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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3712/19**

**Appeal** by Angela Hoban and Glenn Cahill care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin against the decision made on the 1<sup>st</sup> day of October, 2019 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** The development will consist of the following: new single storey extension at ground floor to the rear (14 square metres) with associated roof terrace over (14 square metres), external alterations including the replacement of windows throughout and the enlargement of existing openings to the rear, general repair and refurbishment of the existing house (234 square metres) including the facades and roof, new garden studio and store to the rear (32 square metres) and associated site works and ancillary works at 66 Brighton Square, Rathgar, Dublin.

## **Decision**

**Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 2 and the reasons therefor.**

## **Reasons and Considerations**

Having regard to the nature and scale of the proposed development and the existing pattern of development in the area, it is considered that, the introduction of a first floor roof terrace over the proposed ground floor extension, which provides access to the rear garden from the kitchen via an external stairs, would not seriously injure the residential amenities of the adjoining properties and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **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.

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**Michelle Fagan**

**Member of An Bord Pleanála**

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

**Dated this            day of            2020.**