



**An
Bord
Pleanála**

**Board Direction
BD-014838-23
ABP-314968-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 06/12/2023.

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

Reasons and Considerations:

1. The appeal site is located within an unzoned rural area removed from any designated settlement within the Monaghan County Settlement Hierarchy. Policy ICP 1 'Industrial and Commercial Development' of the Monaghan County Development Plan 2019-2025 outlines that "*Industrial/commercial development shall be located in or adjacent to settlements where infrastructure has been provided in line with the principles of sustainable development*" and sets out criteria under which small scale indigenous industrial/commercial development can be permitted in the rural area outside of designated settlements. On the basis of the information submitted in conjunction with the application and appeal the Board is not satisfied that the development would be classified as a suitable extension of a small scale indigenous industrial/commercial development or the scale of the development is suitable within a rural area with a restricted local road network. The development is therefore considered to be contrary to Policy ICP1 of the Monaghan County Development Plan 2019-2025 and the proper planning and sustainable development of the area.
2. Policy RDP24 of the Monaghan County Development Plan 2019-2025 states "*Development which has the potential to detrimentally impact on the*

residential amenity of properties in the vicinity of the development, by reason of emissions or general disturbance shall be resisted". On the basis of the information submitted in conjunction with the application and appeal, the Board is not satisfied that the development does not detrimentally impact on the amenity of properties in the vicinity of the development by reason of noise impact and increased HGV movements and associated disruption. The development is therefore considered contrary to Policy RDP24 of the Monaghan County Development Plan 2019-2025 and the proper planning and sustainable development of the area.

4. Policy NNRP 3 of the Monaghan County Development Plan 2019-2025 seeks to ensure that the traffic carrying capacity and the strategic nature of the County's road network is not adversely affected. Access to the site is provided via a local secondary road where the carriageway width is as narrow and visibility is restricted. On the basis of the information submitted in conjunction with the application and appeal, the Board is not satisfied that HGV manoeuvres associated with the development at the site entrance and on the local road network do not endanger public safety by reason of traffic hazard. The proposal is therefore considered to be contrary to Policy NNRP3 of the Monaghan County Development Plan 2019-2025 and the proper planning and sustainable development of the area.
5. Policy BLO1 of the Monaghan County Development Plan 2019-2025 seeks to generally require buildings and ancillary works in the rural area along public roads to have an 18-metre set back from the near edge of the surfaced carriageway. A number of the existing structures located within the site area including the existing storage shed contravene this development plan requirement. The development is therefore contrary to the provisions Policy BLO1 of the Monaghan County Development Plan 2019-2025 and to the proper planning and sustainable development of the area.
6. The Board considers that there are significant information deficiencies in the application in relation to surface water and waste water proposals for the site. On the basis of the information submitted in conjunction with the application and appeal, the Board is not satisfied therefore that the development would be in accordance with Policy WPP11 or Policies SDP1 – SDP4 of the

Monaghan County Development Plan 2019-2025 or the proper planning and sustainable development of the area.

Note:

The Board noted that on the basis of the information provided in connection with the planning application and appeal, it appears to the Board that the development for which retention permission is sought relates to a commercial yard associated with an unauthorised haulage company use. It is considered, therefore, that a grant of permission in this instance would facilitate the expansion of a development which does not have the benefit of planning permission. Accordingly, it is considered that it would be inappropriate for the Board to consider the grant of a permission for the proposed development and the development for which retention is sought in such circumstances but given the substantive reasons for refusal that noting this issue would suffice.

Board Member



Liam Bergin

Date: 11/12/2023