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**Planning and Development Acts 2000 to 2017**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 2527/17**

**Appeal** by Jasper Brett care of Kiaran O'Malley and Company Limited of Saint Heliers, Saint Heliers Copse, Stillorgan Park, Blackrock, County Dublin against the decision made on the 15<sup>th</sup> day of May, 2017 by Dublin City Council to grant subject to conditions a permission to Tony Kilduff care of Thornton O'Connor Town Planning of Dundrum Office Park, Dundrum, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Design amendments to a previously permitted two number dwelling residential scheme (approved in accordance with planning register reference number 5503/07 (An Bord Pleanála appeal reference number PL 29S.226966), as amended by planning register reference number WEB1115/12 and extended by planning register reference number 5503/07/x1). The amendments include modifications to the location and scale of window and door opes to the north and south facing elevations of House A and to the east, west and south-facing elevations of House B with an additional window to be provided on both the southern and western elevations of House B, associated internal rationalisation of floorspace to the dwellings including the removal of permitted winter gardens, alterations to the basement layout to the dwellings with the basement of House A increasing by 16.5 square metres and the basement of house B increasing by 27.5 square metres, replacement of permitted tile roof with slate finish, provision of selected brick finish to

eaves level, insertion of side gable ridges, modification to positioning of vertical louvres to elevation, plant; landscaping works including the provision of a pergola (2.7 metres in height) to the front (south) of house B and open fencing (2.7 metres in height) to the front (south) of both dwellings and associated site development works above and below ground. The design amendment increases the area of House A from 281 square metres to 297.5 square metres and the area of House B from 218 square metres to 245.5 square metres, all on a 0.069e hectare site at 21, Ailesbury Drive, Ballsbridge, Dublin.

## **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 nature and scale of the proposed development, the planning history including the planning history on the site, and the characteristics of the surrounding existing development, it is considered that the proposed development, subject to compliance with conditions set out below, would not seriously injure the amenities of property in the vicinity, would be consistent with the zoning objective pertaining to the site, Z1 'to protect, provide and improve residential amenities' as set out in the current development plan for the area and would be in accordance with the proper planning and sustainable development of the area.

## 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.

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

2. Apart from the modifications permitted on foot of this decision, the development shall otherwise be carried out in accordance with the terms and conditions of appeal reference number PL 29S.226966 (planning register reference number 5503/07), as amended by planning register reference number Web1115/12, the duration of permission for which was extended under decision planning register reference number 5503/07/x1 to the 16<sup>th</sup> day of September, 2018.

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

3. The site and building works associated with the proposed development shall only be carried out between 0800 hours and 1800 hours Monday to Friday and between 0800 hours and 1400 hours on Saturdays. No development works shall take place on Sundays, Bank or Public Holidays.

**Reason:** In the interest of residential amenity and clarity.

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

**Dated this      day of      2017**