



Planning and Development Acts 2000 to 2020

Planning Authority: Monaghan County Council

Planning Register Reference Number: 20/296

APPEAL by Barry Aughey care of Tom Phillips and Associates of 80 Harcourt Street, Dublin against the decision made on the 16th day of September, 2020 by Monaghan County Council to refuse a permission.

Proposed Development: Development consisting of the change of use of Unit 2, Monaghan Retail Park from the existing permitted 'retail warehouse' use to 'convenience retail' (circa 772 square metres); and internal alterations to provide for storage, and ancillary office/staff facilities. The development will also include the provision of one number trolley shelter; plant facilities to the rear of Unit 2 (circa 37 square metres), provision of signage; one number window to the front façade of Unit 2; amendments to the rear façade and all other associated infrastructural and site development works at Unit 2, Monaghan Retail Park, Clones Road, 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 provisions of the Monaghan County Development Plan 2019 - 2025, the Settlement Plan for Monaghan Town 2019 - 2025, the land use objective for the site to provide for established commercial development and to facilitate appropriate expansion where principal permitted uses shall be related to the existing established commercial use on site where redevelopment and expansion of existing commercial uses may be permitted on these lands, to the existing established commercial use of retail warehousing on the site where convenience retail use on lands zoned as 'Existing Commercial' is open to consideration but only where it's nature and scale would not be contrary with the primary zoning objective for the area. Furthermore, it is considered that the proposed development would be detract from the vitality and viability of the town centre and that the permitting of a convenience retail unit of the scale proposed outside the designated town centre of Monaghan Town would be contrary to Objectives TCO 3, TCO 1 and SHO 1 of the current Development Plan, would be contrary to the relevant land use objectives of the current Development Plan, and would set an undesirable precedent. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the provisions of Monaghan County Development Plan 2019 - 2025, the County Monaghan Retail Strategy 2016 -2022 and the Retail Planning Guidelines for Planning Authorities 2012 (and the accompanying Retail Design Manual) which seeks to support the vitality and viability of existing town centres and to prohibit the location of retail development outside the town centre unless it is compliant with the policies as set out in the current County Monaghan Retail Strategy, the out of town centre location of the proposed development, and the failure of the applicant to carry out a sequential test to justify the acceptability of the proposed development at this location, it is considered that the proposed development, by reason of its nature and location, would adversely affect the vitality and viability of the existing town centre and would be contrary to Policies RTP 1, RTP 2 ,RTP 3, RTP 5 and Objective SRO 2 of the current Development Plan and Policy 2 of the current County Monaghan Retail Strategy. The proposed development would set an undesirable precedent and would, therefore, be contrary to the proper planning and sustainable development of the area.

Dave Walsh

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

Dated this day of 2021