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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Cavan County Council**

**Planning Register Reference Number: 17/496**

**Appeal** by Noreen Rooney of Turners Hill, Kingscourt, County Cavan against the decision made on the 19<sup>th</sup> day of November, 2018 by Cavan County Council to grant subject to conditions a permission to Cavan and Monaghan ETB care of Oppermann Associates of Unit D1, The Steelworks, Foley Street, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Further to previously permitted development under register reference number 15/277 the proposed development consists of the retention of a 2.4 metre high, rigid green mesh fence with ninety per cent shade netting, with an approximate overall length of 69 metres, in order to facilitate security and screening while permitted native and naturalized hedgerow and semi-mature tree planting progresses to maturity along two lengths of the western boundary of the site, all at Dún An Rí Post Primary School and Sports Hall, Turners Hill (R162), Kingscourt, County Cavan.

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions 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 public and community zoning of the subject lands, it is considered that the retention of the rigid green wire mesh fence with shade netting, subject to compliance with the conditions set out below, would not seriously injure the amenities of the area or of property in the vicinity and would in time result in improvements to the existing situation. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development 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. Within one month of the date of this order, the developer shall submit and agree in writing with the planning authority a comprehensive landscape and boundary scheme for the south-western boundary of the site. This scheme shall include the following:
  - (a) Details of an evergreen semi-mature hedge of a minimum 1.5 metres in height along the 90 metres fence which shall be suitably set back from the wire fence to allow for on-site maintenance and the removal of the wire fence when the evergreen hedge has reached 2.4 metres in height.
  - (b) Proposed locations of trees and other landscape planting to reinforce the existing planting along the south-western boundary of the site including details of species and maturity of planting to be used.

The boundary treatment and landscaping scheme shall be carried out in accordance with the agreed scheme. 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 interests of residential and visual amenity.

3. Within two months of attaining the agreement of the planning authority for the requirements of condition number 2, the developer shall implement and complete in full, the agreed landscaping plan required by the same planning condition.

**Reason:** In the interest of orderly development.

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**Maria FitzGerald**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2019.**