



An  
Bord  
Pleanála

**Board Direction**  
**BD-003606-19**  
**ABP-304117-19**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 19/7/2019.

The Board decided by a majority of 2:1 to make a split decision, to

- (1) grant permission, for the following reasons and considerations and subject to the following conditions for the retention of the front boundary walls and associated tarmac to road edge,

Having regard to the location of the site on a narrow local road that is not a through road and which is characterised by low volumes of traffic area, to the design of the boundary wall proposed for retention and the pattern of development in the area, it is considered that, subject to compliance with conditions below, the proposed development would not seriously injure the visual or residential amenities of the area or of property in the vicinity, would not be prejudicial to public health and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development to be retained shall be carried out and completed in accordance with the plans and particulars lodged with the application except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement

of development and the development shall be carried out and completed in accordance with the agreed particulars.

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

2. All surface water runoff from the entrance and roadside area shall be collected and disposed of within the site and no such surface water shall be allowed to drain onto the public road.

**Reason:** to prevent the flooding of the public road and in the interests of traffic safety.

3. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority within 3 months of the date of this grant of permission. This scheme shall include the following:

(a) A plan to scale of not less than 1:500 showing –

(i) Proposals for the planting of all new site boundaries created by the construction of the dwelling on the site, including proposals for the back planting of the roadside boundary where the retention of the boundary wall is permitted.

(ii) The species, variety, number, size and locations of all proposed trees and shrubs which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder

(b) A timescale for implementation.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

**Reason:** In the interest of residential and visual amenity

and

- (2) refuse permission for the retention of the bollards and chains generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Having regard to the narrow width of the public road, to the design of the development for which retention is sought and in particular the proximity of the bollards to the public carriageway and lack of distinction between the public road surface and the verge area between the boundary wall of the dwelling and the public road, it is considered that the bollards and chains for which retention is sought would result in an unprotected hazard for road users, such that the retention of these elements would result in the creation of a traffic hazard and obstruction of road users at this location. The retention of these elements would therefore be contrary to the proper planning and sustainable development of the area.

**Board Member:**

**Date:** 19/07/2019

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Maria FitzGerald