



An  
Bord  
Pleanála

## Inspector's Report ABP-305268-19.

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<b>Development</b>	Retention of a Concrete Post and Timber Panel Fence to the Eastern Boundary of the Site; Retention of a Section of Hedgerow on the Site Adjoining and Sharing its Boundary with the Public Lane.
<b>Location</b>	Priestown (TD), Dunleer, Co. Louth.
<b>Planning Authority</b>	Louth County Council.
<b>Planning Authority Reg. Ref.</b>	19/455.
<b>Applicants</b>	James & Annemarie Flood.
<b>Type of Application</b>	Retention Permission.
<b>Planning Authority Decision</b>	Refused.
<b>Type of Appeal</b>	First Party.
<b>Appellants</b>	James & Annemarie Flood.
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	11 <sup>th</sup> day of December, 2019.
<b>Inspector</b>	P.M. Young.

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## 1.0 Site Location and Description

- 1.1. The irregular L-shaped appeal site has a stated 0.4451ha area and it consists of two physically separated portions of land with the southernmost portion of the site, which is the largest of the two containing a recently constructed detached dwelling house and detached garage set in a recently landscaped setting; and, the northernmost portion of the site, which extends from the north western boundary to the easternmost boundary of the site consisting of a long linear strip of land that extends along the northern much wider portion of the site and contains a public right of way.
- 1.2. The recently constructed dwelling house fronts onto this strip of land and gains access to the R132 via a recently laid hardstand concrete driveway and access. Through access to the adjoining laneway that bounds the easternmost portion of the site is blocked in an easterly direction from this strip by a low stone wall and hedgerow. In addition, the partially constructed access lane serving the appellants dwelling house is also obstructed on its eastern end by large mounds of materials.
- 1.3. The western boundary of the site aligns with the heavily trafficked R132 (Old Dublin Road) and is located c0.4km to the east of the M1 corridor as the bird would fly. The site itself is located in the Townland of 'Priestown', c4.6km to the south of Main Street, Dunleer, c1.4km to the north east of M1's Junction 11, and, c10.8km to the north of the historic heart of Drogheda, in County Louth. The surrounding area though predominated by agricultural land uses has been eroded by the significant number of one-off dwellings that align with the public and private road networks.
- 1.4. A set of photographs of the site and its setting taken during the course of my site inspection is attached to file.

## 2.0 Proposed Development

- 2.1. By way of this planning application retention permission is sought for the following:
  - A concrete post and timber panel fence along part of the eastern boundary of the site; and,
  - A section of hedgerow that adjoins and shares its boundary with the public lane.

## 3.0 Planning Authority Decision

### 3.1. Decision

3.1.1. The Planning Authority decided to **refuse** retention permission for the following stated reasons:

- “1. *It is the policy of the Louth County Development Plan 2015-2021 (Policy SS66) “to require that applications for one-off dwellings in rural areas demonstrate compliance with the requirements outlined in Section 2.20 to 2.20.8 of this Plan”. Section 2.20.7 states that “Unsympathetic fencing, walls and planting should be avoided”, It is considered that the as-constructed fence for which retention is sought would be contrary to this policy and is injurious to the visual amenities of this rural area and would set an undesirable precedent for similar development in the area. Accordingly the retention of the as-constructed fence would be contrary to the proper planning and sustainable development of the area.*
2. *The submitted plans and existing access arrangements on site materially contravene Condition 1 of Reg Ref 15462 which proposed the ‘Existing ditch/wall to be removed and new lane entrance formed onto the existing lane as shown allowing for safer lane access to general public’. The retention of the existing hedge is a clear failure to comply with this planning condition and as such, is contrary to the proper planning and sustainable development of the area.”*

### 3.2. Planning Authority Reports

3.2.1. The **Planning Report** is the basis of the Planning Authority’s decision and the concerns raised in this report reflect the two cited reasons for refusal which are set out in Section 3.1.1 of this report above.

#### 3.2.2. Other Technical Reports

**Infrastructure:** Concludes with a recommendation of refusal based on previous planning applications P.A. Reg. Ref. No. 09/218 and P.A. Reg. Ref. No. 14/133 being approved on the basis of the construction of a safe and appropriate road linkage past

this property from the laneway to the rear of the site onto the R132. It is further indicated that this provision was again outlined in planning application P.A. Reg. Ref. No. 15/462 and that the retention of the hedge at the back of this site is a clear failure of the applicants to comply with the grants of planning permission for development at this location.

### 3.3. Prescribed Bodies

- None.

### 3.4. Third Party Observations

3.4.1. Three 3<sup>rd</sup> Party submissions were received by the Planning Authority during their determination of this planning application. The substantive concerns raised in them can be summarised as follows:

- Reference is made to the applicant's non-compliance with grants of planning permission relating to the development on this site, i.e. the boundary treatments and the provision of an entrance to the adjoining public lane.
- Concerns are raised in relation to the adverse visual impact of the boundary for which retention is sought due to its height and visual incongruity in this rural landscape setting.
- Various concerns are raised in relation to the existing entrance and drive onto the R132 not being open for safe use as a public right of way.

## 4.0 Planning History

### 4.1. The Appeal Site

**P.A. Reg. Ref. No. 15462:** Planning permission was **granted** for a development consisting of a revised house design and garage type together with associated site works as previously granted under P.A. Reg. Ref. No. 09218 and P.A. Reg. Ref. No. 14133. I note to the Board the following conditions attached to the grant of permission notification:

Condition No. 1 states that the development shall be carried out in strict conformity with the lodged plans and specifications.

Condition No. 11 it states that the: *“entrance gates, if any, shall be set back at least 5.5 metres from the road edge. The gradient of the access road servicing the development shall not be greater than 2%, for a distance of 7 metres from the junction with the public road”*. The stated reason for this condition is: *“in the interest of traffic safety and orderly development”*.

Condition No. 16(b) required new boundaries on site and line of recessed entrance to be of stained wood, back planted with trees and shrubs of species native to the area to form a naturalised hedgerow similar to existing hedgerows in the vicinity. It also indicates that the species shall include thorn, beech, oak, ash, hazel, sycamore and holly. As well be carried out in the first planting season following commencement. The stated reason for this condition is: *“to protect the amenity of the area”*.

**P.A. Reg. Ref. No. 14133:** Planning permission was **granted** for an extension of duration for P.A. Reg. Ref. No. 09/218 which consisted of a grant of permission for a dwelling house, domestic garage, waste water treatment system and percolation area, new site boundaries including vehicular entrance from the site onto a proposed new access lane and new vehicular entrance onto the R132 Regional Road together with all associated site works.

I note to the Board that Condition No. 1 of this grant of permission required that the proposed development be carried out in strict accordance with the plans, specifications and details granted under the parent grant of planning permission P.A. Reg. Ref. No. 09/218.

In addition, Condition No. 2 indicates that the period of permission was extended until the 21<sup>st</sup> June, 2019.

**P.A. Reg. Ref. No.09218:** Planning permission was **granted** for the construction of a dwelling house, waste water treatment system and percolation area, new site boundaries including vehicular entrance from site onto proposed new vehicular entrance onto the R132 Road and all associated site works. I note the following conditions:

Condition No. 4 states that the “road drainage across the entrance and along the public road shall not be impeded or interrupted in any way. In this regard the following shall be agreed with the Council’s Area Engineer before work commences on site:

(a) Details of all pipe sizes, gulley spacing etc, along or in road drainage cuttings, channels or other, at the point of access and along or in the road frontage. Minimum pipe size 300mm diameter. Details shall include provision of surface water drainage at junction with proposed new vehicular entrance on to the Regional Road, R132.

(b) Surface water from the site shall be disposed of within the boundaries of the site and shall not discharge onto the public road or adjoining property.”

The stated reason for this condition is: “in the interests of Traffic Safety and Orderly Development”.

Condition No. 4 states that: “adequate visibility shall be made available and maintained as indicated on submitted Drawing No. FDPC09/01/01 for a minimum of 125 metres on either side of the entrance from a point 4.5 metres back in from the edge of the road carriageway over a height of 1.05 metres above the road level and no impediment to visibility shall be placed, planted or allowed to retain within the visibility triangle”. The stated reason for this condition is: “in the interests of Traffic Safety and Orderly Development”.

Condition No. 9 states that: “entrance gates, if any, shall be set back at least 5.5 metres from the road edge. The gradient of the access road servicing the development shall not be greater than 2%, for a distance of 7 metres from the junction with the public road”. The stated reason is: “in the interest of traffic safety and orderly development”.

Condition No. 14 states: “(a) only that portion of the roadside hedgerow which must be lowered or uprooted to provide adequate sight distances should be removed. All other trees and hedgerows bounding this site shall be permanently retained in this development, to be reinforced with additional planting and to be protected from damage at all times, particularly during building operations.

(b) New boundaries of site and line of recessed entrance to be of stained wood, back-planted with trees and shrubs of species native to the area to form a naturalised

*hedgerow similar to existing hedgerow in the vicinity. Species shall include thorn, beech, oak, ash, hazel, sycamore and holly.*

*(c) Planting as required above to be carried out in the first planting season following commencement of building operations and permanently retained thereafter. Any plant which fails in the first planting season to be replaced.”*

The stated reason is “*to protect the amenity of the area*”.

## **5.0 Policy & Context**

### **5.1. Local Planning Policy Provisions**

#### **5.1.1. Louth County Council Development Plan, 2015 to 2021.**

The above stated plan is applicable to the subject site and its setting. The appeal site is located on land within ‘*Development Control Zone 5*’. The objective for such land is: “*to protect and provide for the development of agriculture and sustainable rural communities and to facilitate certain resource based and location specific developments of significant regional or national importance. Critical infrastructure projects of local, regional or national importance will also be considered within this zone*”.

5.1.2. Section 2.19.17 of the said Plan recognises the accumulated effect of the removal of hedgerows to facilitate one-off houses in rural areas can result in a very significant loss of habitats, flora and fauna as well as detract seriously from the aesthetic value of the landscape. It indicates that while road safety is of paramount importance, it is also important to strike a balance between the two.

5.1.3. Section 2.20.7 of the said Plan indicates that roadside boundaries are to be integrated with existing boundary treatments and sets out that careful design can integrate new dwellings into their landscape setting. It indicates that natural hedgerows soften the impact of such developments; that preference is given to accessing sites of an existing laneway or shared access than providing a new access directly off the road; that landscape treatments are compatible with the location such as hedgerows; that existing hedgerows and ditches be left intact as much as possible; unsympathetic fencing, walls and planting should be avoided; any sections of post and rail fencing

will be only considered acceptable where they are back planted with a hedgerow of mixed native species matching those in the vicinity of the site.

## 5.2. Natural Heritage Designations

5.2.1. The following is an overview of European sites within a 15km radius of the appeal site.

- This appeal site is located c7.1km to the north of Special Area of Conservation: River Blackwater SAC (Site Code: 002299).
- This appeal site is located c9km to the north west of Special Area of Conservation Area: Boyne Estuary SPA (Site Code: 004080).
- This appeal site is located c10.7km to the south of Special Protection Area: Stabannan-Braganstown SPA (Site Code: 004091).
- This appeal site is located c11.6km to the west of Special Area of Conservation: Clogherhead SAC (Site Code: 001459).
- This appeal site is located c12.3km to the south of Special Protection Area: Dundalk Bay (Site Code: 004026).

Note: There are several proposed Natural Heritage Area's (pNHA's) within the 15km radius of the appeal site with the nearest being located c4.2km to the east (pNHA: Mellifont Abbey Woods – Site Code: 001464).

## 5.3. EIA Screening

5.3.1. Having regard to the nature and scale of the development for which retention permission is sought, a development essentially comprising of boundary treatments in rural county Louth, at a location with significant lateral separation distance between it and any European site within a 15km radius and with no connection between the same, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environment impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

6.1.1. The grounds of appeal can be summarised as follows:

- The appellants indicate that they were served with a Warning Letter in relation to the development prior to seeking retention permission for the same.
- The appellants are awaiting correspondence with the infrastructure department in relation to this development and the reasons for refusal.
- The fence *in situ* is not out of keeping with the area.
- The appellants benefit from a grant of permission that allows for a post and wire fence that is 1.8m high and they were not aware that the boundary they erected required planning permission.
- It is their view that this fence is exempted development and is a temporary measure until a dense hedge is established to act as a screen and a safe boundary.
- The appellants contend that they have already planted native trees to the house side of the fence, and they were in the process of planting a native hedge, but these works have been halted due to the current situation.
- During the building of the house the liability of the for public using their section of road and the maintenance of the same was brought to their attention. This responsibility is considered punitive and unfair to fall on their shoulders.
- At present they contend that one of the appellants parents benefits from a right of way on the lane to access a field located to the east of the site.

### 6.2. Planning Authority Response

6.2.1. The Planning Authority's response can be summarised as follows:

- The appellants comments have been noted.
- No further comment to make other than to request that the Board have regard to the Planning Officer's report dated the 26<sup>th</sup> day of July, 2016, and their accompanying photographs.

- The Board is requested to uphold their decision.

## 7.0 **Assessment**

### 7.1. **Overview**

7.1.1. Having had regard to the documentation submitted with this application, the planning history of the site, my inspection of the site and its setting, the grounds of appeal and other correspondence on file, I consider that the substantive issues in this appeal case are as follows:

- Planning History; &
- Visual Amenities.

7.1.2. I consider that the matter of 'Appropriate Assessment' also requires examination.

### 7.2. **Planning History**

7.2.1. In relation to the planning history of the site, I note that there are a number of planning applications relating to it. Of particular importance to the subject matter of this appeal is the parent grant of permission P.A. Reg. Ref. No. 09218 which essentially permitted the construction of a new dwelling house, a proprietary waste water treatment system and percolation area, new site boundaries, a vehicular entrance from site onto a proposed access lane alongside a new vehicular entrance onto the R132 together with all associated site development works.

7.2.2. The drawings submitted with this application show that both the westernmost and easternmost points of the right of way that exists along the northernmost portion of the site would both be widened to accommodate safe access onto the adjoining N132, which adjoins the western boundary of the site in its entirety, and, an adjoining restricted in width lane that accommodates public access, which adjoins the north easternmost portion of the main site area only. These drawings indicate that to accommodate the provision of the improved access and egress from the existing right of way that a 14.6m opening on the western side adjoining the R132 and a c22.6m opening on the eastern side adjoining the lane would be provided. They also indicate an improved and surfaced right of way would be provided in between these two modified entrances serving the right of way with the width of the lane whilst accommodating a separate entrance onto the right of way to serve the proposed

dwelling house and one of the applicants parents adjoining agricultural field, grass verges on either side of a lane with a variable width of between 6m to 7.5m.

- 7.3. Condition No. 20 of the notification to grant planning permission stated that: *“subject to the above conditions, the development shall be carried out in strict conformity with the lodged plans and specifications received on 9<sup>th</sup> April 2009”*. The stated reason for this condition was *“to prevent unauthorised development”* with Condition No. s 4, 5, 9 and 14 all setting out the finer details of this infrastructure (Refer: Section 4.1 above).
- 7.4. Under P.A. Reg. Ref. No. 14133, an extension of duration of time for the permission granted under P.A. Reg. Ref. No. 09218 was sought by the appellants. This was granted subject to two conditions only. The first condition stated that: *“the proposed development shall be carried out in strict accordance with the plans, specifications and details granted under original parent planning permission ref. no. 09/218, and all conditions attached therein”* for the stated reason *“in the interest of proper planning control and to prevent unauthorised development”*. The second condition stated that: *“the period of permission has been extended until the 21<sup>st</sup> June 2019”*; and, stated that: *“at which time all works on site shall cease”* for the stated reason: *“to ensure satisfactory completion of the subject development”*.
- 7.5. Subsequent to this extension of duration the appellants submitted another planning application under P.A. Reg. Ref. No. 15/462 which sought planning permission for a revised house and garage design, detached garage and all associated site development works. The Planning Authority granted permission for this proposed development subject to conditions.
- 7.6. Of relevance to the subject matter of this application the drawings submitted with this application put forward the same boundary, access and right of way arrangements as the parent grant of permission P.A. Reg. Ref. No. 09218 in relation to subject site. The conditions attached to the notification to grant permission included Condition No. 1 which required the development to be: *“carried out in strict conformity with the lodged plans and specifications received on the 14<sup>th</sup> July 2015”* for the stated reason of preventing unauthorised development. In addition, a number of conditions were attached to the grant of permission like under the parent grant of permission P.A. Reg. Ref. No. 09218 covered the finer details of the entrances serving the public right of way to both the R132 and the adjoining laneway on the eastern side, the entrance to

the dwelling onto the public right of way, the improvements to the public right of way along its entire length, the boundaries through to landscaping (Note: Condition No.s 6, 7,9, 10, 11 and 16 – See Section 4.1 above).

- 7.7. To permit the retention of the development sought under this application would result in a development that materially contravened conditions attached to the grant of planning permission for a dwelling house at this location. In particular, the revised proposal as sought under P.A. Reg. Ref. No. 15462 by way of not providing the improvements to the public right of way, its associated entrances, its associated laneway and its associated boundary treatments. In so doing it would also result in a development that has and would effectively sever the public use of the right of way so that the access provisions onto the R132 that serve the dwelling and land within the applicant's family's legal interest solely with no thru or safe access to the lane from the R132 by foot, vehicle or otherwise. Thus, resulting in a poorer public outcome and facilitating the severing in time a right of way by rendering it unusable to the public with its use restricted to the appellants and their family to use as they see fit. This I consider is not in the interests of proper planning and sustainable development.
- 7.8. Moreover, the boundary treatments for which include the 'as constructed' concrete post and timber panel fence on the main eastern boundary of the site and a section of non-native hedgerow on the site adjoining and sharing its boundary with the public lane are both sought and these are not in keeping with that permitted under P.A. Reg. Ref. No. 15462 and the conditions attached to this grant of planning permission. In particular Conditions 7 and 16(b). They also do not correspond with the boundary treatments detailed in the drawings submitted with this application and as such are also contrary to Condition No. 1. On a side note I observed that it would also appear that more boundaries were removed from the site than that permitted by way of the notification to grant permission under P.A. Reg. Ref. No. 15462. However, this I note is a separate matter that falls outside of the scope of the development sought under this application.
- 7.9. Based on the above considerations to permit the development sought in this application would contravene the grant of permission P.A. Reg Ref. No. 15462 and for this reason I consider that the Board is precluded from granting permission in this appeal case.

## 7.10. Visual Amenity Impact

- 7.10.1. The boundary treatments for which retention permission are sought are visually detrimental to the visual amenities of this rural landscape setting with the post and timber panel being highly visually incongruous from the public domain and being a type of boundary treatment that is more characteristic to an urban/suburban setting where residential densities are of a tighter grain and where private amenity spaces do not have the space to provide dense hedge planting as screening between properties. In addition, their visual impact in this type of scenario tends to be localised and due to their location to the rear of properties are not generally highly visible or legible from the public domain.
- 7.10.2. They also conflict with the spirit of the Development Plan which under Policy 66 requires all applications for one off dwellings in rural areas to demonstrate compliance with the requirements outlined in Sections 2.20 and 2.20.8 of the said Plan.
- 7.10.3. These sections of the plan seek for new boundaries to be consistent with the nature and character of this rural area; they also seek that the use of natural hedgerows to integrate and soften such built insertions into their landscape setting through to seeking minimal removal of existing hedgerows alongside balancing the need to provide safe access and protecting hedgerows as an important part of the rural landscapes biodiversity resource.
- 7.10.4. I further note that Policy SS 64 of the said Plan states that the Planning Authority shall seek: *“to require, where it is necessary to modify or remove the existing roadside boundary in the interest of traffic safety, that the new boundary is located behind the visibility sight line and that a new boundary consistent with the nature and character of the area is planted behind the sight line”* and Policy SS 68 of the said Plan states that the Planning Authority will seek: *“to require that where shelter landscaping and new boundary planting forms part of a development, that these works shall be carried out to the satisfaction of the planning authority in the first planting season (November to April) following commencement of development on site.”*
- 7.10.5. I therefore consider that not only were the conditions attached to the grants of planning permission for the construction of a one-off dwelling on this site relating to the boundary treatments reasonable in terms of safeguarding the visual amenities of the

site's rural landscape setting they were also consistent with the guidance and policies set out in the Development Plan on such matters.

7.10.6. As such I consider they were appropriate for this rural landscape setting so as to ensure that boundary interventions new or modified are in keeping with the character of the area alongside safeguarding and reinforcing the native hedgerows as well as planting of this locality.

7.10.7. Based on the above considerations I consider to permit the retention of development sought under this application would in my opinion conflict with Policies 64; 66; 68 and Section 2.20 of the Development Plan; and, it would also seriously injure the visual amenities of the area by way of their visual incongruity as discordant feature in a rural landscape setting and their high level of visual legibility in their local landscape setting particularly when viewed from the public domain of the heavily trafficked Old Dublin Road that bounds the western boundary of the site in a manner that would be contrary to the proper planning and sustainable development of the area.

#### **7.11. Appropriate Assessment**

7.11.1. Having regard to the nature and scale of the development for which retention is sought, its distance to the nearest European site and its lack of connectivity to it as well as other such sites within a 15km radius I consider that in this case no Appropriate Assessment issues arise and it is not considered that the development for which retention is sought would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

#### **7.12. Other Matters Arising**

7.12.1. **Submitted Drawings:** The drawings submitted with this application appear to suggest that the maximum height of the boundary post and panel fencing for which retention is sought is 1.8m. From my inspection of the site I note that this is not the case with sections of this boundary significantly exceeding this stated maximum height and in places is c0.4m above this stated measurement on the adjoining field side. This additional height which is added to in places by concrete plinths in my view together with the significant changes in ground levels along the alignment of this boundary add to its visual incongruity in the landscape setting.

7.12.2. **Liability:** The appellants raise concern in relation to liability issues in terms of having a public right of way forming part of their site. This I consider is not a matter for the Board and is a civil matter.

7.13. **Conclusion:** Having regard to the development for which retention is sought under this application, i.e. the retention of planning permission for an existing concrete post and timber fence to the eastern boundary of the portion of the site in which the dwelling house is sited and which bounds a public right of way that runs along the northernmost portion of the site and retention the retention of a section of a section of an existing hedgerow that adjoins and shares its boundary with an adjoining public lane, is not a permissible development as these works, if permitted, would contravene the grant of permission P.A. Reg. Ref. No.s 15462 and the conditions attached to the same; it would be detrimental to the visual amenities of its rural landscape setting; it would conflict with the types of boundary as well as landscape screening treatments required in such site contexts under the Louth County Development Plan, 2015 to 2021; and, it would also result in a poorer quality outcome for the right of way and result in this right of way being functionally unusable and unsafe as a thru route for the public. For these reasons it would be contrary to the proper planning and sustainable development of the area.

7.13.1. However, should the Board be minded to permit this development I recommend that it restrict the time frame for which the post and timber fence and planting stay '*in situ*'; i.e. for a maximum of 5 years to allow a semi-mature native hedgerow to be planted and to fill out with the fence painted a dark green within 3 months of the grant of permission. In addition, it should require by way of condition that the entrances, boundaries and accesses as set out in the drawings submitted for P.A. Reg. Ref. No. 15462 for the area of the site affected by the right of way be carried out within a time frame of 6 months from the grant of retention permission or other time frame deemed appropriate with these works to be carried out and completed to the satisfaction of the Planning Authority.

## 8.0 Recommendation

8.1. I recommend that retention permission is **refused** for the reasons and considerations set out below.

## 9.0 Reasons and Considerations

1. It is considered that the development for which retention is sought would endanger public safety by reason of a traffic hazard and road safety issues, having regard to the substandard nature of the public right of way at the point where it accesses onto the adjoining lane bounding part of the east of the site and by way of the lack of a safe through access from this lane onto the N132 for users of this right of way. It is considered that this development puts forward a substandard form of development to serve the needs of users of the public right of way. The proposed development to be retained would differ materially from the terms of the permission granted by the Planning Authority under P.A. Reg. Ref. No. 15462, and as such 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 to also 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 'Old Dublin Road' (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 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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Patricia-Marie Young  
Planning Inspector

18<sup>th</sup> day of December, 2019.