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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 0488/19**

**WHEREAS** a question has arisen as to whether the reinsertion of a small rooflight in the front roof-slope at 68 Brighton Road, Rathgar, Dublin (a Protected Structure) is or is not development or is or is not exempted development:

**AND WHEREAS** Mary Carty care of Fitzsimons Doyle and Associates of 250 Harold's Cross Road, Dublin requested a declaration on this question from Dublin City Council and the Council issued a declaration on the 11<sup>th</sup> day of November, 2019 stating that the matter is development and is not exempted development:

**AND WHEREAS** Mary Carty referred the declaration for review to An Bord Pleanála on the 5<sup>th</sup> day of December, 2019:

**AND WHEREAS** An Bord Pleanála, in considering this referral, had regard particularly to sections 2, 3, 4 and 57 of the Planning and Development Act, 2000, as amended:

**AND WHEREAS** An Bord Pleanála has concluded that the reinsertion of a small rooflight in the front roof-slope constitutes development that would materially affect the character of a Protected Structure:

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the reinsertion of a rooflight in the front roof-slope at 68 Brighton Road, Rathgar, Dublin is development and is not exempted development.

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

**Dated this            day of            2020.**