

An  
Bord  
Pleanála

## Board Order ABP-321476-24

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### Planning and Development Acts 2000 to 2022

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 4050/24**

**Appeal** by Thomas and Ann Murray care of Phelim J Byrne of 6 Malahide Road, Clontarf, Dublin and by Annette Fuchs and Helen Doherty care of Setanta Solicitors of 39/40 Mount Street Upper, Dublin against the decision made on the 29<sup>th</sup> day of November, 2024 by Dublin City Council to grant permission, subject to conditions, to Shane Cronin and Aoife Stack care of Tyler Owens Architects of The Mash House, Distillery Lofts Design Studios, Distillery Road, Dublin for the proposed development.

**Proposed Development:** The development will consist of (i) demolition of existing single storey extension to rear; (ii) construction of new two storey extension to rear and side of dwelling; (iii) construction of new link corridor between house and garden room; (iv) main entrance relocated from side elevation to front elevation of house; (v) provision of new bin and bike store structures in front garden; (vi) widening of existing vehicular entrance; (vii) internal and external alterations and reconfiguration of house to accommodate the proposed development; (viii) the proposal also includes all associated rooflights, landscaping, boundary treatment and site engineering works necessary to facilitate the development at 30 Seafort Gardens, Sandymount, 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.**

## Reasons and Considerations

Having regard to the nature and scale of the proposed development, the provisions of the Dublin City Development Plan 2022-2028, the established pattern of development in the area, and the orientation of the site relative to adjoining properties, it is considered that subject to compliance with the conditions set out below, the proposed development would not be out of character with existing residential development, and would not have an undue negative impact on the amenities of adjoining property. The proposed development would, therefore, 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, as amended by the further plans and particulars received by the planning authority on the 4<sup>th</sup> day of November 2024, 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 link between the extension and the garden room shall be omitted.

**Reason:** In the interests of protecting the residential amenity of adjoining property.

3. Drainage arrangements, including the 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.

4. Site development and building works shall be carried out between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

**Reason:** To safeguard the amenity of property in the vicinity.


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 noise management measures, traffic management measures and off-site disposal of construction/demolition waste.

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

6. 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 the

commencement of development or in such phased payments as the Planning Authority may facilitate and shall be the 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.



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

Dated this 14<sup>th</sup> day of April 2025