



An  
Bord  
Pleanála

## Inspector's Report ABP-316812-23

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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>	Knockroe, Clones Road, Monaghan, County Monaghan
<b>Planning Authority</b>	Monaghan County Council
<b>Planning Authority Reg. Ref.</b>	DMS59
<b>Appellant(s)</b>	Terry McCaughey
<b>Inspector</b>	Paul O'Brien

## 1.0 Site Location and Description

- 1.1. The subject lands, of approximately 3.2 hectares, consist of a site located to the north west of the N54/ Clones Road to the western side of Monaghan town. The lands form part of a much larger landholding. To the north eastern side of the site is the Knockroe Glen road which serves a housing development. The lands are under grass, with some trees on site and are in agricultural use.
- 1.2. The adjoining lands are primarily in agricultural use and are under grass. Some detached houses are located to the south west of the site.

## 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 B' with an objective 'To facilitate for serviced low density residential development in a structured and co-ordinated manner.'

Under the description the following is stated:

'Principal permitted use is low density residential development. The location of the low-density development can be relocated within any landbank in single ownership provided a comprehensive layout for the entire land bank is being proposed and where the overall amount of 'Proposed Residential B' zoning is not reduced. Only 50% of this land use zoning shall be developed over this plan period.

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 the lands are not identified on the map (Planning Authority consider this may have been an error in the selection process), challenges the vacant status of the lands and requests that the lands be zoned for an alternative use. It is proposed that the lands will be used by a family member in the future.

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

5.1. The Local Authority determined that the site was in scope. Suitable services are available to enable the development of this land.

## **6.0 The Appeal**

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

The following points were made in support of the appeal:

- The zoning status of these lands is such that they cannot be developed over the lifetime of the plan. Only 50% of this zoning should be developed over the plan period.

### **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 'Proposed Residential B' zoning does allow for development of up to 50% of the land zoning. I have no information on what percentage of these lands in Monaghan are developed but the wording of the zoning is such that it does allow for residential development over the lifetime of the plan.

## 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 suitably developed due to the 'Proposed Residential B' zoning that applies to 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

18<sup>th</sup> August 2023