



An  
Coimisiún  
Pleanála

**Direction**  
**CD-021905-26**  
**ACP-323064-25**

The submissions on this file and the Inspector's report were considered at a meeting held on 10/02/2026.

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

#### **Planning**

**Commissioner:**

**Date:** 13/02/2026

*Mary Gurrle*  
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Mary Gurrle

#### **DRAFT WORDING FOR ORDER**

#### **Reasons and Considerations**

Having regard to the location of the site partially within the flood extents of the River Maghery, to the significant extent of excavation and reprofiling of the site and the changes made to the site layout at application and appeal stage, and to the quality of the drawings submitted with the appeal which are inadequate to determine the exact extent of the proposed reprofiling works and their proximity to the flood extent of the river, the Commission is not satisfied that flood risks associated with the proposed development have been adequately addressed within the application and appeal documentation. Furthermore, having regard to the extent of such infill and excavation works within said flood extents and the proximity to the River Maghery, the

Commission is not satisfied that the proposed development would not result in pollution and a significant deterioration in the water quality of the River Maghery. It is considered that the proposed development would be contrary to the provisions of The Planning System and Flood Risk Management Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in November, 2009, the requirements of the Water Framework Directive, and the provisions of Section 15.32 and Policy ILP 1 (Infilling of Lands), Policy WMP 4 (Waste Management), Objective WPO 8 (Water Protection), Section 8.7 Objective FRMO 4 (Flood Risk Management) and Policies FRMP 3 and FRMP 4 (Flood Risk Management) of Monaghan County Development Plan 2025-2031. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

#### **Notes**

1. The Commission noted the Inspector's second reason for refusal in relation to traffic hazard, however, having regard to Condition 2 of the parent planning permission (Reg. Ref. No. 12/376) which provides for the acceptance of 18,876 tonnes of waste, and to the information submitted with the application which states that there will be no increase in the quantities of waste accepted and no significant increase in employee numbers, and given that the quantity of waste which may be accepted under the Waste Facility Permit does not negate the applicant's obligation to comply with Condition 2 of the parent permission, and that there were no changes in circumstances that warranted a reconsideration of the traffic impacts, the Commission considered that the impacts of traffic at the proposed level of activity had already been assessed under the parent planning permission and this was not therefore a reason for refusal in itself.
2. Having regard to the proposed significant expansion in floor space to accommodate additional waste processing activities, the Commission considered that the applicant had not adequately demonstrated how the proposed extension complies with Section 15.12.2 of the Monaghan County Development Plan which sets out criteria to be complied with for proposals for the expansion of an existing business outside of settlements. In particular the

Commission was not satisfied that the applicant had adequately demonstrated compliance with criteria (f) that the layout was of a high quality that respects the surrounding topography and landscape having regard to the overall landholding; and (i) other objectives and policies of the development plan, and specifically in terms of environmental protection, that the existing wastewater treatment plant is sufficiently sized for the proposed increased number of employees and to deal with any trade effluent which may arise from waste related activities on site. The Commission also considered that it was not clear from the file whether the existing wastewater treatment plant also served the adjoining commercial property and whether the proposed development would have implications for same. While ordinarily this would warrant further consideration and a request for further information, in this instance given the substantive reasons for refusal above, it was decided not to pursue this matter under the current appeal.