



Planning and Development Acts 2000 to 2019

Planning Authority: Monaghan County Council

Planning Register Reference Number: 19/474

APPEAL by JCEP Developments Limited care of Enda Prendergast and Associates of Office 2, The Rossmore Factory, Dublin Road, Monaghan against the decision made on the 4th day of December, 2019 by Monaghan County Council to refuse permission.

Proposed Development: A mixed-use residential/commercial infill development. The proposed development is to contain 25 number apartments arranged in two blocks over four/five floors, linked via landscaped courtyard garden with lower level office/storage space beneath. Block A is to contain ground floor office space beneath one number one bedroom apartment and 13 number two bedroom apartments. Block B is to contain lower level storage space beneath three number one bedroom apartments and eight number two bedroom apartments. The proposed development will have pedestrian access directly onto The Diamond via existing right of way and access to council car-park to the southern end of site. The works include lower level storage space, bin store, bicycle store, kitchen garden, connection into public utilities, landscaping and planting scheme together with associated site works. The proposed development is located to the rear of numbers 6 and 7 The Diamond, within the vicinity of listed buildings of local importance at Roosky Townland, 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. It is considered that the non-provision of any car parking related to the proposed development would result in a substandard form of development at this location, and would fall far short of the standards set out under Section 15.28 and Table 15.6 of the Monaghan County Development Plan 2019 - 2025. The proposed development would contravene policy CP 1 of the Monaghan County Development Plan 2019 to 2025 and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The application site is located with a zone of archaeological potential and within the zone of constraint for Recorded Monument M0009-040 and the proposed development may have an impact on the Recorded Monument which is subject to statutory protection. In the absence of a comprehensive Archaeological Impact Assessment submitted as part of the planning application, the Board is not satisfied that the proposed development would not injure or interfere with the zone of archaeological constraint registered under Section 12 of the National Monuments (Amendment) Act 1930-2004. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Chris McGarry

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2020.