



Planning and Development Acts 2000 to 2022

Planning Authority: Monaghan County Council

Planning Register Reference Number: 22/373

APPEAL by TD Freight Limited care of CMD Architects of Thornford Lodge, Broomfield, Castleblayney, County Monaghan against the decision made on the 7th day of October, 2022 by Monaghan County Council to refuse permission.

Proposed Development: Retention of a commercial yard comprising wash area (used solely in connection with applicant's freight vehicles), single storey storage container, single storey domestic storage shed, hard surfaced area used for the storage of applicant's freight vehicles and trailers and associated activity, boundary treatment, entrance onto public road, and all associated site development works, all at Rossollus, Castleblayney, County Monaghan.

Decision

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

Reasons and Considerations

1. The site is located within an unzoned rural area removed from any designated settlement within the Monaghan County Settlement Hierarchy. Policy ICP 1 'Industrial and Commercial Development' of the Monaghan County Development Plan 2019-2025 outlines that 'Industrial/commercial development shall be located in or adjacent to settlements where infrastructure has been provided in line with the principles of sustainable development' and sets out criteria under which small scale indigenous industrial/commercial development can be permitted in the rural area outside of designated settlements. On the basis of the information submitted in conjunction with the planning application and the appeal, the Board is not satisfied that the development proposed to be retained would be classified as a suitable extension of a small scale indigenous industrial/commercial development or the scale of the development is suitable within a rural area with a restricted local road network. The development proposed to be retained would be contrary to Policy ICP1 of the Monaghan County Development Plan 2019-2025 and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Policy RDP24 of the Monaghan County Development Plan 2019-2025 states 'Development which has the potential to detrimentally impact on the residential amenity of properties in the vicinity of the development by reason of emissions or general disturbance shall be resisted'. On the basis of the information submitted in conjunction with the planning application and the appeal, the Board is not satisfied that the development proposed to be retained would not detrimentally impact on the amenity of properties in the vicinity of the development by reason of noise impact and increased HGV movements and associated disruption. The development proposed to be retained would be contrary to Policy RDP24 of the Monaghan County Development Plan 2019-2025 and would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Policy NNRP3 of the Monaghan County Development Plan 2019-2025 seeks to ensure that the traffic carrying capacity and the strategic nature of the county's road network is not adversely affected. Access to the site is provided via a local secondary road where the carriageway width is narrow and visibility is restricted. On the basis of the information submitted in conjunction with the planning application and the appeal, the Board is not satisfied that HGV manoeuvres associated with the development at the site entrance and on the local road network would not endanger public safety by reason of traffic hazard. The development proposed to be retained would be contrary to Policy NNRP3 of the Monaghan County Development Plan 2019-2025 and would, therefore, be contrary to the proper planning and sustainable development of the area.

4. Policy BLO1 of the Monaghan County Development Plan 2019-2025 seeks to generally require buildings and ancillary works in the rural area along public roads to have an 18-metre set-back from the near edge of the surfaced carriageway. A number of the existing structures located within the site area, including the existing storage shed, contravene this development plan requirement. The development proposed to be retained would be contrary to the provisions of Policy BLO1 of the Monaghan County Development Plan 2019-2025 and would, therefore, be contrary to the proper planning and sustainable development of the area.

5. The Board considers that there are significant information deficiencies in the planning application in relation to surface water and wastewater proposals for the site. On the basis of the information submitted in conjunction with the planning application and the appeal, the Board is not satisfied that the development proposed to be retained would be in accordance with Policy WPP11 or Policies SDP1 – SDP4 of the Monaghan County Development Plan 2019-2025. The development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.

Liam Bergin

Member of An Bord Pleanála

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

Dated this 12th day of December 2023.