

Planning and Development Acts 2000, as amended

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB6094/25

APPEAL by Thomas Russell against the decision made on the 18th day of May 2026 by Dublin City Council to grant, subject to conditions, a permission to Krishna Kanth in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a part two-storey, part single-storey flat-roof extension to the rear of the existing dwelling, together with a new side-facing window at first-floor level, all at 26 Mountjoy Street, Phibsborough, Dublin.

Decision

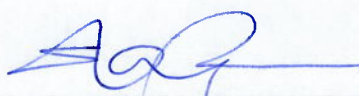
REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

Having regard to the Z2 Residential Neighbourhoods (Conservation Areas) zoning objective for the subject site as set out in the Dublin City Council Development Plan 2022-2028, which states inter alia that residential conservation areas have groups of buildings with an attractive quality of architectural design and scale and that special care is required in dealing with development proposals which affect structures in such areas, both protected and non-protected, and that the general objective is to protect them from unsuitable works that would have a negative impact on the architectural quality of the area, it is considered that the proposed development, by virtue of its design, scale, massing and footprint carries no reference to the historical grain of the area, would be of insufficient architectural quality, would negatively impact on the building form of the existing building in terms of its proposed roof profile, facade articulation and fenestration and would be overbearing on adjoining properties. The proposed development would therefore contravene the Z2 Residential Neighbourhoods (Conservation Areas) zoning objective and would not conform with the standards set out in Appendix 18 'Ancillary Residential Accommodation' of the development plan. The proposed development would seriously injure the residential and visual amenities of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Commission had regard to Appendix 18 of the Dublin City Council Development Plan (CDP) 2022-2028 which sets out general principles in relation to ancillary residential accommodation and noted therein that extensions to existing residential units should not have an adverse impact on the scale and character of the existing dwelling, should not adversely affect amenities enjoyed by the occupants of adjacent buildings in terms outlook and should achieve a high quality of design. The Commission also noted in relation to separation distances that S1.5 of Appendix 18 'Ancillary Residential Accommodation' states that extensions should be designed so as not to dominate or appear unduly overbearing when viewed from adjoining

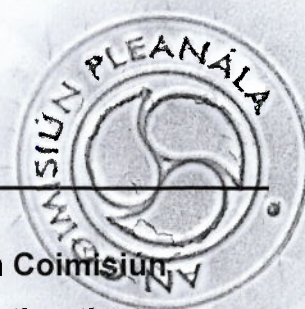
properties. Furthermore, the Commission had regard to Section 15.5.3 of the CDP which, although relating to non-residential buildings, was considered to be of relevance to the subject proposal as it states that alterations and extensions should not result in the loss of, obscure, or otherwise detract from, architectural features which contribute to the quality of the existing building and in addition, alterations and extensions at roof level should not result in the loss of roof forms, roof coverings or roof features where these are of historic interest or contribute to local character and distinctiveness. The Commission also had regard to the Z2 zoning objective to protect sites from developments that would have a negative effect on the architectural quality of the area. The Commission determined that the proposed extension subsumes the rear return of the existing property, which is a characteristic feature of the Victorian terrace, to the extent that it is indistinguishable from the proposed extension. The Commission considered that the proposed building footprint over two stories across the full width of the site is excessive in scale, that the design of the roof and windows to the rear elevation would not be in harmony with the existing terrace, and that the proposed development would be overbearing on adjacent properties, and while the Commission noted the Inspector's recommended conditions to address a number of these concerns, determined that the proposed conditions would not be sufficient to overcome the underlying issues, and therefore a refusal for the proposed development is warranted as stated in the reasons outlined above.



Emer Maughan

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this 13th day of October 2026