 stipulates an obligation to undertake an Environmental Impact Assessment.

- Groundwater quality and level monitoring is required in groundwater bodies associated with Species and Habitat Protected Areas to determine the impacts of groundwater on these ecosystems. The hydrological interaction between groundwater and such ecological systems is frequently complex and very dependent on site-specific conditions.

This site has been so extensively excavated it is worrying what the environmental impact will be. There has been no oversight by the Planning Authority. Huge diggers and massive land moving plant have been onsite all day Sunday, Monday and Today, I expect this will be the case for sometime into the future given the land mass mounds that have yet to be cleared.

I want a Co. Sligo Engineer to oversee this and report.

Please confirm receipt of my enforcement submission.

Many thanks,
Ann McKirdy



79d00498-5eeb-4f16-9312-5c60ccaca3e3a.JPG
411K

Wexford Receptionist <REC_WEX@epa.ie>
To: Ann McKirdy <ainenicamhaidh@gmail.com>

Wed, Oct 7, 2020 at 10:28 AM

A Chara,

Your correspondence on October 6th has been forwarded for attention.

Kind regards,

Ruth O'Connor

Duty Receptionist/Programme Officer

Environmental Protection Agency

P.O. Box 3000

Johnstown Castle Estate

Wexford

Y35 W821

Bosca Poist 3000, Eastát Chaisleán Bhaile Sheáin, Contae Loch Garman.

Tel: 00353 53 91 60600: Fax: 00353 53 91 60699: Email: info@epa.ie web: www.epa.ie

Lo Call: 1890 33 55 99

Environmental Protection Agency on Twitter:

<http://twitter.com/EPAIreland>.

EPA Climate Change on Twitter:

<http://twitter.com/EPAClimateNews>

EPA Research on Twitter:

<http://twitter.com/EPAResearchNews>
YouTube:

<http://www.youtube.com/user/epaireland>

[Quoted text hidden]

Ann McKirdy <ainenicamhlaidh@gmail.com>
To: Aine Nic Amhlaidh <ainenicamhlaidh@gmail.com>

[Quoted text hidden]



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411K

Fri, Jun 18, 2021 at 9:26 AM

Ann McKirdy <ainenicamhlaidh@gmail.com>
To: Aine Nic Amhlaidh <ainenicamhlaidh@gmail.com>

Tue, Jun 22, 2021 at 5:55 PM

BMS - 1 Dorrins Strand

----- Forwarded message -----

From: **Ann McKirdy** <ainenicamhlaidh@gmail.com>

Date: Tue, Oct 6, 2020 at 10:43 PM

Subject: URGENT - URGENT - EPA - WasteWater Treatment 19218 Enforcement Notification (Strandhill, Sligo)

To: <info@epa.ie>, <Tomryan@epa.ie>

[Quoted text hidden]



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411K

Ann McKirdy <ainenicamlaidh@gmail.com>

To: Aine Nic Amhlaidh <ainenicamlaidh@gmail.com>

septic tank

----- Forwarded message -----

From: **Ann McKirdy** <ainenicamlaidh@gmail.com>

Date: Tue, Oct 6, 2020 at 10:43 PM

Subject: URGENT - URGENT - EPA - WasteWater Treatment 19218 Enforcement Notification (Strandhill, Sligo)

To: <info@epa.ie>, <Tomryan@epa.ie>

[Quoted text hidden]



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411K

Tue, Jun 22, 2021 at 5:57 PM



Ann McKirdy <ainenicamhaidh@gmail.com>

Disposal of Waste PI 19218

11 messages

Ann McKirdy <ainenicamhaidh@gmail.com>

To: Mark Cummins <mcummins@sligococo.ie>, enforcement@sligococo.ie, Enda Killoran <ekilloran@sligococo.ie>, enviro@sligococo.ie, Suzanne Siberry <ssiberry@sligococo.ie>, Tom
 Bcc: Environmental Complaints <E.Complaints@epa.ie>, info@epa.ie, Tomryan@epa.ie

Dear Mr. Kilfeather and Sligo County Council Planning and Environment Office,

In response to the Sligo Co. Co. Enforcement Office email that no enforcement is required for the releveling of land due to the land being agricultural, I would like to draw

I am referring to Mr. Cummins's reply to my request for the enforcement of planning conditions by Sligo Enforcement Office submitted on 4th of May response dated 13th of May which is not compliant.

I request clarification, why this development has permission to dump waste and relevel land in the fields surrounding this site to the extent that it is very significantly changing the SAC?

The hectares affected in this development by the SAC necessitates an Environmental Impact Assessment given the biodiversity and the environmental sensitivity of the site. Why this is exempt given the conditions contained in the PL 19218. The levelling of agricultural land does require a permit according to the Office of the Planning Regulator.

- 'Exemptions do not apply if development interferes with site features, listed for preservation in the development plan or draft plan. - See Strandhill Development Plan

In addition, exempted development does not apply in the following situations per Office of Planning Regulator:

- Where the development is contrary to a planning condition attached to a planning permission relating to the site (REF PL 19218 - Condition for waste disposal)
- Where the development would interfere with the character of a landscape view or prospect designated of special amenity in the development plan. - REF - Strandhill Development Plan
- Land reclamation consisting of re-contouring of land, including infilling of soil within a farm holding. Numerous massive trucks are bringing soil onsite and a digger is being used to level the land.
- Development consisting of the carrying out of drainage and/or reclamation of wetlands, subject to the conditions that the affected area must not exceed 0.1 hectares
- An Environmental Impact assessment is REQUIRED: When Development consisting of carrying out of drainage

I believe this is an enforcement issue. Please revert.

Sincerely,

Ann McKirdy



Dropped pin

Mark Cummins

to me

Ann

The levelling of top soil in the land to the north of the development site is on agricultural land and is being carried out for agricultural purposes and is therefore considered exempt.

7/30/2021

Gmail - Disposal of Waste PI 19218

- The land in question is not within a SAC or within the zone of any recorded national monuments.

Regards

Mark Cummins

a/Senior Executive Engineer

Planning Enforcement & Building Control

Sligo County Council | Quay Street | Sligo | F91 PP44.

☎ 071 911 4441 ✉ mcummins@sligococo.ie

🌐 sligococo.ie | sligo.ie



7 attachments



IMG_3341.JPG
1043K



Sligo.

image006.jpg
7K



image003.png
2K



image002.png
2K



image005.png
2K



image001.jpg
1K

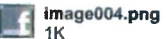


image004.png
1K

Wexford Receptionist <REC_WEX@epa.ie>
To: Ann McKirdy <ainenicamhlaidh@gmail.com>

Mon, May 17, 2021 at 9:34 AM

A Chara,

Your correspondence on May 15th has been forwarded for attention.

Kind Regards,

Ruth O'Connor

Duty Receptionist / Programme Officer | Organisational Services Team

Office of Communications and Corporate Services, Wexford

Fáilteoir ar Dualgas / Oifigeach Cláir | Foireann Seirbhísi Eagraíochta

An Oifig Cumarsáide agus Seirbhísi Corparáideacha Loch Garman



053-9160600 (Direct dial)

info@epa.ie

www.epa.ie

[Quoted text hidden]

Ann McKirdy <ainenicamlaidh@gmail.com>
To: Wexford Receptionist <REC_WEX@epa.ie>

Mon, May 17, 2021 at 1:04 PM

Dear Ruth,
I trust this will garner more attention than the assignment of a reference number.
This is systemic disregard for planning law and enforcement obligations by Sligo Co Co.
Yours sincerely,
Ann McKirdy
[Quoted text hidden]

Ann McKirdy <ainenicamlaidh@gmail.com>
To: "complaints@ombudsman.ie" <complaints@ombudsman.ie>

Tue, May 18, 2021 at 10:39 AM

Dear Ombudsman,
The enforcement office in Sligo has responded that the drainage and relling of land in the Agricultural fields surrounding the site is legal. However, when I consult the Office of Planning Regulations it explicitly states this requires an environment impact assessment and planning permission.

This issue on PI 19218 has been ongoing and the enforcement office in Sligo has blatantly permitted this huge infraction within 80 m of an SAC. This is the development that is in a 'residential' area for which the change is zoning cannot be proven. It is hugely controversial. It's also the only house in Strandhill to be approved for a septic tank in three years. This pounding which the excavations caused has now been filled in with scree stones and soil, the fields have been raised and stained from this site with no planning permission.

I am being silenced and refused access to information.

The hard copy Development Plan 2013 for Strandhill that I asked to see does not exist. My request for CCTV of my visit to the Planning Office in Sligo in August 10th last year was 'accidentally destroyed'. I have a Data Office official notice of this GDPR breach.

Everything about the enforcement and planning of this development is controversial. This development commencement notice for this property is for an address 1 Dorrins Strand. This is an existing house, occupied for 7-10 years in the estate adjacent to this development.

This new development is 3 story 10.5 meters in a visually vulnerable area. The height markers that were requested by an objector were refused. The original house design was lower is height, however the planning report states this new design is lower. There is a clear contradiction in black and white. The builder claims this is 9.5 meters, the new plans show in fact it is 10.5 meters high and the planners report state that the amended design is lower than the original 9.05m. ?

It is built past the red line for residential development.

This is corrupt.
The council has stonewalled me and nothing is being done.
Le meas,
Ann McKirdy

----- Forwarded message -----
From: **Ann McKirdy** <ainenicamlaidh@gmail.com>
Date: Saturday, May 15, 2021
Subject: Disposal of Waste PI 19218
[Quoted text hidden]

Mark Cummins <mcummins@sligococo.ie>
To: Ann McKirdy <ainenicamlaidh@gmail.com>

Wed, May 19, 2021 at 9:41 AM

Ann

Following a site inspection carried out on the 18/5/21 I am satisfied that the only material to have been moved from the site to the field north of the site was soil and that is not considered to be construction and demolition waste. The levelling of this soil is for agricultural purposes and as stated previously this is considered to be exempted development.

Regards

Mark Cummins
a/Senior Executive Engineer

Planning Enforcement & Building Control

Sligo County Council | Quay Street | Sligo | F91 PP44.

■ 071 911 4441 ■ mcummins@sligococo.ie

■ sligococo.ie | sligo.ie



Sligo County Council
Comhairle Chontae Shligigh

Sligo.

From: Ann McKirdy [mailto:ainenicamhlaidh@gmail.com]
Sent: Saturday 15 May 2021 21:44
To: Mark Cummins; Enforcement; Enda Killoran; enviro; Suzanne Siberry; Tom Kilfeather; Dorothy Clarke
Subject: Disposal of Waste PI 19218

Dear Mr. Kilfeather and Sligo County Council Planning and Environment Office,

[Quoted text hidden]

Ann McKirdy <ainenicamhlaidh@gmail.com>
To: Mark Cummins <mcummins@sligococo.ie>

Wed, May 19, 2021 at 10:11 AM

I have photos to the contrary.

[Quoted text hidden]

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

Wed, May 19, 2021 at 10:29 AM

Please add this to my complaint. An inspection following an urgent complaint only undertaken after two weeks, my complaint was submitted on the 4th of May. All of the infill stones have been covered with soil. I have videos of trucks and photo of infill being transported in. This is illegal. It is in the planning regulations planning permission is required. This is especially alarming as no environment impact assessment was carried out. The enforcement section in Sligo is colluding with the developer in the cover up.

[Quoted text hidden]

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

Wed, May 19, 2021 at 2:33 PM

Dear Ombudsman,
This enforcement issue is a new concern I have raised and like in the past, my concern has not been dealt with by the Sligo Co. Co. It would appear that this developer is not required to comply with planning legislation.

I have raised this non compliance before with the Ombudsman. I would be grateful if you could investigate this issue. Previously I raised the issue of non compliance with planning permission for the installation of a septic tank and the connection to the city sewage. This was not enforced, instead the planning office raised a complaint.

This new non compliance is for changing the topography of the surrounding area within 80 m of an SAC without a planning permit by importing fill and soil and raising the level of the fields surrounding the site as the huge excavations for the septic tank caused serious ponding - a new lake to form. This has now been filled it. I flagged it with the council on the 4th of May, they investigated two weeks later after it was all filled in. I was then advised that there was no non compliance as it was levelling of agricultural land.

Is Sligo Co. Co. completely autonomous for all planning enforcement? Is there no oversight? The builder and the planning office are colluding, I have been stone walled when I try to get information and my concerns are arrogantly dismissed.

I can see why there is a housing crisis and an environmental crisis. There is no accountability. There is no law. This is reminiscent of the historic cases of abuse. There was nowhere to report abuse to.

Yours faithfully,
Ann McKirdy

OMB-100653-T6R5J4

----- Forwarded message -----
From: **Ann McKirdy** <ainenicamhlaidh@gmail.com>
[Quoted text hidden]
[Quoted text hidden]

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

Wed, Jun 9, 2021 at 8:25 PM

Case Number: OMB-107834-Q0G2X2
[Quoted text hidden]

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

Thu, Jun 17, 2021 at 9:41 PM

Further to your request, I am forwarding the enforcement request which Sligo Co Co has refused. This is an enforcement issue per Planning Legislation. The levelling of land around a site with soil imported onsite through an ancillary site requires planning permission.

----- Forwarded message -----
From: **Ann McKirdy** <ainenicamhlaidh@gmail.com>
Date: Saturday, May 15, 2021
Subject: Disposal of Waste PI 19218
To: Mark Cummins <mcummins@sligococo.ie>, enforcement@sligococo.ie, Enda Killoran <ekilloran@sligococo.ie>, enviro@sligococo.ie, Suzanne Siberry <ssiberry@sligococo.ie>, Tom Kilfeather <tkilfeather@sligococo.ie>, Dorothy Clarke <dclarke@sligococo.ie>

[Quoted text hidden]

7 attachments



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1043K

**Sligo.**image006.jpg
7K image003.png
2K image002.png
2K image005.png
2K image001.jpg
1K image004.png
1K

Ann McKirdy <ainenicamhlaidh@gmail.com>
To: Aine Nic Amhlaidh <ainenicamhlaidh@gmail.com>

Tue, Jun 22, 2021 at 5:53 PM

Google earth photo and enforcement request

----- Forwarded message -----

From: Ann McKirdy <ainenicamhlaidh@gmail.com>

Date: Sat, May 15, 2021 at 9:44 PM

Subject: Disposal of Waste PI 19218

[Quoted text hidden]

[Quoted text hidden]

7 attachments image006.jpg
7K image003.png
2K image002.png
2K image005.png
2K image001.jpg
1K image004.png
1KIMG_3341.JPG
1043K

100

Enforcement Paz 56 Strandhill massive earth excavation /clearance digger and large plant

1 message

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

Wed, Jun 18, 2025 at 3:46 PM

Sent from my iPhone

3 attachments

IMG_5653.jpg
570K



IMG_5600.jpg
1006K



IMG_5599.jpg
1129K



