



Planning and Development Acts 2000 to 2021

Planning Authority: Monaghan County Council

Planning Register Reference Number: 21/500

APPEAL by Shane Coyle and Sarah Poucher of Clonturk, Carrickmacross, County Monaghan and by Eddie and Laura Walsh of Rath na Rí, Clonturk, Carrickmacross, County Monaghan against the decision made on the 23rd day of December, 2021 by Monaghan County Council to grant subject to conditions a permission to Eamon Kirk and Martina Baldwin care of Finegan Jackson Building Surveyors Limited of The Stables, Drumconrath Road, Carrickmacross, County Monaghan.

Proposed Development: Construction of a single storey dwellinghouse, detached domestic garage, wastewater treatment system and percolation area, boundary fencing, new entrance and all associated site works at Clonturk (Mason), Carrickmacross, County Monaghan. The proposed development was revised by further public notices received by the planning authority on the 30th day of November, 2021 which related to revisions to site boundaries and dwelling, relocation of entrance, provisions of retaining wall to rear and all associated development works.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

1. Having regard to the location of the site within a rural area under strong urban influence, as identified in the Core Strategy Map No 2.1 of the Monaghan County Development Plan 2019-2025, and to National Policy Objective 19 of the National Planning Framework (February 2018) which, for rural areas under urban influence, seeks to facilitate the provision of single housing in the countryside, based on the core consideration of demonstrable economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements, it is considered that, notwithstanding the information on file, including the submission received from the applicant on the 20th day of October 2022, and demonstrated compliance with the relevant provisions including policy RSP 2 (Rural Settlement Policies) of the development plan, the applicants have not sufficiently justified and demonstrated an economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements. It is considered that the proposed development does comply with National Policy Objective 19, and national rural housing policy as set out in the Sustainable Rural Housing Guidelines for Planning Authorities, issued by the Department of Environment, Heritage and Local Government in 2005, as the proposed development would result in an unsustainable form of development, would contribute to the encroachment of random rural development in the area, would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure, and would be contrary to the provisions of the National Planning Framework. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Taking account of the proposed site layout, the topography and visually prominent nature of the site, and the amended design of the access via an existing agricultural entrance off the local road L4922 at a substantial remove from the proposed house, it is considered that the length of the driveway and the required modifications to the existing hedgerow to facilitate this driveway and required sightlines in accordance with Table 15.5 (Minimum visibility standards for new or intensification of an existing access onto non-urban roads) of the Monaghan County Development Plan 2019-2025, would significantly alter the existing rural landscape character, would impact on the visual amenities of the area, and as a consequence, would set an undesirable precedent for other such development in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Patricia Calleary

Patricia Calleary

Member of An Bord Pleanála

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

Dated this 02 day of December 2022.