



An  
Bord  
Pleanála

**Board Order**  
**ABP-305268-19**

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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Louth County Council**

**Planning Register Reference Number: 19455**

**APPEAL** by James and Annemarie Flood care of Foresight Planning and Design of Grangebellew, Drogheda, County Louth against the decision made on the 1<sup>st</sup> day of August, 2019 by Louth County Council to refuse permission.

**Proposed Development:** Retention of an existing concrete post and timber panel fence to the eastern boundary of the site and permission to retain a section of an existing hedgerow on the site adjoining and sharing its boundary with the public lane, at Priestown, Dunleer, County Louth.

## **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**

1. It is considered that the development for which retention is sought puts forward a substandard form of development to serve the needs of users of the public right of way. The development proposed to be retained would differ materially from the terms of the permission granted by the planning authority under planning register reference number 15462 and the Board is, therefore, precluded from granting retention permission for this development.

2. The site of the development for which retention is sought is located in a rural area where the emphasis is placed on the importance of designing with respect for the landscape setting and minimising visual intrusion, with the design also to have regard to site appropriate boundary treatments that are consistent and in harmony with their setting. The concrete post and timber panel fence along the eastern boundary of the site is out of character with boundary treatments within this rural landscape setting and are highly visible as visually discordant and intrusive features, in particular when viewed from the heavily trafficked R132 which bounds the western boundary of the site. To permit the retention of this boundary treatment would militate against the preservation of the rural environment, would set an undesirable precedent for other such prominently located development in the vicinity and would conflict with Section 2.20, as well as Policies SS 64, 66 and 68, of the Louth County Development Plan 2015 to 2021. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Dave Walsh**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2019.**