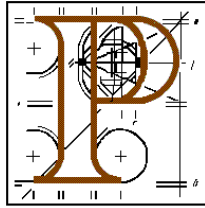


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

## Longford County

An Bord Pleanála Reference Number: 14.RL.3499

**WHEREAS** a question has arisen as to whether the erection of a post and wire fence along a road at Treanboy, Killashee, County Longford is or is not exempted development:

**AND WHEREAS** the said question was referred to An Bord Pleanála by Longford County Council of County Buildings, Great Water Street, Longford on the 27<sup>th</sup> day of July, 2016:

**AND WHEREAS** the Board, in considering this referral, had regard particularly to –

- (a) sections 2(1), 3(1) and 4(1) of the Planning and Development Act, 2000, as amended,
- (b) Articles 6(1) and 9(1)(a)(iii), (x) and (xi) of the Planning and Development Regulations, 2001, as amended, and Class 11(a) of Part 1 of Schedule 2 to those Regulations, and
- (c) the submissions received by the Board, and the report of the Inspector:

**AND WHEREAS** An Bord Pleanála has concluded that –

- (i) the erection of the fence comprised works, which constitutes development,

- (ii) the fence comes within the scope of the exempted development under Class 11(a) of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001,
- (iii) the fence, as constructed, does not provide adequate width for passing vehicles, or adequate passing bays, and entrance splays are excessively narrow, which constrains access and results in additional and conflicting manoeuvring movements by large vehicles, and
- (iv) the fence, therefore, endangers public safety for vehicles and pedestrians by reason of traffic hazard and obstruction of road users:

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by section 5(4) of the Planning and Development Act, 2000, hereby decides that the said erection of a post and wire fence along a road at Treanboy, Killashee, County Longford is not exempted development.

#### **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.

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

**Dated this                      day of                      2017.**