



An  
Bord  
Pleanála

**Board Order**  
**PL 06D.248838**

---

## **Planning and Development Acts 2000 to 2017**

**Planning Authority: Dun Laoghaire-Rathdown County Council**

**Planning Register Reference Number: D17A/0360**

**Appeal** by Niall and Gillian Hurley of The Lodge, Sorrento Road, Dalkey, County Dublin and by Muireann McDonnell and Risteard Sheridan of Ebenezer, Sorrento Road, Dalkey, County Dublin against the decision made on the 12th day of June, 2017 by Dun Laoghaire-Rathdown County Council to grant subject to conditions a permission to the said Muireann McDonnell and Risteard Sheridan in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Demolition of existing garage at ground floor to side and construction of a two-storey extension to side incorporating wc and family room at ground floor and two bedrooms at first floor, also widening of existing vehicular entrance to front by 750 millimetres, all at Ebenezer, Sorrento Road, Dalkey, County 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 provisions of the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022 and to the existing pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed two-storey side extension would comply with the zoning objective for the site and would be compatible with the character of the Vico Road Architectural Conservation Area and the visual and residential amenities of properties in the vicinity. Furthermore, the proposed widening of the vehicular entrance would be in accordance with the relevant standards, as set out in the Development Plan. 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 3<sup>rd</sup> day of August, 2017, 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:
  - (a) The proposed first floor window serving the bedroom denoted as Number 1, shall be omitted with the proposed window serving this bedroom relocated to the rear elevation, while remaining flush with this elevation.
  - (b) Plans of the extension to the dished kerb to accompany the widened vehicular entrance and gates proposed for installation in this entrance shall be prepared. The gates shall be designed to only open inwardly.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. These drawings shall be prepared to a scale of 1: 100, except for the cross section required under (a) which shall be to a scale of 1: 50.

**Reason:** In the interest of clarity and in order to safeguard residential amenity.

3. The external finishes of the proposed extension shall be the same as those of the existing dwelling in respect of colour and texture. Samples of the proposed materials 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. Water supply and drainage arrangements, 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.

5. The construction of the 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 development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

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

6. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between the hours of 0800 and 1400 on Saturdays and not at all on Sundays, Bank or Public Holidays. Deviation from these times will 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.

7. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

---

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

**Dated this      day of                                      2017**