

## Treanor, Bronagh

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**From:** Noel Mc Gahon [noelmcg123@gmail.com]  
**Sent:** 23 May 2018 11:22  
**To:** ldevplan  
**Cc:** Cllr. Noel Keelan  
**Subject:** Monaghan County Development Plan 2019-2025  
**Attachments:** @ Submissions to New County Dev Plan @.pdf

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To whom it may concern,

Please find attached my revised submissions for the new Monaghan County Development Plan 2019-2025.

Regards,  
Noel McGahon  
Essexford,  
Dundalk,  
Co. Louth.

087 2359206

[SCANNED]

## **SUBMISSION No 1.**

### **Residential Dwellings and Agricultural Buildings**

County Monaghan has a significant agricultural base with many agricultural enterprises scattered through out the countryside. The Council considers these enterprises to be of significant economic importance in terms of economic productivity of the county and employment providers. Therefore the Council considers it necessary to protect the current operation of these enterprises from development that could prejudice their expansion/redevelopment.

As agricultural enterprises by their nature tend to generate smells and noises, the planning authority considers it necessary to ensure that residential development does not take place in close proximity to buildings/structures associated with agricultural enterprises.

### **Policies for Rural Housing Standards RDP 16**

A residential unit(s) shall not be permitted within 100 metres of an agricultural building(s),<sup>(19)</sup> except where the owner and occupier of the agricultural building(s) has provided written consent to the Planning Authority to the construction of the residential unit(s) within 100 metres of his/her agricultural building(s). In such cases the written consent shall be signed by both parties and witnessed by a solicitor or other similar person.

It should be noted that where planning permission is granted for a residential unit within 100 metres of an agricultural building(s) under the above and is located outside the defined settlement limits, a condition restricting occupancy to the applicant, members of their immediate family<sup>(20)</sup> and their heirs shall be attached to any grant of permission

**(For a minimum period of 10 years after the first occupation of the dwelling) Reason: To allow the applicant to sell the property if they wish after this period of time which will see the development well established in the rural area.**

Where the agricultural use of the building(s) has been clearly abandoned, the above policy shall not apply. There will be a presumption by the Planning Authority that the use of an agricultural building(s) has not been abandoned unless proven contrary. It should be noted that the onus to prove that the agricultural use has been abandoned shall rest with the applicant.

*(19) For the purposes of this policy an agricultural building is considered to be a building used, or last used and likely to be used in the future for agricultural purposes. An agricultural building includes buildings used for the keeping of cattle, pigs, poultry, sheep, mushrooms and any slurry or agricultural waste facility.*

*(20) For the purposes of this policy, immediate family shall be as defined in policy RHP2in Chapter 3 of this plan.*



## **SUBMISSION No 2.**

### **Ribbon Development and Infill**

The Council, in accordance with the guidance given in the DEHLG Sustainable Rural Housing Guidelines for Planning Authorities, will resist ribbon development, primarily on grounds of visual amenity, reinforced on occasions by road safety reasons. Where a proposed development would create or extend ribbon development, planning permission will be refused.

The Sustainable Rural Housing Guidelines define ribbon development as five or more houses on any one side of a given 250 metres of road frontage. The ribbon may not have a uniform building line, and buildings set back from the road, staggered or an angle to the road will also be considered as ribbon development, where they are visually linked.

Any dwelling that fulfils the criteria laid out in policy NRP2 for a replacement dwelling shall be considered as a 'house' in the definition of ribbon development as laid out in the Sustainable Rural Housing Guidelines.

### **Policies for Ribbon Development and Infill**

**RDP 17** The Council will resist development that would create or extend ribbon development.

**RDP 18** A relaxation of ribbon development policy on regional and local roads will be considered where planning permission is sought on the grounds of meeting the housing needs of a landowner<sup>(21)</sup> or a member of his/her immediate family<sup>(22)</sup> where no other suitable site is available on the entire landholding<sup>(23)</sup> The Planning Authority will apply an occupancy condition for a period of seven years in such cases.

**RDP 19** Where four or more houses plus a derelict dwelling or a derelict non-domestic building (that is mushrooms, poultry, and agricultural buildings) exist within a 250m frontage on one side of a public road, and have done for a period of at least 10 years, a dwelling house on the site of the derelict building will be permitted for a family member, subject to the entire derelict building being demolished. The Planning Authority will apply an occupancy condition for a period of seven years in such cases.

**RDP 20** The infilling of gaps between houses will not normally be permitted. Exceptionally however, where there is a small gap, sufficient to accommodate a single dwelling only, in an otherwise substantially and continuously built up frontage, planning permission may be granted.

*(21) For the purposes of this policy, a landowner is defined as an individual with a minimum landholding in the local rural area of 4 hectares, which he or she has owned for a minimum period of 5 years prior to the date of submission of a planning application. **Or in exceptional circumstances were an individual with a landholding in the local rural area of less than 4 hectares and a min of 0.2ha which he or she has owned for a minimum period of 20 years prior to the date of submission of a planning application. The landowner / applicant will also be required to show proof of residence in the local rural area for a minimum period of 20 years. Reason: So as not to discriminate against a landowner of less than 4 hectares (10 acres) I.E THE RELAXATION SHOULD BENEFIT ALL LANDOWNERS NOT JUST THOSE WITH THE MOST LAND.***

**NB: I have come across quite a number of genuine cases were a son / daughter of a landowner wishes to apply for planning permission for a dwelling house and they can't due to their parents owning less than 4 hectares and being "caught out" by the current ribbon development policy.**

*(22) For the purposes of this policy, immediate family is considered to be a sibling, son or daughter or adopted child of the landowner. Where the landowner's child(ren) have resided outside the state or N. Ireland for a minimum continuous period of 10 years, or where the landowner has no children, a niece/nephew maybe considered a landowner's family member.*

*(23) No other suitable site is available on the landholding.*

*In assessing a planning application, the Planning Authority will consider all lands within the ownership of the applicant. A dwelling will only be granted where there are no alternatives available.*



## **SUBMISSION No 3.**

### **Accommodation for Dependent Relatives**

The demand for accommodation to meet the needs of older people and dependent relatives will inevitably increase due to the rise in average life expectancy. This has led to a demand for custom built extensions to family dwellings or the conversion of garages or other structures within the respective curtilage for this purpose.

Where it is proposed to convert and/or extend an existing garage or outbuilding within the curtilage of a dwelling for this purpose, planning permission will depend on whether the development provides a modest scale of accommodation only and that the unit remains in the same ownership as that of the existing dwelling on the site. Where an extension to an existing garage or outbuilding is required in order to provide a satisfactory level of accommodation, the cumulative floor area of the existing and proposed shall not exceed 60 square metres.

Proposals must also accord with normal planning considerations such as the ability of the site to accommodate the unit, compliance with environmental standards, septic tank requirements, drainage, water and amenity.

### **Policy**

**To facilitate the provision of accommodation for older people and dependant relatives by way of a new extension to the existing dwelling, subject to all of the following;**

**The development shall provide a modest scale of accommodation only and shall not exceed a gross floor area of 60 square metres,**

**It shall be attached to the existing dwelling,**

**It shall be linked internally with the existing dwelling,**

**It shall not have a separate access provided to the front elevation of the dwelling,**

**The accommodation shall remain in the same ownership as that of the existing dwelling on site.**

**To facilitate the provision of accommodation for older people and dependant relatives by way of conversion of existing detached garage or other outbuilding within the curtilage of the existing dwelling, subject to all of the following;**

**The development shall provide a modest scale of accommodation only and shall not exceed a gross floor area of 60 square metres,**

**Where an extension to an existing garage or outbuilding is required in order to provide a satisfactory level of accommodation, the existing and proposed additional**

**floor area shall not exceed a gross floor area of 60 square metres,**

**The accommodation shall remain in the same ownership as that of the existing dwelling on site.**