



An
Bord
Pleanála

**Board Order
ABP-312088-21**

Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: 3493/21

Appeal by Margaret and Paul Davis care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin against the decision made on the 4th day of November, 2021 by Dublin City Council to refuse permission.

Proposed Development: The development will consist of: (i) the construction of a first floor level atop existing single storey terraced dwelling to match the roof ridge height of the adjoining properties within the Ailsebury Mews terrace; (ii) provision of two number rooflights; (iii) provision of new dormer window to front (western) elevation at first floor level; (iv) provision of new opaquely glazed window to rear (eastern) elevation at floor floor level; (v) removal/replacement of window treatment to front (western) elevation at ground floor level and (vi) all ancillary works to facilitate the development, all at 45 Ailesbury Mews, Dublin.

Decision

GRANT permission for the above proposed development based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the pattern and character of development in the area, the design and scale of the proposed development, and the provisions of the Dublin City Council Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would provide an acceptable standard of residential amenity for the prospective occupants, would not seriously injure the visual amenities or architectural quality of the area, would not seriously injure the residential amenities of surrounding properties, and would be in accordance with the Z2 zoning objective for the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Bord Pleanála on the 30th day of November, 2021, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Water supply and drainage requirements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

3. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

5. The construction of the proposed development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the proposed development, including noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and residential amenity.



Mick Long

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this *19* day of *June*, 2023.