



An  
Bord  
Pleanála

## Board Order ABP-314406-22

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Monaghan County Council**

**Planning Register Reference Number: 22/267**

**Appeal** by John McCollum care of Gaffney and Cullivan Architects of 1 Farnham Street, Cavan against the decision made on the 25<sup>th</sup> day of July, 2022 by Monaghan County Council to refuse permission.

**Proposed Development:** Construction of a part two-storey, part storey-and-a-half style dwelling with detached domestic garage, install proprietary wastewater treatment system and percolation area, form new entrance from the public road, together with all associated site works, all at Clossaghmore, Rockcorry, County Monaghan.

### **Decision**

**REFUSE** permission for the above proposed development for the reasons and considerations set out below.

## Reasons and Considerations

The proposed development, which would be located less than one hundred metres from a neighbouring agricultural building used for the housing of donkeys, would, by virtue of the absence of any written consent by the owner of the agricultural structure, be contrary to the provisions of policy RHP 4 and Section 15.17.2 of the Monaghan County Development 2019-2025 in which it is the policy 'to only permit a dwelling within 100m of an agricultural building where written consent has been provided by the owner/occupier of the agricultural unit. Written consent must be signed by both parties and witnessed by a solicitor or a peace commissioner'. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

*Eamonn James Kelly*

**Eamonn James Kelly**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

Dated this *27<sup>th</sup>* day of *October*, 2023.