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Margaret Harte
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Case Number: ABP-317541-23

PA Ref Number: Plan/H16/mg

Date: 21/09/2023

Dear Sirs,

I am writing to you as per your request for submission in relation to case number ABP-317541-23 and would like to take this opportunity to highlight the many inaccuracies and non-truths stated in Mr. Hunter's letter dated 28th August 2023.

Firstly, I would like to address the statement made referring to a "clear land grab". It is evident that is an incredibly false and unfair statement to make. We have made improvements to the carriageway, by removing the overgrown hedgerow and hence opening up the road. We have not encroached or interfered with the carriageway surface whatsoever. (See fig 3&4)

This is visually evident and is also proven by Mayo County Council engineer's site visit, stated within their Section 5 referral letter dated 30th June 2023 which quotes "There does not appear to be any interference with the actual width of the carriageway surface".

The installation of the fence has not caused any safety issues, barriers to human rights, or hazards as specified by Mr. Hunter. The road is completely usable by all sized vehicles, bin lorries, trucks, and farm machinery. Our other neighbours and road users have indicated they are happy with the improvements that we have made to the road. It is clear Mr. Hunter has an issue, as previously highlighted by his opposition to the planning permission of our house.

In relation to Mr. Hunter's comment re the middle section of fence being struck and knocked, I would like to add that a Agri contractor did indeed tip 1 fence post, knocking out 2 of the railings. They have confirmed it was caused by driver error, they have taken full fault and have since fixed the railings.

On our planning permission's site layout plan, it is illustrated that a hedgerow be planted along this part of the road. We decided to install a fence instead as we would be unable to maintain the hedgerow due to under-lying illnesses. It is clear that the fence has been installed in the same location as the proposed hedgerow.

It is entirely false to state that there is now difficulty turning out onto the Breaffy road from the private road. The fence does not interfere in any way with the junction. As illustrated in the picture below (Fig 1), the fence starts 5m back from the road junction and the original hedgerow at the road junction was left in place. No interference or changes were made to the road junction.



Fig1: Photograph dated 09/2023 showing distance of fence to Breaffy road junction.

I would also like to note that it was falsely stated in Mr. Hunters letter that there was “an 8 ft layby, where 2 cars could pass”. I am baffled as to where the location of this ‘layby’ was. As you can see from the google earth photo below (Fig 2), there was never a layby. The only location that cars could ever pass was at our entrance, and this is still the case.



Fig2: Google Maps imagery dated 09/2019 illustrating no lay-by existed.



Fig3: Photograph dated 09/2023 showing location of new fence.

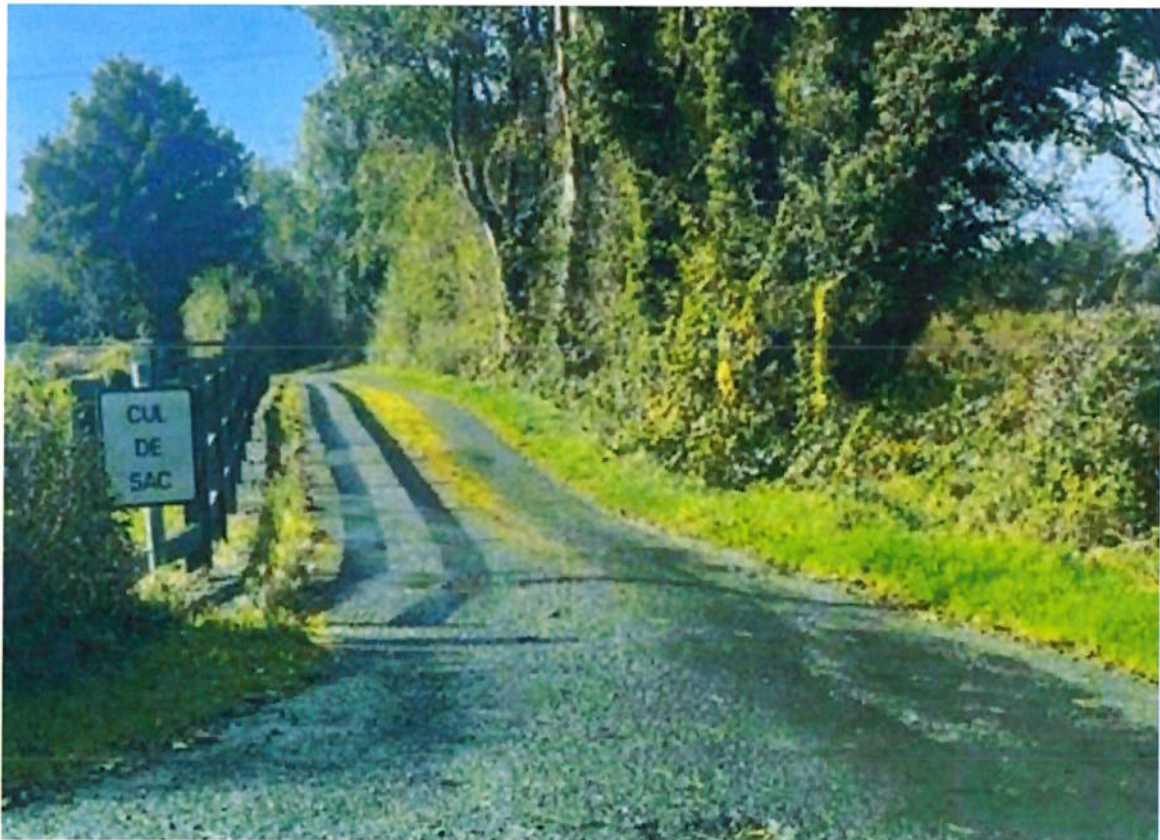


Fig 4: Photograph dated 09/2023 illustrating installation of new fence.

To finalise, I would like to acknowledge that we do not wish to cause any upset or distress to Mr Hunter, his family or to any of our neighbours or road users. It is apparent that we have done nothing but improve the road for all users and believe that all statements made by Mr Hunter are either false or over exaggerated. This had already been confirmed by Mayo County Council as stated within their Section 5 referral letter dated 30th June 2023 which quotes "A determination was made by the planning authority that the development was development, but exempted development and the planning enforcement file was closed". The matter had been closed out until there was a "request to re-visit this decision".

We trust you will review our submission and will duly respect whatever decision is made.

Best Regards,

Margaret Harte