



21st October 2025

For the Attention of: Mr Robert Burns, Chief Executive

Monaghan County Council
The Glen
Monaghan
County Monaghan
H18 YT50

**Section 31 of the Planning and Development Act 2000 –
Decision to Issue a Direction to Monaghan County Council regarding the
Monaghan County Development Plan 2025-2031**

Dear Robert,

I am writing to inform you of the following in relation to the section 31 draft Direction that issued to Monaghan County Council on 4th July 2025, and the subsequent consideration by the Office of the Planning Regulator ('the Office') of your report in connection with the *Monaghan County Development Plan 2025-2031*, as adopted by the elected members of Monaghan County Council on 26th May 2025.

The draft Direction, as issued in July, can be summarised as follows:

- Part 2(a) – Delete two identified material alterations from the adopted Development Plan, such that the plan is amended in the manner described in each instance.

The Office notified the Minister pursuant to section 31AN(4) of the Planning and Development Act 2000 ('the Act') on 10th September 2025 and recommended that I, as Minister, issue the Direction.

A copy of the notice letter and proposed final Direction was submitted to me, as Minister, by the Office along with a copy of your Chief Executive's Report on the draft Direction, prepared under section 31(8) of the Act.



Accordingly, having reviewed and considered the Office of the Planning Regulator's notice letter and your August 2025 report on the draft Direction and submissions received, I am of the opinion that the Direction should be issued in line with the recommendations of the Office and your report. In the above regard, I refer you to the Statement of Reasons set out in the enclosed Direction.

In making my decision, with regard to material alteration **MA: Chapter 9, No.2**, I am cognisant from examining the development plan's Land Use Zoning Matrix that the 'Existing Commercial' ('EC') land use zoning objective pertaining to the land in question provides for an extensive range of development types that are either 'Acceptable in Principle' or are 'Open for Consideration'. As such, it is clear that the 'EC' zoning objective makes provision for a range of uses.

More generally and without prejudice to my stated reasons, it is clear that Monaghan County Council has adopted a strategic and evidence-based approach to retail provision in Monaghan Town over recent years and this is evident in the successful manner in which the town centre continues to attract and retain a broad retail offering. I am also aware of the Council's ambitious plans to further enhance the town centre through the utilisation of significant funding provided by my Department through the Urban Regeneration and Development Fund, in furtherance of national policy objectives of the National Planning Framework.

In relation to MA: MTDP1 No.15, I recognise the elected members' objective to support the development of enterprise and employment within the town, however it is important that this takes place in a manner that recognises the significant social and economic impacts of flooding on communities, businesses and the environment. In this regard, in making my decision to address the zoning of land that is at known risk of flooding (i.e. within Flood Zone A), I have taken into account the fact that the land in question has not passed the Justification Test specified in The Planning System and Flood Risk Management Guidelines (2009), as recognised in NPO 78 of the National Planning Framework and RPO 3.10 of the Regional Spatial and Economic Strategy for the Northern and Western Region. The Direction does not however relate to adjoining lands located outside of the identified flood zone.

In reaching my decision to issue the Direction, I have noted your recommendations as Chief Executive under section 31(9) of the Act. I further note the Office's consideration of, and response to, those matters in its subsequent recommendation to me, as Minister, under section 31AN(4) of the Act.



Accordingly, Monaghan County Council should **TAKE NOTICE** that on 21st October 2025 I have issued a Direction pursuant to section 31 of the Planning and Development Act 2000 (as amended). Pursuant to section 31(17) of the Act this Direction is deemed to have immediate effect and its terms are considered to be incorporated into the plan. A copy of this Direction is enclosed.

In light of the foregoing, Monaghan County Council is required, pursuant to section 31(2) of the Planning and Development Act 2000 to comply with this Direction so as to rectify the matter in a manner that, in my opinion, will ensure that the *Monaghan County Development Plan 2025-2031* sets out an overall strategy for proper planning and sustainable development and meets the requirements of the Act.

The Council should ensure that the Direction is available for inspection at its offices and on its website. My officials remain available to assist you, as necessary, in complying with the foregoing process.

Yours sincerely,

John Cummins TD
Minister of State for Local Government and Planning

Copied to:

- Cathaoirleach, Monaghan County Council, The Glen, Monaghan, County Monaghan, H18 YT50.
- Director, Northern and Western Regional Assembly, Dillon House, Ballaghaderreen, Co. Roscommon, F45 WY26.
- Office of the Planning Regulator, Park House, Grangegorman, 191-193A North Circular Road, Dublin 7, D07 EWW4.

DIRECTION IN THE MATTER OF SECTION 31
OF THE PLANNING AND DEVELOPMENT ACT 2000 (as amended)
Monaghan County Development Plan 2025-2031

“Development Plan” means the Monaghan County Development Plan 2025-2031 (as made).

“Planning Authority” means Monaghan County Council.

“RSES” means the Regional Spatial and Economic Strategy for the Northern and Western Region.

“NPF” means the National Planning Framework First Revision (2025).

The Minister of State at the Department of Housing, Local Government and Heritage in exercise of the powers conferred on him by section 31 of the Planning and Development Act 2000 (No.30 of 2000) (“the Act”) and the Housing, Local Government and Heritage (Delegation of Ministerial Functions) Order 2025 (S.I. No. 364 of 2025), and consequent to a recommendation made to him by the Office of the Planning Regulator under section 31AN(4) of the Act, hereby directs as follows:

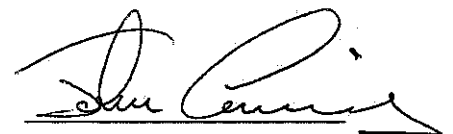
- (1) This Direction may be cited as the Planning and Development (Monaghan County Development Plan 2025-2031) Direction 2025.
- (2) The Planning Authority is hereby directed to take the following steps with regard to the Development Plan:
 - (a) Delete the following Material Alterations from the Development Plan:
 - (i) **MA: Chapter 9, No.2** - i.e. the footnote and related asterisks at table 9.3 Land Use Zoning Matrix which states ‘Retail (Convenience) and Retail (Comparison) are acceptable in principle at the Monaghan Retail Park.’
 - (ii) **MA: MTDP1 No.15** - i.e. that portion of the subject lands within Flood Zone A reverts to the zoning objective in the draft Plan i.e. from Industry / Enterprise / Employment to Landscape Protection / Conservation.
 - (b) Apply all necessary consequential updates to the text of the plan consistent with the foregoing, including the amendment to the text of section 10.6 of the Development Plan as recommended by the Monaghan County Council Chief Executive at page 9 of the section 31(8) report on the draft Direction.

STATEMENT OF REASONS

- I. The Development Plan includes a material alteration to the draft County Development Plan to insert a footnote at table 9.3, Land Use Zoning Matrix which states 'Retail (Convenience) and Retail (Comparison) are acceptable in principle at the Monaghan Retail Park.' The location of the Monaghan Retail Park at a distance of approximately 1.5 km from the core retail area and outside the CSO boundary does not support the regeneration and rejuvenation of the town centre or the location of retail in town centres, and does not facilitate linked trips but rather, due to its location, will likely generate additional car-based rather than pedestrian or cycle trips for convenience and comparison retailing. The material alteration is therefore inconsistent with NPO 14 of the NPF to regenerate and rejuvenate towns, NPO 107 to support the delivery of the National Strategic Outcomes of the NPF relating to compact growth, sustainable mobility and the transition to a carbon neutral and climate resilient society, RPO 4.45 of the RSES to support retail in town centres, and section 10(2)(n) of the Act which requires objectives (which the planning authority has a general duty to secure under section 15 of the Act) for the promotion of sustainable settlement and transportation strategies, including the promotion of specific measures having regard to the location of development.
- II. The Development Plan includes a material alteration (MA: MTDP1 No.15) to the draft County Development Plan to amend the zoning objective of land located in Flood Zone A from Landscape Protection / Conservation to Industry / Enterprise / Employment in circumstances where the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) (Flood Guidelines), issued under section 28 of the Act, indicate that such uses are not appropriate unless a Justification Test is passed. As the Justification Test has not been passed, the material alteration is therefore inconsistent with NPO 78 of the NPF which requires the planning authority to avoid inappropriate development in areas at risk of flooding that do not pass the Justification Test in accordance with the Flood Guidelines; and RPO 3.10 of the RSES to ensure flood risk management informs development by avoiding inappropriate development in areas at risk of flooding and to assess flood risk by implementing the recommendations of the Flood Guidelines.

- III. No or no adequate reasons relating to the proper planning and sustainable development of the area have been provided to explain why it was not practicable for the Planning Authority to implement the objectives of the NPF and the RSES, or how, notwithstanding this inconsistency with the NPF and RSES, the Development Plan sets out an overall strategy for the proper and sustainable development of the area.
- IV. The Development Plan has not been made in a manner consistent with, and has failed to implement recommendations of the Office of the Planning Regulator made under section 31AM of the Act.
- V. The Minister is of the opinion that the Development Plan is not consistent with the above-mentioned objectives of the NPF and the RSES, and fails to set out an overall strategy for the proper planning and sustainable development of the area.
- VI. The Development Plan is not in compliance with the requirements of the Act.

GIVEN under my hand



John Cummins TD

Minister of State for Local Government and Planning

21st October 2025