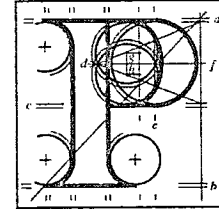


**Our Case Number:** ABP-315715-23

**Planning Authority Reference Number:** SD22B/0487



**An  
Bord  
Pleanála**

South Dublin County Council  
Planning Department  
County Hall  
Tallaght  
Dublin 24

**Date:** 12 FEB 2024

**Re:** Front side garden fence.  
16 The Close, Boden Park, Dublin 16.

Dear Sir / Madam,

An order has been made by An Bord Pleanála determining the above-mentioned matter under the Planning and Development Acts 2000 to 2022. A copy of the order is enclosed.

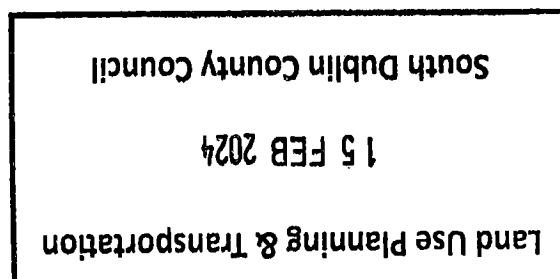
In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to any matter falling to be determined by it, within 3 days following the making of its decision. The documents referred to shall be made available for a period of 5 years, beginning on the day that they are required to be made available. In addition, the Board will also make available the Inspector's Report, the Board Direction and Board Order in respect of the matter on the Board's website ([www.pleanala.ie](http://www.pleanala.ie)). This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

The Public Access Service for the purpose of inspection/purchase of file documentation is available on weekdays from 9.15am to 5.30pm (including lunchtime) except on public holidays and other days on which the office of the Board is closed.

Yours faithfully,

Kieran Somers  
Executive Officer

BP100N



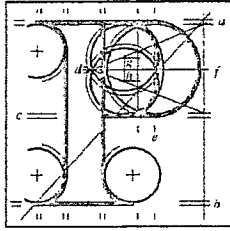
Teil  
Glao Áitiúil  
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D01 V902

64 Marlborough Street  
Dublin 1  
D01 V902



An  
Bord  
Pleanála

**Board Order**  
**ABP-315715-23**

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**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 11<sup>th</sup> 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.

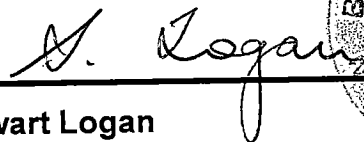
## **Decision**

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.

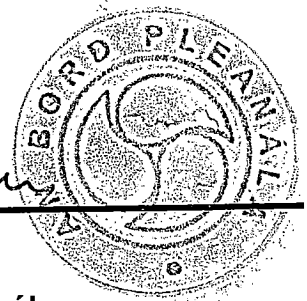


**Stewart Logan**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board**



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