Board Order
ABP-314839-22

Planning and Development Acts 2000 to 2022

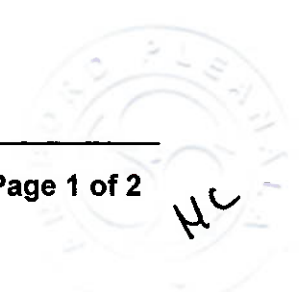**Planning Authority: Dun Laoghaire-Rathdown County Council**

Planning Register Reference Number: D22A/0544

Appeal by Maxim Strimbu care of Jim Roche of 19 Rutledge Terrace, Dublin against the decision made on the 16th day of September, 2022 by Dun Laoghaire-Rathdown County Council to refuse permission.

Proposed Development: Retention of a new concrete block wall and piers and a sliding metal gate on the lane boundary at a farm at Boranaraltry Lane, Ballybrack, County Dublin.
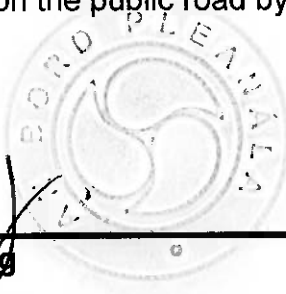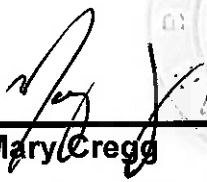
Decision

REFUSE permission for the above development for the reasons and considerations set out below.

Reasons and Considerations

1. It is the Policy Objective GIB6 of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 to prevent development which would block or otherwise interfere with views or prospects and there is an objective 'to preserve views' along Boranaralty Lane identified on Map 12 of the development plan. It is considered that the development, by reason of the excessive height, width and design of the gate, wall and piers, interferes with the character of the landscape and with a view which it is necessary to preserve and protect under Policy Objective GIB6 of the development plan. The retention of the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is considered that the development would endanger public safety by reason of traffic hazard because sight lines are restricted in each direction from the entrance, while the limited setback of the access gate from the roadside edge requires vehicles entering and exiting the site to park on the public road to the extent that the movements of vehicles accessing and egressing the site would interfere with the safety and free flow of traffic on the public road by reason of obstructing road users.

Mary Cregg
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this 12ᵏ day of December 2023.