



Planning and Development Acts 2000 to 2017

Planning Authority: Monaghan County Council

Planning Register Reference Number: 16/531

Appeal by Fergal and Margo Smyth of 28 Cul Brannan, Ballybay, County Monaghan against the decision made on the 14th day of July, 2017 by Monaghan County Council to refuse permission.

Proposed Development: Erection of a dormer style dwelling, insertion of a filter unit and percolation area and exit on to public road at Sheetrim, Monaghan, County Monaghan.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Having regard to the location of the site within an Area Under Strong Urban Influence as identified in the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April, 2005, wherein it is policy to distinguish between urban-generated and rural-generated housing need and in an area where housing is restricted to persons demonstrating local need, or site specific compelling special domestic or personal circumstances in accordance with the Monaghan County Development Plan 2013-2019, it is considered that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines or the Development Plan for a house at this location. The proposed development, in the absence of any identified rural-generated need for the house, would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure and would be contrary to the said Ministerial Guidelines. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2018