



Planning and Development Acts 2000 to 2017

Planning Authority: Monaghan County Council

Planning Register Reference Number: 17/392

Appeal by Shane McCann of 2 New Terrace, Belgian Square, Monaghan against the decision made on the 7th day of February, 2018 by Monaghan County Council to grant subject to conditions a permission to Noel Cravens care of McGuigan Architects of 52 Glaslough Street, Monaghan County Monaghan in accordance with plans and particulars lodged with the said Council

Proposed Development: (1) Demolition of existing two-storey annex. (2) Construction of a new two-storey detached dwelling. (3) Connection to mains foul and storm systems together with mains water connection. (4) Construction of new boundary walls, piers and gates and (5) all associated site works. All at 1 New Terrace, Monaghan, County Monaghan. Further public notices were received by the planning authority on the 11th day of January, 2018 which included the following: Revised site boundary, altered dwelling design, car parking provisions and amended dwelling position to that previously submitted.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions 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 provisions of the Monaghan County Development Plan 2013-2019, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 11th day of January, 2018, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The windows at first floor level on the rear (western) elevation shall be glazed with obscure glass.

Reason: To prevent overlooking of adjoining residential property.

3. Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of the proposed dwellinghouse without a prior grant of planning permission.

Reason: In order to ensure that a reasonable amount of private open space is provided for the benefit of the occupants of the proposed dwelling.

4. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

5. The rear garden shall be bounded with a 1.8-metre high concrete block wall, suitably capped and rendered, on both sides, or by a 1.8-metre high timber fence with concrete posts.

Reason: In the interests of residential and visual amenity.

6. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

7. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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

Dated this day of 2018.

