



An
Bord
Pleanála

Board Order
ABP-315715-23

Planning and Development Acts 2000 to 2022

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD22B/0487

Appeal by Robin Petrie care of Architectural Drawings and Building Services of 19 Aranleigh Gardens, Rathfarnham, Dublin against the decision made on the 11th day of January, 2023 by South Dublin County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of front side garden fence for height above 1.2 metres at 16 The Close, Boden Park, Rathfarnham, Dublin.

Decision

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act 2000, as amended, to ATTACH condition number 1 and the reason therefor.

Reasons and Considerations

Having regard to the excessive height of the fence proposed to be retained relative to other boundary fences or walls in the vicinity of the site, that are generally low in height, and to the inhibition of driver visibility created by the fence, the Board considered that the development proposed to be retained would have a significant negative impact on the residential and visual amenities of the area and on road safety and that that the planning authority's condition number 1 requiring the reduction in height of the fence is, therefore, warranted.

In deciding not to accept the Inspector's recommendation, the Board considered that the development proposed to be retained would have a significant negative impact on the residential and visual amenities of the area having regard to the height of the fence proposed to be retained, and an unacceptable potential to create road safety hazard for pedestrians and vulnerable footpath users from obstruction of visibility.



Stewart Logan

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board



Dated this *9* day of *February* 2024.