



Planning and Development Act 2000, as amended

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB5759/25

Appeal by Harry Ward against the decision made on the 23rd day of January 2026, 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 demolition of the existing return at the first floor and single-storey extension to rear and construction of a new two storey extension to rear including balcony and all associated site works including drainage, all at 26 New Row, Chapelizod, Dublin.

Decision

Having regard to the nature of the condition the subject of the appeal, the Commission is satisfied that the determination by the Commission 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 **AMEND** condition number 2 so that it shall be as follows for the reason set out.

2. The proposed extension shall be modified as follows:

The rear projecting first-floor balcony shall be fitted with 1.8-metre high screens to the sides adjacent to dwelling numbers 25 and 27 New Row.

Revised plans and elevation drawings with the necessary alterations shown thereon, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of residential amenity.

Reasons and Considerations

Having regard to the "Z2" Residential Neighbourhoods (Conservation Areas) zoning objective, assigned for the site within the Dublin City Development Plan 2022 - 2028, to the existing pattern of development in the area, to the first floor balconies to the rear of the adjacent dwellings at numbers 25 and 27 New Row, and that no private open space will be overlooked, it is considered that the proposed balcony, would not seriously injure the amenities of the area by reason of overlooking or loss of privacy. The planning authority's condition number 2 requiring the omission of the proposed balcony and replacement of proposed windows would, therefore, not be warranted.

In deciding not to accept the Inspector's recommendation to omit the balcony, the Commission had regard to the poor level of private open space that would be available to occupants otherwise, to the ability to protect the privacy of adjoining neighbours by way of condition (privacy screen), and that any overlooking would be confined to the publicly accessible laneway to the rear of the site and across to the communal open space at the rear of 40 Main Street, a Protected Structure.



Declan Moore

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 11th day of JUNE 2026.