



An
Bord
Pleanála

Board Direction
BD-006353-20
ABP-306360-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 28/08/2020.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

1. It is considered that the non-provision of any car parking related to the proposed development would result in a substandard form of development at this location, and would fall far short of the standards set out under Section 15.28 and Table 15.6 of the Monaghan County Development Plan, 2019 - 2025. The proposed development would, contravene policy CP 1 of the Monaghan County Development Plan, 2019 to 2025, and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The application site is located with a zone of archaeological potential and within the zone of constraint for Recorded Monument M0009-040 and the proposed development may have an impact on the Recorded Monument which is subject to statutory protection. In the absence of a comprehensive Archaeological Impact Assessment submitted as part of the planning application, the Board is not satisfied that the proposed development would not injure or interfere with the zone of archaeological constraint registered under Section 12 of the National Monuments (Amendment) Act 1930-2004.

The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Note: the Board noted the two further reasons for refusal recommended by the Inspector. Having considered the totality of the documentation submitted with the application and appeal, including the reports of the planning authority, the Board did not share the view of the Inspector that in the absence of, an adopted design for the 'Church Walk' and 'The Mall' as described in the Dublin Street Regeneration Plan, an adopted consensus on whether the development of this area would be fine grained or by way of consolidation of fine grained plots, and having regard to, changing ground levels, the activation of the proposed scheme at street level, that the proposal would represent a piecemeal approach to the sustainable development of the area, or that it would result in a substandard residential amenity due to the nature of private open space provided, or that the proposal would conflict with the stated policies of the planning authority, as set out in the statutory development plan and in the Dublin Street Regeneration Plan. The Board determined that the net scheme design, footprint, layout and land use mix would not be inconsistent with the provisions of the statutory development plan, nor the Dublin Street Regeneration Plan and that other than for the reasons for refusal set out above, the proposal could successfully assimilate with the existing site, topographical and policy context for this area.

Board Member

Date: 28/08/2020

Chris McGarry