



An
Coimisiún
Pleanála

Inspector's Report ABP-322359-25

Development

Dublin Street North and Backlands
Regeneration Project

Location

Dublin Street and back lands to the
north, Old Cross Square and Diamond
Centre Car Park, Monaghan Town
Centre, in the townlands of Roosky and
Tirkeenan, Co. Monaghan.

Local Authority

Monaghan County Council

Type of Application

Section 175 & Section 177AE
Planning Application

Prescribed Bodies

1. Transport Infrastructure Ireland (TII)
2. Department of Housing, Local
Government and Heritage
3. Inland Fisheries Ireland (IFI)
4. Uisce Éireann

Observer(s)

1. Paudge Connolly
2. Seamus McKenna
3. Cllr Sean Conlon

Date of Site Inspection

17th June 2025

2nd September 2025

Inspector

Rachel Gleave O'Connor, Lead
Inspector

Máire Daly, Second Inspector

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1.0 Introduction

- 1.1. Monaghan County Council is seeking approval from An Coimisiún Pleanála to undertake an urban regeneration project in Monaghan town centre known as the Dublin Street North Regeneration Project.
- 1.2. The application is being made by Monaghan County Council pursuant to Section 175 and Section 177AE of the Planning and Development Act, 2000 (as amended). Accordingly, an Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared in respect of the proposed development.
- 1.3. Before making a decision on the proposed development, the Board shall consider the EIAR, any submissions or observations and any other information relating to (i) the likely effects on the environment of the proposed development, and (ii) the likely consequences for proper planning and sustainable development in the area in which it is proposed to situate the proposed development. It should be noted that submissions were received from the Department of Housing, Local Government and Heritage, Transport Infrastructure Ireland (TII), Inland Fisheries Ireland, Cllr Sean Conlon, Paudge Connolly and Seamus McKenna. A summary of the matters raised in their submissions is provided in Section 6 of this report.
- 1.4. The assessment set out in this report was undertaken by Rachel Gleave O'Connor (Senior Planning Inspector), with the support of Máire Daly (Senior Planning Inspector), who form co-authors of the report.

2.0 Proposed Development

2.1. Introduction and Description

- 2.1.1. Approval is sought for a regeneration scheme in Monaghan town centre referred to as the Dublin Street North Regeneration Project in the submitted documentation and includes the local area of Dublin Street and back lands to the north, Old Cross Square and Diamond Centre Car Park, all located within Monaghan Town Centre and in the townlands of Roosky and Tirkeenan, Co. Monagan.
- 2.1.2. The proposed development seeks to deliver key elements of the Dublin Street North Regeneration Plan (2022) (As adopted under Variation 3 of the Monaghan County

Council Development Plan, 2019 of the previous County Development Plan, see section 5 below). The proposal is summarised as follows:

- 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.
- Creation of new public park with associated pedestrian paths, landscaping and lighting.
- 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.
- 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)
- Public realm enhancements at Diamond Centre Car Park to include reconfiguration of car parking, resurfacing, cycle infrastructure and associate street furniture.
- Reinforcement of existing vegetation and new soft landscaping throughout, new boundary treatments, street lighting, sustainable urban drainage systems (raingardens and permeable surfacing).
- Upgrading and installation of new utility services and CCTV.
- Demolition of buildings and structures (approximately 36 no. structures in total) located at Unit 1 & Unit 2 Old Cross Square and to the rear (north-east) of No. 32-62 Dublin Street including a structure within the curtilage of No. 57 Dublin Street (Protected Structure) and No. 4 The Diamond Centre. Reconstruction of building elevations where required.
- All other associated site and developments works.

2.2. Accompanying Documents

2.2.1. The application is accompanied by the following documents:

- Cover Letter
- Site and Newspaper notices
- Copies of letters to Statutory Bodies
- Schedule of Information
- Planning Statement
- Environmental Impact Assessment Report (EIAR)
- EIA Portal Confirmation
- Natura Impact Statement (NIS)
- Traffic Statement
- Road Safety Audit and Quality Audit
- TII Design Report
- Outline Construction and Environmental Management Plan
- Associated drawings

3.0 Site Location and Description

3.1. The area of the proposed development works is located on the 'backlands' to the rear of properties fronting the northern side of Dublin Street and to the north and north-east of Dublin Street, the Diamond Centre Car Park and Old Cross Square all within Monaghan Town Centre, in the townlands of Roosky and Tirkeenan. The site boundary begins on the western side to the east of The Diamond and no. 61/62 Dublin Street, and encompasses the Diamond carpark and the area of backlands traveling south east including the more elevated lands to the north east and rear access lanes until the south eastern boundary of the site in the area of Old Cross Square. The project site has a total area of c. 2.51ha and is located within the town centre boundary as defined in the Monaghan County Development Plan 2025 – 2031 (Map MDP2 Monaghan Town Centre).

- 3.2. The site is comprised of narrow properties along Dublin Street with extensive backland sites and garden areas extending to the north. The street frontage and buildings along Dublin Street are intermittently separated from each other by narrow laneways which provide access to these historical elongated rear lots. Several of these back land lots have existing outbuildings located on them which are associated with the main buildings fronting on to Dublin Street. Numerous rear plots connect to a rear access track which runs along the northern and north eastern boundary of the proposed site. A distinctive area of mature tree cover and vegetation is located on the north-eastern portion of the site which adjoins the existing pedestrian walkway which links the Old Cross Square area to the North Monaghan Primary Care Centre to the northeast.
- 3.3. The land is relatively level along Dublin Street before rising gradually towards the back lands with a steeper incline to the rear access track. Beyond the site boundary the land raises further towards the northeast. Surrounding land uses include retail, business and commercial, residential and community / ecclesiastical uses. The project covers a significant area within Monaghan Town which an aim to revitalise Dublin Street and back lands to the north, the Diamond Centre Car Park and Old Cross Square.
- 3.4. The terraces facing Dublin Street are interspersed with lane ways through archways and gaps between terraces to the backlands and gardens to the rear. The existing structures facing Dublin Street comprise three storey structures, generally of two and three bays in width. Typically, there are long rear annexes extending into the depths of the plots.
- 3.5. The subject site includes Dublin Street on the existing urban N54, national road, within Monaghan Town. Modifications are proposed to the N54, national road, as part of the subject application. There is two-way vehicular access onto the southern side of Old Cross Square via the N54 Broad Road roundabout to facilitate local residents and businesses. At the northern end of the site, the Diamond Centre Car Park is accessed from the Diamond at the top of Dublin Street. Access to the Diamond Centre Car Park is provided for residents and businesses, including the Health Service Executive (HSE), via an undercroft archway. There is total of 125 car parking spaces within the site boundaries. This includes on-street car parking along

Dublin Street and Old Cross Square. Public parking is also available at the Diamond Centre Car Park.

- 3.6. It is envisaged that the proposed development complements and integrates with wider regeneration plans for the town centre. Most notably, the first phase of the Dublin Street South Regeneration Plan has been approved by ABP (Ref. JA18.314501) and will create a new urban structure with new streetscape, pedestrian, and cycle network with aim of attracting new town centre development. The proposed development also complements MCC's proposed civic office development which has been granted Part 8 planning approval.
- 3.7. The following heritage assets are relevant to the proposals: Historic town of Monaghan (SMR MO009-060---) & Monaghan Town Area of Archaeological Importance (at Dublin Street North and Old Cross Square), Historic (levelled) town defences (SMR MO009-060004-) (at backland plots to Dublin Street North), Market Cross (SMR MO009-060006---) (in Old Cross Square) and the ruins of undesignated built heritage Old Infirmary site, (formally Ward 12/Old 12 of St Davnet's Campus, greenfield area, east of Old Cross Square). With regard to protected structures there are 5 adjoining the site and one that is recorded by the National Inventory of Architectural Heritage (NIAH). The protected structures that are specifically listed on the RPS / NIAH are currently outside of the site boundary and would not be directly affected. It is noted however that two buildings proposed for removal as part of the proposal, located to the rear of No. 57 Dublin Street are located within the curtilage of the protected structure. The site is also located within the Dublin Street ACA and bounds The Diamond ACA.
- 3.8. The surrounding area is characterised by the town core, of similar uses to the Regeneration Plan Area, and comprising a mix of uses, include a modest extent of residential and a mix of small to medium scale retail uses based on traditional narrow plot street pattern on Glaslough Street, the Diamond, Dublin Street and Market Square.
- 3.9. There are a number of sensitive natural heritage sites in the wider area including Slieve Beagh SPA to the northwest along with and several NHA designated lakes, bogs and woodlands.

4.0 Planning History

4.1. Introduction

- 4.1.1. Relevant and recent planning history associated with the site and immediate area are listed below. A list of planning history in the vicinity up to September 2024 is set out in Section 4.4 of the EIAR.

4.2. Subject Site

- MCC Planning Ref. 2460407 - Units 2-5 Diamond Complex, The Diamond, Co. Monaghan - Permission granted in April 2025 to modify the current permitted use of the existing two-story premises to allow for the subdivision of the premises into individual units for commercial activity, including amendments to the internal layout, elevational changes, associated retail signage, and site works situated at Units 2-5 Diamond Complex, The Diamond, Monaghan, H18 V2V0. The proposed development is located within the vicinity of a protected structure of local importance situated at Roosky Td, Monaghan, Co. Monaghan.
- MCC Planning Ref. 2460246 - Unit 1 The Diamond Centre, Monaghan, Co. Monaghan – Permission granted in November 2024 for a change of use of existing permitted use to a restaurant and food takeaway establishment, including amendments to the internal layout, improvements to sanitary facilities, associated retail signage, and pertinent site works. (The proposed development is located within the vicinity of a protected structure of local importance situated at Roosky Td, Monaghan, Co. Monaghan).
- ABP Ref. 319743-24: EIA Scoping Request in respect of proposed development at Dublin Street and lands to the northeast of Dublin Street, Old Cross Square, Monaghan Town, townlands of Roosky and Tirkeenan,
- MCC Planning Ref. 2343 - 60 and 61 Dublin Street, Monaghan, Co. Monaghan – Permission granted in November 2023 for development consisting of i) change of use of guest house accommodation 11 no. bedrooms to 3 no. apartments, ii) provision of communal amenity area, bin store and bike store

and all associated site works. Significant Further information requested which related to revised site layout and revised floor plans and elevations.

- MCC Planning Ref. 20450 - National Learning Network Building, The Diamond, Rooskey- Permission granted in January 2021 to (1) Alter existing patio area/steps at front of existing building (2) Erect railings along front of building (3) Incorporate security shutters at entrance to building and carry out associated site works.
- MCC Planning Ref. 19384 - 35 Dublin Street , Monaghan , Co. Monaghan – Permission granted in January 2020 for a development consisting of change of use from commercial to domestic together with alterations and extensions to the existing building within an Architectural Conservation Area to include the following: (i) demolish existing gable wall & rebuild together with ridge height increase, (ii) construct a single-storey rear extension, (iii) demolish existing out-building & erect a new single-storey storage/outbuilding (iv) all ancillary internal & external façade alterations (v) new gate to existing alleyway (vi) all associated site works.

4.3. Surrounding Vicinity

4.3.1. Planning Authority:

- MCC Planning Ref. 2460070 – site to northeast of subject site at Rooskey Vale, Monaghan, Co. Monaghan. Permission granted in December 2024 for a new daycare centre for the Alzheimer Society of Ireland, detached garage, new vehicular entrance and all associated site civil works, Significant Further Information submitted relates to, Revised Drawings, Stage 1 & 2 Road Safety Audit.
- MCC Planning Ref. 2360190 – site at 8 Old Cross Square, Monaghan, Co. Monaghan. Permission refused in October 2023 for the erection of Advertising Signage and All Associated Work At 8 Old Cross Square, Co. Monaghan.
- MCC Planning Ref. 2360040 – site on southern side of Dublin Street at Sherry's public house, no. 24 Dublin St, Monaghan town, co. Monaghan. Permission granted in July 2023 for separation of public house and

residential use, change of use of first floor rear rooms from public house to residential use, to form a public house 64m² and a 4 bedroom dwelling circa 223m². Sherry's Public House is a protected structure.

- MCC Planning Ref. 19395 – site to immediate south fronting onto Dublin Street at 11 Dublin Street, Monaghan, Co. Monaghan permission granted in December 2019 to extend opening hours of premises, change of front signage and all associated site works.
- MCC Planning Ref. 18494 – site at 5/6 Old Cross Square, Monaghan, Co. Monaghan. Permission granted in May 2019 to retain shop front alterations together with permission to replace existing standalone sign with digital signage and all associated works. Significant further information relates to retention of existing stand-alone sign and associated works.
- MCC Planning Ref. 178011 – site to south of subject site fronting onto Dublin Street at Monaghan Town Hall Building, Dublin Street, Monaghan. Permission granted in February 2018 to renovate and restore the former Town Hall which is a Protected Structure, to demolish the 1929 rear extensions to the original structure and to erect a new single and 2 storey extension of office accommodation measuring 328m².
- MCC Planning Ref. 16395 – site at No. 25 Old Cross Square, Tirkeenan, Monaghan Town. Permission granted in January 2017 to erect a two-storey extension to rear of existing dwelling house plus associated site works.

4.3.2. **Part 8 Developments:**

- Part 8 Monaghan County Council Civic Offices – site adjoining to northeast on elevated site - construction of new civic offices and associated infrastructure to the rear of Dublin Street north, approved (May 2024). New office accommodation will have a gross floor area of 5,601m², distributed over three tiered floors, incorporating an entrance foyer, office spaces, meeting rooms, a staff canteen, council chamber, customer service desks, welfare facilities and internal landscaped courtyards. The planning application also provides for a new Roosky Lands access road, improved pedestrian and cycle links, a car park and all associated site development works.

- Part 8 1030801: Consent sought for environmental enhancement works on Dublin Street and The Diamond.
- Part 8 1030802: Consent sought for environmental enhancement works to Old Square, Monaghan, including a roundabout and relocation of the Old Cross monument.

4.3.3. **An Coimisiún Pleanála:**

- ABP Ref. 314501-22 – Local Authority Non-Road Development at site to immediate south of subject site at the properties at 7- 13 Dublin Street, lands to the rear of 1-9 The Diamond and 1-26 Dublin Street, the Courthouse car park, Lower Courthouse car park, Castle Road, and N54 Macartan (Broad) Road, townlands of Roosky and Tirkeenan, Co. Monaghan. Permission granted in December 2024 for South Dublin Street and Backlands Regeneration Project. The proposed development covers an area of approximately 2.72 hectares and comprises urban regeneration and public realm proposals.
- ABP 319743-24 - Environmental Impact Assessment Scoping Request in respect of a public realm scheme at Dublin Street and back lands to the north, the Diamond Centre Car Park and Old Cross Square. (relates to current application). Date signed 14/08/2024.
- ABP Ref. 306360-20 – Site to the rear of 6/7 The Diamond, Roosky, Monaghan. Permission refused in September 2020 for a mixed-use residential/commercial infill development. The proposed development is to contain 25 no. apartments arranged in two blocks over 4/5 floors, linked via landscaped courtyard garden with lower level office/storage space beneath. Block A is to contain ground floor office space beneath 1 no. 1 bed apartment & 13 no. 2 bed apartments. Block B is to contain lower level storage space beneath 3 no. 1 bed apartments & 8 no. 2 bed apartments. The proposed development will have pedestrian access directly onto The Diamond via existing right of way and access to council car-park to the southern end of site. The works include lower level storage space, bin store, bicycle store, kitchen garden, connection into public utilities, landscaping & planting scheme together with associated site works. The proposed development is

located within the vicinity of listed buildings of local importance situated at Roosky Td, Monaghan, Co. Monaghan. Reasons for refusal related to 1. the non-provision of carparking which contravened development plan policy and 2. absence of a comprehensive Archaeological Impact Assessment and possible impact of development on zone of archaeological constraint.

- ABP 309071-21: Environmental Impact Assessment Scoping Request in respect of a public realm scheme at South Dublin Street & backlands (relates to ABP 314501-22). Date signed 27/05/2021.

5.0 Legislative and Policy Context

5.1. The EU EIA Directive (2014/52/EU):

- 5.1.1. Environmental Impact Assessment Directive (EIA Directive) means Directive 2014/52/EU of the European Parliament and of the Council of 16th April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment.

5.2. The EU Habitats Directive (92/43/EEC):

- 5.2.1. This Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) and 6(4) require an appropriate assessment of the likely significant effects of a proposed development on its own and in combination with other plans and projects which may have an effect on a European Site (SAC or SPA).

5.3. European Communities (Birds and Natural Habitats) Regulations 2011:

- 5.3.1. These Regulations consolidate the European Communities (Natural Habitats) Regulations 1997 to 2005 and the European Communities (Birds and Natural Habitats) (Control of Recreational Activities) Regulations 2010, as well as addressing transposition failures identified in CJEU judgements. The Regulations in particular require in Reg 42(21) that where an appropriate assessment has already been carried out by a 'first' public authority for the same project (under a separate code of legislation) then a 'second' public authority considering that project for appropriate assessment under its own code of legislation is required to take account of the appropriate assessment of the first authority.

5.4. National Nature Conservation Designations:

- 5.4.1. The Department of Culture, Heritage and the Gaeltacht and the National Parks and Wildlife Service are responsible for the designation of conservation sites throughout the country. The three main types of designation are Natural Heritage Areas (NHA), Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) and the latter two form part of the European Natura 2000 Network.
- 5.4.2. There are several sensitive sites in the wider area including pNHA / NHA designated lakes, bogs and woodlands. The closest European site is Slieve Beagh SPA and a potential link exists to the Lough Neagh & Lough Beg SPA which are listed below:

Table 5.1 – European sites and proximity

European Site	Separation distance
Slieve Beagh SPA Site code: 004167	c.10km NW
Lough Neagh & Lough Beg SPA (NI) Site code: UK9020091	c.39km NE (straight line) c.58km NE (aquatic)

5.5. Planning and Development Acts 2000 (as amended):

- 5.5.1. Part X of the Act sets out the requirements for the environmental impact assessment of developments which necessitate the preparation of an EIAR.
- 175 (1) sets out the requirements for the environmental impact assessment of developments carried out by or on behalf of local authorities.
 - 175 (1) requires a local authority to prepare, or cause to be prepared, an Environmental Impact Assessment Report in respect of the proposed development.
 - Section 175 (2) states that a proposed development in respect of which an EIAR is required shall not be carried out unless the Board has approved it with or without modifications.

- Section 175 (3) states that where an EIAR has been prepared pursuant to subsection (1), the local authority shall apply to the Board for approval of the proposed development.
- Section 175 (6) states that before making a decision in respect of a proposed development, the Board shall consider the EIAR and any other information furnished and relating to the likely effects on the environment; the likely consequences for proper planning and sustainable development in the area; the views of any other Member State of the European Communities or a state which is a party to the Transboundary Convention to which a copy of the EIAR was sent; the report and any recommendations of the person conducting an oral hearing.
- Under Section 175(9)(a), the Board shall make its decision on the application within a reasonable period of time and may, in respect of such application:
 - (i) approve the proposed development,
 - (ii) make such modifications to the proposed development as it specifies in the approval and approve the proposed development as so modified,
 - (iii) approve, in part only, the proposed development (with or without specified modifications of it of the foregoing kind), or
 - (iv) refuse to approve the proposed development,
 and may attach to an approval under subparagraph (i), (ii) or (iii) such conditions as it considers appropriate.
- Section 175 (12) states that the Board shall have regard to the provisions of any special amenity order relating to the area; the area or part of the area is a European site or an area prescribed for the purposes of section 10(2)(c), that fact; where relevant, the policies of the Government, the Minister or any other Minister of the Government, and the provisions of this Act and regulations under this Act where relevant.

5.5.2. Part XAB of the Act sets out the requirements for the appropriate assessment of developments which could have an effect on a European site or its conservation objectives.

- 177(AE) sets out the requirements for the appropriate assessment of developments carried out by or on behalf of local authorities.
- Section 177(AE) (1) requires a local authority to prepare, or cause to be prepared, a Natura impact statement in respect of the proposed development.
- Section 177(AE) (2) states that a proposed development in respect of which an appropriate assessment is required shall not be carried out unless the Board has approved it with or without modifications.
- Section 177(AE) (3) states that where a Natura impact assessment has been prepared pursuant to subsection (1), the local authority shall apply to the Board for approval and the provisions of Part XAB shall apply to the carrying out of the appropriate assessment.
- Section 177(V) (3) states that a competent authority shall give consent for a proposed development only after having determined that the proposed development shall not adversely affect the integrity of a European site.
- Section 177AE (6) (a) states that before making a decision in respect of a proposed development the Board shall consider the NIS, any submissions or observations received and any other information relating to:
 - The likely effects on the environment.
 - The likely consequences for the proper planning and sustainable development of the area.
 - The likely significant effects on a European site.

5.6. National Policy and Guidance

Climate Action Plan (CAP) 2025

5.6.1. The Irish Government adopted the most recent Climate Action Plan 2025 (CAP25) in April 2025. This is the third statutory annual update to Ireland's Climate Action Plan under the Climate Action and Low Carbon Development (Amendment) Act 2021. CAP 25 builds on the Climate Action Plan of 2024, reinforcing the measures, actions

and policy supports required to support Ireland's transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy. It represents an update or iteration of Ireland's ongoing climate action strategy, and I note the continuity between CAPs and the considerable overlap in the iterative evolution of the actions.

5.6.2. The Plan states that the revision of the National Planning Framework presents an opportunity to re-emphasise the cross-linkages between land-use and spatial planning and the transport system. The policy pathway for cutting transport emissions centres around the 'Avoid-Shift-Improve' approach and specifically, Compact Growth Transport Orientated Development, improved 'Active Travel' infrastructure, better public realm and planning consents for alternative fuel, and EV charging infrastructure. The provision of safe and accessible walking and cycling infrastructure is key to encouraging modal shift away from private car use and towards walking and cycling.

5.6.3. The Plan states that local authorities have an integral and critical role in decarbonising transport, through the spatial and land-use planning system, promoting public transport-oriented development, ensuring permeability for active modes, implementing and requiring sustainable parking policies, delivering public realm improvements, developing appropriate demand management measures, and provision of EV charging and alternative fuels infrastructure.

National Planning Framework

5.6.4. On 8th April 2025, the Government approved the revised National Planning Framework (NPF – First Revision) this follows a comprehensive NPF revision process which has been underway since June 2023. A number of key drivers of change in Ireland were a significant focus for the revision process, and the final framework document sets an agenda to cater for population growth and the associated housing requirement, infrastructure delivery and climate and environment, in particular new policies in relation to renewable energy development. The Plan will shape necessary reviews of current regional strategies and local authority development plans in the near future.

5.6.5. The Plan seeks to support the expansion in wind and solar power necessary to meet renewable energy targets. It contains several National Strategic Outcomes (NSOs)

which include a focus on Compact Growth. The plan states that all our urban settlements contain many potential development areas, centrally located and frequently publicly owned, that are suitable and capable of re-use to provide housing, jobs, amenities and services, but which need a streamlined and co-ordinated approach to their development, with investment in enabling infrastructure and supporting amenities, to realise their potential. Activating these strategic areas and achieving effective density and consolidation, rather than more sprawl of urban development, is a top priority.

- 5.6.6. Chapter 2, A New Way Forward, under the heading ‘Securing Compact & Sustainable Growth’, emphasises the importance of the ‘liveability’ or quality of life of urban places. Chapter 4, Making Stronger Urban Places, recognises that well designed spaces can enhance urban areas, make them attractive and distinctive and desirable for living, working and visiting. National Policy Objective (NPO) 12 seeks to “Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being”.

National Development Plan, 2021-2030

- 5.6.7. Published in tandem with the NPF, the NDP seeks to drive Ireland’s long term economic, environmental and social progress up to 2030. The NDP mirrors the national strategic objectives of the NPF and provides specific funding measures to support the compact growth agenda, strengthened rural economies and communities, and sustainable transport.

Section 28 Ministerial Guidelines & other policy

- 5.6.8. Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions, I consider the following are relevant: • The National Biodiversity Plan 2023-2030 • Architectural Heritage Protection Guidelines for Planning Authorities (2011) • ‘The Planning System and Flood Risk Management’ (2009) • Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (2018) • Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities • Cycle Design Manual (2023) • ‘Design Manual for Urban Roads and Streets’ (DMURS) • Places for People: National Policy on Architecture (2022).

5.7. Regional Policy and Guidance

Regional Spatial and Economic Strategy for the Northern and Western Region 2020-2032

5.7.1. This strategy provides a high-level development framework for the Northern and Western Region that supports the implementation of the National Planning Framework (NPF) and the relevant economic policies and objectives of Government. It is a Regional Policy Objective (R.P.O.) 3.1 to develop urban places of regional-scale through:

- Delivering on the population targets for the Metropolitan and Regional Growth Centres through compact growth.
- Delivering significant compact growth in Key Towns; and
- Developing derelict and underutilised sites, with an initial focus within town cores.

5.7.2. Monaghan is identified as a Key Town and one of the key future priorities is to deliver 20% of projected growth through regeneration and renewal of a significant area of the town centre; targeting population growth at delivery of compact growth, support sustainable travel and smart travel initiatives set out in the Monaghan Land Use and Transportation Study (MLUTS).

5.7.3. Relevant objectives include:

- RPO 3.9 Identify suitable development opportunities for regeneration and development that are supported by a quality site selection process that also addresses environmental constraints and opportunities.
- RPO 6.29, .30 and 6.31 in particular focus on walking, cycling, public transport accessibility and permeability in town centres.
- RPO 7.20 Increase population living within settlements, through a range of measures including area or site-based regeneration....

5.8. Local Policy and Guidance

Monaghan County Development Plan 2025-2031

5.8.1. The operative development plan is the Monaghan County Development Plan 2025-2031 which came into effect on 7th July 2025.

5.8.2. The site is located in Monaghan town, a Tier 1, Principal/Key Town listed under the Core Strategy of the Plan (Chapter 2). The site is centrally located within the town centre boundary and is zoned for 'town centre' use. Part of the site is identified as being within an 'Action Plan' area (see map MTDP1) and Chapter 10 of the Plan titled Monaghan Town Settlement Plan 2025-2031 outlines the following strategic Objectives in relation to the town:

- *MTSO 1 - To facilitate the development of Monaghan Town to maintain its position as the Principal/Key Town in the County at the top of the settlement hierarchy and to ensure that its expansion takes place in an orderly and sustainable fashion that will not detract from the vitality and viability of its town centre.*
- *MTSO 2 - To ensure that the following priorities for the town are delivered within the lifetime of the development plan:*
 - *the implementation of the Dublin Street South Regeneration Plan, Dublin Street North Regeneration Plan, and Roosky Lands Master Plan.*

Town Centre First – A Policy Approach for Irish Towns:

5.8.3. This policy document was published by the Department of Housing, Local Government & Heritage and the Department of Rural & Community Development in February 2022. Town Centre First supports a more strategic and co-ordinated approach to the regeneration of Ireland's town centres. It includes a particular focus on measures to tackle vacancy and dereliction, to create more vibrant and viable places, through greater occupancy for residential purposes and to encourage more business and footfall.

5.8.4. A key element in the delivery of the Town Centre First Policy at local level is the preparation of Town Centre First Plans. These plans are non-statutory, community-level plans, underpinned by surveys and Town Centre Health Check data analysis and will be carried out by Town Teams. Town Centre First Plans must be informed by the policies and objectives of the County Development Plan and vice versa.

5.8.5. The Monaghan Town Centre First Plan dated 25.02.2025:

5.8.6. The plan lists the Large Scale Regeneration Sites within the town which includes the Dublin Street North area as an existing regeneration project. The following details are presented in relation to this area:

- *Regeneration plan adopted 2017*
- *Detailed design progressed and application lodged with ABP in 2024*
- *ABP decision 1 year*
- *2 year tender and construction period*
- *URDF funding approval of €14.7 m in respect of Dublin Street North & South*

5.8.7. Section 2.7 of the operative Development Plan outlines the Council's plans for Regeneration of Existing Lands and states that the *"Council has been proactive in regeneration initiatives in recent years, particularly in respect of delivering residential development within town centres such as the award winning Clones Renewal Scheme. There has been significant advancement of the Dublin Street South Regeneration Plan in Monaghan Town with consent having been recently obtained for the development of infrastructure on these lands. This scheme along with the Dublin Street North Regeneration Plan and the Roosky Lands Master Plan have potential to deliver housing within the urban core and thus contribute to compact growth and significant funding from the Urban Regeneration Development Fund has been secured in relation to progressing these schemes"*.

5.8.8. Chapter 6 outlines the Council's approach to Heritage, Conservation and Landscape with Section 6.17.2 detailing the Architectural Conservation Areas (ACAs) within the county. Table 6.9 outlines the ACA's within Monaghan Town and lists Dublin Street (No's 15,31-50, 58,59, 63,64) as important buildings within the streetscape. IN addition The Diamond is also listed.

5.8.9. Appendix 1(b) of the operative Development Plan lists the Record of Protected Structures for the Towns in the county. The following are listed within the site area or its vicinity:

- Ref. no. 41001178 - Terraced three storey house - 57 Dublin St
- Ref. no. 41001179 - Terraced three storey house - 56 Dublin St
- Ref. no. 41001180 - Terraced three storey house - 55 Dublin St

- Ref. no. 41001181 - Terraced three storey house - 54 Dublin St
- Ref. no. 41001056 - Ballywollen Lounge - 24 Dublin St
- Ref. no. 41001080 - Town Council Offices - 1 Dublin St
- Ref. no. 41001050 - First Presbyterian Church - Old Cross Sq
- Ref. no. 41001252 - Graveyard First Presbyterian Church - Old Cross Sq
- Ref. no. 41001042 - Old Town Cross - Old Cross Sq

5.8.10. Chapter 7 outlines the Council's approach to Transport and Infrastructure and Section 7.3.4 of Roads in Urban Areas outlines the Strategic New Routes in the Five County Towns under Table 7.6 of which the new road to the rear of Dublin Street is listed as follows: *Development of a link road from Roosky Vale to the rear of Dublin Street.*

5.8.11. Section 7.1.7 Transport Planning and Design Principles states that the following plans, guidelines and policy documents will be considered when planning and designing transport infrastructure in the County: Monaghan Land Use and Transportation Study 2019 - 2035 The Monaghan Land Use and Transportation Study (MLUTS) was prepared to identify detailed transportation and land use proposals for the future sustainable growth of Monaghan, in all contexts of transportation including road network, public transport, car parking, walking and cycling. The MLUTS makes key recommendations around developing lands, developing transport links, developing action plans, improving public transport and parking, and implementing traffic management arrangements.

5.8.12. Chapter 9 outlines the Strategic Objectives for Settlements with Section 9.3.5 outlining the Council's approach to Town Centre First. This is a policy which was issued jointly by the Department of Rural and Community Development (DRCD) and the Department of Housing, Local Government and Heritage (DHLGH) in February 2022. A key element in the delivery of the Town Centre First Policy at local level is the preparation of Town Centre First Plans. These plans are non-statutory, community-level plans, underpinned by surveys and Town Centre Health Check data analysis and will be carried out by the Town Teams. Section 9.6 outlines the approach and objectives in relation to Town Centres with TCO 9 stating the following *"To continue to encourage and accommodate the regeneration of backlands in the*

town centres where appropriate, including the construction of new urban streets to provide access to inaccessible lands”.

- 5.8.13. Strategic Objective SSO 11 outlines that the Council will seek *“To prepare, as resources permit, specific local area action plans and/or masterplans for the towns to provide for the most efficient and suitable co-ordinated development to take place”.*
- 5.8.14. Section 9.2 outlines the Land Use Zoning objectives for the settlement plans with Table 9.1 outlining the Land Use Zoning Categories and Objectives - LUO 12 Local Area Action Plan has a land use zoning objective to *“To resist development which would prejudice the preparation and implementation of Local Area Action Plans for areas identified within the towns. Local Area Action Plans will be developed to establish strategic planning principles for each identified area including land use, infrastructure provision, layout, open spaces, linkages and design. Development will only be considered on these lands where it is demonstrated that it does not compromise the overall objective for sustainable development in the future. In such cases the applicant will be required to demonstrate how the proposed development would not adversely affect the comprehensive development of the lands in the future”.* The site of the North Dublin Street Regeneration Area is covered in the operative Development Plan by this yellow outline as per Map MDP1 and MTDP2 for the Monaghan Town Centre.
- 5.8.15. Chapter 10 outlines the Monaghan Town Settlement Plan 2025-2031 with Strategic Objective MTSO 2 stating the following: *To ensure that the following priorities for the town are delivered within the lifetime of the development plan: • the implementation of the Dublin Street South Regeneration Plan, Dublin Street North Regeneration Plan, and Roosky Lands Master Plan.*
- 5.8.16. Section 10.4 Town Centre outlines the mixture of landuses within the town centre area and describes the Dublin Street Regeneration scheme as a proactive and innovative regeneration project for the Dublin Street area of the town that will lead to the sustainable, coordinated and compact growth of Monaghan town centre. The project targets regeneration of the backland areas to the North and South of Dublin Street, the opening of development lands, the assembly of suitable land parcels, and the provision of critical infrastructure and public realm facilities will serve as a catalyst for future town centre public and private investment.

5.8.17. The plan states the following: *The Dublin Street Regeneration scheme is a proactive and innovative regeneration project for the Dublin Street area of the town that will lead to the sustainable, coordinated and compact growth of Monaghan town centre. The project targets regeneration of the backland areas to the North and South of Dublin Street, the opening of development lands, the assembly of suitable land parcels, and the provision of critical infrastructure and public realm facilities will serve as a catalyst for future town centre public and private investment. The project is currently being progressed in two phases South and North.*

The Dublin Street Regeneration Plan (South) was adopted as part of the Monaghan County Development Plan 2013-2019 and was prepared to provide guidance and options for the future development of the Dublin Street back land area. The aim of the plan is:

- To realise the potential for growth and to improve the range and quality of retail and non-retail offers,*
- To deliver a more attractive shopping and visitor environment,*
- To develop the town as a service centre given its strategic location, and*
- To increase the number of people visiting Monaghan for shopping and other purposes.*

The Dublin Street North Regeneration Plan was adopted as part of the Monaghan County Development Plan 2019-2025 and provides guidance on the regeneration options for the future development of the Dublin Street North Regeneration Plan area. The plan affords for a consolidated development form to create an identifiable urban quarter with a strong sense of place and identity and includes the reuse, adaptation and infill of existing structures and new perimeter urban blocks, new streets and spaces that integrate and connect with the existing street network”

5.8.18. It is noted that the Roosky Lands Masterplan area borders the North Regeneration Plan Area and is located to its immediate north.

5.8.19. Monaghan Town Centre Objective MTO 1 states the following in relation to the proposal's area: *To ensure that all development proposals within the Dublin Street North Regeneration Plan area have regard to the regeneration strategy and development objectives of the Dublin Street North Regeneration Plan.*

- 5.8.20. MTO 4 states: *To encourage development proposals which seek to refurbish existing buildings and backland areas in order to eliminate dereliction and reinforce the town centre.*
- 5.8.21. Section 10.9 of the Development Plan outlines the approach of the local authority to Roads, Traffic Management and Active Travel. Under ‘*New road and upgrade proposals for Monaghan Town*’ the following is listed:
- Development of a link road from Roosky Vale to the rear of Dublin Street.
- 5.8.22. Section 10.10 of the Development Plan outlines objectives in relation to Tourism in the town centre where it is stated that ‘*the redevelopment of the backland areas of Dublin Street and improvements to the existing amenities around Peter’s Lake will contribute to an improved environment, which coupled with the conservation and restoration of buildings and monuments in the town, will add to the experience of the visitor*’.
- 5.8.23. Section 10.12 Natural Heritage states that “*The setting of Monaghan Town is shaped by the natural topography which provides it with a unique natural environment*”.
- 5.8.24. Section 10.11.1 Open Space states that “*The Council will endeavour to protect and preserve areas of high amenity and open space value and restrict overdevelopment of urban land as well as seeking to develop further amenity areas in the town. The Council will seek to maintain existing rights of way and investigate the creation of additional public rights of way either, by agreement or by use of compulsory powers*”.
- 5.8.25. Section 10.14 of the Development Plan outlines information in relation to the Archaeology present in the town centre and states the following “*Monaghan Town is a fine example of a seventeenth century plantation town and much of the street pattern of this time has survived. Dublin Street, the Diamond, Glaslough Street, Mill Street, Park Street and Market Street all appear to be of seventeenth century origin. The “Zone of Archaeological Potential” within the town, which comprises the area of the seventeenth century town together with the area around the site of Mullaghmonaghan Fort, is delineated on Map MTDP3 of the Monaghan County Development Plan 2025-2031. Within this area there is a possibility of discovering archaeological deposits such as seventeenth century house foundations, refuse pits, industrial areas and workshops. Consequently, archaeological surveys maybe required before any development is commenced in these areas*”.

- 5.8.26. The above section also encourages developers to refer to the County Monaghan Urban Archaeology Survey which details other known archaeological findings in the urban area. A list of protected monuments and places is contained in Appendix 4.
- 5.8.27. Chapter 15 of the Plan outlines the Development Management Standards applicable to the town centre. Section 15.2.5 refers to Backland Sites and states *“Development proposals on these lands should be prepared using the principles of master planning to ensure that large areas of land, often in multi-ownership, are appropriately planned and developed in a sustainable manner. Masterplans provide a plan-led approach and may include provisions for phasing, infrastructure provision, community facilities, density, layout, open spaces, landscaping and development design briefs and statements. Piecemeal development of individual plots will generally not be permitted unless it is satisfactorily demonstrated that any proposed development shall not compromise the comprehensive redevelopment of adjoining lands in a sustainable manner”*.
- 5.8.28. Dublin Street, is located in an Architectural Conservation Area (ACA) and includes a number of protected structures.
- 5.8.29. The following appendices to the Development Plan are also relevant to the proposed development:
- Appendix 1(b) Record of Protected Structures for Towns
 - Appendix 3(b) Conservation of important Trees and Woodlands (Towns)
 - Appendix 4 Record of Monuments and Places
 - Appendix 5 Developments that may Impact on Water Quality
 - Appendix 9 Traffic and Transport Assessment (TTA)
 - Appendix 10 Road Safety Audit (RSA)
 - Appendix 11 Access Details
 - Appendix 12 Parking layout details
 - Appendix 19: Strategic Flood Risk Assessment

5.8.30. Regeneration Plan—Dublin Street North - Prepared on behalf of Monaghan County Council by Sheridan Woods Architects + Urban Planners - April 2022—Adopted 04.04.22.

The purpose of the plan is to provide guidance on the development options for the future development of the Regeneration Plan study area. The proposal aims to rebuild this area of the town centre to a strong and vibrant core while protecting its heritage and character so that the town will be attractive to live, work and invest in and ensuring the retention and growth of population.

The plan area benefits from the pre-existing Dublin Street Local Area Action Plan, 2011 (LAAP 2011). The LAAP 2011 proposed a new street to the rear of Dublin Street, with infill and new mixed-use development, and a new interim surface car parking area of 0.5ha, with amenity and recreational area. Proposed improved pedestrian links, and local access from the new street to The Diamond and Old Cross Square were also proposed. The lands to the south of Dublin Street benefit from a Regeneration Plan, The Dublin Street Regeneration Plan (2017) and the recently approved ABP Ref. 314501-22 approved in 2024 which includes the site to immediate south of subject site at the properties at 7- 13 Dublin Street, lands to the rear of 1-9 The Diamond and 1-26 Dublin Street, the Courthouse car park, Lower Courthouse car park, Castle Road, and N54 Macartan (Broad) Road. Permission granted in December 2024 for South Dublin Street and Backlands Regeneration Project.

6.0 Consultations

6.1. Prescribed Bodies

6.1.1. The application was circulated to the following Prescribed Bodies:

- An Chomhairle Ealaíon,
- An Taisce,
- Department of the Environment, Climate and Communications,
- Department of Housing, Local Government and Heritage,
- Environmental Protection Agency,

- Fáilte Ireland,
- Inland Fisheries Ireland,
- Uisce Éireann,
- The Heritage Council,
- Transport Infrastructure Ireland, and
- Waterways Ireland.

6.1.2. Responses were received from the Department of Housing, Local Government and Heritage, Inland Fisheries Ireland, Transport Infrastructure Ireland and Uisce Éireann. Summaries of these submissions are presented as follows:

6.1.3. **Department of Housing, Local Government and Heritage:**

Nature Conservation:

Pollutions control measures during the construction phase:

- The findings of the NIS outlines the potential hydrological connectivity of the application site to the nearby Shambles River, a tributary of the Blackwater River and within the watershed of the Lough Neagh & Lough Beg SPA (UK9020091) in Northern Ireland. The WFDS Ecological Status of the Blackwater (Monaghan) 040 waterbody at this location is noted to be Poor and at risk of not achieving a good status. A significant pollution event could further undermine the waterbody status and result in negative impacts to aquatic fauna and flora.
- Appropriate sediment and water contamination control measures, as detailed in the NIS and EIAR, should be incorporated into the construction environmental management plan (CEMP) and implemented during the construction phase of works in order to mitigate against any potential deterioration of in-stream water quality.

Invasive Alien Plant Species:

- Department notes the findings of the invasive species survey and the associated invasive species management plan (ISMP), which highlights the presence of a number of non-native species within the project area including

Japanese Knotweed. It is recommended that the management plan be incorporated into the CEMP and precautions taken to not introduce new invasive species into the site.

Bats:

- Pre-commencement bat surveys are recommended to ensure that no roosting bats are present within the structures prior to demolition works being undertaken. Woodland areas within the project area identified as having potential to act as bat roosts alongside foraging habitat should be retained.
- Appropriate lighting measures in accordance with guidance by Bat Conservation Ireland are recommended to reduce the impacts on foraging and roost areas.

Swifts

- It is recommended that Swift nest box measures should be incorporated into all urban realm regeneration projects in Ireland where known populations exist or have become locally extinct due to the loss of former nest sites. Nest box measures, as detailed by Swift Conservation Ireland, include build-in Woodstone boxes that can be incorporated into new walls, and external Schwegler 17A triple entrance nest boxes.

Biodiversity Measures

- Take account of bird nesting season when carrying out works. Where works are undertaken during the bird-nesting season, pre-commencement breeding bird surveys are recommended.
- It is recommended that ivy present on trees not identified as at risk of structural failure or at risk to public safety is retained as part of biodiversity measures at the site.
- The Department advises that prior to any construction work commencing on potential old stone walls, a bryophyte (moss), lichen and vascular plant survey should take place. Should any rare or threatened species be found, mitigation measures must be agreed with An Bord Pleanála. In the case of legally protected species under the Flora (Protection) Order, 2015, a licence will be

required from this Department in order to alter, damage, destroy or interfere with its habitat or environment.

Archaeology

- The Department acknowledges the findings in Chapter 13 Cultural & Architectural Heritage in Vol 1 Main Report and concur with the recommended mitigation in Table 13.14.
- The proposed development would involve groundworks within the area of archaeological potential around Recorded Monument M0009-060— (Historic town), M0009-06004- (Town defences) and directly involving the relocation of M0009-060006- (Cross – Market cross) which are subject to statutory protection under the terms of the National Monuments (Amendment) Act, 1994. Extreme care should be taken to ensure that Recorded Monument M0009-060006- (Cross - Market cross), is not damaged during the proposed construction work and relocation.
- The Department also notes the remains of the now demolished 18th century Old Infirmary Complex and wish to draw attention to the possibility of the discovery of buried human remains in the proximity of this building given the use of the building as a hospital and formerly an alms house. The Department therefore recommends that archaeological monitoring, as detailed in the submission, should be required as a condition of planning. Archaeological monitoring shall be carried under the terms of a licence issued by this Department.

6.1.4. Inland Fisheries Ireland

The site is adjacent to the Shambles River, which is a tributary of the Monaghan Blackwater River. The Shambles River contains fisheries habitat and supports stock of coarse fish and pike while the Monaghan Blackwater River supports stocks of Atlantic salmon, brown trout. European eel and lamprey among other species. Note: Atlantic salmon and lamprey species are listed in Annex II of the Habitats Directive.

The WFD Ecological status of the waterbody at this location. Shambles_010, is Poor and At Risk of not achieving Good status. In order to protect the adjacent Shambles

River and in turn the Monaghan Blackwater River IFI recommends the following regarding this proposed development:

- Storm water management:

Storm water management should be designed in accordance with the Department of Housing, Local Government and Heritage guidance document Nature-based solutions for the management of rainwater and surface water run-off in urban areas. The document identifies the need for a significant change in the way to plan, design, build and maintain urban areas through the replacement of impermeable surfacing with nature-based planted areas designed to absorb, retain, store and treat urban runoff prior to discharge back to the environment

- Surface water management during construction phase:

All construction work should be in accordance with a Construction Environmental Management Plan which ensures that good construction practices are adopted throughout the construction period and contains mitigation measures to deal with potential adverse impacts identified in advance of the scheme. Potential issues that may arise on site and associated mitigation measures are addressed in IFI's document Guidelines on protection of fisheries during construction works in and adjacent to waters. which are available on IFI's website.

6.1.5. Transport infrastructure Ireland

The TII notes that the subject site extents include Dublin Street on the existing urban N54 national road within Monaghan Town and that modifications are proposed to the N54, national road, as part of the subject application.

While TII notes that a Design Report forms part of the application documentation, Section 8 'Statutory Procedures' of TII Publications DN-GEO-03030 outlines that statutory planning procedures (Phase 4) should not commence prior to the review and satisfactory responses to any comments from TII of the Design Report. TII can confirm that no Design Report was received by the Authority in advance of the submission of the subject application. Any review of a Design Report may require modifications to the scheme to ensure compliance with TII Publications.

While TII has reviewed the Design Report submitted with the application with respect to the proposed modifications to the N54, national road, subject to the Dublin Street

North Regeneration Project, the Design Report has not yet been accepted. In that regard, TII respectfully requests that the Board consider including a specific condition in any decision to grant permission.

Modifications to the N54, national road, included in the subject application also provide for the introduction of raised table crossings on Dublin Street, the urban N54, national road. The N54, national road, is a strategic national road and will continue to facilitate strategic traffic including heavy commercial vehicles, therefore, the national road pavement must continue to support this function. In that regard, the construction of the raised table on the N54, national road, and the materials used should accord with TII Publications design specifications as well as TII Publications (Standard Construction Detail) CC-SCD-05145 (Raised Table Detail) for construction of raised tables on reduced speed limit urban national roads.

Having regard to the foregoing, TII recommends, in the event of permission being granted for the proposed development that certain provisions should apply for the development impact on the N54, national road and attached as conditions to any permission.

6.1.6. **Uisce Éireann**

Connection(s) to Public Water and Wastewater

- Connection agreement required for new connections for proposed water features.
- Existing in situ water infrastructure network will be extended to the accommodate the new development plots created by the proposal, while enabling infrastructure such as meters and fire hydrants shall also be provided.
- Wastewater infrastructure will be similarly extended to accommodate the future development on the newly created plots.

Water Source Protection

No impact to water sources resulting from this development is anticipated.

Protection of Existing Uisce Éireann Assets

Uisce Éireann is satisfied with the EIAR assessment that that minimal alteration is required to the existing network to facilitate development, however requests that the applicant liaise with Uisce Éireann during the final design stage of the proposed development works to ascertain the potential impacts on the existing UÉ network infrastructure so that protection works, or replacement works can be agreed and carried out as appropriate.

Uisce Éireann respectfully requests any grant of permission be conditioned as detailed in submission.

6.2. Public Submissions

6.2.1. Cllr. Seán Conlon

- Submission in support of the owners of McKenna's Pub, 62 Dublin Street which is stated is the oldest family pub in Monaghan town.
- The proposed demolition of a section of this property will have a considerable detrimental impact on the business and livelihood of the family who run the pub.
- It is considered that the inclusion of this section of the McKenna property to be included for demolition is the result of an administrative error.
- Contained within this 7m wide X 11m long area, at ground level, are the stock/inventory storage facilities, and plant and utility equipment. At upper level, an element which is not part of the proposed demolition, is the upstairs bar and lounge, a popular venue supplementary to the downstairs pub where family, community, business, and charity events are held.
- The submissions notes that this business with its large building footprint, provides the Council with a valued annual rates payment, for a town that has considerable vacancy rates, and especially in the pub sector where only ten exist. The business also employs 8 staff locally.

6.2.2. Seamus McKenna, 62 Dublin Street (McKenna's Pub)

- The submission states that the pub's cold room, spirit locker, ice machine, pumps for beer and function room for parties and gigs etc. would all be

removed if this building at the rear of no. 62 Dublin Street were to be demolished.

- The owner of the property states that if the above facilities are removed, then the pub would no longer be capable of operating.

6.2.3. Paudge Connolly, no. 4 the Diamond Centre

- Objects to the demolition of no. 4 The Diamond Centre.
- The business here has operated for the past 40 years and had hopes to operate as an open air coffee shop in the future.
- Iconic stone building should be preserved not demolished.
- Other options should be examined for this area which avoid demolition.

6.3. Response to Submissions from Applicant

6.3.1. Monaghan County Council submitted a response to submissions dated 20th August 2025 which is summarised below:

6.3.2. In response to Councillor Sean Conion and Seamus McKenna:

- Monaghan County Council are committed to working with and supporting the local business community.
- The retention of McKenna's property would not undermine the delivery of the Dublin Street North Regeneration Masterplan or conflict with the objectives of the Monaghan County Development Plan.
- It is considered appropriate to make a minor alteration to the proposed site layout to retain the property, rather than demolish it as detailed in the illustrative Masterplan. There is no impact upon the alignment of the proposed Russel Row.
- This minor alteration does not affect the conclusions of the NIS or EIAR (ref. Chp 4 section 4.6.1).
- Amended plans re provided showing the property now retained.

6.3.3. In response to Paudge Connolly:

- The property at no.4 Diamond Centre is attached to McKenna's Bar. Its retention would undermine the key objectives of the Dublin Street North Regeneration Masterplan. The Russell Row linkage is a fundamental aspect of the proposal. The removal of no.4 Diamond Centre was envisaged in the illustrative masterplan.
- Russell Row at this point is 'one way' and therefore its width cannot be reduced any further.

6.3.4. In response to the Department of Housing Local Government and Heritage:

- Pollution – The Outline Construction Environmental Management Plan (oCEMP) appended to the EIAR (appendix 4.2) contains pollution control measures.
- Invasive Species – An Invasive Species Management Plan (ISMP) was included at appendix 9.3 of the EIAR. The oCEMP (appendix 4.2 EIAR) recommends further pre-construction invasive species survey. The ISMP will be updated and incorporated into the final contractors CEMP.
- Bats – Pre-commencement construction surveys for bats are proposed (section 2.1 oCEMP). The woodland located within the Old Infirmary Hill is to be retained (sections 9.7.3.3 and 9.8.4 EIAR refers). Lighting is included to promote safety and deter anti-social behaviour, it is designed to reduce impact on wildlife (section 9.7.3.3 EIAR & Drawing no.22-22268-DLW-XX-XX-XX-E-00101-P03).
- Swifts – Content for a condition to be applied with respect to swift boxes.
- Biodiversity – Section 2.1.2 of the oCEMP relates to avoiding clearance of vegetation during bird nesting season. Chp 9 of the EIAR identifies common ivy on stone walls, mapped as BC1 in appendix 9.8, some of these walls are removed, the most significant area (Old Infirmary Wall) is retained. Content for a condition to be applied with respect to lichen / moss survey.
- Archaeology – No objection to the proposed conditions.

6.3.5. In response to Inland Fisheries Ireland:

- An oCEMP (outline Construction and Environmental Management Plan) and Drainage proposals have been provided with final CEMP to be produced by the contractor.

6.3.6. In response to TII:

- No objection to the proposed conditions.

6.3.7. In response to Uisce Éireann:

- Note and agree to proposed conditions.

7.0 **Assessment**

7.1. **Introduction**

7.1.1. Having regard to the requirements of the Planning and Development Act, 2000 (as amended), this assessment is divided into three main parts:

- The likely consequences for the proper planning and sustainable development of the area (planning assessment);
- The likely effects on the environment (environmental impact assessment);
- The likely significant effects on a European site (appropriate assessment).

7.1.2. In each assessment, where necessary, reference is made to issues raised by all parties. There is an inevitable overlap between the assessments, for example, with matters raised falling within both the planning assessment and the environmental impact assessment. In the interest of brevity, matters are not repeated but such overlaps are indicated in subsequent sections of the report.

7.2. **The likely consequences for the proper planning and sustainable development of the area – Planning Assessment;**

7.2.1. Having examined the application details and all other documentation on file, including the submissions on file, the relevant local/regional/national policies and guidance and having inspected the site, I consider that the substantive issues to be considered are as follows:

- Policy Support and Principle of Development;
- Public Realm and Design;

- Archaeology and Built Heritage;
- Transport, Access and Parking.

Policy Support and Principle of Development

- 7.2.2. The proposed development comprises urban regeneration and public realm proposals as part of the Dublin Street North (DSN) Regeneration Plan. This is the proposed regeneration of the area as initially envisaged within the previous Monaghan County Development Plan 2019-2025 (Variation No. 3). The Board will note that since the submission of the application the new development plan 2025-2031 came into effect on 7th July 2025 and the DSN project has been carried forward as part of the current Plan. The relevant sections of the operative plan have been outlined previously under section 5.0 of this report.
- 7.2.3. The proposed development complements and integrates with wider regeneration plans for the town centre. Most notably, the first phase of the Dublin Street South Regeneration Plan (Variation 2 of the previous Development Plan) has been approved by ABP (Ref. JA18.314501) and will create a new urban structure with new streetscape, pedestrian, and cycle network with the aim of attracting new town centre development. The proposed development also complements MCC's proposed civic office development to the north in Rooskey which has been granted Part 8 planning approval.
- 7.2.4. At a strategic level, the National Planning Framework recognises that urban places offer a range of opportunities for community and social interaction but must become more liveable to improve quality of life. The proposal can be viewed as enabling the development of backlands immediately north of Dublin Street whilst connecting the Diamond Centre Car Park with Old Cross Square. In terms of national level policy there are a number of National Policy Objectives (NPOs) that support development of this nature including NPO4 which seek to ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being. In addition, objectives seek to regenerate and rejuvenate cities, towns and villages of all types (NPO 6) and there is a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages (NPO 11).

- 7.2.5. I note also that the Climate Action Plan 2025 which should be read in conjunction with the Climate Action Plan 2024 supports the implementation of the Government's Town Centre First and urban regeneration programmes; road space reallocation and the provision of safe and accessible walking and cycling infrastructure which is all key to encouraging modal shift away from private car use and towards walking and cycling.
- 7.2.6. Under the Northern and Western Regional Assembly's Regional Spatial and Economic Strategy (RSES), Monaghan is classified as a 'Key Town' and one of the key future priorities under this strategy is to "*Deliver 20% of projected growth through regeneration and renewal of a significant area of the town centre*". The strategy goes on to state that "*there are four specific target areas within the town centre whereby regeneration and renewal will be pursued but there are several smaller town centre sites that could also potentially become available for redevelopment*". With regard to more overarching policies the RPO 3.1 of the RSES seeks to deliver compact growth and develop derelict and underutilised sites, with an initial focus within town cores. RPO 7.20 seeks to increase population living within settlements, through a range of measures including re-use of existing buildings, infill development schemes, area or site-based regeneration and service site provision, while RPO 6.29, 6.30 and 6.31 in particular focus on walking, cycling, public transport accessibility and permeability in town centres. The proposed development is expected to contribute to all the aforementioned.
- 7.2.7. Chapter 9 of the operative Development Plan also provides support for the proposed development via the Strategic Objectives for Settlements with Section 9.3.5 outlining the Council's approach to Town Centre First. This is a policy which was issued jointly by the Department of Rural and Community Development (DRCD) and the Department of Housing, Local Government and Heritage (DHLGH) in February 2022. The submitted regeneration strategy complements that of the Dublin Street Regeneration Plan which is referenced as a case study in national policy under the 'Town Centre First – A Policy Approach for Irish Towns'. This policy approach supports a more strategic and co-ordinated approach to the regeneration of Ireland's town centres and Monaghan County Council has secured funding under the Urban and Rural Regeneration Fund (URDF) to assist with the realisation of the project.

7.2.8. A key element in the delivery of the Town Centre First Policy at local level is the preparation of Town Centre First Plans. Section 9.6 of the operative Development Plan outlines the approach and objectives in relation to Town Centres with objective TCO 9 stating the following *“To continue to encourage and accommodate the regeneration of backlands in the town centres where appropriate, including the construction of new urban streets to provide access to inaccessible lands”*. Objective TCO 9 therefore provides strong support for the proposed development.

7.2.9. In relation to Local Policy and in particular the Monaghan County Development Plan 2025-2031, I note that the site is centrally located within the town centre boundary and is zoned for ‘town centre’ use. Part of the site is identified as being within an ‘Action Plan’ area (see map MTDP1) and Chapter 10 of the Plan titled ‘Monaghan Town Settlement Plan 2025-2031’ outlines the following strategic objectives in relation to the town:

- MTSO 1 - *To facilitate the development of Monaghan Town to maintain its position as the Principal/Key Town in the County at the top of the settlement hierarchy and to ensure that its expansion takes place in an orderly and sustainable fashion that will not detract from the vitality and viability of its town centre.*
- MTSO 2 - *To ensure that the following priorities for the town are delivered within the lifetime of the development plan:*
 - *the implementation of the Dublin Street South Regeneration Plan, Dublin Street North Regeneration Plan, and Roosky Lands Master Plan.*

7.2.10. Section 10.4 Town Centre outlines the mixture of landuses within the town centre area and describes the Dublin Street Regeneration scheme as a proactive and innovative regeneration project for the Dublin Street area of the town that will lead to the sustainable, coordinated and compact growth of Monaghan town centre. The project targets regeneration of the backland areas to the North and South of Dublin Street, the opening of development lands, the assembly of suitable land parcels, and the provision of critical infrastructure and public realm facilities will serve as a catalyst for future town centre public and private investment.

7.2.11. The plan also states the following: *The Dublin Street Regeneration scheme is a proactive and innovative regeneration project for the Dublin Street area of the town*

that will lead to the sustainable, coordinated and compact growth of Monaghan town centre. The project targets regeneration of the backland areas to the North and South of Dublin Street, the opening of development lands, the assembly of suitable land parcels, and the provision of critical infrastructure and public realm facilities will serve as a catalyst for future town centre public and private investment. The project is currently being progressed in two phases South and North.

7.2.12. Specifically with regard to the Dublin Street North Regeneration Plan the plan states that this “was adopted as part of the Monaghan County Development Plan 2019-2025 and provides guidance on the regeneration options for the future development of the Dublin Street North Regeneration Plan area. The plan affords for a consolidated development form to create an identifiable urban quarter with a strong sense of place and identity and includes the reuse, adaptation and infill of existing structures and new perimeter urban blocks, new streets and spaces that integrate and connect with the existing street network”. In addition Objective MTO 1 of the plan states that “all development proposals within the Dublin Street North Regeneration Plan area have regard to the regeneration strategy and development objectives of the Dublin Street North Regeneration Plan” with MTO 4 encouraging development which seek to refurbish existing buildings and backland areas in order to eliminate dereliction and reinforce the town centre.

7.2.13. Section 15.2.5 of the Development plan outlines the Council’s approach to Backland Sites within towns and states that “*Development proposals on these lands should be prepared using the principles of master planning to ensure that large areas of land, often in multi-ownership, are appropriately planned and developed in a sustainable manner. Masterplans provide a plan-led approach and may include provisions for phasing, infrastructure provision, community facilities, density, layout, open spaces, landscaping and development design briefs and statements. Piecemeal development of individual plots will generally not be permitted unless it is satisfactorily demonstrated that any proposed development shall not compromise the comprehensive redevelopment of adjoining lands in a sustainable manner*”.

According to the operative Development Plan, the principle permitted land use will be town centre related uses including retail, residential, commercial, social uses, cultural uses, medical/health uses, hotels, pubs, restaurants and other similar type uses. Uses including ‘Car Park’, ‘Park/Playground’, ‘Infrastructure, Services and

Utilities' are 'open for consideration' on 'Town Centre' zoned lands according to the Development Zoning Matrix. I consider that the proposed development will strengthen the town centre and should, upon delivery of the project in the whole, enhance the town centre. I am satisfied that the proposed development complies with the zoning objective.

- 7.2.14. Having visited the site, it was evident that areas within the proposed development site are in need of rejuvenation and certain derelict buildings require addressing. The area boasts a mix of archaeological, architectural and natural features and overall, I am satisfied that the proposed development will provide regeneration works within the public realm that will highlight and complement these features.
- 7.2.15. In my opinion, the proposed scheme is based on the Regeneration Plan as outlined under Council policy and documentation and I am satisfied therefore that the proposed development seeks to achieve the aims and objectives of the Regeneration Plan, and to this extent complies with Objective MTSO 2 of the operative Development Plan – to have regard to the provisions of the Regeneration Plan. The proposal also strongly supports the Strategic Objectives for Settlements within the county and in particular sites located within the town centre areas, with objective TCO 9 in particular seeking to encourage and accommodate the regeneration of backlands in the town centres where appropriate, including the construction of new urban streets to provide access to inaccessible lands.
- 7.2.16. Although some concerns have been raised by third parties with respect to aspects of the proposed development, I consider the overall principle of the scheme acceptable. I note third party submissions from landowners within the proposed site area which contest the proposed development and proposed demolition of their respective properties, the majority of which are comprised of structures located in the backlands to the rear of the main properties which face on to Dublin Street. In their response to submissions, the Council propose to reduce the extent of demolition slightly, with the retention of a buildings to the rear of McKenna's property, and have provided amended plans to illustrate the same. This will reduce the extent of disruption with respect to the demolition proposed. In general, I note that structures currently within the backlands area are disordered, without consistency in form or appearance, and do not contribute positively to the urban character of the area. Having regard to the foregoing and noting the complexity of landownership, I consider it appropriate that

the period for which development consent can be implemented is 10 years from the date of the Board Order. A condition to this effect is attached for the Board's consideration.

- 7.2.17. In conclusion, I consider that overall, the proposed development accords with the general aims and objectives of the national and regional policy and that it is supported across numerous policies and objectives of the operative County Development Plan, including the Dublin Street Regeneration Plan and those which seek to consolidate the town centre and improve backland areas. It is evident that the proposed development is fully supported from local through to national policy and I am satisfied that the development both accords with and supports the zoning objective that pertains to the town centre lands. In my view, the principle of proposed development is therefore acceptable.

Public Realm and Design

- 7.2.18. As detailed under Section 2.0 above the proposed development is to be located on lands at Dublin Street, the 'backlands' to the rear of properties fronting Dublin Street north and to the north-east of Dublin Street, the Diamond Centre Car Park and Old Cross Square within Monaghan town centre. The area currently incorporates car parking uses, commercial uses, residential properties and also backland uses associated with the buildings that front onto Dublin Street's northern side. The project site encompasses an area of approximately 2.51ha.
- 7.2.19. The adjoining area to the northwest of the proposed site includes part of the historic town centre including the repaved areas in Church Square and the Diamond which now provide a high-quality public realm and distinctive and attractive character areas. Dublin Street connects The Diamond and Old Cross Square, and benefits from its own distinctive characteristics. The building line along the street is well defined, and with a gentle rising topography, and slightly curving building line creates an attractive and intimate closing effect. The gaps and archways along the northern side of the street allow glimpses towards the backland areas and the rising topography to the north. I note that various extensions and new linear blocks have formed to the north to the rear of these buildings and while this may be seem a traditional form of expansion and use within the town centre, the configuration of the

blocks do not readily achieve dual orientation and therefore lessens the quality of the existing accommodation.

7.2.20. The proposals represent the first phase of the Dublin Street North Regeneration Plan, which will act as a catalyst for further town centre development. The aim of the plan is to increase the growth rate within the urban areas of the county with a revised focus placed on driving compact growth, inward investment and town regeneration schemes along with the application of the Derelict Sites Act. As stated previously an additional objective MTSO 2 has been included in Chapter 10 Monaghan Town Settlement Plan 2025-2031 to support this focus.

7.2.21. At a more strategic level, the National Planning Framework recognises that urban places offer a range of opportunities for community and social interaction but must become more liveable to improve quality of life. The importance of public realm and attractive town centres is recognised in NSO 7 of the NPF - 'Enhanced Amenities and Heritage' which outlines that well-designed public realm will require investment in public spaces, parks and streets. The proposal can be viewed as a well-designed space that will enhance Monaghan, and make the town more attractive for living, working and visiting. The proposal can also contribute to the overarching aims of the NPF to promote compact growth, sustainable mobility and enhanced amenity and heritage. This approach is also recognised in the Government's, 'Town Centre First' policy document wherein it is stated that town centres can capitalise on a shift to more blended retailing through enhanced place making and an appropriate balance between vehicle use and quality public realm. The recently published Sustainable and Compact Settlements Guidelines for Planning Authorities note that one of the key priorities for key towns (such as Monaghan), is to realise opportunities for adaptation and reuse of existing buildings and for incremental backland, brownfield and infill development.

7.2.22. The Dublin Street North Regeneration Plan area is located to the northeast of the town core, extending from The Diamond to the northwest, south eastwards along Dublin Street, and is defined to the southeast by Old Cross Square. The Regeneration Plan area is centrally located and the town core is adjacent to the Regeneration Plan area. The plan area is defined by the three storey buildings fronting south onto Dublin Street and the long rear gardens that extend to the north. Historically the rear gardens extended to the wall that formerly enclosed St.

Davnet's. 20th century development resulted in the introduction of an informal access road to the rear, and various backland developments including commercial premises.

7.2.23. The Dublin Street North Regeneration Plan affords for a consolidated development form to create an identifiable urban quarter with a strong sense of place and identity and includes the reuse, adaptation and infill of existing structures and new perimeter urban blocks, new streets and spaces that integrate and connect with the existing street network.

7.2.24. I note that Monaghan County Council have also proposed to provide Civic Offices on the adjoining land to the north at Roosky. A Civic Office will generate increased footfall in the area, creating a demand for local shops and services, and dual benefit of reinvigorating Dublin Street, and the lands to the north and south of Dublin Street.

7.2.25. As stated previously the vision for the Regeneration Plan area is embodied in a series of principles which are consistent with National Regional and Local Policy. For each of these principles a number of Regeneration Plan objectives have been developed. With regard to public realm, Principle 7 of the Dublin Street Regeneration Plan which seeks *'to provide a high quality public realm and attractive public spaces adopting a people first priority'* contains 8 no. public realm objectives as follows:

- *To improve the pedestrian environment along Dublin Street, by giving consideration to measures including:*
 - *widened footpath / narrowed carriageway*
 - *shared surface street*
 - *Relocation of on street parking to backlands of Dublin Street South and Dublin Street North.*
- *To Improve the pedestrian environment and public realm of Old Cross Square through the following measures:*
 - *Rationalised carriageway to provide for routes through to Infirmary Hill, Russell Row, and Dublin Street.*
 - *Enhanced pedestrian environment in Old Cross Square.*
 - *Identification of appropriate location for the existing monument/Cross.*

- *Signage to mark the historic entrance to the town as approached from the south east.*
- *To Improve the pedestrian environment and public realm of Diamond Place through the following measures:*
 - *Realignment of car parking, and delineation of parking, pedestrian areas, and introduction of landscaping features to enhance the visual amenity of the space, and ease and safety of pedestrian movement.*
- *To provide high quality public realm improvements at the proposed entry points to the regeneration plan area from Dublin Street, including new paving, lighting and pedestrian priority through the use of table top/shared surface throughout the Regeneration Plan area.*
- *Provide positive interaction between spaces and the built form e.g. building frontages, windows and entrances should face onto and over-look the street and public spaces to create active public realm environment.*
- *To provide semi private public spaces as part of the new development plan areas, that integrates high quality soft and hard landscaping, seating areas, and public lighting.*
- *To establish a coherent high quality public realm treatment throughout the area with quality surfaces and furniture including seating, signage, lighting, litter bins, trees, planting and shelters.*
- *To ensure careful delineation and design of public, semi public and private spaces to afford residents and users and appropriate degree of privacy within an urban setting.*

7.2.26. I acknowledge that the proposed development seeks to provide the initial infrastructure and public realm improvements envisaged in the DSN Regeneration Plan. A detailed account of what is proposed has already been listed under Section 3.0 of this report but in summary the main elements can be described as follows:

- new central street to the rear of properties fronting Dublin Street (connecting Diamond Centre Car Park with Old Cross Square) with provision of car park/temporary event space and regrading of land to accommodate future development.

7.2.27. This element of the proposal provides not only a one way vehicular link allowing access from the Diamond Centre Car Park southeast to Old Cross Square but also provides increased pedestrian connection and safe cycling links. The proposed new street referred to as Russell Row within the submitted plans is envisaged as a shared surface with pedestrian priority and the added ambiance of a mews lane and links through to the south and onto Dublin Street, thus promoting future development opportunities in the entire area.

- new public park with associated pedestrian paths, landscaping and lighting.

7.2.28. The proposed Community Park will enable the retention and protection of mature trees in accordance Development Plan policies and preserve the undesignated built heritage of the Old Infirmary site. This will greatly contribute to the amenity of the new urban quarter.

- 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.

7.2.29. Public Realm improvements proposed as part of the project along Dublin Street include footpath widening / narrowed carriageway, introduction of tabletops to facilitate priority pedestrian movement across the street, and the use of high-quality materials to set the standard for the new regeneration plan area north and south.

- Public realm improvements to Old Cross Square to include the creation of urban civic spaces, pedestrian pavements, cycle routes, street furniture. These improvement works also include for the relocation of Old Cross Monument which is a protected structure and also listed on the scheduled monuments record.

7.2.30. An improved pedestrian environment and public realm at Old Cross Square is also proposed as part of the project. This is to be achieved through a rationalised carriageway and identification of an appropriate location for the existing monument/Cross and signage to be relocated to which will ensure that the historic entrance to the town is clearly marked as approached from the southeast.

- Public realm enhancements at Diamond Centre Car Park to include reconfiguration of car parking, resurfacing, cycle infrastructure and associate street furniture.

7.2.31. I note the proposal for an improved pedestrian environment and public realm at Diamond Place through the realignment of car parking, and delineation of parking, pedestrian areas, and introduction of landscaping features to enhance the visual amenity of the space, and ease and safety of pedestrian movement. The development of a central multi-functional space, the primary use of which is to be a temporary car park, will create accessibility and parking provision between the proposed Russell Row and future St. Davnet's Row, which is to run along the northern perimeter of the site. Notably the space will also provide an opportunity for temporary events and thus create a multipurpose space with the opportunity for different uses.

- Reinforcement of existing vegetation and new soft landscaping throughout, new boundary treatments, street lighting, sustainable urban drainage systems (raingardens and permeable surfacing) and also upgrading and installation of new utility services and CCTV.

7.2.32. All the above features will ensure the changes to the area reflect a high quality public realm which will ensure its future use and further development. In addition to the above it is proposed that the internal zone will be overlooked by future mews developments to the rear of the existing structures on Dublin Street, and the future perimeter blocks. The creation of new and enhanced pedestrian links between Dublin Street, the Regeneration Plan area, and the proposed Roosky Master Plan Area will also ensure increased permeability, footfall and attractiveness for future uses on site.

7.2.33. To accommodate all the above works demolition of a number of buildings and structures will be required including Unit 1 & Unit 2 Old Cross Square and to the rear (north-east) of No. 32-62 Dublin Street including a structure within the curtilage of No. 57 Dublin Street (Protected Structure) and No. 4 The Diamond Centre.

7.2.34. I acknowledge that DSN Regeneration Plan is a concept strategy and for indicative purposes only and that the plan identifies three key phases of development, Phase 1 of which is the implementation of new street/mews lane to facilitate existing property

owners to develop collaboratively/ individually with infill mews developments overlooking the new street. Phase 2a sees new development areas developing incrementally, through the northwestern and southwestern blocks and also the development of central space to provide surface parking/event space. With Phase 2b seeing the long term objective to provide additional development to complete the proposed perimeter block to the north. The current proposal represents the first phase of the DSN Regeneration Plan, which will act as a catalyst for further town centre development. The 3D visualisations submitted as part of the application illustrate how the proposal will interact with the proposed Civic Hub and future development plots which are shown indicatively, to create a new urban quarter.

7.2.35. It is clear that the proposed development has had regard to the DSN Regeneration Plan with one of the notable new provisions the creation of the Community Park at Infirmary Hill. The area covered by this park in fact extends further northeast than the area initially envisaged to be covered by the Plan. In my opinion the proposed development incorporates many attributes of successful public spaces including limitation of traffic, good resting opportunities, landscaping, good access, surveillance opportunities and views of people and space. I am satisfied that the proposal includes facilities such as cycle parking litter control measures, bins etc. that will benefit the scheme and ensure attractive amenity spaces. Other critical elements such as passive surveillance, active edges, variety of use, pedestrian desire lines and linkages to the adjoining development areas appear to also be addressed, in particular I note the continuation of linkages from the current proposal north and northeast toward the Rooskey Masterplan area. The overall scheme provides cycle lanes, footpaths, hard and soft landscaping, seating, lighting, realigned and resurfacing of roads. The selected materials described in the Public Realm Statement are appropriate and have been considered in the context of the site as a whole and the wider town environs. I am satisfied that the hard and soft landscaping is appropriate and would accord with the proper planning and sustainable development of the area.

7.2.36. The re-configuration of the layout of Old Cross Square area through the relocation of the Old-Cross and the new vehicular access layout will create an additional usable pedestrian space to the immediate southern end of Dublin Street and also enhance the public realm in this area through additional planting, seating, lighting and cycling

access points, while also enhancing linkages and safe crossing points for pedestrians to the southern side of Dublin Street. I am satisfied that the proposed development is responsive and sympathetic to the architectural character of the site and surrounding area, is consistent with the policy provisions of the operative Development Plan and that relate to Protected Structures and ACAs and is in accordance with the proper planning and sustainable development of the area. The topic of Built and Cultural Heritage is addressed in more detail below and in section 8.13 as part of my EIA.

- 7.2.37. In summary I consider that the proposal in general accords with the public realm objectives of the DSN Regeneration Plan and aligns with key urban design and public realm principles. It effectively responds to the site's context, enhances connectivity, promotes inclusivity, offers a variety of activities, and makes efficient use of resources. The layout and design would create a safe, secure, and vibrant public realm that would serve the needs of the local community, supporting Monaghan town's growth as a Tier 1, Principal/Key Town and providing for future opportunities for the expansion of residential and commercial uses in the area via the proposed development areas.

Archaeology and Built Heritage

- 7.2.38. The surrounding area is characterised by the town core, of similar uses to the Regeneration Plan Area, and comprising a mix of uses, including a modest extent of residential and a mix of small to medium scale retail uses based on traditional narrow plot street pattern on Glaslough Street, the Diamond, Dublin Street and Market Square.
- 7.2.39. The built heritage is recognised and protected by the policies of the development plan which relate to the designation of an Architectural Conservation Area within the area and a number of protected structures, including a terrace of four dwellings, numbers 54-57 Dublin Street, comprising three storey single bay dwellings on the record of protected structures. McKenna's public house is included in the NIAH. I note that the applicant has provided revised plans showing the retention of a building to the rear of McKenna's property, which it is concluded would not undermine the delivery of the Dublin Street North Regeneration Masterplan or conflict with the

objectives of the Monaghan County Development Plan. This is also detailed in amended plans provided and can be secured by condition.

- 7.2.40. The Regeneration Plan area is located within the Zone of Archaeological potential. The Market Cross which is located in the south eastern portion of the site is identified as a record of Monument and Places (Ref No. M0009-060006).
- 7.2.41. Section 8.13 and 8.14 of the EIA below consider archaeology, heritage, landscape and visual impact in more detail. In summary, with the application of mitigation, no significant adverse effects are anticipated.

Transport and Movement

- 7.2.42. Vehicular movement along Dublin Street operates on a one – way system leading from the Diamond south east to Old Cross Square. As a consequence of this, Dublin Street has become an exit from the town, reversing its former role as a principal entrance to the town core. Relative limited parking opportunities along the street results in vehicular users less inclined to use the street to park short term, and to visit local shops. Furthermore, I note that the footpaths are very narrow and do not encourage pedestrians to stop or linger on the street. All this together with the lack of traffic calming measures along the street creates a poor physical environment for pedestrians.
- 7.2.43. Vehicular access is available from Dublin Street to the backland areas to the north, however these accesses are generally narrow and restricted to use by smaller vehicles in certain cases. Pedestrian links are also available via these narrow access lanes which create a level of permeability.
- 7.2.44. With regard to carparking provision I note that the Dublin Street North Regeneration Plan seeks to achieve a sustainable mix of uses in the regeneration plan area, and outlines that through enhanced opportunities to live, work and shop within walking distances to homes within the regeneration plan area this should in turn reduce the car parking demand within area. The objective in the plan is to balance the provision of car parking, with the achievement of a high quality public realm and built environment. The Plan envisaged that development and car parking will be phased as the plan progresses.

7.2.45. Further consideration of potential impact upon traffic and transportation is set out in the EIAR at section 8.12. In summary, positive effects are anticipated overall.

8.0 Environmental Impact Assessment

8.1. Introduction

- 8.1.1. The application was accompanied by an Environmental Impact Assessment Report (EIAR) which was prepared by Carlin Planning, in conjunction with other disciplines (see project team details) on behalf of Monaghan County Council. The EIAR supports the application to ACP under Section 175 of the Planning and Development Act 2000 (as amended) which seeks full planning permission for the proposed regeneration of Dublin Street North and its back land areas within Monaghan Town Centre, Co. Monaghan.
- 8.1.2. The EIAR submitted with the original application is laid out in three volumes and a separate Non-technical summary is also included. Volume I contains the Main Report, Volume II includes the associated technical Drawings and plans, and Volume III includes the associated Appendices which are then split into 3 parts. Part A examines the Proposed Site Description, Scoping Consultation, Noise & Vibration, Soils, Geology & Hydrogeology, and Hydrology. Part B examines Biodiversity and Material Assets and Part C examines Air Quality, Emissions & Climate, Cultural & Architectural Heritage, and Townscape & Visual Impact.

8.2. Statutory Provision

- 8.2.1. An EIAR is mandatory for the development in accordance with the provisions of Part X of the Planning and Development Act 2000, as amended, (PDA) and Schedule 5 of the Planning and Development Regulations 2001, as amended, (PDR). Item 10(b)(vi) of Part 2 of Schedule 5 of the PDR provides that an EIA is required for infrastructure projects comprising of urban development which would involve an area greater than 2 hectares in the case of a business district. In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use. The site comprises an area of 2.51ha and so the proposed development exceeds the threshold for a mandatory EIA.

8.2.2. A formal EIAR Scoping Opinion on the information to be contained in the EIAR under Section 173(3)(a) of the Planning and Development Act, 2000 (as amended) was completed on 14th August 2024 and subsequently issued by An Bord Pleanála to Monaghan County Council.

8.3. **Assessment Structure**

8.3.1. An examination has been carried out of the information presented by the applicant, including the EIAR, and the submissions made during the course of the application for approval. A summary of the submissions by prescribed bodies and other observers and the applicant's response to same are set out at Section 6 of this report. The main issues raised specific to EIA can be summarised as follows:

- Cultural Heritage Impacts
- Biodiversity surveys and mitigation measures
- Cultural Heritage Impacts
- Storm and Surface water management.
- Traffic & Transportation impacts
- Demolition.

8.3.2. These issues are addressed below under the relevant headings, and as appropriate in the reasoned conclusion and recommendation including conditions.

8.3.3. I am satisfied that the EIAR has been prepared by competent experts to ensure its completeness and quality, and that the information contained in the EIAR and supplementary information provided by the applicant, adequately identifies and describes the direct and indirect effects of the proposed development on the environment and complies with article 94 of the Planning and Development Regulations 2000, as amended.

8.4. **EIA Structure**

8.4.1. This section of the report comprises the Environmental Impact Assessment of the development in accordance with Planning and Development Act 2000 (as amended) and the associated Regulations, which incorporate the European directives on EIA

(Directive 2011/92/EU, as amended by 2014/52/EU). Section 171 of the Planning and Development Act, 2000, as amended defines EIA as:

- a) consisting of the preparation of an EIAR by the applicant, the carrying out of consultations, the examination of the EIAR and relevant supplementary information by the Commission, the reasoned conclusions of the Commission and the integration of the reasoned conclusion into the decision of the Commission, and
- b) includes an examination, analysis and evaluation, by the Commission, that identifies, describes and assesses the likely direct and indirect significant effects of the proposed development on defined environmental parameters and the interaction of these factors, and which includes significant effects arising from the vulnerability of the project to risks of major accidents and/or disasters.

8.4.2. Article 94 of the Planning and Development Regulations, 2001 and associated Schedule 6 set out requirements on the contents of an EIAR. As set out above, a formal EIAR Scoping Opinion on information to be included in the EIAR was previously sought from ABP.

8.4.3. This EIA section of the report assesses compliance with the requirements of Article 94 and Schedule 6 of the Regulations. This is followed by an examination, analysis and evaluation of the development and an assessment of the likely direct and indirect significant effects of it on the following defined environmental parameters, having regard to the EIAR and relevant supplementary information:

- Population and human health,
- Biodiversity, with particular attention to species and habitats protected under the Habitats Directive and the Birds Directive,
- Land, soil, water, air and climate,
- Noise and vibration,
- Material assets (land use, waste and utilities) & Material assets (traffic and transport),
- Archaeology and cultural heritage,
- Landscape and visual,

8.4.4. Finally, this EIA provides a reasoned conclusion and allows for integration of the reasoned conclusions into An Coimisiún Pleanála's decision, should they agree with the recommendation made.

8.5. Compliance with the Requirements of Article 94 and Schedule 6 of the Regulations 2001

8.5.1. Compliance with the requirements of Article 94 and Schedule 6 of the Regulations is assessed below.

Table 8.1	
Article 94 (a) Information to be contained in an EIAR (Schedule 6, paragraph 1)	
A description of the proposed development comprising information on the site, design, size and other relevant features of the proposed development (including the additional information referred to under section 94(b)).	The proposed development is comprehensively described in Chapter 4 of the EIAR and depicted in the associated drawings. Information is included on the site, design, size and features of the development. The EIAR also details the history of the site and the surrounding area, as well as the planning history, overall design concept, construction programme and management and reasonable alternatives. I am satisfied that adequate historic and contemporary detail has been provided to enable decision making.
A description of the likely significant effects on the environment of the proposed development (including the additional information referred to under section 94(b)).	A description of the likely significant effects on the environment are included in each of the technical chapters of the EIAR. I note that the adjoining Part VIII application for the Roosky Lands, located to the north-east of the subject site and the South Dublin Street and Backlands Regeneration Project have been considered in the EIAR. Therefore, I am satisfied that the EIAR has provided adequate information on the likely

	direct, indirect, and cumulative effects of the proposed development on the receiving environment.
A description of the features, if any, of the proposed development and the measures, if any, envisaged to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment of the development (including the additional information referred to under section 94(b)).	The EIAR includes designed in or embedded mitigation measures and measures to address potential adverse effects. These are included in each of the technical chapters of the EIAR and the associated appendices of the EIAR. I am satisfied that adequate historic and contemporary detail has been provided to enable decision making.
A description of the reasonable alternatives studied by the person or persons who prepared the EIAR, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the proposed development on the environment (including the additional information referred to under section 94(b))	I note third party objections which suggest that alternative options should be considered further. Chapter 4 Section 4.9 refers to alternative locations, layouts and designs considered and a 'do nothing' alternative, and concludes that an alternative location is not applicable. In the 'do nothing' scenario the application site would remain part of the established urban fabric of the town centre, underutilised, unconnected streets, representing a missed opportunity. Buildings to be demolished would be retained, as would habitats to be removed. However beneficial impacts of the development would not be realised and this would undermine the objectives and aspirations of the Development Plan.

	I consider, therefore, that the description of alternatives is reasonable, and in the context of the application is satisfactory.
Section 94(b) Additional information, relevant to the specific characteristics of the development and to the environmental features likely to be affected (Schedule 6, Paragraph 2)	
A description of the baseline environment and likely evolution in the absence of the development	A detailed description of the baseline environment is included in Chapters 4-14 of the EIA, this includes a comprehensive baseline analysis and accurate description of the existing and receiving environment and each chapter is based on the most up-to-date surveys and data. I am satisfied this is sufficient to enable the assessment of likely effects and to enable decision making.
A description of the forecasting methods or evidence used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information, and the main uncertainties involved.	A description of difficulties encountered in compiling specified information is identified in each technical chapter. I have commented on these where relevant as part of my assessment below. I am satisfied that there are no significant deficiencies that prevent decision making.
A description of the expected significant adverse effects on the environment of the proposed development deriving from its vulnerability to risks of major accidents and/or disasters which are relevant to it.	Likely significant effects of the development on the environment, arising from its vulnerability to risks of major accidents and/or disasters are addressed in section 2.4 of the EIA. This links the assessment of risk associated with major accidents or disasters with the assessment set out in relation to water quality, soils and contaminated land, biodiversity, air quality and climate, and these topics are addressed in further detail below.

A summary of the information in non-technical language.	A non-technical summary of the EIAR is provided by the applicant and satisfactorily describes the likely environmental effects of the development.
Sources used for the description and the assessments used in the report.	Sources used for the description and assessment of environmental effects are included in each technical chapter of the EIAR. A number of appendices are included to the rear of the main volume of the EIAR. The appendices include the following details: walkover survey report (March 2022), dust assessment, cultural heritage gazetteer, concept restoration plan, detailed results of traffic survey, percentage of development traffic at each junction and detailed junction capacity analysis.
A list of the experts who contributed to the preparation of the report.	Experts and relevant qualifications are identified in section 1.4 of the EIAR. Further details are provided in each Chapter of the EIAR on the experts who prepared the technical assessment.

8.6. Consultations

- 8.6.1. I am satisfied that the participation of the public has been effective, and the application has been made accessible to the public by electronic and hard copy means with adequate timelines afforded for submissions.

8.7. The likely effects on the environment (Environmental Impact Assessment (EIA));

- 8.7.1. This section of the EIA identifies, describes and assesses the potential direct and indirect effects of the project under each of the individual factors of the environment

(population and human health; biodiversity; land, soil, water, air and climate; noise and vibration; material assets; archaeology and cultural heritage; landscape and visual; and the interactions between these factors). Baseline characteristics, cumulative information and an evaluation of the impacts on each sensitive aspect are set out, together with mitigation measures and residual impacts.

8.8. Population and Human Health

8.8.1. Chapter 12 of the submitted EIAR addresses population and human health. This describes the baseline characteristics of Monaghan with respect to the population, and particularly in light of the socio-economic and health context. The EIAR highlights the increase in employment in Monaghan as reflected in the 2022 census by 12%, with a mix of land uses represented in Monaghan Town Centre, and that a key consideration is the balancing of growth to support employment while maintaining an attractive environment for the population. Also of note as outlined in the EIAR are the higher than average proportion of the population in Monaghan with no formal or primary only education, when compared nationally (20.8% v 15.2% respectively), as well as the higher of semi, unskilled and agricultural workers. There are no limitations identified that would impact the findings of the assessment.

8.8.2. Potential Impacts During Construction Phase

8.8.3. The greatest impact of the proposed development will be experienced during the construction phase, as a result of construction activities impacting on local air quality, noise levels, traffic volume, and potentially water and soil quality. Impact upon population and human health as a result of these impacts is addressed in associated chapters of the EIAR, namely Chapter 6 Noise and Vibration, Chapter 11 Air Quality, Chapter 7 Soils and Chapter 8 Hydrology, with a separate Preliminary Land Risk Assessment at Appendix 7.1 to assess risk of contaminated land on human health. Cross reference should therefore be made to the relevant corresponding assessments with respect to these chapters below. Other impacts are outlined as follows:

- Construction-related employment opportunities with some opportunities for the local population.
- Local expenditure by construction workers.

8.8.4. These impacts will have corresponding effects upon health, with minor positive effect over a short-term period, dissipating upon completion of the works.

8.8.5. Potential Impacts During Operation Phase

8.8.6. The proposed works relate to public realm and road infrastructure and therefore in operation there will not be any direct employment opportunities, however it is expected to act as a catalyst for further economic activity in the area that would benefit the local population and economy.

- Contribution to the broader economic strategy for Monaghan, supporting business activity and job creation in the long term. Equating to a minor positive effect on income and employment generation over time.
- The proposed development includes accessibility enhancements that encourage walking and cycling, as well as a new community park, providing opportunities for physical activity and engagement with the outdoors, supporting healthier lifestyles. Equating to a low positive effect upon the local population, anticipated to be a moderate significant and positive effect over the long term.

8.8.7. Mitigation Measures

8.8.8. Mitigation associated with construction activities and related effect upon population and human health are outlined in other associated chapters of the EIAR and included in the assessment for relevant technical topics below. No other specific mitigation measures are included in the EIAR in relation to population and human health during either the construction or operation phases.

8.8.9. Cumulative

8.8.10. The EIAR highlights cumulative effects alongside adjacent masterplans such as the Dublin Street South and Roosky Maasterplan, that will further exacerbate the benefits on health and wellbeing of both residents and the business populations of Monaghan Town through significant investment and increased expenditure during both construction and operation phases.

8.8.11. Assessment

8.8.12. Negative effect arising during the construction phase will be temporary and are the inevitable consequence of any development. Mitigation outlined throughout other corresponding chapters of the EIAR will ensure that these effects will not be significant, and impact will be appropriately managed. Positive effects will arise during both the construction and operational phase for socio-economic characteristics of the area. I note that the EIAR does not refer to these significant positive effects in section 12.8.4 as part of its summary of effects, however from reading chapter 12 as a whole, it is apparent that significant positive socio-economic effects are anticipated to result during operation.

8.8.13. These significant socio-economic benefits for the local population of Monaghan Town and surrounding communities during the operation phase, are anticipated through increased employment and income generation as a result of the following:

- Revitalising of the town centre, enhancing local amenities and services.
- Creation of employment opportunities, stimulating local business and supporting economic growth.
- Improved accessibility and connectivity within the town.
- Enhanced public spaces and public realm.
- Potential to attract further investment and tourism, fostering long-term economic growth and resilience.

8.8.14. Residual Effects

8.8.15. During the construction phase, negative residual impacts arising from construction related activities will be temporary and mitigated. Positive construction phase effects will also arise upon economic activity. No significant effects are expected.

8.8.16. During the operation phase, significant socio-economic benefits for the local population of Monaghan Town and surrounding communities are anticipated through increased employment and income generation.

8.9. **Biodiversity**

8.9.1. Chapter 9 of the submitted EIAR addresses biodiversity. This describes an Ecological Impact Assessment (EclA) in consideration of the ecological impacts of

the proposed development upon site biodiversity. It describes the methodology followed in the preparation of the chapter, including consideration of relevant legislation, policy and species offered specific protection under legislation.

- 8.9.2. The chapter sets out a description of the baseline condition of the site and surrounds, outlining desktop and site-based surveys which informed this assessment. The site itself is not located within any Natura 2000 designated area, with the closest Natura 2000 site being Slieve Beagh SPA over 10km away. The site does not support qualifying interests for the Slieve Beagh SPA and there is also no source-pathway-receptor linkage to this SPA or any other designated site, including NHA or pNHA sites, with the exception of the Lough Neagh & Lough Beg SPA, to which there is a weak hydrological connection via 38km and three tributary segments. Section 9 of this report sets out an Appropriate Assessment with respect to European Natura 2000 designated sites. Existing habitat on or adjacent to the site is formed of WS1: Scrub, ED2: Spoil & Bare Ground, ED3: Recolonising Bare Ground, WD1: (Mixed) Broadleaved Woodland, WD2: Mixed Conifer & Broadleaved Woodland, WD5: Scattered Trees & Parkland, WS3: Ornamental Non-native Shrub, WL2: Treelines, BC1: Stone Walls & Other Stonework, GA2: Amenity Grassland (Improved), GA1: Improved Agricultural Grassland, and BL3: Artificial Surfaces; all classified as being of ecological value at the site level only.
- 8.9.3. There was no evidence of any mammal species protected under wildlife legislation during site surveys of the area. A fox was observed inside the remains of a building structure at no.40b. While there is favourable habitat for reptiles and amphibians in the survey area, there were no sightings during walkovers. No freshwater fish were observed along the River Shambles corridor at either Old Cross Square, upstream at the junction where the Ulster Canal Greenway commences, or at Castle Road bridge section. A number of bird species were observed during walkovers and habitat is recorded within the survey area that may offer potential for breeding birds.
- 8.9.4. The site has moderate potential for the presence of bats, in particular woodland areas and around derelict building structures to the rear of properties along Dublin Street North. Other areas are also identified to have foraging or roost potential for bats and Appendix 9.4 of the EIAR gives detailed survey results, concluding that no bat activity was noted within any of the survey building structures and no bat roost were identified. Limitations are noted however with respect to access to buildings,

with not all buildings surveyed or inspected due to landownership limitations and antisocial behaviour. Survey results of lands to the east of St. Davnet's Row and the Old Infirmary Hill area recorded bats foraging and commuting, including Common Pipistrelle and Soprano Pipistrelle. The site is classified as having an ecological importance at the local level for bats as a result.

- 8.9.5. The following invasive species were noted during site walkovers and habitat mapping: Japanese Knotweed, Wall Cotoneaster, Himalayan honeysuckle, Cherry laurel and Buddleia.
- 8.9.6. Potential Impacts During Construction Phase
- 8.9.7. In the event of a large pollution event during demolition and construction phase, in the absence of mitigation, there is a significant risk of negative impact with a moderate adverse effect, upon the Lough Neagh & Lough Beg SPA. Section 9 of this report assesses this in more detail with respect to Appropriate Assessment.
- 8.9.8. As habitats on the site are classified to be of ecological importance at the local level, loss of habitats to accommodate the proposed development will result in no significant impact with a negligible magnitude of effect.
- 8.9.9. While no bats were recorded during surveys of buildings to be demolished, limitations meant that access was not possible to all properties. In addition, potential for roosting bats was recorded for a number of larger mature trees within the Old Infirmary hill area. It is proposed to retain existing scrub, hedgerows and habitat in the Old Infirmary hill area with the exception of 2 no. Ash trees which exhibit significant deadwood and basal rot, to be felled for public safety. The EIAR notes that survey of these trees did not record emerging bats, however bat activity was noted in close proximity to the east of the site. The EIAR concludes that as there are trees and habitats in the wider site area that proved potential for foraging and commuting bats, impact is considered to have no significant effect, with a negligible magnitude of effect.
- 8.9.10. During the construction phase, partial loss of a range of habitats will result, including scrub, scattered trees, hedgerows and amenity planting with the potential to support nesting birds. This habitat loss is effectively limited to rear garden areas to properties on Dublin Street North with limited ecological value. Demolition and construction

stages also have the potential to impact upon nesting birds in the absence of mitigation. Therefore, potential for minor adverse effects arises for birds.

8.9.11. Potential Impacts During Operation Phase

8.9.12. Similar to the construction phase, during the operational phase, in the event of a large pollution event and in the absence of mitigation, there is a significant risk of negative impact with a moderate adverse effect, upon the Lough Neagh & Lough Beg SPA. Section 9 of this report assesses this in more detail with respect to Appropriate Assessment.

8.9.13. There will be no further habitat loss during the operational phase, with impact concluded in the EIAR to be not significant, with negligible impact effect upon habitats.

8.9.14. During operation, there will be no further loss, fragmentation or degradation of habitat associated with bats. A new public pathway and seating area is proposed within the Old Infirmary Hill area which includes new lighting. The lighting is proposed to have low lux levels (5 lux) with a range of design criteria based on the LLP & BCT Guidance document GN08/23. The bat species recorded during surveys are more tolerate to artificial light and the existing public pathway and much of the site is already subject to artificial lighting. Lighting is also proposed for Russell Row and the car parking / pedestrian areas, however many of the existing buildings on the site have active floodlighting, with the proposed condition anticipated to have negligible effect. Overall, during operation, potential impact upon bat is concluded in the EIAR to be not significant, with negligible impact effect.

8.9.15. During operation, there will be no further loss, fragmentation or degradation of habitat associated with birds, with impact considered to be not significant, with negligible impact effect.

8.9.16. Mitigation Measures

8.9.17. Sections 9.8 and 9.9 of the EIAR sets out proposed mitigation with respect to biodiversity and this is summarised below.

8.9.18. During demolition and construction mitigation includes the following:

- Adherence to best practice guidance with respect to preventing or managing the release of petrochemical contaminants or sedimentation.

- Measures to control sedimentation including: silt fencing, removal of excavated materials off site, avoiding clearance / ground works during wet conditions, reinstatement of cut ground, use of precast concrete or alternative concrete production away from the River Shambles and addition concrete control measures.
- Measures to reduce or mitigate against accidental spillage of hydrocarbons or contamination, including with respect to fuel use and storage on site, and management / maintenance of vehicles.
- Works to be carried out in accordance with an Invasive Species Management Plan (Appendix 9.3 of the EIAR).
- Pre-commencement surveys for bats.
- Demolition and construction work to take place during 1st September to 28th February outside of bird breeding season. If works are required during the breeding season, pre-work surveys to be carried out by a suitably qualified ecologist.

8.9.19. During operation mitigation includes the following:

- Lighting that is sensitive to bats, achieving criteria set out in the LLP & BCT Guidance Note GN08/23 document.

8.9.20. Cumulative

8.9.21. Table 4.1 of the EIAR identifies other local planning applications, committed or proposed plans and projects assessed with regard to potential for cumulative impact alongside the proposed development. No potential for significant cumulative effects is identified with respect to biodiversity.

8.9.22. Assessment

8.9.23. The site does not exhibit significant ecologically habitats or support any mammal species protected under wildlife legislation. While there is potential to support bats, no evidence of bat roosts were surveyed on site. Limitations with respect to bat surveys are noted, however I am satisfied that the site is not an important roosting location for bats. While areas surveyed support foraging and commuting bats, this habitat will generally be retained in the proposed development. Pre-commencement

bat surveys will ensure that bats will be suitably protected in the event that areas become used for roosting in the intervening period between this application's supporting surveys and works being carried out on the site. This will also allow a complete survey of all buildings to be carried out once within the ownership and control of the developer. The timing of works and utilisation of a qualified ecologist also offers suitable protection for breeding birds. I am satisfied given the current site condition and in consideration of proposed mitigation, that the proposed development will not significantly adversely impact biodiversity on the site or adjacent areas. During operation, suitable mitigation will also ensure appropriate lighting sensitive to bats, with no significant adverse impacts anticipated.

8.9.24. I note the Department of Housing, Local Government and Heritage's recommended conditions in their submission on the application, which the applicant has confirmed agreement to. The submitted EIAR already incorporates mitigation that is requested, such as pre-commencement surveys, lighting sensitive to bats, the retention of woodland area and the undertaking of works outside of bird breeding season. In relation to the incorporation of swift boxes in the development and the inclusion of the invasive species management into the Construction Environmental Management Plan (CEMP), I have included these requirements in conditions as part of my recommendation below. The Department also requests pre-demolition surveys for moss, lichen and vascular plants, which is also reflected in my recommended conditions below. In relation to ivy, I note the applicant response which confirms that while some areas will be removed, it is proposed to retain the most extensive part of ivy on the site, and I am satisfied that this approach is acceptable. The matter of water quality in respect of consequential impact upon aquatic ecology as raised by Inland Fisheries Ireland, is considered as part of my Appropriate Assessment in section 9 (and associated appendices) below. In summary, appropriate mitigation is incorporated to ensure protection of waterbodies as described in the submitted NIS, and appropriate drainage features are required to be detailed as part of CEMP requirements in my recommended condition below.

8.9.25. Residual Effects

8.9.26. The EIAR concludes that following the application of the mitigation summarised above, no residual effects are predicted. With reference to the assessment I set out above, I am satisfied that the proposed mitigation is appropriate and that no

significant negative residual effects will result to biodiversity from the construction or operation of the proposed development.

8.10. Land, soil, water, air and climate

- 8.10.1. Chapter 7 of the submitted EIAR addresses soils, geology and hydrogeology. The site consists predominately of glacial till deposits derived from limestone with an area of made ground to the south. Areas of alluvium and peat are mapped within 100m (approx.) to the east of the site. Two soil classes are present on the site, with Urban soil covering the majority of the site area, and a smaller area of soil of natural origin, Ballincurra, to the northeast of the site. There are three different formations of bedrock underlying and adjacent to the site. The groundwater Rock Unit beneath the site is the Dinantian Lower Impure Limestone and the aquifer is defined as Regionally Important Aquifer-Fissured bedrock. The subsoil permeability is considered low, with a groundwater vulnerability of High and Moderate. The site is located upstream in the watershed named Blackwater, the Blackwater catchment lies in the Neagh Bann International River Basin District and is part of the larger Lough Neagh-Lower Bann catchment. The Ulster Canal runs south of the subject site and the River Shambles cuts through the site. Patena Lake (or Peter's Lake) is situated 175m to the northwest and Convent Lake is situated 550m to the west of the site. The River Waterbodies Risk for Shambles locally is 'At Risk' status, with a River Waterbody WFD Status 2016-2021 of 'Poor'. With respect to contamination, site investigations are described in the EIAR, which conclude that the site soils have a low to moderate risk, predominantly due to the presence of asbestos fibres and lead to the rear of existing residential properties in the north of the site. The site is also in a region of medium radon risk. No significant water or chemical risk is highlighted.
- 8.10.2. Chapter 8 of the submitted EIAR addresses Hydrology. The subject site is located within the River Shambles catchment that forms part of the regional Blackwater (Monaghan) sub-catchment, which subsequently flows into the Cor River to the south of Glaslough. The Cor River crosses the border and flows into the Annaghroe Blackwater, eventually forming part of the Lough Neagh and Lower Bann regional catchment area. The Shambles_010 and Blackwater (Monaghan)_040 waterbodies have a 'Poor' and 'At Risk' WFD status, while the Cor River waterbody has a 'Moderate' and 'At Risk' WFD status. The Blackwater (Monaghan) River is classified

as a nutrient sensitive waters in accordance with the Urban Wastewater Treatment Directive. The Lough Neagh and Lower Bann catchment is part of the Lough Neagh Natura 2000 site. An Appropriate Assessment is set out in section 9 of this report. In respect of biological water quality indicators, the River Shambles has a status of 'Poor' and the Blackwater (Monaghan) has a status of 'Moderate', while both have a 'moderate' ecological status with respect to nitrate conditions and a downwards trend with respect to phosphate classified as 'Moderate' for the River Shambles and 'Poor' for the Blackwater (Monaghan). Both waterbodies are noted with respect to supporting fish stocks. In relation to flood risk, the site is located in Flood Zone C with no risk of flooding highlighted.

8.10.3. Chapter 11 of the submitted EIAR addresses air quality, emissions and climate, describing the relevant legislation, targets and guidance that has informed the assessment. The baseline conditions are set out for the climate and air quality of the area. Air quality modelling and meteorological data has also informed the assessment and is set out in the EIAR.

8.10.4. Potential Impacts During Construction Phase

8.10.5. Due to an overlap in the potential effects during the construction and operational phases, impact to soils, geology and hydrogeology are discussed together in the EIAR and are summarised below, with the degree of significance ranging from imperceptible to moderate adverse:

- Potential adverse effect on the superficial deposits and solid geological resource from excavations or as a result of road/structure construction.
- Stripping of topsoil with adverse effect to topsoil resource and potential to cause deterioration of topsoil.
- Soil compaction reducing soil permeability and increasing run-off.
- Potential for increased erosion effects of topsoil associated with tree and vegetation removal.
- Accidental release, leakage or spillages of hydrocarbons, chemicals, fuels or oils from storage tanks or construction plant polluting groundwater.
- Localised increase in alkalinity from spillages of concrete or unset cement causing groundwater pollution, increasing in heavy rain.

- Dewatering and alteration of the groundwater regime (bedrock aquifer) including potential disruption to groundwater abstractions.
- Potential contamination of water by leachable contamination from imported materials.
- Surface runoff from new road causing groundwater pollution.
- Reduction in infiltration caused by increased hardstanding cover or compaction of soils, impacting groundwater.
- Potential impact on human health from lead and asbestos in soils.
- Potential contamination of water environment due to disturbance of contamination.
- Potential contamination of water by leachable contamination exacerbated by SuDS drainage.
- Potential impact on human health from imported contaminated soils.
- Potential impact on human health or the built environment from invasive species associated with the reuse of soils containing viable invasive species.
- Potential wider environmental impacts from contamination associated with incorrect disposal of contaminated soils.

8.10.6. During construction, the main potential impacts to hydrology are summarised below:

- Sedimentation in surface water runoff as a result of exposure and disturbance of soil and subsoil, released into watercourses with potential to change or alter the biodiversity of channel and river habitats, water quality and deteriorate or damage macroinvertebrates and fish stock equating to potential for significant / moderate impact in the absence of mitigation.
- Accidental release of pollutants (oils and fuels from plant machinery, and cement) impacting water quality equating to potential for significant / moderate impact in the absence of mitigation.
- Potential to spread invasive alien species during groundworks and excavations impacting supporting habitats in the stream corridor equating to

potential for significant / slight to moderate impact in the absence of mitigation.

- Imperceptible impact anticipated with respect to catchment area, as no reduction or change to flow regimes will result, and no flood risk is predicted.
- No anticipated damage to drainage networks to river corridor or channel or features supporting the existing drainage regime, equating to imperceptible impact.

8.10.7. During construction, the main potential impacts to air quality, emissions and climate are summarised below:

- Generation of NO₂ and PM₁₀ emissions through the use of HGVs and excavators, or through the use of other combustion engine sources such as generators.
- Dust deposition through the removal of vegetation and building structures, the exposing of bare soil and subsurface materials, and the excavation and transportation of soil materials from the site.
- Increase in GHG emission through the combustion of fossil fuels.
- The above potential impacts would be low in effect given the baseline conditions and the temporary nature of the construction activities.

8.10.8. Potential Impacts During Operation Phase

8.10.9. As outlined above, due to an overlap of effects during both construction and operation phases, impact to soils, geology and hydrogeology are discussed together in the EIAR and are summarised above.

8.10.10. During operation, the main potential impacts to hydrology are summarised below:

- Potential to impact upon surface water quality in the absence of mitigation, primarily through surface water runoff contaminants such as oils and fuels from vehicular sources equating to a significant / moderate impact.
- Changes to existing ground levels are minimal and no impact on flood risk. The development is designed to direct away from buildings and not to increase flood risk elsewhere.

8.10.11. During operation, the main potential impacts to air quality, emissions and climate are summarised below:

- Construction of a new road traffic source (Russell Row) and alterations of traffic flow at the junction of the Old Cross Square could potentially affect air quality and emissions. However air dispersion modelling demonstrate negligible increase between the pre-development and post-development conditions.

8.10.12. Mitigation Measures

8.10.13. Section 7.6 of the EIAR describes the proposed mitigation measures with respect to soils, geology and hydrogeology which are summarised below:

- Works to be undertaken in accordance with the Construction and Environment Management Plan (CEMP) (Appendix 4.2 of the EIAR).
- Imported soils to be subject to chemical analysis and assessed against relevant screening values to demonstrate suitability for use.
- Excavation to be constructed and backfilled quickly to minimise risk of erosion.
- Excavation to be paused during and immediately following periods of high rainfall if presenting a risk to materials management or stability.
- Excavated soil and rock to be stored appropriately to reduce sedimentation run-off, with bunding and silt fencing.
- Measures to limit damage to soils and topsoil compaction.
- Implementation of a Waste Management Plan during construction.
- Removal and treatment of contaminated soils from the site.
- Appropriate storing of soils temporary stored on stie.
- Classification and assessment of waste materials quickly.
- Concrete wash water handling areas to be located to prevent pollution.
- Asbestos survey of buildings proposed for demolition, with implementation of appropriate measures by a suitably qualified contractor if required.

- Treatment of invasive species in accordance with relevant legislation.
- Appropriate storing of potentially polluting materials (fuels / waste liquids).
- Refuelling of plant at dedicated stations or with car for immovable plant, with measures to capture potential spillage.
- Regular checks of construction plant for leakages and regular maintenance.
- Access to emergency spill kits.
- Collection and appropriate discharge of wastewater.
- Placement of contaminated soils beneath hardstanding or clean cover.
- Measures to be triggered in the event of unforeseen contamination being identified.
- Imported material subject to chemical analysis.
- Discharge of new stormwater drainage infrastructure to existing town drainage network. Attenuation of surface water run-off and use of flow control mechanisms. SUDs to limit flowrate and volume, as well as improve water quality. Use of fuel / oil interceptors and silt traps.

8.10.14. Section 8.11 of the EIAR describes the proposed mitigation measures with respect to hydrology which are summarised below:

- Sediment control: installation of silt fencing, no storage of materials or machinery adjacent to silt fencing, monitoring, removal of excavated materials off site or cover by tarpaulin and silt fencing, works not to be undertaken in wet conditions where possible, protection of gullies, implementation of surface water management plan and CEMP, treatment of surface water prior to discharge, no direct discharge to watercourses and reinstatement of cut or damaged ground as soon as possible.
- Measures to prevent and manage potential for accidental spillage of hydrocarbons or contamination: refuelling away from watercourses, no storage of fuels on site where possible, storage of fuels in secure bunded areas, spillage procedure to be put in place, disposal of waste oils or hydraulic fluids off site, use of drip-trays, maintenance of vehicles, gully covers and use of synthetic biodegradable hydraulic oil where possible.

- Implementation of CEMP, informing staff of best practice / tool-box talks, no vehicular or personnel access to the channel of the River Shambles or equipment washing.
- In relation to flood risk, a surface water drainage strategy is included to collect runoff from impermeable public realm areas via gullies, which will channel water to the proposed below-ground drainage network before connecting to the existing stormwater sewer that discharges into the watercourse south of the site. The existing connection will be utilised, and the proposed development will not impact the current situation, as the impermeable area will not increase. The inclusion of SuDS features will further enhance the management of surface water runoff.
- During operation, implementation of drainage management plan and runoff waters to pass through an oil and fuel interceptor prior to discharge to the drainage network with maintenance of the same.

8.10.15. Section 11.9 of the EIAR describes the proposed mitigation measures with respect to air quality, emissions and climate which are summarised below:

- Dust Management Plan to be agreed with the Local Planning Authority. Dust mitigation measures to be applied by principal construction contractor and an audit of compliance should be kept by the developer for review by the Local Authority.
- Stakeholder communications plan with contact information displayed of responsible personnel. Complaints log to be available to Local Authority.
- Daily on-site and off-site inspection and monitor compliance with dust management plan.
- Site preparation and plan to reduce dust. Use of screens, covers and barriers to manage dust as well as wet methods.
- No idling vehicles to reduce emissions. Max construction vehicle speed limits. Regular checks / maintenance of construction vehicles.
- Best practice measures to suppress dust.

- Measures to manage demolition, earthworks and construction activities appropriately to reduce and manage emissions.
- Demolition and construction monitoring of dust deposition at nearby sensitive receptors to ensure mitigation measures remain effective.
- During operation, neutral to low impact upon air quality and climate, therefore no specific mitigation required, beyond adherence to the Councils Climate Change Adaptation Strategy.

8.10.16. Cumulative

8.10.17. Chapter 4 of the EIAR identifies the other developments in the area considered with respect to the potential for cumulative effects.

8.10.18. No potential for cumulative effects with respect to soils, geology and hydrogeology; hydrology; or air quality, emissions and climate, are highlighted in the EIAR.

8.10.19. Assessment

8.10.20. The EIAR has described the range of all potential effects arising to land, soil, water, air and climate as a result of the construction and operation of the proposed development. While the potential for the exposure of contamination, emissions or spillages is identified, mitigation is set out which will reduce the likelihood of such events and ensure suitable management to reduce potential harmful impact.

8.10.21. With respect to objectives set out in Article 4 of the Water Framework Directive, I have outlined the baseline hydrological conditions of site / surrounds above, and I am satisfied that with the application of the proposed mitigation summarised in this report, the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment. This conclusion has been informed by the EIAR (see section 8.12) and the associated hydrological impact assessment.

8.10.22. I also note that in consideration of air quality modelling, the EIAR outlines that the results of air dispersion modelling for passenger and light goods vehicles demonstrate the proposed development is unlikely to cause exceedances in the Air Quality Standards for NO₂ or PM₁₀ concentrations at any of the receptor positions,

even when taking into consideration the cumulative impact of committed developments and projects, along with the proposed development in place.

8.10.23. The EIAR also identifies that the development of this brownfield site reduces the requirement for further land-use change, reducing the overall impact on the climate, and that the proposal incorporates mitigation such as through the management of waste and through design, to ensure adherence to the Climate Change Adaptation Strategy 2019-2024 for Monaghan County Council. As identified in section 5 above, CAP 2025 promotes transport-oriented development, ensuring permeability for active modes, implementing and requiring sustainable parking policies and delivering public realm improvements. The design of the proposed development facilitates the achievement of these aims with enhanced public realm that promotes active travel modes such as walking and cycling. I also note that Section 15 of the Climate Act 2015 (as amended) includes the obligation that “a relevant body shall, in so far as practicable, perform its functions in a manner consistent with... the Climate Action Plan... National Climate Objective... etc”. I am satisfied that the EIAR demonstrates that the proposed development will not increase emissions compared to the baseline environment, will promote active travel modes and sustainable parking, and is consistent with the Climate Action Plan.

8.10.24. Residual Effects

8.10.25. With the implementation of mitigation measures summarised above, no significant residual impacts are considered likely to land, soil, water, air and climate.

8.11. **Noise and vibration**

8.11.1. Chapter 6 of the submitted EIAR addresses noise and vibration. This sets out the methodology for the assessment which adheres to relevant guideline requirements as well as the relevant noise and vibration limits applicable to the scheme. The baseline noise levels for the area are set out in section 6.7.2 of the EIAR. This demonstrates that the current local noise environs are dominated by road traffic noise, with high levels of noise recorded during daytime, evening and nighttime periods. There is currently no existing sources of vibration within the site or surrounds.

8.11.2. As it is not intended to use piling methods during construction which would cause vibration and the operational phase of the development does not introduce new significant sources of vibration, no modelling is provided of such aspects in the EIAR.

8.11.3. Potential Impacts During Construction Phase

8.11.4. During the construction stage, activities including demolition works, earthworks and construction work have the potential to generate noise and vibration. The EIAR sets out noise modelling for these activities based upon sound levels associated with modern examples of plant equipment and vehicles associated with the construction phase. The modelling is based upon the most significantly noisy plant equipment which is likely to be used for each respective stage of works. Anticipated noise to the rear of building facades for properties along Dublin Street are assessed in the EIAR. The findings of the assessment state that demolition and earthworks are unlikely to cause exceedances with regards to construction noise limits. Should hydraulic breaking be required for longer than an hour, depending upon location, there is potential for short term exceedances of the noise limits for construction activities. Activities during construction works are also demonstrated as likely to meet the daytime criteria, however construction activities are predicted to marginally exceed noise limits at receptor boundaries during periods outside of Mon-Fri 7am-7pm. These findings are in the absence of mitigation.

8.11.5. Potential Impacts During Operation Phase

8.11.6. During the operational phase, noise modelling demonstrates that as a result of the current context which is already dominated by road traffic noise, the proposed development, has a negligible impact upon the noise environment, with no long-term significant effects on local receptors.

8.11.7. Mitigation Measures

8.11.8. During construction mitigation measures are included at section 6.10 of the EIAR. Measures with respect to noise are summarised below:

- Operating hours to be agreed with Council (i.e. Mon-Fri 7am-7pm, Sat 8am-1pm).
- Principal contractor to liaise with Environmental Health, all contractors to employ best practicable means to minimise noise.

- Community liaison.
- Following recommended mitigation in BS 5228-1:2009.
- Positioning of plant away from residential properties and utilising screens.
- Maintaining plant in good working order.
- Use of exhaust silencers on plant and vehicles.
- Shut down of machinery in intervening periods of non-use.
- Minimising drop height of materials, plant to be started sequentially rather than simultaneously, staff to be informed of the need to minimise noise and use of concrete saws only briefly and intermittently.
- Liaising with Environmental Health if in exceptional circumstances it is not possible to remain within limiting criteria.

8.11.9. Mitigation measures with respect to vibration are summarised below:

- Adherence to vibration guidelines and ‘best practicable means’ with regard to BS 5228.
- Community liaison.

8.11.10. In addition to the above, the contractor will designate an Environmental Manager / Responsible person who will liaise with environmental advisors, statutory bodies and the local community with respect to noise and vibration impacts. Monitoring will be carried out using the principles outlined in BS4142:2014 and BS5228-1:2009+A1:2014. Noise and vibration monitoring will be undertaken at suitable locations in agreement with (and with findings available for review by) Environmental Health or the Planning Authority and if complaints are received, from the complainant’s property.

8.11.11. No specific mitigation measures are required for the operational phase.

8.11.12. Cumulative

8.11.13. Table 4.1 of the EIAR sets out the projects considered cumulatively with the Dublin Street North proposals. Scenario 3 in the EIAR models noise and vibration for the development year 2030 including cumulative noise from committed developments during peak daytime hours, with findings set out in Table 6.20 of the EIAR. No

significant adverse effect is anticipated when considering the potential for cumulative impacts.

8.11.14. Assessment

8.11.15. The proposed development is not anticipated to generate vibration during construction or operation as it does not involve vibration generating activities. Primary impact with respect to noise is likely to occur during the construction phase, as the current baseline condition is dominated by traffic noise and the proposed development will not alter this in operation. Mitigation, which largely relates to the implementation of appropriate and best practice management measures through a CEMP is described, which will limit and reduce noise associated with construction activities.

8.11.16. Residual Effects

8.11.17. Following implementation of the mitigation summarised above, residual effects with respect to noise and vibration are anticipated to be negligible.

8.12. **Material assets (land use, waste and utilities) (traffic and transport)**

8.12.1. Chapter 10 of the submitted EIAR addresses land use and waste, with topics addressed including drainage, transport infrastructure, land use, and waste.

8.12.2. In relation to drainage, the existing site comprises rear gardens and derelict spaces to the rear of properties along Dublin Street, with an associated discharge figure limited to the 'greenfield' run-off rate (Greater Dublin Regional Code of Practice for Drainage Works Version 6.0).

8.12.3. In relation to transport infrastructure, Dublin Street is the primary route connecting Monaghan Town to major national roads (N54 and N2), which has a narrow width and limited space for on-street parking. There are no dedicated cycle lanes and footpaths are narrow. The Diamond is the central square and traffic hub of Monaghan Town and its current layout can lead to congestion during peak hours. It has reduced dedicated cycling infrastructure and the narrow road creates bottlenecks. The Diamond Car Park is a small surface-level facility which is underutilised. Old Cross Square provides on-street parking which also lacks cycling infrastructure. In terms of public transport, Monaghan Town is primarily served by

bus connections to nearby urban centres including Dublin, Cavan and Enniskillen, with key routes highlighted in section 10.3.4.5 of the EIAR. As part of the CycleConnects initiative led by the National Transport Authority, Monaghan Town, including areas like Dublin Street, The Diamond, and Old Cross Square, will see significant upgrades to cycling infrastructure. The proposed project is aligned with CycleConnects.

8.12.4. In relation to land use, the site is within a town centre, with existing properties along Dublin Street comprising a variety of uses, retail, laundry, clothing, footwear, salons, window supplier, auto repair shop, hospitality in the form of public houses, cafes, restaurants and guest house, commercial space in the form of professional services such as solicitor offices, residential, hotels and other vacant spaces. There are also vacant spaces, underutilised and vacant buildings. The back lands extend to an informal path called St Davnets Row which opens up beyond mature planting and vegetation to greenfield land. The site also takes in public spaces at Old Cross Square and Diamond Street Car Park. Further regeneration areas also feature in the wider area, including the Roosky Masterplan and Dublin Street South Regeneration areas.

8.12.5. Section 10.5.4 sets out a description of the baseline environment for ‘waste’, focusing on waste streams arising from construction waste and operational maintenance waste. There are 35 licensed waste facilities in the region which can be used for the disposal and management of waste materials arising from the proposed development. Regional waste management is guided by the Connacht-Ulster Region Waste Management Plan.

8.12.6. Potential Impacts During Construction Phase

8.12.7. In relation to drainage, potential impacts could arise from overloaded or poorly constructed drainage systems with potential to cause breeches in system loading and result in localised flooding or bypassing of containment / treatment systems.

8.12.8. In relation to transport infrastructure, there will be temporary disruption within the area at The Diamond, Old Cross Square and Dublin Street, with traffic and pedestrian diversions required during construction.

8.12.9. In relation to land use, there will be minor and temporary impact on existing land uses during construction, however it is anticipated that existing land uses will be able to

remain operational. No direct significant impact is anticipated upon land use. There will be no impact upon the potential delivery of future development in the regeneration area, with negligible effect.

8.12.10. In relation to waste, construction and demolition activities will generate waste. Site clearance and enabling works will include the felling of trees and removal of vegetation, alongside demolition of building structure and walls, and excavated materials. Anticipated waste volumes are set out in section 10.5.5.1 of the EIAR. There is also potential for contaminated soil or other materials to be exposed during excavation works, including asbestos materials. All potentially hazardous materials will be segregated and stored in accordance with best practice for onward management, although the volume of hazardous material is anticipated to be minimal. Small volumes of sediment will also be collected on site during the construction phase from on-site wheel washes, oil/petrol interceptors and any grit separators and silt bags at the site. An Invasive Species Management Plan is included at appendix 9.3 of the EIAR with the biosecurity protocol for removing invasive alien species from the site. As the capacity of waste facilities exceeds projected arisings of waste from the proposed development, impact is expected to range from imperceptible to negligible.

8.12.11. Potential Impacts During Operation Phase

8.12.12. In relation to drainage, no impacts are anticipated with respect to the proposed surface water drainage network upon the existing drainage network, or with respect to foul drainage.

8.12.13. In relation to transport infrastructure, no adverse negative effects will result, with improvements to the area generating beneficial / positive effects.

8.12.14. In relation to land use, the proposal will create a high-quality public realm that is connected to the existing street network, providing increased footfall in the area, increasing vibrancy and linking to people's happiness and health. It will act as a catalyst for future investment in existing and future land use. The regeneration of the lands makes a sustainable use of assets and potential of the town centre area, to create a desirable and convenient place to live, work and recreate through the reuse of existing structures for business opportunities, creating employment opportunities.

8.12.15. In relation to waste, minor quantities of general road waste (such as litter, fly tipped waste, tyre shreds etc.) and construction demolition wastes will be generated during the operational and maintenance phase. General waste will require off-site transfer and overall effect is predicted to be imperceptible.

8.12.16. Mitigation Measures

8.12.17. Mitigation is set out within each of the topics described in Chapter 10 of the EIAR as outlined above and is summarised below.

- Drainage:
 - To achieve 'greenfield' run-off rate, permeable pavements, rain gardens, attenuation tanks and discharge flow controls will limit the storm water discharge from the development as included in the proposed drainage design. Attenuation tanks are proposed at each car park with flow controls and final flow control.
 - To cater for future foul flow generated by masterplan development plots, a foul drainage sewer is provided along Russell row with spur connections to plots.
- Transport:
 - Traffic Management Plans, including phasing of works and keeping traffic connections, to reduce impact during the construction phase.
- Waste:
 - A Waste Management Plan (WMP) to be prepared in accordance with best practice guidelines and appointed Contractor to deliver mitigation presented in the EIAR.
 - Waste Manager to have overall responsibility for implementation of all waste processes, including source segregation, waste auditing, appropriate storage and efficient removal.
 - Implementation of waste hierarchy principles during operational and maintenance phase, with transfer of waste to appropriate facilities and records kept on the quantity, nature and type of waste.

- During operation, all dredged or captured sediments within the drainage system will be disposed of at licensed facilities.
- Monitoring of waste streams, with the preparation of a report upon completion of the construction and demolition phase, and records retained during the operational and maintenance phase, of the volumes and types of waste streams exported from site.

8.12.18. No potential for significant adverse effects to material assets (land and waste), inclusive of the topics covered above, are identified in the EIAR.

8.12.19. Cumulative

8.12.20. The EIAR includes a list of all projects considered alongside the proposal with respect to potential for in-combination effects. The EIAR concludes that the proposals will not result in any cumulative impacts with respect to the land use and waste topics considered above. As part of this assessment, future infill plots have been considered with no cumulative impact identified.

8.12.21. Assessment

8.12.22. The EIAR identifies potential impact with response to land use, waste, utilities (drainage), traffic and transport. During construction, the primary impact will relate to the potential for disruption to land use and transportation systems, as well as the generation of waste and the utilisation of drainage systems.

8.12.23. Disruption will be on a temporary short-term basis only and is an inherent consequence of any construction project. The implementation of a CEMP will reduce and manage impacts during the construction period, alongside a Waste Management Plan with respect to managing impact from waste. I note that the applicant has provided revised plans showing a small reduction in the extent of demolition, with the retention of a building to the rear of McKenna's property, which it is concluded would not undermine the delivery of the Dublin Street North Regeneration Masterplan or conflict with the objectives of the Monaghan County Development Plan. This will further reduce the extent of disruption with respect to the proposed works, and the retention of the property as detailed in amended plans provided can be secured by condition.

8.12.24. Appendix 8.2 of the EIAR sets out a Flood Risk Assessment which concludes that the proposed development will not be at risk of flooding. A Drainage Assessment Report is included in appendix 8.3 of the EIAR. Specifically with respect to utilities, the EIAR identifies that all relevant approvals for surface water drainage and foul drainage designs and connections with the existing drainage network will be obtained from Uisce Éireann. In this regard, I note the conditions requested in the submission from Uisce Éireann and that the applicant has confirmed agreement to the same, as such, I have reflected these requirements in a condition as part of my recommendation below.

8.12.25. Transport Infrastructure Ireland (TII) have requested a number of conditions with respect to design compliance with TII standards. The proposed development has been designed in recognition of these standards and the applicant has confirmed agreement to conditions requiring conformity to the same, as such, I have included the conditions requested by TII in my recommendation below.

8.12.26. During the operation of the proposed development, the public realm will be enhanced and incorporate new open space and new drainage systems resulting in positive effects.

8.12.27. Residual Effects

8.12.28. Following implementation of the mitigation summarised above, no significant negative residual effects with respect to material assets (land use and waste), inclusive of the topics addressed above, are anticipated. Positive effects are anticipated with respect to transport infrastructure with enhanced accessibility, particularly for non-motorised users, and alignment with broader sustainable transport initiatives such as CycleConnects.

8.13. **Archaeology and cultural heritage**

8.13.1. Chapter 13 of the submitted EIAR addresses Cultural & Architectural Heritage. This sets out the legislation and guidance with respect to cultural heritage, including archaeology and architectural and built heritage. Relevant policies of the Monaghan County Development Plan are also highlighted.

8.13.2. The study area for the cultural heritage assessment comprises all lands within the proposed development site red line boundary and the surrounding lands for a

distance of 500m, including the Zone of Notification for the Historic Town of Monaghan. A description of the baseline condition is set out from section 13.3 of the EIAR. This sets out the historical context and development of Monaghan Town, with records of a 'castle' in Monaghan dating to 1492, which may have been a structure labelled 'McMahon's house' depicted on Bartlett's map of c.1590 located on Convent Lake. A map dating c.1611-1613 depicts the town as a fortified rectangular area defended by walls or ramparts and outer ditches with a fortified house or castle at its centre (figure 13.4 of the EIAR). The marketplace, now the Diamond, was located immediately to the north of the castle. Three streets are represented running from the Diamond, which are now called Glaslough, Dublin and Mill Streets, with Market Street / Park Street running south from Mill Street west of the Diamond also represented on the map rather than Dawson Street, which appears to be a late eighteenth century creation. The precise location of the castle has not been found and archaeological excavations (ref.96E0023; 96E0293) in the area failing to identify any remains. A later map of Monaghan Town c.1787 shows buildings lining Glaslough Street, Dublin Street, Mill Street, Hill Street and Park Street, with these streets projecting out from the Diamond, Church Square and Market Street.

- 8.13.3. The subject site is situated within a zone of archaeological importance as defined under the Monaghan County Development Plan. There are 14 recorded archaeological sites and monuments within the study area under the EIAR as well as one redundant record, these are identified in table 13.8 and figure 13.7 of the EIAR. Of these, 3 are situated within the site red line boundary: the historic town (MO009-060---); the (levelled) town defences (MO009-06004-) and the Market Cross (MO009-060006-). Remains of the town defences (MO009-060006) are situated to the north of the Diamond where a large ditch was found, as such there is possibility of survival of sub-surface remains within the red line boundary.
- 8.13.4. In relation to undesignated cultural heritage, the EIAR describes that the proposed development is located in the historic settlement of Monaghan which has a rich history dating back to the medieval and early post-medieval periods. The ruins of the Old Infirmary site ('Old 12' or 'Ward 12') is an undesignated cultural heritage asset within the red line boundary. Walkover surveys of the site for cultural heritage are described in the EIAR.

8.13.5. In terms of architectural heritage, Dublin Street retains its historic long plot layout to the north side however much of the historic built fabric is in poor condition. The Ulster Canal flows through the town and passes under the south side of Old Cross Square in a culvert. Within the study area there are 5 protected structures and one that is recorded by the National Inventory of Architectural Heritage (Table 13.2 of the EIAR). These buildings are also located within Dublin Street Architectural Conservation Area (ACA) and will not be directly effected by construction works, although the backlands to these properties will be directly affected. An Architectural Heritage Impact Assessment is provided for these structures at nos. 54, 55, 56, and 57 (Appendices 13.8, 13.11, 13.12, 13.13 and 13.14 of the EIAR). The EIAR also identifies that while historically the backlands were part of the curtilages of the protected structures, as indicated on the historic map c.1791, the OS map of c.1836 indicates the presence of Pump Entry adjacent to no.54, with what appear to be independent plots behind it. This suggests that the backlands were in separate curtilages by the 1830s. The backland structures have not been Recorded individually or described as part of the RPS for nos. 54, 55, 56, and 57 which describes each as 'Terraced three storey house'. The plans and extent of protection within these sites is explored more fully in their individual Architectural Heritage Impact Assessments.

8.13.6. The EIAR highlights constraints encountered during field surveys, including lack of access to privately owned backland plots associated with Dublin Street North. Hard surfacing, buildings / structures, boundary walling and possible utilities also created constraints to field surveys. There was limited scope for excavation of archaeological test trenches to further investigate any possible evidence for buried remains of the town defences of associated historic features/material, with testing confined to one area and details of this in appendix 13.5 of the EIAR. However, given the comprehensive examination of the historical context of the site set out in the EIAR, I am satisfied that these limitations have not impacted the findings of the EAIR with respect to archaeological and cultural heritage.

8.13.7. Potential Impacts During Construction Phase

8.13.8. During construction of the proposed development it will be required to remove some upstanding structures, as well as build new structures, a new street (Russell Row), access roads, and installation of utilities, lighting and surface treatments, all of which

require extensive ground reduction and landscaping. With reference to Dublin Street, this has already experienced modern interventions in the form of asphalt and concrete surfacing, kerbing and ducting for electrical, sewerage, water mains and other services. To the rear of the street in the backlands, the area has been subject to extensive development and landscaping, leaving few undisturbed or undeveloped areas and with evidence of ground reduction. The greenfield eastern portion of the proposed development incorporates the former grounds of the Old Infirmary (demolished), which has experienced ground disturbance. The proposed development (ground reduction) may have a direct impact on unknown sub-surface archaeological features associated with the historic settlement of Monaghan Town, in particular at the backland plots of Dublin Street North and including the levelled town defences (MO009-060004-), with potential for moderate-significant effect in the absence of mitigation.

8.13.9. There is potential of the existing Dublin Street and Old Cross Square to contain subsurface archaeological deposits. It is also noted that Old Cross Square was formerly known as the Shambles and previously unrecorded sub-surface features relating to the trade and butchering of animals may exist at this location. The portion of upstanding Ulster Canal walling (F06), abutting an end of terrace house at the southern end of Old Cross Square, will not be impacted by the Proposed Development. The proposed design includes the re-siting of the Market Cross (SMR MO009-060006--- / RPS 41000283) within Old Cross Square, to a position 3m to the south/southwest. This re-positioning is required to facilitate stepped access to the new proposed Russell Row and associated landscaping and access roads within a reconfigured Old Cross Square. It is noted in the EIAR that the Market Cross monument has previously been relocated and experienced various augmentations a number of times over the centuries. This impact is a very significant effect.

8.13.10. There is potential to directly impact on levelled and sub-surface features associated with the late 18th century Old Infirmary building and attendant grounds, equating to a slight-moderate significance of impact.

8.13.11. Potential Impacts During Operation Phase

8.13.12. Successful implementation of the mitigation measures at construction stage will result in the preservation in situ, or preservation by record, of any undesignated

and/or recorded, sub-surface archaeological sites or features that may exist within the subject site / area. The re-positioning of the Market Cross within a newly landscaped Old Cross Square will offer a direct pedestrian and vehicular connection to the new proposed Russell Row and the proposed Community Park will provide for an appealing and safe amenity greenspace. The re-positioned Market Cross will have renewed prominence, equating to a significant positive effect. In addition, the conservation, consolidation and presentation of the footings to the Old Infirmary building as a visitor amenity, including informational signage, is a moderate positive effect. The EIAR concludes that the proposed development will result in direct, positive, significant effect on the collective amenity heritage value and setting of the urban core of the historic town of Monaghan, and on cultural heritage receptors (the Market Cross and Old Infirmary).

8.13.13. Mitigation Measures

8.13.14. Section 13.4.5 of the EIAR describes proposed mitigation. A summary of proposed mitigation during the construction stage is set out below:

- Ground works during the construction phase will be subject to archaeological monitoring by a licence-eligible archaeologist under licence by the National Monuments Service.
- In the event that any sub-surface archaeological features are identified during archaeological monitoring they will be securely cordoned off, cleaned and recorded in situ. The National Monuments Service will then be notified and consulted to determine further appropriate mitigation measures, which may include preservation in situ (by avoidance) or preservation by record (archaeological excavation).
- In advance of construction stage (pre-works) the Market Cross monument (with prior consultation and Section 14 Ministerial Consent and agreement by statutory bodies) will be subject to a detailed written and photographic survey log, to be augmented as part of an updated condition report (see Appendix 13.6). This will be carried out together with a detailed methodological specification for dismantling, safe and appropriate storage provisions, conservation works (off-site) where required, and reinstatement at the new location in as 'as built' manner at the end of construction stage. A conservation

architect will oversee and supervise the works, together with an attending on-site licence-eligible archaeologist, where required as part of any ground reduction or landscaping provisions at construction stage.

- In advance of construction stage (pre-works), the upstanding remains of the Old Infirmary (F01-F05) will be cleared (by hand) of all dense vegetation, with a built heritage written, drawn and photographic survey undertaken together with a conservation management plan to consolidate, re-point and make-safe any walling/features, and to install suitable surface treatment (such as fine gravel) as required. On-site bespoke and high-quality interpretative signage will be provided that documents the local history of the 'Old 12' site within the new town amenity area.
- Any landscaping works (ground reduction measures, drainage, lighting etc) that are required in and around the Old Infirmary footprint area, and within the park generally, will be monitored by an attending licence-eligible archaeologist at construction stage.

8.13.15. During operation, a summary of mitigation is set out below:

- A management plan and future maintenance regime that addresses periodic surface cleaning of the Market Cross (bird droppings, mosses or higher-level plant growth that can cause water ingress issues etc.), and condition assessment surveys of the upstanding conserved masonry remains of the Old Infirmary, as well as sensitive vegetation management of same, will be undertaken.
- A community outreach consultation involving the County Museum and locals together with Monaghan County Council will be explored concerning the sensitive reinstatement of the inscribed lintel and date stone of the Old Infirmary building from the museum archives, back to the original site.

8.13.16. Cumulative

8.13.17. With reference to relevant projects considered (Chapter 4 of the EIAR) and the Regeneration Plans for Dublin Street South, Roosky Lands Master Plan and the Part 8 consented development for new civic offices to the north of the site, the EIAR concludes that there are no significant direct or indirect cumulative effects.

8.13.18. Assessment

8.13.19. The subject site is situated in an area with known archaeological and heritage features, and the potential for previously undiscovered archaeological features. The EIAR sets out mitigation which will ensure the protection and preservation of such features and the Department of Housing, Local Government and Heritage has raised no concerns with respect to the findings of the EIAR in relation to archaeology and recommends the mitigation set out in the EIAR is applied in a condition, which the applicant has indicated agreement to in their response to submissions.

8.13.20. There are two buildings proposed for removal as part of the proposal which are located to the rear of No. 57 Dublin Street (RPS no.41001178) and therefore within the curtilage of the protected structure. The site is also located within the Dublin Street ACA and bounds The Diamond ACA, and demolition works are proposed. The Architectural Heritage Protection Guidelines for Planning Authorities state at section 6.2.5 that in the assessment of applications, that impact upon the character of protected structure(s) or ACA(s) be considered when determining an application, and where demolition is proposed, consider whether exceptional circumstances apply, which is also required under the Planning and Development Act 2000 (as amended). The proposed public realm works will impact the character of both the ACA and protected structures. I have set out my assessment of this impact as part of my EIA in this report. The proposed demolition will facilitate public realm enhancements and will take place in the context of existing extensive modification to the rear of properties on Dublin Street. I am satisfied that the proposed project reflects exceptional circumstances, with the need for traffic and public realm improvements in the town centre.

8.13.21. I note that the applicant has provided revised plans showing a small reduction in the extent of demolition, with the retention of the building to the rear of McKenna's property. McKenna's property is included on the National Inventory of Architectural Heritage Ireland (reg. no. 41303117). In response to submissions, the applicant states that the retention of this property would not undermine the delivery of the Dublin Street North Regeneration Masterplan or conflict with the objectives of the Monaghan County Development Plan. This will further reduce the extent of heritage impact with respect to the proposed works, and the retention of the building to the rear of McKenna's property as detailed in the amended plans provided can be

secured by condition. While I note another third party request for the retention of an additional structure attached to McKenna's bar, I accept the applicants explanation that this is not possible as it would undermine the achievement of the wider aims of the project.

8.13.22. Residual Effects

8.13.23. Following the application of the mitigation summarised above, during construction, slight negative residual effect is anticipated with respect to archaeological and cultural heritage, including in relation to sub-surface archaeological features that will be preserved in situ or by record, and the dismantling, storage and re-erection of the Market Cross. During operation, permanent positive indirect impacts on the cultural heritage is anticipated, including with respect to the improved siting and interpretation measures within new public realm at Monaghan town. The EIAR concludes that the residual operational impact will result in positive significant and moderate effect.

8.14. **Landscape and visual**

8.14.1. Chapter 14 of the submitted EIAR addresses Townscape & Visual Impact. This describes the methodology and approach to assessing landscape and visual effects set out in the EIAR. Section 14.4 describes the baseline characteristics of the area. The EIAR defines the baseline under four main townscape character types (TCT), with the town centre TCT covering the commercial centre of Monaghan Town, comprising the historic town centre/street pattern, as well as more recent commercial developments and associated roads. The historic centre consists of Old Cross Square, Dublin Street, the Diamond, Glaslough Street, Church Square, Mill Street, Dawson Street, Market Street, Park Street and Hill Street. Some of the sections of Dublin Street are designated as an architectural conservation area (ACA). Landmark buildings include the Presbyterian Church on Old Cross Square, Saint Patrick's Church and Monaghan Courthouse on Church Square and the Market House. Streets are mostly framed by 3 storey townhouses with commercial premises and colourful shopfronts on the ground floor and a mix of commercial and residential uses on upper floors. There are a number of laneways leading into the Dublin Street backlands, however most are not publicly accessible. Old Cross Square and The Diamond have been upgraded in 2010-2011 to create a more pedestrian friendly and

attractive streetscape. The second TCT is institutional/open space characterised by large buildings (schools and medical centre) surrounded by parkland or outdoor sports facilities. The amenity area surrounding Peter's Lake is located in this area to the north-western end and there is a large area of vegetated ground, including mature trees, with the Roosky lands on elevated ground. The residential TCT is made up of a mix of 1-2 storey terraced, semi-detached and detached houses along the roads leading out of Monaghan adjoining the town centre. Lastly, the industrial TCT is located at the south-eastern end of the study area comprising the Monaghan Bottlers factory located on an area of low, flat ground and surrounded by mature trees / hedgerows.

8.14.2. In terms of views, seven viewpoints were selected to illustrate the existing views and represent visual receptors present in the immediate surroundings for the Development site. These views are taken from Old Cross Square, Diamond Centre car park, St. Davnet's Row, Dublin Street and Pound Hill. Identified visual receptors include residents, pedestrians, vehicle users and recreational users (walkers / cyclists).

8.14.3. Potential Impacts During Construction Phase

8.14.4. During the construction phase, the EIAR identifies the following elements as likely to cause townscape and visual effects, expected to last c.20 months:

- Site clearance, including demolition of existing buildings / structures and removal of existing vegetation, within the back lands area;
- Presence of construction machinery and associated noise and movement;
- Construction activities, including the construction of hard landscape surfaces and the installation of street furniture, as well as planting works.

8.14.5. The above impacts are categorised as having negative effects upon the town centre TCT (moderate / minor), the institutional / open space TCT (minor) and residential TCT (minor / negligible). With none of the effects assessed as being significant.

8.14.6. With reference to viewpoints assessed in the EIAR, moderate negative effects are predicted with respect to Old Cross Square (viewpoints A&B), Diamond Centre car park (viewpoint C), Dublin Street (viewpoint F), and Ulster Canal Greeway

(viewpoints A&B), with remaining effects categorised as minor or minor / negligible. There are no significant negative visual effects anticipated.

8.14.7. Potential Impacts During Operation Phase

8.14.8. During the operational phase, the following elements are identified in the EIAR as likely to cause townscape and visual effects on a permanent basis:

- Presence of new streetscape, including new materials, street furniture and landscape areas;
- Presence of people and cars associated noise and movement in the back lands area; and
- Presence, in the future, of new buildings in the proposed development plots, which are taken into account as part of the assessment for completeness. (Two versions of photomontages are therefore provided showing vacant development plots on the opening year, and then with sample buildings on development plots).

8.14.9. The above impacts are categorised as having positive effects upon the town centre TCT (moderate), the institutional / open space TCT (moderate / minor) and the residential TCT (minor), with no significant effects anticipated to result.

8.14.10. With reference to viewpoints, the majority of receptors are predicted to experience a positive moderate effect, with no significant effects anticipated.

8.14.11. Mitigation Measures

8.14.12. Mitigation is set out in section 14.6 of the EIAR and summarised below. During the construction phase, mitigation includes:

- Measures that form part of good construction 'design', with a well planned/phased construction works, organised/tidy site, short construction period and construction fencing.

8.14.13. During the operation phase, no mitigation is required as the proposal is designed in line with the Local Area Action Plan / Dublin Street North Regeneration Plan and is intended to result in improvement of the local environment in townscape and visual terms, with use of materials that will complement the historic character.

8.14.14. Cumulative

8.14.15. Section 14.5.6 of the EIAR considers cumulative impacts with respect to landscape and visual effects and refers to identified consented and proposed projects in the development area set out in Chapter 4 of the EIAR. The likelihood for significant cumulative negative effects is assessed as minimal.

8.14.16. Assessment

8.14.17. No significant adverse effects are anticipated as a result of the proposed development during either construction or operation with respect to landscape and visual impact. During construction, while moderate effect is predicted, this will be over a short term temporary period and is an inherent consequence of this type of construction project. 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.

8.14.18. Residual Effects

8.14.19. No significant residual effects are anticipated with respect to landscape and visual. Moderated negative effects during the construction phase will be over a short-term temporary period, while permanent positive moderate effects will result during the operational phase as a result of improvements to public realm and streetscape.

8.15. The interactions between these factors

8.15.1. Chapter 15 of the submitted EIAR is entitled 'Interactions'. Table 15.1 of the EIAR highlights the potential for interactions between topic areas. I have considered the interrelationships between factors and whether these might as a whole affect the environment, even though the effects may be acceptable on an individual basis. Having considered the mitigation measures contained in the EIAR, I am satisfied that residual impact resulting from interaction between all factors is minimised.

8.16. Reasoned Conclusion on the Significant Effects

8.16.1. Having regard to the examination of environmental information contained above, and in particular to the EIAR and supplementary information provided by the applicant, and the submissions from prescribed bodies and observers in the course of the

application and appeal, it is considered that the main significant direct and indirect effects of the proposed development on the environment are as follows:

- 8.16.2. **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 EIAR, 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.
- 8.16.3. **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.
- 8.16.4. **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 implementation of mitigation, no significant residual negative impacts.
- 8.16.5. **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.
- 8.16.6. **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.

- 8.16.7. **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.
- 8.16.8. **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.
- 8.16.9. Having regard to the above, the likely significant environmental effects arising as a consequence of the proposed development have been satisfactorily identified, described and assessed in this EIA. I also consider that the EIAR is compliant with Article 94 of the Planning and Development Regulations, 2001, as amended.

9.0 **Appropriate Assessment**

- 9.1. This section of the report considers the likely significant effects of the proposal on Natura 2000 European sites with each of the potential significant effects assessed in respect of each of the European sites considered to be at risk and the significance of same. The assessment is based on the submitted Natura Impact Statement which includes an Appropriate Assessment Screening, included in Appendix 1 of the submitted EIAR.

9.2. **Stage 1 – Screening for Appropriate Assessment**

- 9.3. I have had regard to submissions in relation to the potential impacts on European sites, as part of the Natura 2000 Network of sites. Appendix 1 attached to this report sets out a detailed screening for AA and should be read in conjunction with this section of my report.

9.4. AA Screening Conclusion

- 9.5. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I

conclude that it is not possible to exclude that the proposed development, alone or in combination with other plans and projects will give rise to significant effects on the Lough Neagh and Lough Beg SPA European Site in view of the site's conservation objectives. Appropriate Assessment is required.

This determination is based on:

- (i) Potential for a large spill event during construction phase resulting from demolition, enabling, groundworks and excavation activities on the site, leading to silt laden surface water run-off from excavated materials or from accidental spills of oils, hydrocarbons etc. from plant and machinery equipment. Degradation of surface water quality could potentially damage some supporting habitats of the Qualifying Features which are associated with the SPA.
- (ii) Potential for a large petrochemical spillage event during the operational phase, resulting in the degradation of surface water quality which could potentially damage supporting habitats of Qualifying Features which are associated with the SPA.

9.6. The potential impacts are expanded upon in further detail as part of a Stage 2 Appropriate Assessment below.

9.7. In relation to the remaining European site considered, taking into consideration the distance between the proposed development site to this designated European site, the lack of a direct hydrological pathway with the potential to facilitate significant effect, as well as the lack of any other pathway or link to this European site, it is reasonable to conclude that on the basis of the information on file, which I consider adequate in order to issue a screening determination, that the construction and operation of the proposed development, individually or in combination with other plans or projects, would not be likely to have an adverse effect on the conservation objectives or features of interest of Slieve Beagh SPA. Therefore, I agree with the applicant's submitted screening report that a Stage 2 Appropriate Assessment is not required with respect to these aforementioned European sites.

9.8. **Stage 2 – Appropriate Assessment**

9.9. The submitted NIS identifies the potential for negative effects upon the Lough Neagh and Lough Beg SPA as a result of the proposed development and I concur that an

Appropriate Assessment (AA) of the proposed development is required with respect to this aforementioned European site.

9.10. Appendix 2 of this report sets out the detailed consideration of potential effects upon the European site as part of an Appropriate Assessment for this proposed development. The site-specific conservation objectives and species of conservation interest for the Lough Neagh and Lough Beg SPA is set out in Appendix 1 and 2. The AA determination is set out below.

9.11. AA determination – Conclusion

9.12. The proposed development has been considered in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act 2000 as amended.

9.13. In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on the Lough Neagh and Lough Beg SPA in view of the conservation objectives of that site and that Appropriate Assessment was required.

9.14. Following an examination, analysis and evaluation of the NIS all associated material submitted including the further information with EIAR, and taking into account observations, I consider that adverse effects on site integrity of the Lough Neagh and Lough Beg SPA can be excluded in view of the conservation objectives of that site and that no reasonable scientific doubt remains as to the absence of such effects.

9.15. My conclusion is based on the following: The application of mitigation measures to control sediment and reduce or mitigate against accidental spillage of hydrocarbons or contamination, as well as the inclusion of new surface water drainage system and SUDs in the proposed development, will prevent potential for, the occurrence of / or adverse impact resulting from, a large spillage event.

10.0 Recommendation

10.1. I recommend that the Board APPROVE the proposed development, with modified plans provided by the applicant, dated 20th August 2025, for the following reasons and considerations and subject to the conditions set out below.

11.0 Reasons and Considerations

11.1. The Board reached its decision in accordance with its duties under Section 15(1) of the Climate Action and Low Carbon Development Act 2015, as amended, and the requirement to, in so far as practicable, perform its functions in a manner consistent with inter alia the Climate Action Plan 2025 and the furtherance of the national climate objective.

And in coming to its decision, the Board had regard to the following:

(a) European Union legislation including in particular:

- EU Directive 2014/52/EU amending Directive 2011/92/EU (EIA Directive) on the assessment of the effects of certain public and private projects on the environment,
- 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:

- Section 175 and section 177 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 (EIA) and Appropriate Assessment (AA)

(c) National, Regional Policy and Guidance in particular:

- Project Ireland 2040 National Planning Framework which supports the compact development and the regeneration of town centres,
- Climate Action Plan 2025 which supports a modal shift, place-making and compact growth,
- 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,
- 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,
- Architectural Heritage Protection: Guidelines for Planning Authorities, Department of Arts, Heritage and the Gaeltacht, 2011,
- The Norther 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
- The National Biodiversity Plan 2023-2030.

(d) Local Planning Policy including in particular:

- The provisions of the Monaghan County Development Plan 2025-2031 as varied including Variation Number 3 Dublin Street North Regeneration Plan, and
 - the provisions of the Regeneration Plan—Dublin Street Adopted 04.04.22.
- (e) The following matters:
- 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,
 - the documentation including the environmental impact assessment report, the natura impact statement and associated documentation submitted with the application and by way of further information and the range of mitigation and monitoring measures proposed,
 - the submissions and observations made to An Coimisiún Pleanála in connection with the application,
 - 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,
 - the conservation objectives, qualifying interests and special conservation interests for the Lough Neagh and Lough Beg SPA, site code: UK9020091, and
 - the report and recommendation of the inspector.

Appropriate Assessment Stage 1:

The Board noted that the proposed development is not directly connected with or necessary for the management of a European Site. The Board 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 Board 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 SPA. The Board concluded, in agreement with the inspector, that Appropriate Assessment is required for that European Site.

Appropriate Assessment Stage 2:

The Board considered the Natura Impact Statement and associated documentation submitted with the application and appeal, 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 SPA. The Board 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 Board 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 Sites.

The Board 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 Board was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of European Sites, in view of the Sites' conservation objectives of those Sites 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.

Proper Planning and Sustainable Development

The proposed development is in accordance with aims and objectives of the Monaghan County Development Plan (MCDP) 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 Board 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.

Environmental Impact Assessment

The Board 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 appeals; and
- (d) The Inspector's report.

The Board considered that the Environmental Impact Assessment Report and supporting documentation submitted by the applicant during the course of the appeal, 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 Board 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 in the course of the planning appeals.

Reasoned Conclusion of the Significant Effects:

The Board 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 Board 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 Board is satisfied that the information contained in the Environmental Impact Assessment Report is up to date and complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU. The Board 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 EIAR, 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 implementation 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 Board 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 Board adopted the report and conclusions set out in the Inspector's report. The Board is satisfied that this reasoned conclusion is up to date at the time of making this decision.

12.0 Conditions

1	The 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 20th August 2025 except as may otherwise be required in order to comply with the following conditions. Reason: In the interest 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	The period during which the development hereby permitted may be carried out shall be 10 years from the date of this Order. Reason: In the interests of proper planning and sustainable development.
5	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 Planning 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 interests of biodiversity protection as part of proper planning and sustainable development.
6	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 Planning Authority. Reason: In the interests of biodiversity protection as part of proper planning and sustainable development.
7	Within 6 months of the date of this order, 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. 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.
8	The County Council 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 County Council 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 developer 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 planning 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 applicant is required to employ a qualified archaeologist to monitor all groundworks associated with this development. The archaeologist is required to notify this 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 developer shall be prepared to be advised by this 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.
9	The development shall be undertaken and completed in accordance with an accepted Design Report completed in accordance with TII 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 acceptance shall be included on revised scheme drawings to be kept on public record and held by the Local Planning Authority. Reason: In the interests of maintaining the strategic capacity and safety of the national roads network in accordance with the National Planning Framework National Strategic Outcome no. 2.

10	a) The development shall be undertaken in accordance with the accepted Design Report and Road Safety Audit, with any recommendations arising being incorporated into the development as constructed, b) In association with DMURS principles applying to urban roads, works to the N54, national road, shall apply TII 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 interests of maintaining the strategic capacity and safety of the national roads network in accordance with National Planning Framework National Strategic Outcome no. 2.
11	(a) Prior to the commencement of development the developer 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 applicant 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.

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

Rachel Gleave O'Connor
Senior Planning Inspector

18th September 2025

13.0 Appendix 1: Stage 1 Screening for Appropriate Assessment

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	Monaghan County Council is seeking approval from An Coimisiún Pleanála to undertake an urban regeneration project in Monaghan town centre known as the Dublin Street North Regeneration Project. The application is being made by Monaghan County Council pursuant to Section 175 and Section 177AE of the Planning and Development Act, 2000 (as amended). Works include the demolition of buildings and structures, the creation of a new street, new public realm, upgraded public realm, creation of a new park and ancillary works.
Brief description of development site characteristics and potential impact mechanisms	The area of the proposed development works are located on the 'backlands' to the rear of properties fronting the northern side of Dublin Street and to the north and north-east of Dublin Street, the Diamond Centre Car Park and Old Cross Square all within Monaghan Town Centre, in the townlands of Roosky and Tirkeenan. Existing habitat on or adjacent to the site is formed of WS1: Scrub, ED2: Spoil & Bare Ground, ED3: Recolonising Bare Ground, WD1: (Mixed) Broadleaved Woodland, WD2: Mixed

	Conifer & Broadleaved Woodland, WD5: Scattered Trees & Parkland, WS3: Ornamental Non-native Shrub, WL2: Treelines, BC1: Stone Walls & Other Stonework, GA2: Amenity Grassland (Improved), GA1: Improved Agricultural Grassland, and BL3: Artificial Surfaces; all classified as being of ecological value at the site level only. The site itself is not located within any Natura 2000 designated area, with the closest Natura 2000 site being Slieve Beagh SPA over 10km away. The site does not support qualifying interests for the Slieve Beagh SPA and there is also no source-pathway-receptor linkage to this SPA or any other designated site, including NHA or pNHA sites, with the exception of the Lough Neagh & Lough Beg SPA, to which there is a weak hydrological connection via 38km and three tributary segments.
Screening report	Y
Natura Impact Statement	Y
Relevant submissions	Inland Fisheries Ireland (IFI) - IFI recommend a number of general requirements related to watercourses and control of suspended solids and contaminated run off. Department of Housing, Local Government and Heritage: With reference to the submitted NIS, note that a significant pollution event could undermine the waterbody status and have negative effect on aquatic fauna and flora. Appropriate sediment and water contamination control measures, as detailed in the NIS and EIAR, should be incorporated into the construction environmental management plan (CEMP) and

					implemented during the construction phase of works in order to mitigate against any potential deterioration of in-stream water quality. Also recommend that the Invasive Species management plan be incorporated into the CEMP and precautions taken to not introduce new invasive species into the site.
Step 2. Identification of relevant European sites using the Source-pathway-receptor model					
European Site (code)	Qualifying interests¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km approx.)	Ecological connections²	Consider further in screening³ Y/N	
Slieve Beagh SPA (004167)	Hen Harrier (<i>Circus cyaneus</i>) [A082]	10.5km	None. No hydrological connection to the site, either in the form of surface waters or groundwaters, and the site is well beyond the possible influence from dust deposition or airborne pollutants which are likely to be generated by the site. Any accidental spillage or sedimentation in the absence of mitigation would have no possible source-pathway-receptor linkage to the site, therefore there would be no possibility of indirect impacts on the Slieve Beagh SPA designation.	N	
Lough Neagh & Lough Beg	Common Tern (breeding population); Great Crested Grebe (breeding and passage population);	c.39km	Weak hydrological connection by means of the River Shambles and subsequent tributary links.	Y	

SPA (UK9020091)	Whooper Swan (wintering population); Bewick's Swan (wintering population); Golden Plover (wintering population); Great Crested Grebe (wintering population); Pochard (wintering population); Tufted Duck (wintering population); Scaup (wintering population); Goldeneye (wintering population); Little Grebe (wintering population); Cormorant (wintering population); Greylag Goose (wintering population); Shelduck (wintering population); Wigeon (wintering population); Gadwall (wintering population); Teal (wintering population); Mallard (wintering population); Shoveler (wintering population); Coot (wintering population); Lapwing (wintering population); Waterfowl Assemblage wintering population (component species – Whooper Swan, Bewick's Swan, Golden Plover, Great Crested Grebe, Pochard, Tufted Duck, Cormorant, Greylag Goose, Shelduck, Wigeon, Gadwall, Teal, Mallard, Shoveler, Coot, Lapwing)		The site drains generally southwards towards properties along Dublin Street North, and also southeast towards Old Cross Square. Most of the site drainage is captured within the local stormwater system, however a portion of lands within the southeast of the site could potentially drain towards the River Shambles. Although, there is a buffer of commercial land between the site and the River Shambles. The site is therefore technically hydrologically linked to the Lough Neagh catchment, however the setback distance between the site and this SPA is more than 38km and involves a minimum of three tributary segments, each with increasing overflows before draining into the Lough Neagh. Therefore, while small spillage events during construction works would have negligible potential to impact upon the Lough Neagh & Lough Beg SPA, larger spillage events cannot be screened out.	
Step 3. Describe the likely effects of the project (if any, alone <u>or</u> in combination) on European Sites				

During demolition and enabling works, groundworks and excavation phases, activities will include the removal of onsite vegetation, the demolition of existing structures and exporting of waste materials from the site, as well as cut/fill grading with removal of soil and subsoil materials. This process will require the use of HGV haulage vehicles within the site, along with excavators and will likely result in the exposure of soil and subsoil materials particularly when demolishing any floor slabs or foundation structures, or through the removal of vegetation. Potential source-pathway-receptor for indirect impacts occurs from site runoff which has the potential to drain towards the River Shambles and which then would outflow to the Lough Neagh and Lough Beg. While small spillages would disperse and have negligible impact on the SPA due to the significant distance to the site, the impact of a large spill event cannot be screened out. Surface water runoff from site during the groundworks phase may have silt laden run-off from excavated materials or from accidental spills of oils, hydrocarbons etc. from plant and machinery equipment. Degradation of surface water quality could potentially damage some supporting habitats of the Qualifying Features which are associated with the SPA. Other possible indirect effects could be dust generation as part of demolition and enabling works phase, or air quality impacts which may arise from construction and demolition plant equipment, however given the separation distance to the SPA, dispersal of dust and other airborne particulate matter would not be likely to impact the SPA.

During operational phase, impacts upon Lough Neagh & Lough Beg SPA as a result of larger petrochemical spillage events also cannot be screened out during the operational phase, and any degradation of surface water quality could potentially damage supporting habitats of Qualifying Features which are associated with the SPA.

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Site 1: Lough Neagh & Lough Beg SPA (UK9020091)	Indirect: Potential for indirect impacts upon Lough Neagh & Lough Beg SPA as a result of larger petrochemical spillage events during either the construction or operational phases, resulting in a degradation of surface water quality potentially damaging some	Damage to supporting habitats of Qualifying Features which are associated with the SPA.

	supporting habitats of Qualifying Features which are associated with the SPA.	
	Likelihood of significant effects from proposed development (alone): Y	
	Possibility of significant effects (alone) in view of the conservation objectives of the site	
The specific conservation objectives and special conservation interests for the potentially effected European site relate to population trends, range and habitat extent. Potential effects arising from emissions associated with the construction and operation of the proposed development have been highlighted above, which have the potential to affect the conservation objectives supporting the special conservation interests of the Lough Neagh and Lough Beg SPA. As such, likely effects on Lough Neagh and Lough Beg SPA cannot be ruled out, having regard to the sites' conservation objectives, and a Stage 2 Appropriate Assessment is required. The potential impacts are expanded upon in further detail as part of a Stage 2 Appropriate Assessment below.		
Step 4 Conclude if the proposed development could result in likely significant effects on a European site		
It is not possible to exclude the possibility that proposed development alone would result in significant effects on the Lough Neagh and Lough Beg SPA from effects associated with damage to supporting habitats of Qualifying Features associated with the SPA. An appropriate assessment is required on the basis of the possible effects of the project 'alone'. Further assessment in-combination with other plans and projects is not required at screening stage. Proceed to AA.		

Screening Determination

Significant effects cannot be excluded

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that it is not possible to exclude that the proposed development, alone or in combination

with other plans and projects will give rise to significant effects on the Lough Neagh and Lough Beg SPA European Site in view of the site's conservation objectives. Appropriate Assessment is required.

This determination is based on:

- Potential for a large spill event during construction phase resulting from demolition, enabling, groundworks and excavation activities on the site, leading to silt laden surface water run-off from excavated materials or from accidental spills of oils, hydrocarbons etc. from plant and machinery equipment. Degradation of surface water quality could potentially damage some supporting habitats of the Qualifying Features which are associated with the SPA.
- Potential for a large petrochemical spillage event during the operational phase, resulting in the degradation of surface water quality which could potentially damage supporting habitats of Qualifying Features which are associated with the SPA.

14.0 Appendix 2: Stage 2 Appropriate Assessment

Appropriate Assessment

The requirements of Article 6(3) as related to appropriate assessment of a project under part XAB, sections 177V of the Planning and Development Act 2000 (as amended) are considered fully in this section.

Taking account of the preceding screening determination, the following is an appropriate assessment of the implications of the proposed development of an urban regeneration project in Monaghan town centre known as the Dublin Street North Regeneration Project, in view of the relevant conservation objectives of the Lough Neagh and Lough Beg SPA based on scientific information provided by the applicant and considering observations on nature conservation.

The information relied upon includes the following:

- Natura Impact Statement including AA Screening Report
- EIAR with particular focus on Chapter 9 Biodiversity and associated appendices
- Other relevant EIAR Chapters 7 Soils, Geology and Hydrogeology, 8 Hydrology, 15 Interactions,
- Construction and environmental management plan (CEMP)
- Applicants' response documents to submissions

I am satisfied that the information provided is adequate to allow for Appropriate Assessment. I am satisfied that all aspects of the project which could result in significant effects are considered and assessed in the NIS and mitigation measures designed to avoid or reduce any adverse effects on site integrity are included and assessed for effectiveness.

Submissions/observations

Inland Fisheries Ireland (IFI) - IFI recommend a number of general requirements related to watercourses and control of suspended solids and contaminated run off.

Department of Housing, Local Government and Heritage: With reference to the submitted NIS, note that a significant pollution event could undermine the waterbody status and have negative effect on aquatic fauna and flora. Appropriate sediment and water contamination control measures, as detailed in the NIS and EIAR, should be incorporated into the construction environmental management plan (CEMP) and implemented during the construction phase of works in order to mitigate against any potential deterioration of in-stream water quality. Also recommend that the Invasive Species management plan be incorporated into the CEMP and precautions taken to not introduce new invasive species into the site.

The Lough Neagh and Lough Beg SPA (UK9020091):

Summary of Key issues that could give rise to adverse effects (from screening stage):

- (i) Potential for a large spill event during construction phase resulting from demolition, enabling, groundworks and excavation activities on the site, leading to silt laden surface water run-off from excavated materials or from accidental spills of oils, hydrocarbons etc. from plant and machinery equipment. Degradation of surface water quality could potentially damage some supporting habitats of the Qualifying Features which are associated with the SPA.
- (ii) Potential for a large petrochemical spillage event during the operational phase, resulting in the degradation of surface water quality which could potentially damage supporting habitats of Qualifying Features which are associated with the SPA..

Qualifying Interest features likely to be affected	Conservation Objectives Targets and attributes	Potential adverse effects	Mitigation measures (summary)	
Whooper Swan (wintering population); Bewick's Swan (wintering population); Golden Plover (wintering population); Great Crested Grebe (wintering population); Pochard (wintering population); Tufted Duck (wintering population); Scaup (wintering population);	To maintain or enhance the population of the qualifying species Fledging success sufficient to maintain or enhance population	Due to the distance between the SPA and the site, there is a low-medium potential for disturbance to key species, reduction in species density and changes in key indicators, as a result of limited potential for a large spill event, with adverse effect resulting to surface water quality, which could impact	Measures to control sediment, including silt fencing, storing of materials / machinery and excavated material appropriately, monitoring of measures, not undertaking clearance / demolition works in wet conditions, reinstatement of damaged or cut ground asap, use of a wheel wash, works carried out in accordance with construction and environmental management plan (CEMP) and	

Goldeneye (wintering population); Little Grebe (wintering population); Cormorant (wintering population); Greylag Goose (wintering population); Shelduck (wintering population); Wigeon (wintering population); Gadwall (wintering population); Teal (wintering population); Mallard (wintering population); Shoveler (wintering population); Coot (wintering population); Lapwing (wintering population);	To maintain or enhance the range of habitats utilised by the qualifying species To ensure that the integrity of the site is maintained; To ensure there is no significant disturbance of the species and To ensure that the following are maintained in the long term: ➤ Population of the species as a viable component of the site ➤ Distribution of the species within site ➤ Distribution and extent of habitats supporting the species	supporting habitats and reduce QI species.	invasive species management plan ISMP measures. Measures to reduce or mitigate against accidental spillage of hydrocarbons or contamination, including fuelling of machines away from watercourses, no storage of fuels on site where possible, use of bunded areas where storage required, effective spillage procedure, appropriate storage and disposal of all waste oils or hydraulic fluids, use of drip trays, regular maintenance of vehicles, use gully covers where appropriate, use of biodegradable hydraulic oil where possible. All construction staff to be informed of best practice methodologies. No personnel access to the channel of the River Shambles. Directing of runoff to surface water drainage system. Use of new surface water drainage system and SUDs,	
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	➤ Structure, function and supporting processes of habitats supporting the species		which will be regularly maintained. Use of petrol / oil interceptors.	
Waterfowl Assemblage wintering population (component species – Whooper Swan, Bewick's Swan, Golden Plover, Great Crested Grebe, Pochard, Tufted Duck, Cormorant, Greylag Goose, Shelduck, Wigeon, Gadwall, Teal, Mallard, Shoveler, Coot, Lapwing)	No significant decrease in population against national trends.			
The above table is based on the documentation and information provided on the file and I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests.				
Assessment of issues that could give rise to adverse effects view of conservation objectives The submitted NIS identifies that there is a significant distance between the subject site and the Lough Neagh and Lough Beg SPA, however there is still a hydrological connection via the River Shambles, albeit a weak connection. Due to this distance there is negligible potential for small emissions / spillages to impact the European site as they would be dispersed along the significant distance between the sites. However, there is potential, albeit limited, for a larger spill event, during demolition and enabling works, groundworks and excavation phases, activities. Surface water runoff from the site during the groundworks phase may have silt laden run-off from excavated materials or from accidental spills of oils, hydrocarbons etc. from plant and machinery equipment. Degradation of surface water quality could potentially damage some				

supporting habitats of the Qualifying Features which are associated with the SPA. Similarly, during operational phase, impacts upon Lough Neagh & Lough Beg SPA as a result of larger petrochemical spillage events also cannot be screened out. Mitigation is set out which will reduce the already limited potential for such an event, as well as put in place measures that would limit potential for such a spill reaching waterbodies that link to the SPA. In addition, mitigation includes effective procedures to implement in a spillage event to further reduce potential impact. With the application of these mitigation measures, the already limited potential for adverse effect is further reduced and restricted to ensure that no residual adverse effects would occur.	
In-combination effects I am satisfied that in-combination effects has been assessed adequately in the NIS. Section 5.13 of the NIS identifies that based on the source-pathway-receptor models outlined within the NIS, and taking into consideration known schemes within Monaghan Town, the NIS concludes that the cumulative impacts in-combination with the development proposals are unlikely to increase the significance of effect beyond what the development proposes intend when considered in isolation.	
Findings and conclusions The applicant concluded that the construction and operation of the proposed development alone, or in combination with other plans and projects, will not adversely affect the integrity of this European site. Based on the information provided, I am satisfied that adverse effects arising from the proposed development can be excluded for the European site considered in the appropriate Assessment. Reasonable scientific doubt I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects. Site Integrity The proposed development will not affect the attainment of the Conservation objectives of The Lough Neagh and Lough Beg SPA. Adverse effects on site integrity can be excluded and no reasonable scientific doubt remains as to the absence of such effects.	
Appropriate Assessment Conclusion: Integrity Test	

In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on the Lough Neagh and Lough Beg SPA in view of the conservation objectives of the site and that Appropriate Assessment was required.

Following an examination, analysis and evaluation of the NIS all associated material submitted including the further information with EIAR, and taking into account observations, I consider that adverse effects on site integrity of the Lough Neagh and Lough Beg SPA can be excluded in view of the conservation objectives of that site and that no reasonable scientific doubt remains as to the absence of such effects.

My conclusion is based on the following:

The application of mitigation measures to control sediment and reduce or mitigate against accidental spillage of hydrocarbons or contamination, as well as the inclusion of new surface water drainage system and SUDs in the proposed development, will prevent potential for, the occurrence of / or adverse impact resulting from, a large spillage event.