

An
Coimisiún
Pleanála

Commission Order ABP-322359-25

Planning and Development Act, 2000, as amended

Planning Authority: Monaghan County Council

Application by Monaghan County Council for approval under section 175 and section 177AE of the Planning and Development Act 2000, as amended, in accordance with plans and particulars, including an Environmental Impact Assessment Report and Natura Impact Statement, lodged with An Coimisiún Pleanála on the 22nd day of April, 2025.

Proposed Development: The proposed development comprises urban regeneration and public realm proposals as part of the Dublin Street North Regeneration Project, comprising the following components:

1. Creation of new central street to the rear of properties fronting Dublin Street (connecting Diamond Centre Car Park with Old Cross Square), provision of car park/temporary event space and regrading of land to accommodate future development.
2. Creation of new public park with associated pedestrian paths, landscaping, and lighting.
3. Public realm improvements along Dublin Street (within Dublin Street Architectural Conservation Area) to include resurfacing, new pedestrian pavements (including widening) and relocation of on-street car parking spaces.
4. Public realm improvements to Old Cross Square to include the creation of urban civic spaces, pedestrian pavements, cycle routes, street furniture.

Relocation of Old Cross Monument (Scheduled Monument Record and Protected Structure)

5. Public realm enhancements at Diamond Centre Car Park to include reconfiguration of car parking, resurfacing, cycle infrastructure and associate street furniture.
6. Reinforcement of existing vegetation and new soft landscaping throughout, new boundary treatments, street lighting, sustainable urban drainage systems (raingardens and permeable surfacing).
7. Upgrading and installation of new utility services and CCTV.
8. Demolition of buildings and structures located at Unit 1 and Unit 2 Old Cross Square and to the rear (north-east) of number 32-62 Dublin Street including a structure within the curtilage of number 57 Dublin Street (Protected Structure) and number 4 The Diamond Centre. Reconstruction of building elevations where required.
9. All other associated site and developments works.

All located at Dublin Street, land north of Dublin Street, and its backlands, Old Cross Square, Diamond Centre Car Park, Monaghan Town Centre, in the townlands of Roosky and Tirkeenan, County Monaghan.

Decision

APPROVE the above proposed development based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

In performing its functions in relation to the making of its decision, the Commission reached its decision in accordance with its duties under:

Section 15(1) of the Climate Action and Low Carbon Development Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, and the requirement to, in so far as practicable, perform its functions in a manner consistent with Climate Action Plan 2024 and Climate Action Plan 2025 and the national long term climate action strategy, national adaptation framework and approved sectoral adaptation plans set out in those Plans and in furtherance of the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State.

In coming to its decision, the Commission had regard to the following:

- (a) European Union legislation including in particular:
 - (i) European Union Directive 2014/52/EU amending Directive 2011/92/EU (Environmental Impact Assessment Directive) on the assessment of the effects of certain public and private projects on the environment,
 - (ii) Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directives) which set out the requirements for Conservation of Natural Habitats and of Fauna and Flora.
- (b) National Legislation including in particular:
 - (i) Section 175 and section 177AE of the Planning and Development Act 2000, as amended, which sets out the provisions in relation to local authority projects which are subject to Environmental Impact Assessment and Appropriate Assessment.
- (c) National and Regional Policy and Guidance, in particular:
 - (i) Project Ireland 2040 National Planning Framework which supports the compact development and the regeneration of town centres,

- (ii) Climate Action Plan 2024 and 2025 which supports a modal shift, place-making and compact growth,
 - (iii) Town Centre First – A Policy Approach for Irish Towns, Department of Housing, Local Government and Heritage and the Department of Rural and Community Development, 2022,
 - (iv) The Design Manual for Urban Roads and Streets, Department of Housing, Local Government and Heritage, 2019, which provides guidance on how to approach the design of urban streets in a more balanced way,
 - (v) Architectural Heritage Protection: Guidelines for Planning Authorities, Department of Arts, Heritage and the Gaeltacht, 2011,
 - (vi) The Northern and Western Regional Assembly, Regional Spatial and Economic Strategy 2020-2032 which seeks to deliver significant compact growth for key towns, one of which is Monaghan Town; and,
 - (vii) Ireland's 4th National Biodiversity Plan 2023-2030.
- (d) Local Planning Policy including in particular:
- (i) The provisions of the Monaghan County Development Plan 2025-2031 as varied including Variation Number 3 Dublin Street North Regeneration Plan, and
 - (ii) the provisions of the Regeneration Plan—Dublin Street, Adopted April 2022.
- (e) The following matters:
- (i) the nature, scale and design of the proposed works as set out in the application for approval and the existing character and pattern of development in the area and the town centre location of the site,
 - (ii) the documentation including the Environmental Impact Assessment Report, the Natura Impact Statement and associated documentation submitted with the application and additional information and the range of mitigation and monitoring measures proposed,
 - (iii) the submissions and observations made to An Coimisiún Pleanála in connection with the application,

- (iv) the likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on European Sites,
- (v) the conservation objectives, qualifying interests and special conservation interests for the Lough Neagh and Lough Beg Special Protection Area, (Site Code: UK9020091), and,
- (vi) the report and recommendation of the Inspector.

Appropriate Assessment Stage 1:

The Commission noted that the proposed development is not directly connected with or necessary for the management of a European Site. The Commission completed an appropriate assessment screening exercise in relation to the potential effects of the proposed development on designated European Sites, taking into account the Screening Report for Appropriate Assessment submitted with the application and the report and screening assessment completed by the Inspector. The Commission agreed with the Inspector's assessment and conclusion that the European Site for which there is potential for significant effects is The Lough Neagh and Lough Beg Special Protection Area (Site Code: UK9020091). The Commission concluded, in agreement with the Inspector, that appropriate assessment is required for that European Site.

Appropriate Assessment Stage 2:

The Commission considered the Natura Impact Statement and associated documentation submitted with the application, the mitigation measures contained therein, the submissions and observations on file, and carried out an appropriate assessment of the implications of the proposed development for European Sites in view of the conservation objectives for the Lough Neagh and Lough Beg Special Protection Area (Site Code: UK9020091). The Commission considered that the information before it was adequate to allow the carrying out of an appropriate assessment and to allow it to reach complete, precise, and definitive conclusions for appropriate assessment.

In completing the assessment, the Commission considered, in particular, the likely direct and indirect impacts arising from the proposed development, both individually and in combination with the other plans and projects and taking into account any mitigation measures which are included as part of the current proposal, in view of the conservation objectives for the European Site.

The Commission accepted and adopted the appropriate assessment carried out in the Inspector's report with respect to the potential effects of the proposed development on the integrity of the aforementioned European Site, having regard to the Site's conservation objectives.

In overall conclusion, the Commission was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Site, in view of the Site's conservation objectives and there is no reasonable scientific doubt as to the absence of such effects.

This conclusion is based on a complete assessment of all aspects of the proposed project, both alone and in combination with other plans and projects of relevance and took into account all submissions received during the course of the application.

Environmental Impact Assessment:

The Commission completed an environmental impact assessment of the proposed development, taking into account:

- (a) the nature, scale, location and extent of the proposed development,
- (b) the Environmental Impact Assessment Report and associated documentation submitted,
- (c) the submissions received during the course of the application, and,
- (d) the Inspector's report.

The Commission considered that the Environmental Impact Assessment Report, and supporting documentation submitted by the applicant during the course of the application, adequately considers alternatives to the proposed development and identifies and describes adequately the direct, indirect, secondary, and cumulative effects of the proposed development on the environment.

The Commission agreed with the examination set out in the Inspector's report, of the information contained in the Environmental Impact Assessment Report and associated documentation submitted by the applicant and submissions made during the course of the application.

Reasoned Conclusion on Significant Effects:

The Commission considered that the Environmental Impact Assessment Report supported by modified plans submitted by the applicant during the course of the application, provided information which is reasonable and sufficient to allow the Commission to reach a reasoned conclusion on the significant effects of the proposed development on the environment, taking into account current knowledge and methods of assessment. The Commission is satisfied that the information contained in the Environmental Impact Assessment Report is up to date and complies with the provisions of European Union Directive 2014/52/EU amending Directive 2011/92/EU. The Commission considered that the main significant direct and indirect effects of the proposed development on the environment are those arising from the impacts listed below.

The main significant effects, both positive and negative, are:

Population and Human Health: Negative effect arising during the construction phase will be temporary and are the inevitable consequence of any development. Mitigation outlined throughout the Environmental Impact Assessment Report, primarily through implementation of a Construction Environmental Management Plan, will ensure that these effects will not be significant, and impact will be appropriately managed. Positive effects will arise during the operational phase for socio-economic characteristics of the area.

Biodiversity: The proposed development will result in the loss of habitat on the site with related impact upon supported species including birds and bats. With the implementation of mitigation, including sediment / accidental spillage control, protection of watercourses, timing of vegetation removal and pre-construction

surveys, there will be no significant negative residual effects upon biodiversity.

Land, Soils, Geology, Water, Air Quality or Climate: Mitigation is formed of measures to reduce and manage impact upon land, soils, geology, water, air quality and climate, including implementation of a Construction Environmental Management Plan, as well as surface water management and water quality monitoring. With the implantation of mitigation, no significant residual negative impacts.

Noise and vibration: No significant residual effects are predicted with respect to noise and vibration. Mitigation includes adherence to regulations for the control and abatement of noise during construction and the implementation of a Construction Environmental Management Plan.

Material Assets (land use, waste, and utilities) (traffic and transport): During construction, there is potential for disruption to land use and transportation systems, as well as the generation of waste and the utilisation of drainage systems. Mitigation is primarily in the form of the implementation of a Construction and Environmental Management Plan and Waste Management Plan. During the operation of the development, positive effects are anticipated with respect to transport infrastructure with enhanced accessibility, particularly for non-motorised users, and alignment with broader sustainable transport initiatives. With the implementation of mitigation, no significant residual effects are predicted.

Archaeology and cultural heritage: Mitigation primarily involves archaeological monitoring to avoid impact upon currently unknown features. Additional mitigation ensures preservation (by record or in-situ) in the event of discovery of unknown / unexpected features during construction. With the application of mitigation, no significant residual impact.

Landscape and visual impacts: During construction, moderate effect is predicted over a short term temporary period. During operation, positive impact will result upon the townscape and with respect to visual effects, as a result of the enhanced public realm and future potential for development plots to further contribute to the town centre. No significant residual negative effect.

The Commission completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures referred to above, including proposed monitoring as

appropriate, and subject to compliance with the conditions set out below, the effects on the environment of the proposed development, by itself and in combination with other development in the vicinity, would be acceptable. In doing so, the Commission adopted the report and conclusions set out in the Inspector's report. The Commission is satisfied that this reasoned conclusion is up to date at the time of making this decision.

Proper Planning and Sustainable Development:

The proposed development is in accordance with aims and objectives of the Monaghan County Development Plan 2025-2031 and is therefore acceptable in principle. In particular, the proposed development accords with the Dublin Street Regeneration Plan which seeks to consolidate the town centre and improve backland areas. The proposed public realm works represent an acceptable contribution towards place-making that will generate a largely positive impact on the amenities of the area. Subject to condition, the Commission concludes that the proposed public realm works, and street design and layout is acceptable and is therefore, in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, and additional plans and particulars submitted on the 20th day of August 2025 except as may otherwise be required in order to comply with the following conditions.

Reason: In the interests of clarity and the proper planning and sustainable development of the area and to ensure the protection of the environment.

2. The mitigation measures and monitoring commitments identified in the Environmental Impact Assessment Report shall be implemented.

Reason: To protect the environment.

3. The mitigation and monitoring measures identified in the Natura Impact Statement submitted with the application shall be implemented.

Reason: To protect the integrity of European Sites.

4. Prior to any construction/demolition work commencing to old stone walls, a bryophyte (moss), lichen, and vascular plant survey should take place under the supervision of the project Ecologist and with findings held on public record with the local authority. In the case of legally protected species under the Flora (Protection) Order, 2015, a licence will be required from the Department of Housing, Local Government and Heritage in order to alter, damage, destroy or interfere with its habitat or environment.

Reason: In the interest of biodiversity protection as part of proper planning and sustainable development.

5. Swift nest box measures to be incorporated into the development, with details of the location and the number to be incorporated to be held on public file with the local authority.

Reason: In the interest of biodiversity protection as part of proper planning and sustainable development.

6. A detailed Construction Environment Management Plan (CEMP) for the construction stage shall be placed on the file and retained as part of the public record prior to the commencement of development. The CEMP shall incorporate the following:

- (a) A detailed plan for the construction phase incorporating, inter alia, demolition programme, construction programme, supervisory measures,

noise management measures, dust minimisation, construction hours and the management of construction waste,

- (b) a comprehensive programme for the implementation of all monitoring commitments made in the application and supporting documentation during the construction period,
- (c) an emergency response plan,
- (d) a detailed construction traffic management plan, including a mobility management plan,
- (e) proposals in relation to public information and communication,
- (f) the invasive and alien species management plan for the development,
- (g) drainage arrangements including the attenuation and disposal of surface water, including a Detailed Design Stage Storm Water Audit, and records of monitoring of the same.

Reason: In the interests of environmental protection and orderly development.

7. The local authority and any agent acting on its behalf shall facilitate the preservation, recording, protection, or removal of archaeological materials or features that may exist within the site. A suitably qualified archaeologist shall be appointed by the local authority to oversee the site set-up and construction of the proposed development and the archaeologist shall be present on site during construction works.

With particular reference to Recorded Monument M0009-060006 (Cross – Market cross), the local authority shall be advised by a suitably qualified archaeologist as to the appropriate handling and movement including the temporary storage in a secure location and the protection of the cross from construction machinery, tools and materials for the duration of the development. All persons working at the site or visiting the site with materials for example, must be fully informed of the need to protect the cross and the temporary location of the stone to ensure no damage occurs to it.

The local authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any archaeological investigative work/ excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis. The report of the archaeological monitoring should include photographs of the actions implemented in the protection of Recorded Monument M0009-060006- (Cross – Market cross) before, during and after the construction works have taken place, as well as detailed photographs of specific areas including the final area for re-erection of the stone to ensure preservation in situ, as required.

The local authority is required to employ a qualified archaeologist to monitor all groundworks associated with this development. The archaeologist is required to notify the Department in writing at least four weeks prior to the commencement of site preparations. This will allow the archaeologist sufficient time to obtain a licence to carry out the work. The report of the archaeological monitoring should include photographs of the area before, during and after monitoring has taken place, as well as detailed photographs of specific areas, as required. A key plan, clearly showing the location and direction from which photographs were taken should be included in the report. (An annotated site location map will suffice for this purpose). Should archaeological material be found during the course of monitoring, the archaeologist may have work on the site stopped, pending a decision as to how best to deal with the archaeology. The local authority shall be prepared to be advised by the Department with regard to any necessary mitigating action (e.g. preservation in situ, or excavation) and should facilitate the archaeologist in recording any material found.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

8. The development shall be undertaken and completed in accordance with a Design Report that is prepared in consultation with Transport Infrastructure Ireland and is in accordance with Transport Infrastructure Ireland Publications

DN-GEO-03030 (Design Phase Procedure for Road Safety Improvement Schemes, Urban Renewal Schemes and Local Improvement Schemes). Any modifications to the proposed scheme resulting from the Design Report shall be included on revised scheme drawings to be kept on public record and held by the local authority.

Reason: In the interest of maintaining the strategic capacity and safety of the national roads network in accordance with the National Planning Framework National Strategic Outcome number 2.

9. (a) The proposed development shall be undertaken in accordance with the Design Report (see condition 8) and Road Safety Audit, with any recommendations arising being incorporated into the development as constructed,
- (b) In association with the Design Manual for Urban Roads and Streets principles applying to urban roads, works to the N54, national road, shall apply Transport Infrastructure Ireland Publications design specifications, including the Standard Construction Detail CC-SCD-05145 (Raised Table Detail) for the raised tables proposed on the urban N54, national road.

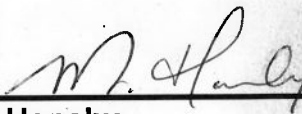
Reason: In the interest of maintaining the strategic capacity and safety of the national roads network in accordance with National Planning Framework National Strategic Outcome number 2.

10. (a) Prior to the commencement of development the local authority shall enter into a Connection Agreement(s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.
- (b) The local authority shall liaise with Uisce Éireann regarding existing water services infrastructure in the vicinity of the proposal prior to and during construction to ensure that the integrity of Uisce Éireann's infrastructure shall be protected both during and after the completion of the works

relating to this proposal. Including in relation to proposals to divert or build over existing water or wastewater services.

- (c) Separation distances between the existing Uisce Éireann assets and proposed structures, other services, trees, etc. to be in accordance with the Uisce Éireann Codes of Practice and Standard Details.
- (d) Development shall be carried out in compliance with Uisce Éireann Standards codes and practices.
- (e) Reinstatement of Uisce Éireann infrastructure affected by the works in accordance with Uisce Éireann Standards.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.



Mary Henchy
Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.



Dated this *1st* day of *October* 2025