



An
Coimisiún
Pleanála

Inspector's Report PL-501454-MN-26

Development	Retention of house and all associated site works.
Location	Mulladuff, Smithborough, Co. Monaghan.
Planning Authority	Monaghan County Council
Planning Authority Reg. Ref.	2560383
Applicant(s)	Margaret Keenan
Type of Application	Retention
Planning Authority Decision	Grant Retention with Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Phelim Mac Elwain
Observer(s)	None
Date of Site Inspection	13 th August 2026
Inspector	Aisling MacNamara

1.0 Site Location and Description

- 1.1. The site is located at Mulladuff in Smithborough village in County Monaghan. The site is located behind the existing line of buildings along the main street of the village on the N54 road. The applicant is owner of the existing street front property (two storey semi detached dwelling and takeaway unit) with side access to the rear yard area on which the subject site is located. The site is of irregular shape and the southeastern and southwestern boundaries adjoin agricultural land. There is an existing modular house on the site. The site has been excavated and finished in gravel. Ground levels rise in steep bank to the southwestern boundary. This boundary is treated with existing mature trees and hedgerow.

2.0 Proposed Development

- 2.1. Permission is sought for retention and completion of a development including the following:
- 2.2. Retention of:
- a modular dwelling,
 - lowering of ground levels and embankments,
 - connection to public foul sewer via existing foul network and associated works,
 - boundary fencing,
 - continued use of existing vehicular entrance / exit to public road via right of way.

Completion of the development including:

- new entrance steps and guarding to the dwelling,
- new raised deck / patio with accessible ramp and guarding,
- new 1.2m high timber palisade fencing to the front boundary,
- all associated site services and landscaping and planting works.

The area of the site is 0.122ha. The floor space of existing works is 90sqm.

Revised drawings were submitted at further information stage. The updated drawings show proposals for alterations to the existing house including a new roof with higher pitch finished in slate effect cladding and removal of the existing upvc faux timber cladding to the outside walls and replacing with painted render.

3.0 Planning Authority Decision

3.1. Decision

By order dated 5th May 2026, the planning authority decided to grant permission for the proposed development subject to 7 conditions.

Condition 2 requires the developer to complete the following works within 6 months – (i) Amend the roof profile of the existing dwelling from 11 degrees to 30 degrees in accordance with drawing 230-P-02, (ii) Remove the existing timber cladding finish to external walls of the existing dwelling and replace same with smooth rendered finish onto a cement board in accordance with drawing 230-P-02.

Condition 3 requires the applicant to submit a revised landscaping scheme, to be carried out as per the details of the condition including for the protection of trees on southwestern boundary.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- Case Planner's report of 7th November 2025 recommends further information on three items.
- The planning authority requested further information on 11th November 2025 in relation to the following:
 - (1) (a) Provide additional information to demonstrate development complies with Section 15.10.5 'Temporary Residential Accommodation' and TRAP1 of CDP, noting the temporary nature and appearance of the accommodation, (b) subject to (a), submit the following – revised site

notices as appropriate and revise development description to include reference to the temporary nature of the development proposed.

- (2) Concerns regarding design and appearance, undesirable precedent for similar rural designs having regard to section 15.9.2 ' Site Selection and Design Guidelines' and Table 15.3.3 'Guidelines for siting and designing a rural house in a vernacular style'. The following is noted – (a) Design guidelines stipulate traditional pitched gables and roof pitches should normally be 35 to 40 degree pitch except where gable depth is below 7.5m where 45 degree pitch is acceptable. The planning authority has concerns with the shallow formation and pitch of the proposed roof; (b) Design guidelines stipulate materials and finishes should be traditional in keeping with character of local landscape unless material proposed matches that of locality. The planning authority considers that the proposed upvc cladding finish to external walls and proposed bituminous felt roof finish is inappropriate.

Provide amended details / drawings to address concerns.

- (3) Review the content of the received third party submission and respond to issues raised.
- A response to the further information request was received on 20th March 2026. Applicant confirms dwelling house is to be retained on permanent basis. Revised drawings submitted for design alterations to existing house. Applicant confirms ground was excavated, considers issues with boundary trees, hedgerow and banking to be civil issue and consider that existing boundary has not been compromised.
 - The further information response was deemed to be 'significant' and new public notices were advertised – submitted 9th April 2026.
 - The second report of the case planner dated 30th April 2026 considers the FI responses and sets out a recommendation to grant permission.

3.2.2. Other Technical Reports

- MD Engineer – no objection.

- Roads Section – no objection in respect of Appendix 9 and Appendix 10 of CDP.

3.3. Prescribed Bodies

- Transport Infrastructure Ireland

Letter of 24/05/2026 – TII position remains as set out in letter of 29/09/2025.

Letter of 29/09/2025 – TII requests planning authority have regard to DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities in relation to proposals impacting national roads and TII 'Code of engineering practice for works on, near, or adjacent the Luas light rail system' for proposals impacting the existing rail network.

3.4. Third Party Observations

Submission received at initial application and further information stage from owner of adjoining lands objecting to the proposal in relation to impact on trees, vegetation, biodiversity, subsidence risk, boundary encroachment and setback distances.

4.0 Planning History

Adjoining to northwestern boundary (within the ownership of the applicant):

24/118 – Margaret Keenan – grant – permission for the demolition of an existing dwelling house and the construction of new building comprising of 2 no. 2 bedroomed apartments including new steel external escape staircase to the rear, new bin storage area, hard surface parking area to the rear and all ancillary site development works. Significant Further Information received relates to revised Site Layout Plan, Asbestos Survey Report and Traffic Management Plan.

Site:

E15.2025 Enforcement file – Warning letter issued in relation to erection of building structure and associated works without planning permission.

5.0 Policy Context

Monaghan County Development Plan 2025-2031

Variation no. 1 – relates to lands at Annahagh Monaghan town – made 6th Oct 2025.

Proposed variation no.2 relates to NPF implementation of housing growth targets including revisions to zonings in towns of Monaghan, Carrickmacross, Castleblayney, Clones and Ballybay – proposed material alterations on public display from 16th July 2026 to 13th August 2026.

Smithborough Village map – The site is located outside but directly adjoining the development limit boundary of the village. Under the Core Strategy and settlement hierarchy, Smithborough is designated a Tier 4 village.

The site is located within the rural area Category 2 Remaining Rural Areas.

Chapter 2 Core Strategy

2.13 Rural Area Types

2.13.1 Category 1 Rural Areas Under Strong Urban Influence These are designated areas surrounding Monaghan, Carrickmacross, Castleblayney and Clones are indicated on Maps 2.2 - 2.5.

2.13.2 Category 2 Remaining Rural Areas This area comprises all other rural areas outside of the settlements and the rural areas under strong urban influence. Within the remaining rural area, it is recognised that sustaining communities is important and as such it is considered appropriate to facilitate rural housing in accordance with the principles of proper planning and sustainable development. In these areas the challenge is to retain population and support the rural economy while seeking to consolidate the existing village network. This stability is supported by a traditionally strong agricultural economic base.

RSO 3 To maintain population levels in the remaining rural areas by accommodating appropriate rural development and to consolidate the existing town and village structure.

RSP 8 To facilitate rural housing in the remaining rural areas subject to the relevant planning policies as set out in Chapter 15, Development Management Standards of the Monaghan County Development Plan 2025-2031.

Chapter 6 Heritage, Conservation and Landscape

Heritage Conservation and Landscape Objectives

HCLO 6 To ensure the preservation of the County's landscapes, by having regard to the character, value and sensitivity of the landscape as identified in the County Monaghan Landscape Character Assessment (2008), and any new or updated/subsequent versions, when assessing development proposals.

HCLO 8 To contribute towards the protection of County and local level landscape designations from incompatible developments.

HCLO 17 Promote and encourage planting of native hedgerow species in new developments and as part of the Council's own landscaping works.

Trees and Woodlands Policies

TWP 1 To minimise loss of tree(s) and hedgerow associated with any development proposal and encourage the retention of existing mature trees, hedgerows and woodlands in new developments. Where removal is unavoidable, transplanting trees and/or providing compensatory planting of native tree species on the site shall be provided, as appropriate.

TWP 2 To preserve trees and/or groups of trees that have a significant amenity value, and to designate Tree Preservation Orders where appropriate

Chapter 15 Development Management Standards

15.9 Housing in the Rural Area

15.9.1 Rural Character

15.9.2 Site Selection and Design Guidelines

Table 15.3 Guidelines for Siting and Designing a Rural House in the vernacular style

RSDP 1 Proposals for rural housing shall generally comply with Section 15.9.2 and Table 15.3 of the Monaghan County Development Plan 2025-2031.

15.22 General Development Management Standards

15.22.4 Landscaping and Boundary Treatment

LCP 1 Proposals for landscaping and boundary treatments shall comply with Section 15.22.4 of the Monaghan County Development Plan 2025-2031.

County Monaghan Landscape Character Assessment, 2008

Under Landscape Character Area no. 3 Smithborough Hills - Low lying landscape featuring undulating topography and low drumlin hills. Numerous small to medium sized loughs many of which contain crannogs. Small river tributaries and streams including the River Finn and the River Blackwater Occasional clumps of deciduous woodland Settlements of Smithborough, Scotstown and Bellanode. Extensive network of tertiary roads River Blackwater flows through this landscape character area, from north west to south east through the village of Bellanode.

4.3.4 Landscape Condition and Sensitivity

4.3.5 Principles for landscape management

4.3.6 Principles for accommodating new development

5.4 Natural Heritage Designations

There are no sites designated for natural heritage at or in the immediate vicinity of the site.

The closest natural heritage designated sites are as follows:

- Mullaglassan Lough pNHA c 2.4km from site
- Lislannan Bog pNHA c. 3.9km from site
- Corcreeghy Lake And Woodland pNHA c 3.6km from site

6.0 EIA Screening

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The

proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

7.0 The Appeal

7.1. Grounds of Appeal

A third party appeal has been received from the adjoining landowner. The issues raised are summarised as follows:

- Raise concern in relation to the condition of the boundary treeline adjoining their property.
- Condition 3 for protection of existing trees and hedgerow and landscaping plan noted, however excavation works had already been carried out at time of decision. The condition does not address damage already occurred.
- The bank along the boundary has been cut back with significant root exposure visible along the treeline. This has likely compromised the structural stability and long term health of the affected trees. Concerned that trees are at risk of failure, particularly during adverse weather.
- Given extent of excavation and exposed root systems, consider that remedial works will be required such as reinstatement of the bank profile and rebuilding of the root zone to support and stabilise affected trees. Arborist can advise.
- Request clarification regarding how existing damage to treeline is to be addressed. In particular, (i) whether arborist can inspect and provide advice on stabilisation or remediation measures to include within the planning conditions, (ii) whether developer will be required to engage a suitably qualified arborist (not only landscaper) to assess the damage and prepare method statement for remedial works to ensure long term retention of trees.
- Request this matter be revised as part of enforcement / monitoring process. Current condition does not address damage already taken place.

7.2. Applicant Response

The applicant has responded to the grounds of appeal. The response is summarised as follows:

- Note allegation that shared boundary hedgerow has been damaged or undermined by excavation work carried out on the subject site.
- Applicant acknowledges that excavation works were undertaken on the site in proximity to the shared boundary hedgerow. The applicant has taken steps to have the matter independently assessed by qualified arborist professional. Arborist report attached. Arborist assessment identifies issues affecting hedgerow and recommendations to improve condition and future management. The applicant wish to clarify that they have direct interest in the retention and proper management to the boundary hedgerow which provides shelter and screening to their own property. It would not be in applicants interest to cause damage to the hedge and concerns raised by appellant have been taken seriously. The arborist notes that notwithstanding the implementation of remedial works some residual long term risk may remain relating to ash dieback. However arborist intervention will improve viability of hedgerow. The applicant acknowledges the concerns raised by the appellant and is willing to engage the services of a qualified arborist to undertake the recommended maintenance and remedial measures in respect of the shared boundary hedgerow.
- It is submitted that the issue raised in the appeal has been addressed.
- This matter does not alter the planning merits of the proposed development and does not warrant any interference with the grant of permission.
- Attached are current photographs of the hedgerow and copy of arborist report.
- Letter dated 23rd June 2026 from Killian Smyth, Registered Arborist & Principal – Report on the Trees at Mulladuff, Smithborough, Co.Monaghan:
 - Brief was to identify the trees current condition and to determine if a potential risk is posed of windblow or failure of the trees. Further to visit of 22/06/2026, findings are as follows:

- The main trees in question, 11 in total (common ash) are c 50-60 feet in height and crown spread of 20 feet. 10 trees have minor ash dieback infection that is evident in the upper canopy of the trees. One tree is completely dead. All trees are currently wrapped with ivy that takes up 70-75% tree structure. The remainder of the hedge is mix of whitethorn and hawthorn hedging mostly in good health and no visible damage on foliage from potential disease. It has not thickened out and is poor habitat for wildlife and ecosystem.
- Approximately 4 to 5 metres of the bank has been excavated away which has caused damage to the root zone and root systems of the trees. This will weaken the stability of the trees and will increase chance of windblow and failure. Poor water retention of the trees will also take place as contact with the soil has been lost so risk of death of trees is increased. The excavations are present along the full hedgerow along the boundary.
- In order to retain the current hedgerow, recommend a reduction in height of the trees in order to reduce potential windblow and failure. Felling of the trees is an option but if both owners desire to retain trees, recommend carry out reduction of the ash trees only, no more than 30%. Correct tree surgery and pruning of deadwood to BS3998 standards apply. This will overall decrease chances of windblow and failure while benefitting trees. Removal of the ivy should also be carried out, cutting away the growth from the tree base to c 10 feet up the trunks.
- Ultimately, these works will not save the trees from the damage already caused by excavations, tree death and chance of failure will still remain at a reduced risk. Worth considering that this was going to occur in the future anyway due to the destruction of ash tree across the country by ash dieback. Frequent monitoring and inspections should take place every 6 months and changes in tree health and structure noted.
- Works that are recommended are to abide with the Wildlife Act 1974 in order to comply with current legislation and law in terms of cutting or removing vegetation with potential disrupt wildlife habitats that could be in place after date of visit.

7.3. Planning Authority Response

None

7.4. Observations

None

7.5. Further Responses

None

8.0 Assessment

8.1. Having examined the application details and all other documentation on file, including all submissions received in relation to the appeal and inspected the site, and having regard to relevant policies and guidance, I consider that the main issues in the appeal are as follows:

- Principle of development
- Boundary trees and hedge

8.2. Principle of development

8.2.1. The proposed development is for permission to retain a single storey modular type dwelling including lowering of ground levels and embankments, connection to public foul sewer, boundary fencing and use of existing vehicular entrance from public road via right of way. Permission is also sought for the completion of the development including new entrance steps and raised deck and new 1.2 m timber palisade fencing to the front boundary and associated site works and landscaping and planting works.

8.2.2. Under the Monaghan County Development Plan (CDP), the site is located within the rural area and directly abuts the boundary of the village of Smithborough. Under the CDP, the site is within a Category 2 Remaining Rural Area. Within these areas rural housing is to be facilitated in order to sustain communities. As per objective RSO3,

within these rural areas, it is the objective to maintain population levels by accommodating appropriate rural development. The planning authority was satisfied that the proposal for the retention of the dwelling is acceptable in principle. I am satisfied that the proposal for the retention of a new dwelling within this rural area, is in accordance with the rural housing objective of the CDP and is acceptable in principle.

8.2.3. The site is a backland site located to the rear of existing buildings fronting the main street and which is not visible from the road. The dwelling is single storey and there is good separation to existing buildings and as such the development does not impact on residential or visual amenities. The dwelling is to connect to the public wastewater and water supply network. The Council's roads section have submitted a report indicating no issues with the proposed access. Landscaping drawings are submitted for planting, amenity space and fencing. The dwelling is a modular building and revised drawings were submitted at further information stage showing proposed alterations so that the design is in keeping with the rural design guidelines – condition 2 of the planning authority's decision refers.

8.2.4. I am satisfied that the proposed development can be accommodated without adversely impacting on visual or residential amenity and that the entrance and drainage arrangements are satisfactory. Should permission be granted it is recommended that a condition be attached for completion of the further information design alterations within a specified timeframe.

8.3. Boundary trees and hedge

8.3.1. A third party appeal is received from the owner of the adjoining field to the southwest. The appeal relates to the existing shared boundary which is in natural hedge and mature trees. The appeal raises concerns regarding the stability of the existing hedge and trees which has been compromised due to the excavation of land on the site.

8.3.2. As part of this application, permission is sought for the retention of existing ground works. It is evident from my site visit and from the documentation on file that the bank and vegetation along the southwestern boundary of the site has been destabilised by the excavation works carried out on the site to reduce ground levels.

- 8.3.3. This site is within the rural area and I note the CDP contains objectives to protect the character and visual / landscape amenity of these areas. Section 15.9.1 indicates that new dwellings should not erode the character of rural areas. Objectives HCLO6 and HCLO8 relate to the protection of landscapes. Under the County Monaghan Landscape Character Assessment 2008, the site is located within the Smithborough Hills character area. This is a relatively open and visually exposed landscape and it is not a highly scenic landscape. Under section 4.3.5 Principles for landscape management' it is stated that the *'character of this landscape depends of the retention of field boundary'*. Within the area of the site, there are no CDP designated constraints such as 'views from scenic routes', 'areas of amenity value' and there are no features of built heritage.
- 8.3.4. Objective TWP1 is to minimise loss of trees and hedgerow associated with development and to encourage retention of existing mature trees and hedgerows.
- 8.3.5. Objective RSDP1 states that rural housing shall comply with Table 15.3. This table sets out guidelines for the siting and design of rural houses and states the following:
- 'The site should use clearly identifiable and established boundaries, such as trees, slopes or other natural features, which separate the site from the surrounding countryside, and offer a suitable degree of enclosure.'*
- 'In addition to the roadside boundary, the site should have a minimum of one natural existing boundary to soften the impact of the development in the landscape.'*
- 'Sites requiring excessive excavation, filling and / or removal of natural vegetation should be avoided'.*
- 8.3.6. Objective LCP1 states that proposals for landscaping and boundary treatment shall comply with section 15.22.4. Section 15.22.4 states the following: *'Where sites contain mature trees and/or substantial hedgerow(s) a detailed tree and hedgerow survey should be submitted clearly outlining the extent of what will be retained and replaced. Any existing mature trees to be retained shall be protected during site development works and incorporated into the scheme design.'*
- 8.3.7. In response to the appeal, the applicant has submitted an arborist report. This report states the natural boundary contains 11 ash trees (10 with ash die back) and whitethorn and hawthorn hedge of good health. Approximately 4-5 m of the bank has

been excavated causing damage to the root zone of the trees and weakening the stability of the trees. The trees are at risk. The best hope of retaining the trees and hedge is to carry out remedial works including reducing the height of trees by maximum 30% in order to reduce potential for windblow, pruning of deadwood and removal of ivy.

- 8.3.8. The submitted site layout drawing shows landscaping proposals for the site including new planting of native boundary hedging along the southern boundary of the site. No further planting is proposed along the existing southwestern boundary which indicatively shows the existing mature hedgerow and trees on this boundary.
- 8.3.9. The planning authority attached condition no. 3 requiring the applicant to submit a landscaping scheme including the protection of trees along the southwestern boundary.
- 8.3.10. The applicant is proposing to retain the existing planting on the southwestern boundary. This planting positively contributes to the natural character of this rural area. The CDP contains many objectives to promote the protection of existing trees and hedgerow. It is clear from site inspection and the report of the arborist that the excavation works have compromised the future viability of the existing planting on this boundary. The arborist's recommended works will safeguard the retention of the natural boundary. Additional reprofiling of the bank and supplementary planting may also aid the stabilisation of the bank and planting. Details for the finalisation of these works can be agreed by condition.
- 8.3.11. Subject to condition for the carrying out of remediation works for the maintenance of the existing natural hedgerow and trees on the southwestern boundary, I am satisfied that the proposed development is acceptable and is in accordance with objectives in the CDP, namely TWP1 to encourage the retention of existing mature trees and hedgerows and that this will ensure the preservation of the rural character, biodiversity and visual amenity of the area.

9.0 AA Screening

- 9.1. I have considered the proposed development in light of the requirements of section 177U of the Planning and Development Act 2000 (as amended).

- 9.2. The closest Natura 2000 sites are Slieve Beagh SPA c 8.9km from site and Kilroosky Lough Cluster SAC c 9.5km from the site.
- 9.3. Having considered the nature, scale and location of the proposed development, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any Natura 2000 site. The reasons for this conclusion are as follows:
- the small domestic nature and scale of the proposed development,
 - the distance between the site and any Natura 2000 site,
 - the lack of ecological or hydrological pathways between the site and the Natura 2000 site network.
- 9.4. I conclude that on the basis of objective information, the proposed development would not have a likely significant effect on any Natura 2000 site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment under section 177V of the Planning and Development Act 2000 as amended is not required.

10.0 Water Framework Directive

- 10.1. An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive, together with relevant guidance published by the Environmental Protection Agency (Ireland), including applicable codes of practice for the protection of water quality.
- 10.2. Having considered the nature, scale, and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects.
- 10.3. The development incorporates measures including connection to main water supply, public foul sewer and on site soakpit, that will safeguard the protection of surface water and ground water.

- 10.4. The development will not adversely affect the achievement of established environmental objectives, including the maintenance or attainment of Good Ecological Status/Potential and Good Chemical Status, as required under the Directive.
- 10.5. Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

11.0 Recommendation

I recommend permission be granted.

12.0 Reasons and Considerations

Having regard to the objectives of the Monaghan County Development Plan 2025-2031, the nature, scale and design of the development and the location of the site within the rural area, it is considered that, subject to compliance with the conditions set out below, the proposed development would be an acceptable form of development in this rural area, would not adversely impact the character of the area or be seriously injurious to the environmental, visual or residential amenities of the area, would not be prejudicial to public health and would be acceptable in terms of traffic safety and convenience. It is considered that the proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

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| 1. | The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on 20 th March 2026, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the |
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	development shall be carried out and completed in accordance with the agreed particulars. Reason: In the interest of clarity.
2.	(i) Within three months of the date of this permission, the developer shall submit for the written agreement of the planning authority, a detailed method statement and layout and section drawings prepared by a suitably qualified arborist or tree surgeon showing works for the remediation of existing trees and hedgerow along the southwestern boundary including measures for reprofiling and stabilisation of the bank and supplementary planting. The drawings shall show existing and proposed planting, ground levels and works. (ii) The landscaping scheme shown on the Proposed Site Plan drawing number 230-P-03, as submitted to the planning authority on 18th September 2025 shall be carried out. (iii) All remediation works and planting shall be carried out within the first planting season following the date of the grant of this permission. (iv) All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the date of planting, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority. Reason: To protect and maintain trees and hedgerow, in the interest of visual amenity, orderly development and in the interests of protecting biodiversity.
3.	The works for alterations to the roof and finishes of the existing house, shown in the Proposed G.A. Drawings (Completion) Drawing no. 230-P-02 submitted to the planning authority on 20th March 2026, shall be completed within one year of the date of this permission.

	Photographic evidence of compliance with this condition shall be submitted to the planning authority. Reason: In the interests of orderly development.
4.	(a) The roof colour of the house shall be blue-black, black, dark brown or dark-grey. The colour of the ridge tile shall be the same as the colour of the roof. (b) The external walls shall be finished in neutral colours such as grey or off-white. Reason: In the interest of visual amenity.
5.	The developer shall ensure that the development is served by adequate water supply and/or wastewater facilities and 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 within six months of this grant of retention permission. Reason: In the interest of public health and to ensure adequate water/wastewater facilities.
6.	All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties. Reason: In the interest of traffic safety and to prevent flooding or pollution.
7.	(a) All foul sewage and soiled water shall be discharged to the public foul sewer. (b) Only clean, uncontaminated storm water shall be discharged to the surface water drainage system or soakpits. Reason: In the interest of public health.
8.	The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development

Act 2000, as amended. The contribution shall be paid in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

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

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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Aisling Mac Namara
Planning Inspector

7th September 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	501454
Proposed Development Summary	Retention of house and all associated site works.
Development Address	Mulladuff, Smithborough, Co. Monaghan.
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ No, No further action required.
(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	

☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Schedule 5, Part 2, 10 (b) (i) Construction of more than 500 dwelling units
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	501454
Proposed Development Summary	Retention of house and all associated site works.
Development Address	Mulladuff, Smithborough, Co. Monaghan.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The development has a modest footprint, a standalone project, does not require significant demolition works, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The development is situated within an established rural area adjoining a village boundary. This is not a sensitive landscape. The development is separated from sensitive natural habitats and designated sites. No built heritage impacted. Ecology on site is of local significance. No surface water features.

Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)