



An  
Bord  
Pleanála

## Inspector's Report ABP-316800-23

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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>	Glen Road, Tully, Monaghan, County Monaghan
<b>Planning Authority</b>	Monaghan County Council
<b>Planning Authority Reg. Ref.</b>	DMS34
<b>Appellant(s)</b>	Peter McCaughey
<b>Inspector</b>	Paul O'Brien

## 1.0 Site Location and Description

- 1.1. The subject lands, of 2.19 hectares, consist of an irregular shaped site located to the west of the R162/ Glen Road to the south of Monaghan town centre. The lands consist of a number of fields, are under grass and are in agricultural use. Access to the site is via a short laneway to the west of the Glen Road.
- 1.2. To the south of the subject site is the Tully Estate residential development, to the north is Manor Wood residential development and to the west are lands in similar agricultural use and are under grass.

## 2.0 Zoning and Other Provisions

- 2.1. The site is located within the Monaghan Town Settlement Envelope, forming part of the Monaghan County Development Plan 2019 – 2025. The site is zoned 'Proposed Residential A' with an objective 'To provide for new residential development and for new and improved ancillary services.'

Under the description the following is stated:

'Principal permitted land use will be residential. However other uses open for consideration include education, nursing homes, creches, health centres, community facilities, guesthouses provided all such proposals are in keeping with the established built character of the area and do not adversely impact upon the amenity of existing residential properties.

Single houses 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. 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

- 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 there is no foul connection available to service these lands and contact has been ongoing with Uisce Éireann in this regard. Once a connection is provided, the landowner will prepare a planning application for submission.

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

5.1. The Local Authority determined that the site was in scope. A report was received from Uisce Éireann that confirmed that the site could be suitably serviced. A combined sewer exists in the area and although there are capacity constraints, this can be addressed through a separation of foul and surface water drainage in the area. Alternative means of providing a connection to the public foul drainage system have been identified in the area.

5.2. The zoning allows for residential development, and it has been identified that services can be provided to enable the development of this site.

## **6.0 The Appeal**

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

The following points were made in support of the appeal:

- The development of these lands is reliant on the upgrade of the foul drainage system in the area and there is no timescale for the implementation of Drainage Area Plan (DAP) that would allow for the provision of suitable measures to address capacity issues.

### **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. I note the report from Uisce Éireann, dated 11<sup>th</sup> July 2022, however this report makes clear that foul drainage, in addition to water supply, can be provided to enable the development of these lands. In addition to the provision of a separated foul/ surface water drainage system, an alternative drainage system that would include the development of a pumping station and rising main could be provided, although this was not favourable.
- 7.3. Clearly a suitable foul drainage system/ network can be provided to enable the development of these lands. No issues of access or constraints on site have been identified that would result in the removal of these lands from the maps.

## **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 there was no foul drainage network/ and capacity to enable the development of these lands for residential use.
- 9.2. The zoning of these lands allows for residential development and no reason has been provided as to why they cannot be serviced for such development. Uisce Éireann have confirmed that the lands can be suitably serviced for foul drainage and water supply, and alternative means of servicing the subject site have been identified if necessary.

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

15<sup>th</sup> August 2023