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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F18A/0288**

**APPEAL** by Stephen McCullen care of Corr and Associates of Unit 4 St. Fintan's, North Street, Swords, County Dublin against the decision made on the 18<sup>th</sup> day of July, 2018 by Fingal County Council to grant subject to conditions a permission.

**Proposed Development:** Retention of a newly constructed rear garden fence at 3 Streamstown Wood, Malahide, County Dublin.

**Decision**

**REFUSE** permission for the above proposed development in accordance with the reasons and considerations set out below.

**Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **Reasons and Considerations**

Having regard to the height of the development proposed to be retained, and to its design which would prevent the effective maintenance of the existing shared boundary treatment, it is considered that the development proposed to be retained would seriously injure the visual and residential amenity of the adjoining property to the east and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the development proposed to be retained, and amended as recommended by the Inspector, would prevent the effective maintenance of the existing shared boundary treatment.

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**John Connolly**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2018.**