



Planning and Development Acts 2000 to 2019

Planning Authority: Monaghan County Council

Planning Register Reference Number: 18/560

Appeal by Drummond Dale Residents Committee of Dundalk Road, County Monaghan against the decision made on the 10th day of April, 2019 by Monaghan County Council to grant subject to conditions a permission to Joe and David McConnon care of Finegan and Jackson of The Stables, Drumconrath Road, Carrickmacross, County Monaghan in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construct the following alterations to an existing single storey Old Railway Goods Shed to enable the building to contain one number dwelling house; including demolition of the existing single storey flat roof extensions to the front rear and side elevations, construction of one number single storey dwelling within the existing structure, replacement of existing extension to rear; installation of boundary fence wall panelling; construction of a single storey domestic garage and include all other associated site works at Dundalk Road, Drummond Otra, Carrickmacross, County Monaghan. The building is listed as a Protected Structure in the Monaghan County Council Development Plan. The building reference is Monaghan County Council Structure of Local Importance Reference Number 5 NIAH Register Number 41310078.

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 residential zoning objective and the local planning policy provisions for the site as set out in the Monaghan County Development Plan, 2019-2015 and National Policy Objective 17 of the National Planning Framework, 2040, the Board considered that the proposed development, which involved the refurbishment of a disused Protected Structure to provide for residential use, would not, subject to compliance with the conditions set out below, seriously injure the visual amenities of the area or of property in the vicinity, would not have a detrimental impact on architectural heritage or the environment and would ensure the conservation and future use of this building resulting in a positive contribution to the streetscape, 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 15th day of March, 2019, 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 This building shall be used as a single residential unit and shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the building and in the interest of residential amenity.

3. Prior to commencement of works, the developer shall make a record of the existing protected structure. This record shall include:
 - (a) a full set of survey drawings to a scale of not less than 1:50 to include elevations, plans and sections of the structure; and,
 - (b) a detailed, labelled photographic survey of all internal rooms (including all important fixtures and fittings), the exterior and the curtilage of the building.

This record shall be submitted to the planning authority prior to commencement of development and one copy of this record and a full set of drawings of the proposed works to the protected structure shall be submitted to the Irish Architectural Archive.

Reason: In order to establish a record of this protected structure.

4. An up-to-date architectural impact statement and conservation plan for the Old Railway Goods Shed shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The development shall be carried out in accordance with this plan, and the relevant works shall be restricted to conservation, consolidation and presentation works.

Reason: To ensure that these elements of the historic structure are maintained and protected from unnecessary damage or loss of fabric.

5. A schedule of all materials to be used in the external treatment of the development to include roofing materials, external envelope materials including repairs of stone elevations, doors, arches, windows and the like shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure an appropriate standard of development/conservation.

6. 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. These shall be agreed prior to the commencement of development works on site.

Reason: In the interest of public health.

7. The developer shall enter into water and/or wastewater connection agreements(s) with Irish Water prior to the commencement of this development.

Reason: In the interest of public health.

8. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July, 2006. The plan shall include details of waste to be generated during site clearance and construction phases, including any hazardous materials including asbestos and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

9. 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.

10. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

- (a) A plan to scale of not less than 1:500 showing –
- (i) whether any invasive species are present on site and appropriate measures to remediate the site from such species,
 - (ii) the species, variety, number, size and locations of all proposed trees and shrubs which shall comprise predominantly native species,
 - (iii) details of screen planting and all boundary planting, and
 - (iv) hard landscaping works, specifying surfacing materials and finished levels.

- (b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment.
- (c) A timescale for implementation.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

- 11. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

12. 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 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.

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

Dated this day of 2019.