

An
Bord
Pleanála

Board Direction
BD-015966-24
ABP-317701-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 28/03/2024.

The Board decided to treat this case under section 139 of the Planning and Development Act, 2000. The Board also decided, based on the Reasons and Considerations set out below that the planning authority be directed, as follows:

Attach condition number 3(a) and 3(b)

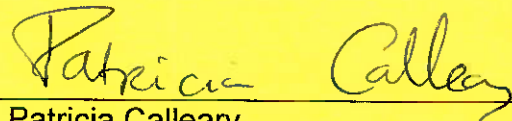
Reasons and Considerations

Having regard to the provisions of Dún Laoighre-Rathdown County Development Plan 2022-2028, in particular Section 12.4.8.2 (Visual and Physical Impacts) of Chapter 12 that sets out development management standards of relevance to the proposed development, it is considered that, having regard to the character of the area, Condition 3 (parts a and b) as attached to the planning authority's decision is reasonable and necessary to achieve the stated standard requiring boundary walls, entrance piers and gates and railings to normally be finished to harmonise in colour, texture, height and size to match the existing streetscape and to avoid contributing to a negative cumulative effect on the established character and appearance of the residential area.

Note:

In disagreeing with the inspector to remove Condition 3 (parts a and b), the Board did not agree that the 2m high vehicular piers and the 1.9m high timber panel fence party boundary with no. 32 Ashton Park, where the party boundary is positioned forward of the house, would either be supported by the provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028. In particular, the Board noted the development management standard of relevance outlined in Section 12.4.8.2 (Visual and Physical Impacts) of the plan does not support the interventions proposed to be retained as they would not match the existing streetscape and if permitted would contribute to a negative cumulative effect on the established character and appearance of the residential area. Accordingly the Board arrived at the conclusion that Condition 3 should be attached.

Board Member:


Patricia Calleary

Date: 28/03/2024