



An
Bord
Pleanála

Board Direction
BD-000880-18
ABP-301630-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on August 8th 2018.

The Board decided to treat this case under section 139 of the Planning and Development Act, 2000. The Board also decided, generally in accordance with the Inspector's recommendation, and for the Reasons and Considerations set out below, that the planning authority be directed to attach condition number 2.

Reasons and Considerations

Having regard to the planning history of the housing estate within which the subject site is located, and in particular to the terms of condition number 15 of planning permission register reference number 99/1826 and of condition number 13 of planning permission register reference number 03/350, both of which prohibit the construction of front boundary walls or fences to individual residential properties within the estate at Orchard Avenue in order that the estate remains an open plan development, and having regard to the existing pattern of development in the estate, which remains an open plan development, it is considered that the proposed front boundary wall and gateway would materially contravene these conditions, would represent an obtrusive feature that would be out of character with the open plan nature of the estate, and would, if granted, set an undesirable precedent for development of a similar nature within the existing estate, thereby negating the

overall scheme of development for this estate. The imposition of condition number 2, which did not permit the construction of the proposed boundary wall and gate, is therefore warranted, and is in the interests of the proper planning and sustainable development of the area.

Board Member

Date: 8th August 2018

Philip Jones