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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Monaghan County Council**

**Planning Register Reference Number: 20/380**

**Appeal** by An Taisce – The National Trust of Ireland of Tailor’s Hall, Back Lane, Dublin against the decision made on the 10<sup>th</sup> day of September, 2021 by Monaghan County Council to grant subject to conditions a permission to Magheracloone Group Water Scheme Co-Op Society care of P. Herr and Associates of Block 4, Third Floor, Quayside Business Park, Mill Street, Dundalk, County Louth in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Retention of widening of access lane and widening of entrance and associated site development works at Greaghlonge, Magheracloone, Carrickmacross, County Monaghan.

**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 2019 – 2025, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not seriously injure the visual amenities of the area and would be acceptable in terms of traffic safety and convenience. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.



## Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 17<sup>th</sup> day of August, 2021, 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 within the stated time period and outstanding works shall be completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Within 6 weeks from the date of this Order, the developer shall submit to, and agree in writing with, the planning authority drainage arrangements, including the disposal of surface water. Once agreed in writing with the planning authority, the developer shall fully implement the agreed scheme within a further 12-week period.

**Reason:** In order to ensure the satisfactory handling of surface water run-off from the site and to prevent pollution.

3. Within 6 weeks from the date of this Order, the developer shall remove the artificial grass with rubber base, and all black rubber granules, from within and in the vicinity of the site. Thereafter, no other material shall replace these without a further grant of permission.

**Reason:** In order to ensure the satisfactory handling of surface water run-off from the site and to prevent pollution.



4. Within 6 weeks from the date of this Order, the developer shall submit to, and agree in writing with, the planning authority comprehensive plans of the site entrance. These plans shall show the following:
- (a) Any hedgerow that would need to be wholly or partially removed to achieve the required visibility splays.
  - (b) Arising from (a), compensatory hedgerow planting behind the line of the visibility splays.
  - (c) The siting and design of entrance pillars and their accompanying gates.

The plans shall be accompanied by a timetable for their implementation. Once agreed in writing with the planning authority, the developer shall fully implement the agreed scheme in accordance with its timetable.

**Reason:** In the interests of road safety and the visual amenities of the area.

5. The landscaping scheme shown on Drawing No: 700 21 01, as submitted to the planning authority on the 17<sup>th</sup> day of August, 2021, shall be carried out within the first planting season following the date of this Order.

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 first planting season following the date of this Order, shall be replaced within the next planting season with others of similar size and species.

**Reason:** In the interest of visual amenity.

6. Within 6 weeks from the date of this Order, the developer shall submit to, and agree in writing with, the planning authority the name of a recognised countryside management expert and, thereafter, this expert shall supervise all hedgerow planting and any subsequent replacement planting within the site.

**Reason:** In order to ensure that hedgerow planting is properly undertaken.



**John Connolly**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

Dated this 15<sup>th</sup> day of FEBRUARY 2022

