

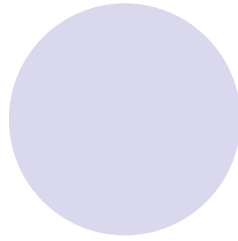
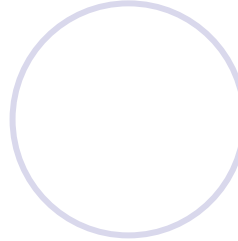
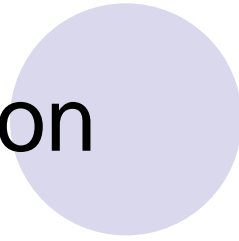
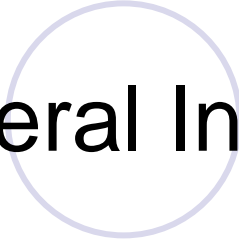
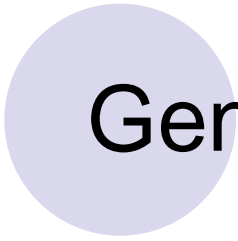


Agents Meeting: 11 Sept 2007

Agenda:

1. General Information
2. Monaghan County Development Plan
2007 - 2013
3. Development Management
4. Questions and Answers

1. General Information





Application Numbers

2005 – 2006

+ 59%

2006 – 2007 (until Aug)

+ 38 %

Applications received

2002 – 1060

2006 – 2274

2007 - 2723



Refusal Rates

2005 – 2006

12 %

2006 – 2007 (until Aug)

17 %

Reasons for refusal (to August 2007)

51% Environmental Health

40% Roads

57% Other

Future Workshops



October 2007

Development Plan – Chapters 1 – 7

Development Plan – Chapters 8

November 2007

Other ?

Future Publications



- Landscape Character Assessment (Nov - Dec 2007)
- Design Guide for Rural Houses in the Countryside (Dec – Jan)
- Retail Strategy (June 2008)
- Local Area Action Plans (2008)
- Landuse and Transportation Strategy (2008)



2. Monaghan County Development Plan 2007 - 2013



Format

- Adoption of Development Plan
- Background to Ministerial Direction
- Impact on Development Plan
 - ❖ Rural Housing Policy
 - ❖ Tier 4 and 5 Villages
- Availability of Amended Maps
- Implementation of the Ministerial Direction
- Consultation period

Adoption of Development Plan

	Adoption date	Effective Date
Monaghan County Development Plan 2007 - 2013	20 March 2007	17 April 2007
Monaghan Town Development Plan 2007 – 2013	26 March 2007	23 April 2007
Carrickmacross Town Development Plan 2007 - 2013	22 March 2007	19 April 2007
Castleblayney Town Development Plan 2007 – 2013	21 March 2007	18 April 2007
Clones Town Development Plan 2007 - 2013	26 March 2007	23 April 2007

Ministerial Direction on Monaghan County Development Plan 2007 - 2013

Section 31 (2) of the Planning and Development Act, 2000

‘Where the Minister considers that any development plan fails to set out an overall strategy for the proper planning and sustainable development of the area of the authority or otherwise significantly fails to comply with this Act, the Minister may, for stated reasons, direct the authority to take such specified measures, as he or she may require to review or vary the development plan to ensure compliance with this Act and the authority shall comply with any such direction’

Impact of Ministerial Direction on Monaghan County Development Plan 2007 - 2013

The Direction was made on the 22 July 2007

- (a) Chapter 3**
Settlement Strategy
Areas Under Strong Urban Influence

- (b) Chapter 14**
Village Plans
Village Development Limits

Chapter 3

(a) Settlement Strategy

Ministers Direction:

‘Apply the appropriate planning policies as set out in the Sustainable Rural Housing Guidelines for Planning Authorities to the non-Clár areas surrounding the three towns of Monaghan, Carrickmacross and Castleblayney which are under strong urban pressure, and make the necessary amendment to the Housing Strategy to reflect this’

Non-Clár Areas

Rural DEDs

- BALLYMACKNEY
- BELLANODE
- CARRICKMACROSS RURAL
- CASTLEBLAYNEY RURAL
- DONAGHMOYNE
- DRUMBOORY
- DRUMSNAT
- ENAGH SOUTH
- LOUGH FEA
- MONAGHAN RURAL
- SCOTSTOWN
- TEHALLEN

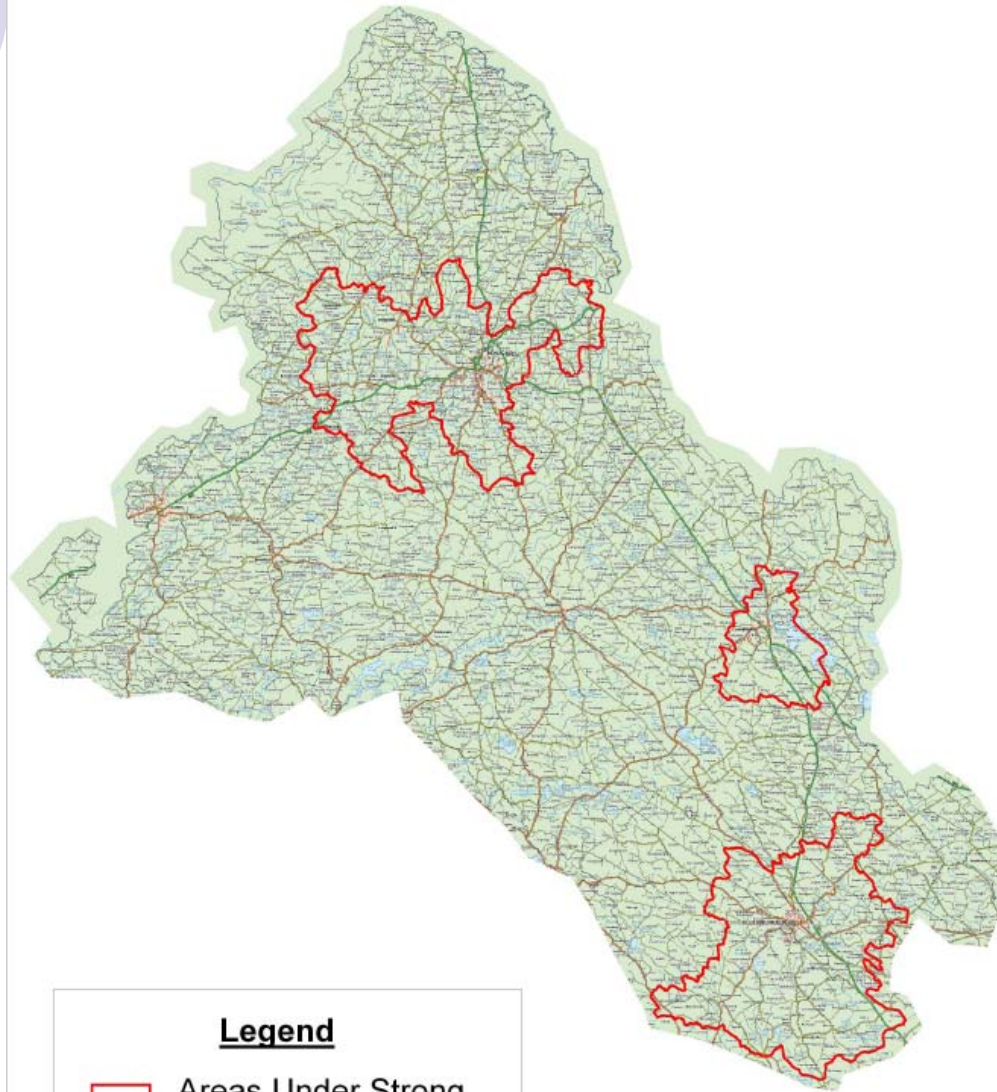
Urban DEDs

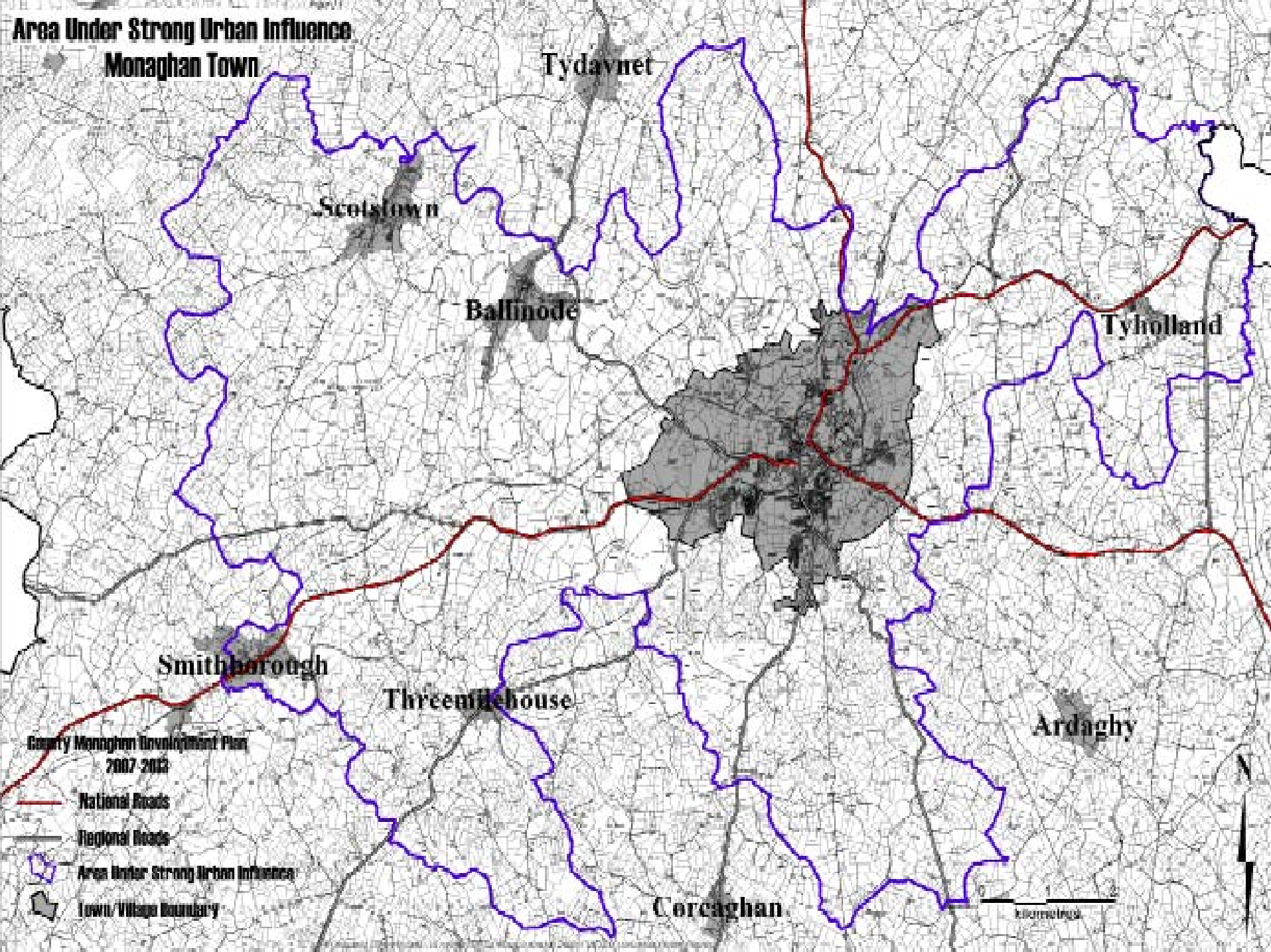
- CARRICKMACROSS URBAN
- CASTLEBLAYNEY URBAN
- MONAGHAN URBAN

Summary of Amendments to Rural Housing Policy

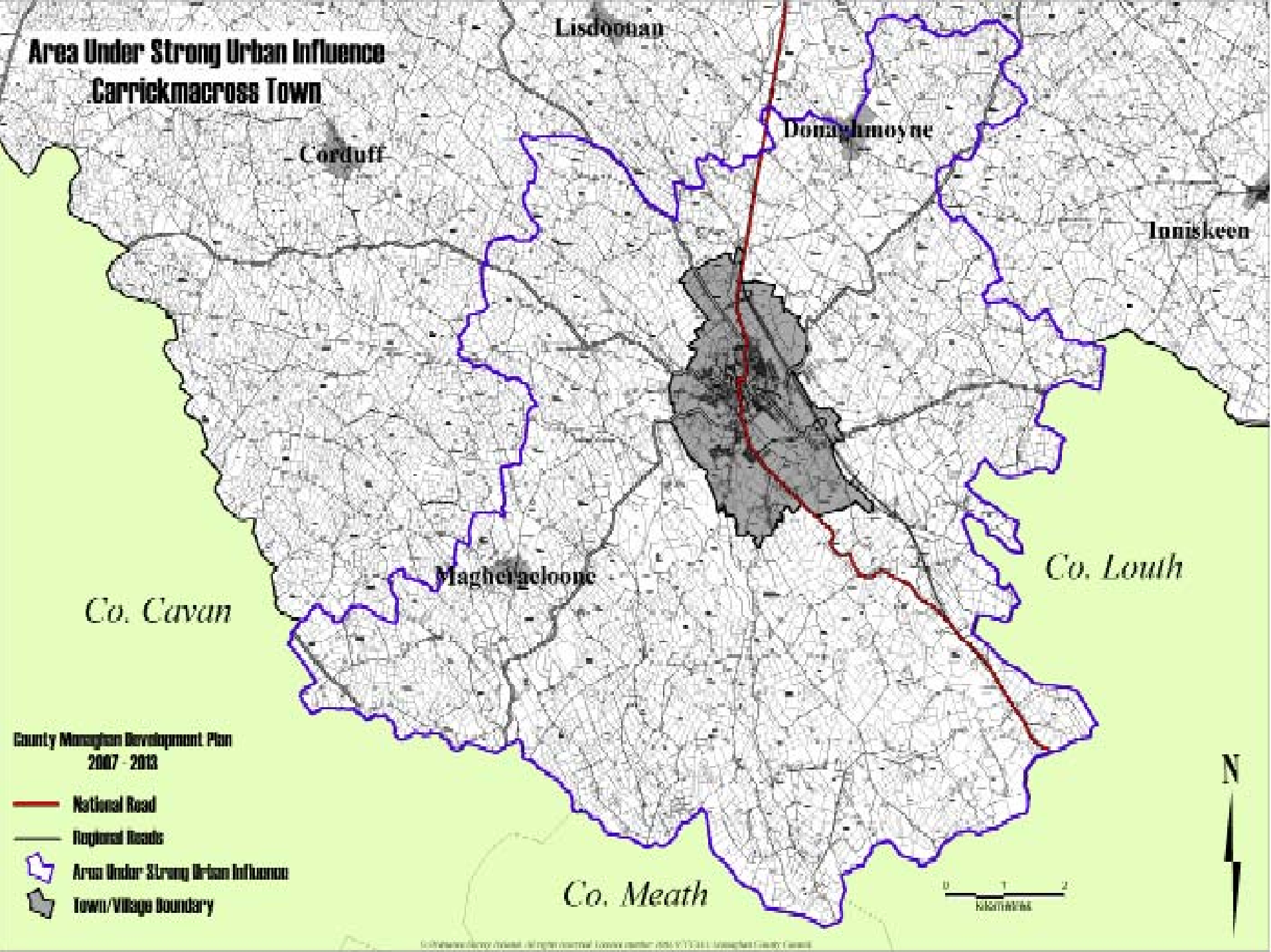
- 3 km radius around Monaghan & Carrickmacross (Maps 3.2 – 3.4) superceded
- Areas Under Strong Urban Influence now extended to include all those DEDs outside Clar area
- Additional Area Under Strong Urban Influence now identified around Castleblayney
- Existing Policies RH1 to RH7 shall apply to all Areas Under Strong Urban Influence

Rural Housing - Development Management Control Zones





**Area Under Strong Urban Influence
Carrickmacross Town**



Lisdoonan

Corduff

Donaghmoyne

Inniskeen

Co. Cavan

Magheracloone

Co. Louth

Co. Meath

County Meath Development Plan
2007 - 2013

-  National Road
-  Regional Roads
-  Area Under Strong Urban Influence
-  Town/Village Boundary







**Area Under Strong Urban Influence
Castleblayney Town**

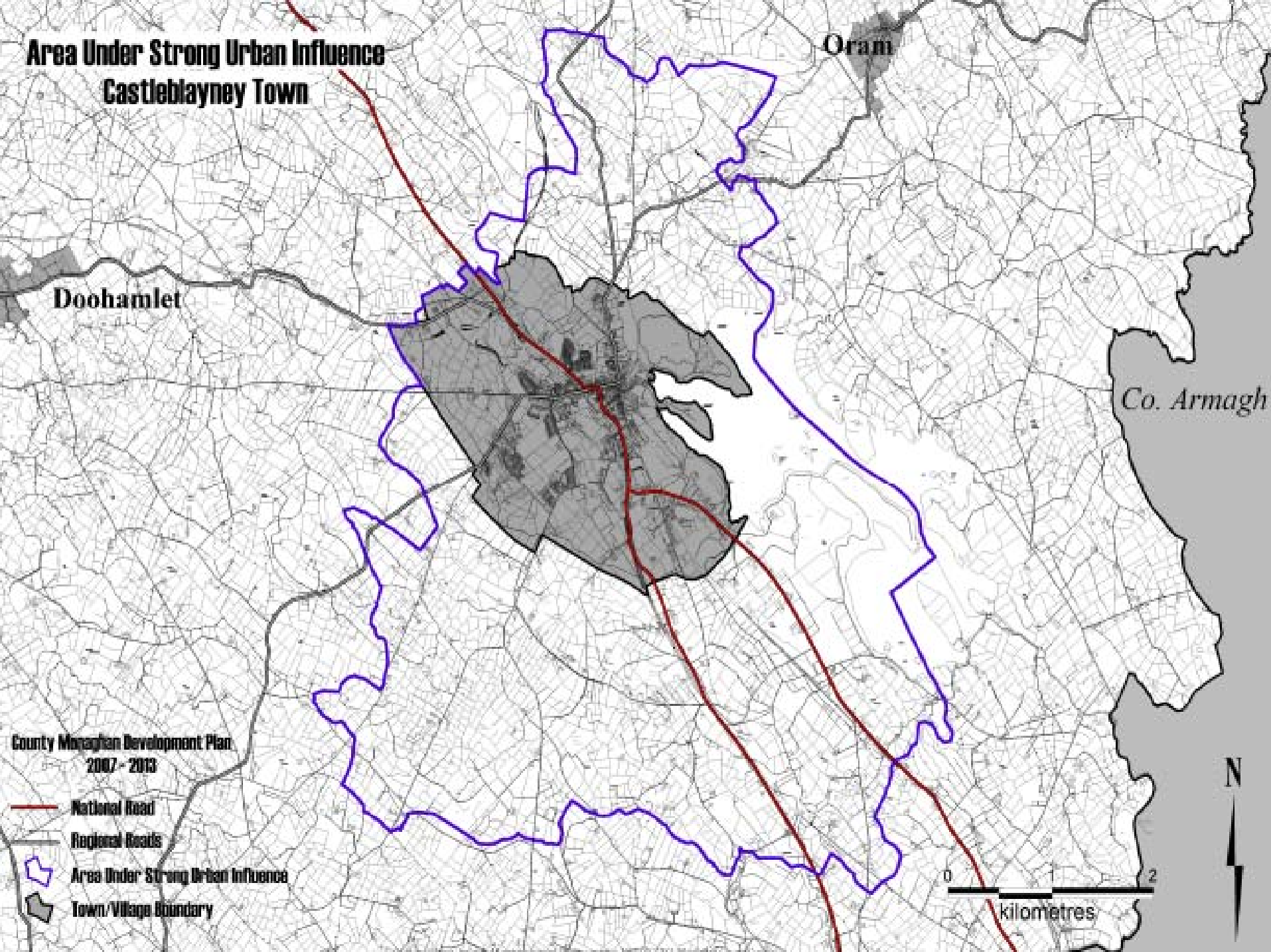
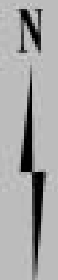
Oram

Doohamlet

Co. Armagh

County Monaghan Development Plan
2007 - 2013

-  National Road
-  Regional Roads
-  Area Under Strong Urban Influence
-  Town/Village Boundary





(b) Village Plans

Ministers Direction:

‘Amend the village zonings (listed in the appendix to the Direction) by reverting to the zonings set out in the March 2006 draft Development Plan and the subsequent Manager’s report to the Council, and make the necessary amendment to the Housing Strategy to reflect this’

Villages Affected by Ministerial Direction

Tier 4 Villages

Ballinode
Emyvale
Glaslough
Newbliss
Rockcorry
Scotstown
Smithborough
Threemilehouse

Tier 5 Villages

Aghabog
Annyalla
Broomfield
Carrickroe

Clara
Clontibret #1
Clontibret #2
Connons
Corcaghan
Corduff
Doohamlet
Knockatallon #1
Knockatallon #2
Knockconan
Latton
Lisdoonan
Lough Egish
Magheracloone
Oram
Scotshouse
Tydavnet

Summary of Amendments to Villages

Development limits in the villages listed, revert back to draft plan **EXCEPT** where recommended by the Manager in the Managers Report (October 2006)



Summary of Ministerial Direction

Only two sections of the Development Plan have been amended following the Ministerial Direction

(a) Chapter 3

Settlement Strategy

Areas Under Strong Urban Influence

(b) Chapter 14

Village Plans

Village Development Limits

**Remainder of Development Plan is effective as of 17
April 2007**

Availability of Amended Maps

- Printing of the Development Plan should be completed and available for purchase in October 2007
- All amended maps are currently available on the County Council website at www.monaghan.ie (Planning Section)
- <http://www.monaghan.ie/planning/developmentplanministerialdirection.html>



Implementation of Ministerial Directive

Section 31 (4) of the Planning and Development Act, 2000

'In exercising any power conferred on them by this Act, neither the manager nor the elected members of any planning authority shall exercise the power in conflict with any direction which the Minister may give under subsection (1) or (2)'

Implementation of Ministerial Directive (cont)

- The Ministerial Direction is effective from 22 July 2007
- Public Consultation period (06 September – 05 October 2007)
- Submissions and observations should be forwarded to Monaghan County Council, which in turn will be forwarded to the Minister

3. Development Management





Purpose of the Presentation

- To inform agents/architects of the main difficulties that have arisen in relation to the recent changes to the Planning and Development Regulations
- To provide additional update on important case law in relation to planning timescales
- To provide outline of local authority views on dealing with applications



Outline of Presentation

- **Background to Further Information requests**
 - **Statutory Background**
 - **Current situation**
- **Summary of the individual difficulties in relation to Planning and Development Regulations**
 - **Site and Newspaper Notices**
 - **Site Characterisations**
- **Recent legal case**
- **Local Authority decision making**
- **Questions**



Statutory Background

[Planning and Development Regulations 2006 \(S.I No. 685 of 2006\)](#)

Two functions:

- to update and amend the Planning and Development Regulations 2001 to make changes and updates to the development management system, and
- (2) to underpin the new strategic consent procedure established under the Planning and Development (Strategic Infrastructure) Act 2006.

Statutory Background



[Planning and Development \(No. 2\) Regulations 2007 \(SI 135 of 2007\).](#)

- came into force on the 31st March and provided for a transitional period up to the 1st June
- This 'grace period' only related to the validation of applications, all the other provisions of the regulations came into effect on 31st March.
- Among the amendments made by SI 135 of 2007 are provisions aimed at improved data protection for users of the planning system.

Site/Newspaper Notice Changes

- **brief description of the nature and extent of development**
- **planning application may be inspected, or purchased “*at a fee not exceeding the reasonable cost of making a copy, at the offices of the planning authorities during its opening hours*”**
- **A yellow repeat notice need not be used unless an earlier valid has been made**
- **Requirement to remove site notice after notification of planning**
- **Permitted to allow a copy of the page of the newspaper (including date and title) to be submitted**
- **Information on the Monaghan CC website**

Site Characterisation



- Details required
 - P Tests
 - T Tests
 - Invert Levels and Sections
 - Tertiary Treatment



Legal Case

- Paul Maye v Sligo County Council
 - Outline of the case
 - Implications of the case for Local Authorities
 - Restricted timescale of 4 weeks from time of receipt of further information
 - Immediate assessment of further information – significant/not significant
 - Revised press notice and site notice

Local Authority - Procedures

- Invalid
 - untrue/incomplete information discovered upon inspection
 - maintenance of site notice
- Additional Information
 - Inadequate or incomplete response will result in a refusal
 - No response within 6 months will result in an application being deemed withdrawn
- Refusals
 - Significant numbers of refusal on roads and effluent disposal grounds

4. Questions

