



An
Bord
Pleanála

Board Direction
BD-016802-24
ABP-316419-23

The submissions on this file and the Inspector's report were considered at a Board Meeting held on 12/6/2024.

The Board concurred with the Inspector that the use of a 2m high, 20mm diameter round bar railing as originally proposed and permitted under ABP-307889-20 (FW20A/0058) is a suitable boundary treatment for the portion of the site which has an abuttal with the public open space area associated with Castleknock Park (i.e. eastern boundary). The Board considered that the applicant had provided adequate detail regarding the method statement and colour and finish, the Board decided that the fence should be constructed in accordance with the description of works and findings as detailed in the Arboricultural Commentary dated 19/09/2022, the colour and finish of the fence shall be as shown on drawing titled, Boundary Type Plan, drawing reference number 105, boundary type H.

WHEREAS by Order dated the 15th of December 2020, An Bord Pleanála, under application reference number ABP-307889-20, granted subject to conditions a permission to Castleshore Investments Ltd., for development comprising the demolition of an existing residential unit and associated structures on the application site, and the development of a three and part four storey, residential development, consisting of 25 apartments. The apartments will consist of 4 one bed units, 19 two bed units and 2 three bed units. The wider development includes parking for 27 cars and 1 accessible parking bay and bin storage unit; secure cycle storage building; boundary treatment and landscaping; and all underground drainage and service infrastructure. It is proposed to widen the access point onto the Castleknock Road

and regrade the driveway. The development includes all associated site development works:

AND WHEREAS Condition No. 3 of An Bord Pleanála decision under ABP-307889-20 required that prior to the commencement of development the developer shall *'submit details regarding boundary treatments to the planning authority for written agreement, including a method statement indicating how individual treatments shall be constructed/provided without significantly impacting on the root systems or integrity of existing trees outside the site'*.

AND WHEREAS the developer and the Planning Authority failed to agree on the boundary treatment for the portion of the eastern site boundary that has an abuttal with the public open space area associated with the Castleknock Park residential estate:

AND WHEREAS the matter was referred by the developer to An Bord Pleanála on the 24th of April 2023 for determination:

AND WHEREAS the Board is satisfied that the matter at issue is to determine the appropriate boundary treatment for the portion of the eastern site boundary that has an abuttal with the public open space area associated with the Castleknock Park residential estate:

AND WHEREAS the Board had particular regard to the provisions of Section 34(5) of the Planning and Development Act 2000, as amended;; and the documentation submitted by the referrer and the Planning Authority:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 34(5) of the Planning and Development Act, 2000, as amended, and based on the Reasons and Considerations set out below, hereby determines that the use of a 2m high, 20mm diameter round bar railing as originally proposed and permitted under ABP-307889-20 (FW20A/0058) is a suitable boundary treatment for the portion of the site which has an abuttal with the public open space area associated with Castleknock Park (i.e. eastern boundary). The Applicant shall construct the

fence in accordance with the description of works and findings as detailed in the Arboricultural Commentary dated 19/09/2022, and that the colour and finish of the fence shall be as shown on drawing titled, Boundary Type Plan, drawing reference number 105, boundary type H.

Reasons and Considerations

Having regard to:

- a) Section 34(5) of the Planning and Development Act 2000, as amended,
- b) The submissions on file, and the planning history of the site, and,
- c) The report of the INspector.

The Board considered that, in the absence of agreement from the Local Authority, and having regard to the quality and design of the proposed boundary treatment and its location relative to an existing stand of trees on the adjoining site, that the use of a 2m high, 20mm diameter round bar railing as originally proposed and permitted under ABP-307889-20 (FW20A/0058) is a suitable boundary treatment for the portion of the site which has an abuttal with the public open space area associated with Castleknock Park (i.e. eastern boundary). The Applicant shall construct the fence in accordance with the description of works and findings as detailed in the Arboricultural Commentary dated 19/09/2022, and that the colour and finish of the fence shall be as shown on drawing titled, Boundary Type Plan, drawing reference number 105, boundary type H.

Board Member



Mary Henchy

Date: 21/06/2024