



An
Coimisiún
Pleanála

Commission Order
ACP-323475-25

Planning and Development Act 2000, as amended

Planning Authority: Monaghan County Council

Planning Register Reference Number: 25/60219

Appeal by Francis Hanratty care of McMahon Associates of 26 Upper English Street, Armagh against the decision made on the 28th day of July, 2025 by Monaghan County Council in relation to an application for development comprising removal of planning condition number 5 as per granted planning permission (planning register reference number 14/289) which states: "Within one month from the date of occupation of the dwelling hereby granted, the dwelling within the site shall be demolished." Existing cottage ("dwelling within the site" as above referenced) to be retained, with proposed single storey extensions to the front and rear of the property. Outbuilding to southern corner of site (attached to cottage) to have the roof increased in height to create a single storey habitable space as part of the dwelling. Vehicle access to the existing cottage will be shared via the site entrance as granted in planning application 14/289. Retention of existing percolation area and on-site wastewater treatment plant which was previously granted permission under 14/289. Proposed wastewater treatment plant and drip dispersal percolation area to service existing cottage, together with all associated ancillary site works, all at Corragarry/Sruell Townland, Castleblayney, County Monaghan (which decision was to refuse permission).

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.

Reasons and Considerations

Having regard to the provisions of the Monaghan County Development Plan 2025-2031, the nature and extent of existing development on the site, the pattern and character of development in the area, and the design, scale and servicing of the proposed development and the development to be retained, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development proposed to be retained would not detract from the character or amenities of the area or properties in the vicinity of the site, would be acceptable in terms of traffic safety and convenience, and would not be prejudicial to public health or the protection of water quality. The proposed development and the development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

In coming to its decision, the Commission concluded that Policy RSP 4 of the Monaghan County Development Plan 2025-2031 was not applicable to this rural site which is located outside any defined settlement, and that the existing and proposed wastewater proposals satisfactorily addressed the requirements of the Environmental Protection Agency Code of Practice for Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10) (2021) in compliance with the Monaghan County Development Plan 2025-2031 policies WWTP 1 'On-Site Wastewater Treatment Policy' (including s. 15.22.5 (b)), RRDP 1 'Restoration and Replacement of Vernacular and Non-Vernacular Buildings and Dwellings Policy' (including s. 15.9.3 (e)), and AEDP 1 'Alterations and Extensions to Dwellings Policy' (including s. 15.10.1 (h)).

Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application and the further plans and particulars received by An Coimisiún Pleanála on the 16th of December 2025, 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 prior to commencement of development, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas, or otherwise shall discharge onto the public road or adjoining properties.

(b) The access driveway to the proposed development shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage.

Reason: In the interest of traffic safety and to prevent flooding or pollution.

4. The developer shall enter into a connection agreement with Donaghmoynne Group Water Scheme in respect of water supply to serve the proposed development. Details in this regard shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of public health.

5. (a) The proposed wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with this application on 3rd of June 2025 and shall be in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021.
- (b) Treated effluent from the wastewater treatment system shall be discharged to a drip dispersal percolation area which shall be provided in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021.
- (c) Within three months of the first occupation of the dwelling, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.

Reason: In the interest of public health and to prevent water pollution.

6. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, traffic, noise and dust management measures, and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

7. All service cables associated with the proposed development (such as electrical and telecommunications) shall be located underground.

Reason: In the interest of visual and residential amenity.

8. A comprehensive boundary treatment and landscaping scheme shall be submitted to and agreed in writing with the planning authority, prior to commencement of development.

Reason: In the interest of visual amenity.

9. The vehicular access, including visibility splays and roadside drainage, shall comply fully with the requirements of the planning authority for such works and services. Details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: in the interest of traffic safety and to prevent flooding and pollution.

10. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer, or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Liam McGree

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

Dated this 26th day of *MARCH* 2026