



Board Direction

Ref: 14.RL3499

The submissions on this file and the Inspector's report were considered at a Board meeting held on 25th January 2017. The Board decided that the erection of a post-and-wire fence along a road at Treanboy, Killashee, County Longford is not exempted development.

WHEREAS a question has arisen as to whether the erection of a post-and-wire fence along a road at Treanboy, Killashee, County Longford, is or is not exempted development:

AND WHEREAS Longford County Council referred the question to An Bord Pleanála on 27th July 2016:

AND WHEREAS the Board, in considering this referral, had regard particularly to –

- (a) Sections 2(1), 3(1) and 4(1) of the Planning and Development Act, 2000, as amended,
- (b) Articles 6(1) and 9(1)(a)(iii), (x) and (xi) of the Planning and Development Regulations, 2001, as amended, and Class 11(a) of Part 1 of Schedule 2 to those Regulations,
- (c) the submissions received by the Board, and the report of the Inspector:

AND WHEREAS An Bord Pleanála concluded that –

- (i) the erection of the fence comprised works, which constitutes development,
- (ii) the fence comes within the scope of the exempted development under Class 11(a) of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001,
- (iii) the fence, as constructed, does not provide adequate width for passing vehicles, or adequate passing bays, and entrance splays are excessively narrow, which constrains access and results in additional and conflicting manoeuvring movements by large vehicles,
- (iv) the fence, therefore, endangers public safety for vehicles and pedestrians by reason of traffic hazard and obstruction of road users:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by Section 5 of the Planning and Development Act, 2000, hereby decides that the erection of a post-and-wire fence along a road at Treanboy, Killashee, County Longford is not exempted development.

Note:

The Board did not concur with the Inspector that the fence obstructs the road.

Board Member: _____ Date: 30th January 2017
Fionna O' Regan