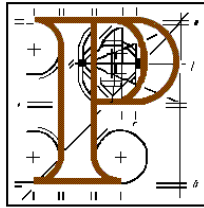


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Dublin City**

**Planning Register Reference Number: 3201/15**

An Bord Pleanála Reference Number: PL 29S.245520

**APPEAL** by Eileen Roche and Matthew Hartnett care of Reid Associates of 2 Connaught Place, Crofton Road, Dun Laoghaire, County Dublin against the decision made on the 26<sup>th</sup> day of August, 2015 by Dublin City Council to refuse permission.

**PROPOSED DEVELOPMENT:** Development consisting of a new vehicular access opening and space to park a car in the front garden including a new gate to be made by re-use of the existing cast iron railing, conservation works to the existing railing, pedestrian gate and plinth wall and associated landscape works at 41 Ailesbury Road, Dublin, a protected structure.

## **DECISION**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## 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.

## REASONS AND CONSIDERATIONS

Having regard to the precedent for vehicular entrances in the area, to the extensive front garden area existing, to the nature of the intervention in the front railing and to the need to provide for flexibility in ensuring successful house modernisations, the Board considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of visual amenity and would not adversely affect the setting of a protected structure. The proposal would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the level of intervention in the railings was appropriate and that if carried out in accordance with the conditions attached would not adversely affect the setting of a protected structure.

## CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The proposed development shall be amended as follows:

The area of permeable gravel shall extend back into the site a distance of no more than eight metres from the inside face of the front railing. The area behind this shall be maintained as lawn. Drawings showing this revision shall be submitted to the planning authority for written agreement before commencement of development.

**Reason:** In the interests of visual amenity.

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

**Dated this            day of            2016.**