



An
Bord
Pleanála

Board Order ABP-318159-23

Planning and Development Acts 2000 to 2022

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD23B/0308

Appeal by Adrian Moughty care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin against the decision made on the 6th day of September, 2023 by South Dublin County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: 38-square metre flat roof ancillary garden studio located to infill irregular space at rear (western side) of existing garden along with associated site works at 10 Foxborough Crescent, Lucan, County 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, as amended, to REMOVE condition number 3 and the reason therefor.

Reasons and Considerations

Having regard to the nature and scale of the proposed development, and the matters raised in the grounds of appeal, it is considered that the proposed development, with the removal of condition number 3, would be in accordance with the proper planning and sustainable development of the area and would not adversely impact or detract from the visual and residential amenities of the area.



Peter Mullan

Member of An Bord Pleanála®

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

Dated this 19~~th~~ day of June 2024