

An  
Bord  
Pleanála

Board Order  
ABP-321754-25

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Monaghan County Council**

**Planning Register Reference Number: 24/45**

**Appeal** by Martin and Denise McMahon care of EHP Services of 154 Riverside Drive, Red Barns Road, Dundalk, County Louth against the decision made on the 20<sup>th</sup> day of December, 2024 by Monaghan County Council to grant subject to conditions a permission to Carmel Watters care of Noel McGahon, Architectural Design and Planning Services of Essexford, Dundalk, County Louth in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Outline permission for a dwelling house, a domestic garage, a domestic wastewater treatment system, a new site entrance with all associated site development works at Cloghoge and Tievadinna, Castleblayney, County Monaghan.

**Decision**

**GRANT** outline permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

## Reasons and Considerations

Having regard to the provisions of the Monaghan County Development Plan 2019- 2025, in particular Policy RSP 3 which states that in the 'remaining rural areas' of the county, rural housing proposals will be facilitated subject to other relevant planning policies, and having regard to the provisions of the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005, and the National Planning Framework issued by the Department of the Housing, Planning and Local Government in 2018, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area and would not constitute a traffic hazard or be prejudicial to environmental or to public health. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area

## Conditions

1. This outline permission relates solely to the principle of a single storey dwelling on this site and it shall not be construed as giving consent to the following matters:
  - (a) The overall site layout and design of the development.

**Reason:** In the interest of clarity.

2. The plans and particulars to be submitted by way of a separate application for permission consequent shall include the following:
- (a) a comprehensive site survey, to a scale of not less than 1:500, including contours at intervals of 0.5 metres, showing all existing trees, boundaries and other features,
  - (b) a site layout plan to a scale of not less than 1:500 showing the layout of the house, driveways and sewage treatment system. The proposed wastewater treatment and disposal system shall be located, constructed and maintained in accordance with details submitted to the planning authority on the 10<sup>th</sup> day of May 2024 and shall be in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent  $\leq 10$ )" – Environmental Protection Agency, 2021.
  - (c) the finished ground floor level of the house by reference to existing site levels and road level at the proposed entrance,
  - (d) full details of the layout, siting, height, design and external appearance of the house.
  - (e) full details of cut and fill on site to accommodate the development.
  - (f) a Landscaping Plan for the site which retains the existing trees and hedgerows defining the site boundaries and reinforces these with native planting.

- (g) the existing front boundary hedge shall be retained except to the extent that its removal is necessary to provide for the entrance to the site, and
- (h) the provision of visibility splays at the proposed site entrance in accordance with Development Plan standards.

**Reason:** In the interest of clarity and to enable the application for permission consequent to be fully assessed.

3. Details of the design of the house shall be submitted by way of a separate application for permission consequent and shall incorporate the following requirements:

- (a) the house shall be single storey of low profile and reflect the traditional vernacular, and
- (b) the ridge height shall not exceed 5.5 metres above the finished floor level.


**Reason:** In the interest of visual amenity and to protect the character of the rural area.

4. Surface water proposal on site shall be provided in accordance with the detailed requirements of the planning authority. 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.

5. At the permission consequent stage, the developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefitting 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 prior to commencement of development or 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 Bord 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.

  
Mary Rose McGovern  
Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board

Dated this 22<sup>nd</sup> day of May 2025