



Planning and Development Acts 2000 to 2019
Planning Authority: Monaghan County Council
Planning Register Reference Number: P19/228

APPEAL by Michael Russell care of Kenneth D. Lonergan and Associates Limited of Shercock Road, Carrickmacross, County Monaghan against the decision made on the 11th day of July, 2019 by Monaghan County Council to refuse permission.

Proposed Development: Retention of raised ground levels to form mounds for boundary landscaping, also permission to construct a split-level dwelling over garage and connection to existing foul public mains on site, new domestic entrance and associated site works, all at Lisanisk, Carrickmacross, 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

1. Having regard to the location of the site on un-zoned land outside of the settlement boundaries of Carrickmacross and on land that is identified as being under strong urban influence as defined under the Monaghan County Development Plan, 2019 to 2025, and as indicated under the Sustainable Rural Housing Guidelines for Planning Authority's, 2005, provision of housing is restricted to applicants with a defined rural housing need set out in the development plan under objective RSO 3; and policies RSP 2 and HSP 18. The applicant in this case has not submitted any substantive evidence to demonstrate compliance with the requirements of these development plan objective/policies. Therefore, the applicant has not demonstrated that he has a rural generated housing social and/or economic need for a dwelling house on this landholding.

Furthermore, to permit the proposed development on land that is located in an area that is identified as being under strong urban influence, where it is national policy under National Policy Objective 19 of the National Planning Framework, to facilitate the provision of housing based on the core consideration of demonstrable economic or social need to live in a rural area, would conflict with this National Policy Objective.

Therefore, it is considered that, as the applicants do not come within the scope of the housing need criteria as set out in the development plan, and in the overarching national policy for housing in such an area. The

proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is considered that the raised ground level has resulted in a boundary treatment that is at odds with its surrounding area, would result in an incongruous raised planted earthen mound which is out of character with both rural and the urban envelope boundary treatments at this locality, would have an adverse impact on the surrounding landscape and would seriously injure the visual and residential amenity of the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Terry Ó Niadh

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

Dated this day of 2019.