



An  
Bord  
Pleanála

## Inspector's Report ABP-316729-23

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<b>Type of Appeal</b>	Appeal under section 653J(1) of the Taxes Consolidation Act 1997, as amended, against the inclusion of land on the Residential Zoned Land Tax
<b>Location</b>	Lisanisk Road, Carrickmacross, Co. Monaghan
<b>Planning Authority</b>	Monaghan County Council
<b>Planning Authority Reg. Ref.</b>	DMS87
<b>Appellant(s)</b>	Noel Keelan
<b>Inspector</b>	Paul O'Brien

## 1.0 Site Location and Description

- 1.1. The subject site consists of an almost rectangular shaped site located to the south east of the Lisanisk, to the east of Carrickmacross, Co. Monaghan. This road slopes downwards towards the Donaghmoyne Road towards the north west. The site consists of a single field that is in agricultural use and is under grass. A laneway is located to the south west of the site and electricity lines cross the site on a south east to north west axis.
- 1.2. To the west, though not directly adjoining, is the N2 national primary road and the Donaghmoyne Road crosses over this by way of a bridge. A buffer zone of trees is located between the laneway and the N2. To the east is a small residential development of single-storey detached houses.

## 2.0 Zoning and Other Provisions

- 2.1. The site is located within the Carrickmacross Town Settlement Envelope, forming part of the Monaghan County Development Plan 2019 – 2025. The site is zoned 'Strategic Residential Reserve' with an objective 'To protect lands that are considered strategic in location for future residential development' and described as follows:

'Principal permitted use is residential. The comprehensive development of these lands will only be permitted in instances whereby 75% of the proposed residential lands have been developed. Any development which would prejudice the principle use of these lands for urban residential expansion in the future will be resisted.

Single houses for landowners or their immediate family members will be considered on these lands provided that they do not compromise the overall objective of comprehensively developing the lands for sustainable urban housing in the future. Justification for a dwelling in this instance will have to be demonstrated by the applicant including documentation to show that the landholding has been in family ownership for at least 5 years. In such cases the applicant will be required to demonstrate by way of an overall plan for the development of the lands, how the proposed development would not adversely affect the comprehensive development of the lands in the future.'

### **3.0 Planning History**

3.1. There are no recent, relevant, valid applications on this site.

### **4.0 Submission to the Local Authority**

4.1. The appellant made a submission to the Local Authority seeking to have their lands removed from the draft map on the basis that they are zoned for Strategic Residential Reserve and cannot be developed over the lifetime of the plan.

4.2. Request made to rezone the lands to Agricultural use.

### **5.0 Determination by the Local Authority**

5.1. The Local Authority determined that the site was in scope. The lands can be developed for residential uses and suitable services can be provided to serve the site.

5.2. The issue of rezoning can be considered when a variation of the County Development Plan is underway.

### **6.0 The Appeal**

#### **6.1. Grounds of Appeal**

The following points were made in support of the appeal:

- The lands are not serviced, and major infrastructure works would be required to provide for road access, footpath access, foul and surface water drainage and water supply.
- There is no demand for the development of these lands for housing, and extensive areas of land zoned for residential development are available in Carrickmacross.
- Access to the site is difficult and the Strategic Residential Reserve zoning will not allow for the development of these lands at present.

## 6.2. **Planning Authority Response**

- No further comment.

## 7.0 **Assessment**

- 7.1. The comments raised in the appeal are noted and the report of the Planning Authority with supporting reports are noted.
- 7.2. The Strategic Residential Reserve zoning does allow for development in the case that 75% of proposed residential lands are developed. I have no information on what percentage of the lands in Carrickmacross are developed but the wording of the zoning is such that it does not prevent suitable development over the lifetime of the development plan.
- 7.3. Considering the location of the site and the level of development in the immediate area, there is no reason why these lands cannot be serviced for the provision of housing here. The site is not landlocked as it fronts the public road to the north west, though I accept that access may be difficult to achieve due to gradients, this is a matter that can be addressed through the Development Management Process.
- 7.4. The suggested rezoning of lands is not a function of this process and may be addressed with the Planning Authority.

## 8.0 **Recommendation**

- 8.1. I recommend that the board accept the determination of the Local Authority and that the indicated lands be included on the maps.

## 9.0 **Reasons and Considerations**

- 9.1. The appellant requested that their site be removed from the map due to the fact that the lands cannot be developed due to their Strategic Residential Reserve zoning, and due to a lack of services to facilitate the development of these lands, with reference also to difficulty in accessing the site.
- 9.2. The lands are assessed in accordance with the details provided in the appeal. The zoning of these lands allows for residential development subject to compliance with

requirements set out in the Monaghan Development Plan 2019 – 2025, and no reason has been provided as to why they cannot be serviced for such development.

I confirm that the report represents my profession planning assessment, judgment and opinion on the matter assigned to me and that no person has influenced or tried to influence, directly or indirectly, the exercise of my professional judgment in an improper or inappropriate way.

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Paul O'Brien  
Planning Inspector

22<sup>nd</sup> August 2023