



An
Coimisiún
Pleanála

Inspector's Report

PL-500856-DS-26

Development	Demolition of existing single-storey rear return and the construction of a two-storey return, external insulation of main house and internal alteration.
Location	No. 2 Curzon Street, Dublin 8.
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	3242/25
Applicant(s)	Breda Howard
Type of Application	Permission
Planning Authority Decision	Grant permission subject to condition
Type of Appeal	Third Party
Appellant(s)	(1) George McElroy (2) Eavan Buckley
Observer(s)	None
Date of Site Inspection	23/04/2026

Inspector

Anthony Abbott King

1.0 Site Location and Description

- 1.1. Curzon Street is an urban residential avenue on a north-south axis. No. 2 Curzon Street is located approximately mid-way on the west side of the Street.
- 1.2. No. 2 Curzon Street is a mid-terrace property within a streetscape of 4 period properties (nos. 1-4 Curzon Street) located between Ovoca Road and a service lane accessed from Curzon Street serving the houses on Lombard Street West.
- 1.3. No. 1 Curzon Street abuts no. 2 Curzon Street to the north and no. 3 Curzon Street abuts to the south. No. 4 Curzon Street is a two-storey property that bookends the terrace to the south.
- 1.4. No. 2 Curzon Street is a single-storey terraced house with a two-storey rear elevation and modest sized rear garden / yard.
- 1.5. The street elevation comprises a two-bay red brick single-storey façade with a recessed entrance and projecting tripartite bay window. The abutting houses in the terrace to the north and south are similar in form and appearance on street.
- 1.6. The houses are two-rooms deep with a double pitched roof and were constructed circa.1900.
- 1.7. The site area is given as 140 sqm.

2.0 Proposed Development

- 2.1. Demolition of existing single-storey rear return and the construction of a two-storey return with a mono-pitched roof whose ridge will match the level of the existing ridge.
- 2.2. External insulation of main house and internal alteration.

3.0 Planning Authority Decision

3.1. Decision

Grant permission with 8 conditions.

3.1.1. Conditions

The 8 attached conditions are standard conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The decision of the CEO of Dublin City Council reflects the recommendation of the planning case officer.

The Planning case officer recommended a grant of planning permission subject to condition following a further information request (30/07/2025) and acceptable response (02/01/2026).

The further information request and response is summarised below:

Item 1 invited the applicant to revisit the proposed design of the rear extension to address concerns in terms of adverse sunlight / daylight impacts and overlooking impacts on adjoining residential properties.

Response

The proposed development was revised as described on the attached drawings Nos. 1/22-PA03 Revision A, PA04 Revision A, PA05 Revision A, PA06 Revision A 7 PA07 Revision A.

The length of the proposed first floor extension, as measured from the rear wall of the existing house was substantially reduced by the omission of the ensuite shower room. The height of the proposed first-floor extension has been reduced.

The applicant submitted that the reductions in plan, section and elevations address the planning authority's concern in relation to the bulk and scale of the development as initially proposed. The window on the north elevation was omitted.

The planning case officer concluded that the revised first floor extension is broken into the bedroom and rooflights and sits below the ridge level of the main house. In the matter of Item 1, the applicant had addressed this item.

Item 2 the applicant was requested to incorporate SUDs in the management of surface water.

Response

The planning case officer consider that the applicant's intention to install Wavin Aqua Cell units beneath the yard was acceptable following review of the FI response by the Drainage Section of the planning authority.

In conclusion the planning case officer considered that the proposed development as revised by further information response would be in accordance with the Z2 residential conservation zoning objective and with the relevant policies and objectives of the Dublin City Development Plan 2022-2028.

3.2.2. Other Technical Reports

- Drainage Division of the planning authority no object subject to condition (26/06/2025 initial assessment & subsequent assessment to the submission of AI 13/01/26).

3.3. Prescribed Bodies

- The following prescribed bodies no comments received:
 - Uisce Éireann
 - National Transport Authority
- Transport Infrastructure Ireland requests that the planning authority has regard to the provisions of official policy for development proposals.

3.4. Third Party Observations

There are three third-party submissions on file from the adjoining property owners at no.1 and no. 3 Curzon Street. The concerns of third-parties are reiterated in the appeal statements.

4.0 Planning History

4.1. There is no relevant planning history on site.

5.0 Policy Context

5.1. Development Plan

The following policy objectives *inter alia* of the Dublin City Development Plan 2022-2028 are relevant:

The relevant land-use zoning objective of the Dublin City Development Plan 2022-2028 (Map E) is Z2 (Residential Conservation): *To protect and/or improve the amenities of residential conservation areas.*

The proposed development is a permissible use.

- **Residential conservation area designation**

Chapter 14, Section 14.7.2 Residential Neighbourhoods (Conservation Areas) – Zone Z2 *inter alia* states:

The rationale for residential conservation area designation is that the overall quality of an area in design and layout terms is such that it requires special care in dealing with development proposals, which would affect structures both protected and non-protected in such areas. The general objective is to protect conservation areas from unsuitable new developments or works that would have a negative impact on the amenity or architectural quality of the area.

Chapter 11, (Built Heritage & Archaeology) is relevant including Policy BHA9, which *inter alia* states:

To protect the special interest and character of all Dublin's Conservation Areas – identified under Z8 and Z2 zoning objectives and denoted by red line conservation hatching on the zoning maps. Development within or affecting a Conservation Area must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible.

Enhancement opportunities may include:

- *Replacement or improvement of any building, feature or element which detracts from the character of the area or its setting.*
- *Re-instatement of missing architectural detail or important features.*
- *Improvement of open spaces and the wider public realm and reinstatement of historic routes and characteristic plot patterns*

- *Contemporary architecture of exceptional design quality, which is in harmony with the Conservation Area.....*

Chapter 15 (Development Standards), Section 15.15.2.2 of the Dublin City Development Plan 2022-2028 *inter alia* states:

All planning applications for development in Conservation Areas shall:

- Respect the existing setting and character of the surrounding area.*
- Be cognisant and/ or complementary to the existing scale, building height and massing of the surrounding context.*
- Protect the amenities of the surrounding properties and spaces.*
- Provide for an assessment of the visual impact of the development in the surrounding context.*
- Ensure materials and finishes are in keeping with the existing built environment.*
- Positively contribute to the existing streetscape. Retain historic trees also as these all add to the special character of an ACA, where they exist.*

- **Urban Consolidation**

Chapter 5 (Quality Housing and Sustainable Neighbourhoods), is relevant including:

Policy QHSN6 (Urban Consolidation) is relevant. The policy promotes and supports residential consolidation and sustainable intensification through the consideration of applications *inter alia* for infill development, backland development, mews development, re-use / adaption of existing building stock, and use of upper floors subject to the provision of good quality accommodation.

- **Residential Extensions**

Chapter 15 (Development Standards), Section 15.11 is relevant and provides development management guidance and standards *inter alia* for residential extensions as detailed in Appendix 18, (Ancillary Residential Accommodation). Section 1 (Residential Extensions) is relevant.

- Section 1.1 (General Design Principles) *inter alia* states:

The design of residential extensions should have regard to the amenities of adjoining properties and in particular, the need for light and privacy. In addition, the form of the existing building should be respected, and the development should integrate with the existing building through the use of similar or contrasting materials and finishes.

Innovative, contemporary design will be encouraged. A contemporary or modern approach, providing unique designs, can offer a more imaginative solution. However, such proposals are still required to take account of the design issues outlined in this document.

Applications for extensions to existing residential units should:

- *Not have an adverse impact on the scale and character of the existing dwelling*
- *Not adversely affect amenities enjoyed by the occupants of adjacent buildings in terms of privacy, outlook and access to daylight and sunlight*
- *Achieve a high quality of design*
- *Make a positive contribution to the streetscape (front extensions)*

- Section 1.2 (Extensions to Rear) *inter alia* states:

First floor rear extensions will be considered on their merits, noting that they can have potential for negative impacts on the amenities of adjacent properties, and will only be permitted where the planning authority is satisfied that there will be no significant negative impacts on surrounding residential or visual amenities. In determining applications for first floor extensions the following factors will be considered:

- *Overshadowing, overbearing, and overlooking - along with proximity, height, and length along mutual boundaries*
- *Remaining rear private open space, its orientation and usability*
- *Degree of set-back from mutual side boundaries*
- *External finishes and design, which shall generally be in harmony with existing*

- Section 1.4 (Privacy & Amenity) is relevant and *inter alia* states:

It is important to make sure that any extension does not unacceptably affect the amenities of neighbouring properties. This includes privacy, outlook, daylight and sunlight. It is advisable to discuss proposals with neighbours prior to submitting a planning application.

- Section 1.6 (Daylight and Sunlight) is relevant and *inter alia* states:

Large single or two-storey rear extensions to semi-detached or terraced dwellings can, if they project too far from the main rear elevation, result in a loss of daylight to neighbouring houses. Furthermore, depending on orientation, such extensions can have a serious impact on the amount of sunlight received by adjoining properties. On the other hand, it is also recognised that the city is an urban context and some degree of overshadowing is inevitable and unavoidable.....

5.2. Relevant National or Regional Policy / Ministerial Guidelines

- The Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024).

6.0 EIA Screening

- 6.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended. No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination.

7.0 The Appeal

7.1. Grounds of Appeal

There are two third-party appeals against the notification to grant planning permission subject to condition. These appeals are summarised below.

(1) George McElroy

- The appellant is the owner of the adjoining property at no.1 Curzon Street to the north of the appeal site. The appellant claims that the residential amenity of No. 1 Curzon Street, particularly affecting the kitchen, living room and rear garden, will be directly and materially adversely impacted by the proposed development given its scale, massing and contextual design.
- It is claimed the proposal would have a significant adverse sunlight / daylight impact given the location of no.1 Curzon Street directly to north of no. 2 Curzon

Street and the height of the two-storey extension, which in the original drawings matched the peak of the existing roof.

- It is claimed the applicant failed to demonstrate the impact on no.1 Curzon Street as requested by further information. The appellant highlights that the planning case officer initial assessment noted concern that the first floor extension may hinder the current daylight benefit of neighbouring properties.
- No sunlight / daylight assessment was included with the original application or further information response. The appellant cites the BRE Guidelines 2022 in the matter of new development minimising overshadowing and maintaining reasonable levels of daylight and sunlight penetration to existing buildings.
- It is claimed that the location of the extension to the south of the appellant's house and garden will ensure severe and prolonged overshadowing. In the absence of a shadow study or daylight assessment, the planning authority could not have properly adjudicated the impact on the appellant's property of the two-storey extension and as amended by further information response, as required under Section 15.2.2.3 of the Dublin City Development plan 2022-2028.
- Notwithstanding that the planning case officer assessment states that the extension sits below the existing ridge level of the main house and raises no concerns, the revised extension design as amended by further information response would still sit significantly above the existing rear eaves level and no orientation-based impact or comparative contextual assessment is provided.
- Therefore, it is claimed that the applicant has failed to adequately address the further information request (specifically Part c), which required the applicant to demonstrate a comparison with neighbouring properties.
- The further information response reduced the height of the extension by 300mm, which it is claimed is negligible in planning and visual terms. The revised design represents a significant alteration in roof profile. It is claimed that this will increase vertical bulk facing the appellant's property.
- The further information response drawings do not include distances to boundaries. Furthermore, the roof level on the northside of the extension, which was the lowest point of the roof on the drawings as originally submitted, as granted rises above the gutter line as shown on the amended drawings. It is

claimed that the revised design materially increases the height, mass and overshadowing potential of the extension.

- The height of the revised two-storey extension is unprecedented in the row of dwellings introducing an aggressive two-storey volume with a bulky, angular roof form that is visually dominant, which will result in reduced sunlight, significant overshadowing and loss of visual amenity inconsistent with Section 15.2.2.3 and Policy QHS7 (promote quality housing) of the development plan.
- The proposal would set an undesirable precedent for two-storey rear extension on Curzon Street exceeding the eaves line of the existing house disrupting the rear building line of the terrace and set an unacceptable planning precedent for the immediate area of Dublin City.
- The cumulative impact of extension height, orientation, mass and inadequate assessment renders the proposal contrary to proper planning and sustainable development. It is claimed the impact of the proposed development will *inter alia* be overbearing and irreversible inconsistent with the residential conservation Z2 zoning objective of this Victorian terrace streetscape.

(2) Eavan Buckley

- The appellant is the owner of the adjoining property at no. 3 Curzon Street to the south of the appeal site. It is claimed that the grounds for refusing permission are clear and unambiguous, as the proposal is in conflict with the policies and objectives of the Dublin City Development Plan 2022-2028 for conservation areas, including Section 14.7.2, Section 15.15.2.2 and Policy BHA09.
- The appellant recognises the ability of the applicant to seek planning permission for the extension of their property. However, this should be done in a manner that respects the shared property boundary and protects the amenity of the adjoining property including access to light.
- It is claimed that the fundamentals of the proposed development as amended by further information response fail to achieve this objective and the extension is still substantive in scale, with a height of 5.85m and a length of 4.65m, given the small inner city site. The entire extension remains at a length of 6.95m.
- The appellant in the event of a grant of planning permission requires the Commission to amend the development proposal by condition in order to protect

the amenity of the adjoining property while maintaining the gross floor area as follows: (i) remove or reduce the mono-pitch roof; (ii) remove the raised light-well that forms void over the living room and reduce the parapet along the boundary; (iii) set-back the extension an adequate distance from the shared boundary and; (iv) undertake a full structural survey of the shared boundary.

- The property the subject of appeal is bounded by the appellant's property to the south, which contains a small unauthorised terrace above their rear ground floor extension. This terrace has been the subject of enforcement proceedings, which has concluded that no formal action can be taken as the development is established for over 7 years (20 years). It is claimed that anti-social behaviour cited by the applicant should not influence the assessment of the proposal, as such matters are not a planning consideration.
- A review of extensions to the rear of properties in the vicinity indicate a lack of modern two-storey rear extension. The proposal significantly exceeds the scale and massing of any permitted first floor extensions in the area on restricted plots within residential conservation areas. It is claimed the proposal fails to enhance the architectural quality of the streetscape and fails to protect the residential character of the conservation area.
- The proposed development as originally submitted to the planning authority appeared to indicate the rear extension as being built on part of the shared property boundary (demarcated as a broken red line on the submitted drawings). The construction of a new external wall inside the property boundary was also of concern to the appellant. It is claimed that the extension must be moved away from the shared boundary wall and all works must underpin the shared boundary wall.
- It is unclear how the water would drain from a part mono-pitch roof shown on the original drawings that steeply rises from a valley junction with the existing roof eaves of the house.
- The rationale and reasoning for the height and form, as reduced by further information response, of the extension and rear element that forms a raised lightwell to the living room as proposed by further information response is

unclear. The overbearing nature of the extension is exacerbated by the height and depth of the lightwell that is located on the shared property boundary.

- It is claimed there is no justification for the raised lightwell or mono-pitch form of the roof, which will have a negative impact on the sunlight, daylight and amenity of the appellant's home.
- The appellant requests that the rear lightwell is replaced by a flat rooflight within the single-storey roof of the proposed extension and that the mono pitch roof is omitted from the development or is significantly reduced in scale (as shown in diagrammatic form by a dashed red line illustrated in the appeal statement).
- The proposed development will result in a material increase in the height of the shared boundary between the two adjoining properties. It is claimed that the increased boundary height will result in overbearing impacts and loss of natural light to the appellant's home. No assessment of the loss of natural light and sunlight was submitted with the application for development within this tight urban site located in a residential conservation area.
- Finally, it is claimed that the proposed development will create an incongruous feature / discordant element (higher element) to the rear of the mid-terrace single-storey house in a terrace of intact design at first floor level out of character with the surrounding conservation area in terms of a depreciation in amenity and adverse visual impact.

7.2. Applicant Response in the case of a 3rd Party Appeal

The applicant response is summarised below:

- The applicant response to the appeals lodged against the decision of the planning authority to grant planning permission includes an independent Daylight and Sunlight Impact Report, prepared by Brian T O'Brien MRIA / Open Plan Design Limited (Appendix 1).
- The findings of the Daylight and Sunlight Impact Report, undertaken in accordance with a guide to good practice (BRE 209, 2022), clearly establish that the proposed development does not result in a noticeable reduction in daylight or sunlight (technical evidence) to neighbouring windows (within thresholds) and does not give rise to significant adverse impacts on residential amenity.

- The surrounding urban context demonstrates that first floor rear extensions are an established feature within the terrace network in the vicinity of the appeal site, which have been accepted in principle subject to detailed assessment of design and impact on residential amenity.
- A number of comparable developments with first floor extensions in the immediate vicinity sharing the same typology and urban grain (properties on Arnott Street, Curzon Street, Ovoca Road & McMahon Street) reflect the ongoing adaptation of the housing stock in response to modern living requirements within a compact urban setting.
- The perceived excessive height and scale of the extension has been reduced in the revision process prior to the grant of permission, including a reduction and refinement of the roof profile.
- The design of the extension adopts a considered architectural approach with a mono-pitch roof form rising from eaves level. It is claimed that the design approach integrates with the existing building while remaining subordinate in scale and does not give rise to overbearing or visual intrusion impacts.
- The open westerly aspect of the terrace is an important consideration in assessing potential over bearing impacts and loss of light to the existing amenities of the houses at nos. 1-3 Curzon Street. This arises from its location at the termination of terraces extending along Lombard Street West and Ovoca Road.
- The western spatial characteristic allows for a greater dispersion of light and reduces the likelihood of significant overshadowing when compared with more spatially constrained receiving environments. The Daylight and Sunlight Impact Report confirms these characteristics.
- It is acknowledged that a limited and localised reduction in sunlight to part of the adjoining garden (no.1 Curzon Street) is identified. It is claimed the impact is modest and proportionate given overall amenity considerations.
- The proposal broadly reflects the existing ground floor footprint. The dwellinghouse retains a meaningful level of private open space and does not constitute overdevelopment of the site.

- In the matter of structural integrity (boundary wall) and construction management these issues are addressed through the building regulations and do not give rise to planning concerns.
- It is claimed the concerns in the matter of conservation area designation are not substantiated given the rear location of the development and its lack of visibility from the public realm.
- Finally, it is considered that the proposed development represents an appropriate balance between the reasonable extension of an existing dwelling and the protection of neighbouring residential amenity. The decision of the planning authority should be upheld as the applicant respectfully submits that the grounds of appeal are not substantiated.

7.3. Further Responses

The first party response to the third party grounds of appeal was circulated to the third parties for comment under Section 13. One third party (Evan Buckley, no. 3 Curzon Street) response was received within the relevant period. The response is summarised below:

- The third party claims that the applicant response (24/03/226) fails to adequately justify to the Commission that the proposed development would not be overbearing on the adjoining property at no. 3 Curzon Street.
- Overbearing is not limited to the question of loss of sunlight / daylight rather it relates to the scale of the building relative to the adjoining spaces. The overbearing impact in planning terms refers to a development scale, massing or positioning being so dominant, tall or close to boundaries to feel oppressive.
- The proposed design exhibiting a mono-pitch form, excessive height and unrequired lightwell is an inappropriate architectural response on this constricted urban site and when combined with the two-storey rear building form of no. 4 Curzon Street will cause enclosure and visual obtrusion.
- The third party rejects the case of precedent presented by the first party in support of the proposed development. It is claimed that it is critical that the Commission assess this appeal on the basis of the scale and form of the extension, which is overbearing and incongruous.

- The third party *inter alia* highlights inaccuracies in the applicant's statement(s) in regard to the cited comparable permissions. Furthermore, the Arnott Street cited precedent has a dissimilar context as the Curzon Street terrace typology is distinct from the Arnott Street streetscape, which does not form an effective terrace.
- The permitted extension at no. 9 Arnott Street (Reg. Ref. 2271/14) compares unfavourably with the nature and extent of the proposed development. The permitted development on Arnott Street reflects more closely the mitigation in the redesign of the rear extension on the appeal site proposed by the third party.
- The permitted extension at no. 7 Arnott Street (Reg. Ref. WEB1352/23) relates to a bathroom extension at first floor level, which measures 2.77m x 2.46m and is positioned to the as-built extension to no. 9 Arnott Street.
- The permitted shower room first floor level extension at no. 14 Ovoca Road (Reg. Ref. WEB1668/24) measures 1.8m x 3.24m and is accommodated on a site within a far less tight urban grain and fabric.
- The proposed extension design may be appropriate on a large site. It is totally unacceptable on a tight urban grain site, which is reflected in the planning decisions for extension in the area to date.
- The planning authority required reduction in the design form of the roof does not justify the scale of the mono-pitch roof form. Furthermore, the conclusions of the submitted daylight / sunlight report do not justify the design form of the rear extension.
- The negative impact on daylight / sunlight is not a key aspect of the third party's appeal. However, the level of daylight / sunlight to the rear windows and rooflights of no. 3 Curzon Street will be adversely impacted by the proposed extension. The daylight / sunlight assessment is inadequate because it only assess one of the rear facing windows.
- The extension fails to protect the special interest and character of the residential conservation area.

- Finally, if the Commission are minded to grant permission the design of the extension should be amended as follows: (1) remove the mono-pitch roof; (2) remove the raised lightwell; (3) set-back the extension an adequate distance from the boundary and; (4) require a full structural survey of the boundary.

7.4. **Planning Authority Response**

- No response to date.

7.5. **Observations**

None.

8.0 **Assessment**

8.1. I have examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant planning policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Zoning / principle of development
- Impact on adjoining properties
- Conservation area designation
- Other matters

8.2. Zoning / principle of development

The site is zoned Z21(Residential) in the Dublin City Development Plan 2022-2028: *to protect, provide and improve residential amenities*'. Residential development including residential extension and home improvement is permissible.

8.3. I consider the proposed development to extend the existing dwellinghouse on site is acceptable in principle subject to satisfying the overall policies and objectives of the development plan.

8.4. Impact on adjoining Properties

The substantive ground of appeal is the impact of the proposed development on the sensitive receiving environment located within a conservation area and in specific the

impact on the residential and visual amenities of the abutting properties to the north and south of the appeal site at no.1 Curzon Street and no.3 Curzon Street, respectively.

- 8.5. The applicant states that the proposed development is consistent with the pattern of development in the area reflecting the ongoing adaptation of the housing stock in response to modern living requirements within a compact urban setting.
- 8.6. The applicant claims that the surrounding urban context demonstrates that first floor rear extensions are an established feature within the terrace network in the vicinity of the appeal site, which have been accepted in principle subject to detailed assessment of design and impact on residential amenity.
- 8.7. The applicant response cites comparable first floor extensions in the immediate vicinity sharing the same typology and urban grain as the appeal site, including properties on Arnott Street, Curzon Street, Ovoca Road and McMahon Street.
- 8.8. I note the third party response (Appellant 2) to the applicant response in the matter of the cited examples of permitted developments in the vicinity that the first party claims support the development the subject of this appeal.
- 8.9. I have reviewed the specific cited references online, including the first floor element of the authorised extension to the rear of no. 9 Arnott Street (Ref: 227/14), which was restricted to a 4m projection beyond the rear elevation of the terrace by An Bord Pleanála.
- 8.10. I note the planning context in the vicinity of the appeal site. However, I consider that the proposed development shall be assessed on its own merits.
- 8.11. *Revised Design*
- The applicant following a further information request has revised the extension design in response to planning authority concern principally in regard to adverse sunlight / daylight impacts and overlooking impacts on adjoining residential properties.
- 8.12. *Floor area*
- 8.13. The proposed development as originally submitted to the planning authority proposed the construction of a two-storey rear extension (37 sqm), as a replacement of the existing single-storey return (17 sqm) to the rear of the subject dwellinghouse. The floor area of the extension was subsequently reduced by further information response.

8.14. The first floor of the two-storey extension as originally submitted to the planning authority accommodated a new bedroom and ensuite bathroom with an internal floor area of approximately 18 sqm (6500mm x 2800mm). The revised design proposal by further information response comprises a double bedroom with an internal floor area of approximately 12 sqm (4200mm x 2800mm).

8.15. The floor area of the main dwelling house is given as 81 sqm. I consider that the scale of the proposed extension as revised by further information response (approximately 30 sqm) would be subordinate to the existing dwellinghouse on site in terms of floor area.

8.16. *Extension building form & design*

The applicant proposes to build a part two-storey mono-pitch roof extension and part single-story extension with raised rooflight to replace an existing single storey extension. The first floor extension would project 4650 mm beyond the established rear building line of the terrace, as revised by further information response (02/01/26).

The ground floor of the extension would project 6950mm beyond the established rear building line with an overall width of 3400mm.

8.17. The original projection of the extension beyond the established rear building line at first floor level, as submitted to the planning authority measured 6950mm. The external width of the first floor extension remains 3400mm.

8.18. The overall height of the extension as revised by further information response would be 5850mm (measured from floor slab). This represents a 300mm reduction in the maximum height of the structure (6150mm) as originally submitted to the planning authority.

8.19. The roof of the extension has been simplified to provide a single plane mono-pitch roof configured east-west above the reduced first floor element rising from the eaves of the main house toward the west elevation of the first floor of the extension.

8.20. I note that the mono-pitch apex roof height is higher than the eaves height of the rear elevation of the receiving terrace and is marginally lower than the ridge roof height of the main house on site.

8.21. The revised design omits the proposed window opening in the side elevation (north) of the first floor of the proposed extension. The north elevation as revised is blank.

8.22. Finally, the setback of the first floor element of the proposed two-storey extension provides a roof plane above the extremity of the ground floor extension where the applicant has proposed a raised lightwell with a maximum height of 4250mm.

8.23. *Context*

The appellant(s) claim that the revised extension design as amended by further information response would still in terms of height and design be inconsistent with the pattern of development in the terrace located within a conservation area and highlight that no orientation-based impact or comparative contextual assessment is provided.

8.24. No. 2 Curzon Street is a mid-terrace house in a single-storey terrace (no. 1-3) of similar properties bookended to the south by a two-storey property (no. 4 Curzon Street). The two-storey house at the southern extremity of the streetscape has 100% site coverage; the adjoining houses to the north (1-3 Curzon Street) have small rear gardens.

8.25. The single-storey terrace comprises split level dwellinghouses with single-storey entrance elevations and two-storey rear elevations. There are single-storey rear extensions projecting from the rear elevation of the terrace (nos. 1-3) at the back of the subject houses.

8.26. The two-storey property at the southern extremity of the streetscape (no. 4 Curzon Street) has a return setback from the shared property boundary with no. 3 Curzon Street that projects significantly beyond the rear building line of the single-storey (on street / two-storey to the rear) terrace of adjoining houses to the north (nos. 1-3).

8.27. Finally, the applicant response cites the open westerly aspect of the rear of the terrace (nos. 1-3). This arises from its location at the termination of terraces extending along Lombard Street West and Ovoca Road providing the rear of nos. 1-3 Curzon Street with a prospect of the back to back distance between the Lombard Street West / Ovoca Road terraces.

8.28. I interrogate the potential impact of the proposed development on the residential and visual amenities of the adjoining properties below.

Development plan guidelines for domestic extensions

- 8.29. Appendix 18 (Ancillary Residential Accommodation), Section 1.0 (Residential Extensions) provides a number of general principles that should be applied in the assessment of the extension of an existing dwellinghouse.
- 8.30. It is advised that the Guidelines should be interpreted in the context of the development plan core strategy, which promotes a compact city, sustainable neighbourhoods and areas where a wide range of families can live.
- 8.31. The appeal site is a mid-terrace house. I note that the appeal site and adjoining houses given the inner urban location have a relatively wide individual plot width greater than 6m.
- 8.32. Section 1.1 (general design principles) provides guidance for the design of residential extensions, which *inter alia* should have regard to the amenities of adjoining properties and in particular, the need for light and privacy. In addition, the form of the existing building should be respected and the development should integrate with the existing.

Daylight / Sunlight

- 8.33. The applicant by applicant response, dated 11/03/2026, has submitted a Daylight and Sunlight Impact Report (Appendix 1). The scope of the Report includes the following assessments:
- Daylight access (VSC) to neighbours windows under BER 209 (2022)
 - Sunlight access (APSH) to neighbours windows under BRE 209 (2022)
 - Amenity Sunlight (sun on ground) to neighbour outdoor gardens areas under BRE 209 (2022)
- 8.34. The Daylight and Sunlight Impact Report evaluated 5 adjoining dwellings (nos. 1 & 3 Curzon Street / Nos. 1 & 2 Arnott Street & No. 78 Lombard Street) to assess daylight / sunlight impacts to their 21 relevant windows. The evaluation concluded that none of the windows were deemed to be noticeably impacted for daylight (VSC) / sunlight arising from the proposed development.
- 8.35. The two directly adjoining properties at nos. 1 & 3 Curzon Street were evaluated for potential impacts on external amenity sunlight under the requirements of BRE 209

(2022) requiring 2 hours of sunlight to 50% of the external space area between March 21st and September 21st.

- 8.36. The author of the report created a purpose built 3D computer model configured to provide an accurate before and after simulation of the impact on the ground of the revised design submitted by way of further information response. I interrogate this matter further below in the assessment of the potential impacts on nos. 1 & 3 Curzon Street.

Architectural Design

- 8.37. The applicant by response states that the proposed extension adopts a considered architectural approach with a mono-pitch form rising from eaves level. It is claimed this represents a deliberate and appropriate design response, which integrates with the existing building and remains subordinate in scale.
- 8.38. The material finish of the extension would comprise zinc clad elevations with vertical seams above ground floor level. The ground floor elevation would be clad in horizontal panels of folded metal. The fenestration is an “Aluclad” timber window solution.
- 8.39. Section 1.1 (General Design Principles) of Appendix 18 also encourages innovative, contemporary design. It advises that a contemporary or modern approach providing unique designs can offer a more imaginative solution.
- 8.40. I consider that the proposed two-storey extension as modified by further information response would respect the scale and form of the existing dwellinghouse and would integrate with the existing building by creating a clear distinction between the new contemporary design extension and the circa 1900 building on site.

Impact on the abutting properties at Nos. 1 & 3 Curzon Street

- 8.41. Section 1.2 (Rear Extensions) lists the following matters for consideration in the assessment of rear extensions to existing dwelling houses: overshadowing, overbearing, and overlooking / along with proximity, height, and length along mutual boundaries; remaining rear private open space; degree of set-back from mutual side boundaries; external finishes and design, which shall generally be in harmony with existing.

No. 1 Curzon Street

8.42. I note the proposed separation distance between the north elevation of the proposed two-storey extension and the shared boundary with no.1 Curzon Street (appellant) is 2700mm.

Overlooking

8.43. In terms of overlooking the north elevation of the first floor extension presents a blank elevation to the shared property boundary. Therefore, there would be no direct overlooking impacts.

Overshadowing

8.44. No. 1 Curzon Street is located to the north of no.2 Curzon Street within a sensitive receiving environment, as the proposed extension would be positioned south of the rear curtilage of the adjoining property.

8.45. No.1 Curzon Street is extended to the rear comprising a single-storey L-shaped extension with south facing and east facing fenestration.

8.46. The property owner (appellant 1) highlights that no sunlight / daylight assessment was included with the original application or further information response. T

8.47. The appellant cites the BRE Guidelines 2022 in the matter of new development minimising overshadowing and maintaining reasonable levels of daylight and sunlight penetration.

8.48. The independent Daylight and Sunlight Impact Report appended to the appeal response (Appendix 1 - Section 7.3.1 / Section 7.3.2) confirms that there is no noticeable impacts on the penetration of daylight (< 20%) / sunlight (meets overall BRE criteria) to the existing window openings to the rear of no. 1 Curzon Street (Appendix 1).

8.49. I consider that no adverse overshadowing would result to the principal internal spaces to the rear of no.1 Curzon Street.

8.50. The external amenity space to the rear of no.1 Curzon Street does not at present meet the BRE criteria (that 50% of the outdoor amenity space receives two hours of sunshine cumulatively March 21st or September 21st).

8.51. There would not be noticeable impact on sunlight to the external amenity area between April 21st and August 21st. However, impacts are noted between the periods March 21st to April 21st and August 21st to September 21st.

- 8.52. The proposed development causes a worsening of the performance of the subject space (from 44% to 14% of the required standard) resulting in a 77% loss from 21st March - 21st April.
- 8.53. I acknowledge the depreciation in sunlight in March / April and also in August / September, which is show in the accompanying submitted shadow diagrams as a daily 11.00 am – 1 pm impact timeframe.
- 8.54. However, I also note that the external amenity area to the rear of no. 1 Curzon Street, would receive 2 hours of sunlight to 50% of the external space area between 21st April and 21st August meeting the BRE criteria April to August (66% of the standard).
- 8.55. The applicant response notes that were sunlight targets are not met the shortfall is modest in extent and proportion. I agree with this qualitative assessment based on the submitted evidence in Appendix 1 of the applicant response.
- 8.56. I consider that no significant adverse impacts would result to daylight / sunlight penetration to the principal internal spaces to the rear of no.1 Curzon Street.
- 8.57. Finally, I note Section 1.0 (Residential Extension) of Appendix 18 in the matter of the interpretation of the development plan guidelines in the context of the development plan core strategy, which promotes a compact city, sustainable neighbourhoods and areas where a wide range of families can live.
- 8.58. I conclude on balance that the impact on the external amenity area to the rear of no.1 Curzon Street is within acceptable limits meeting the BRE criteria between April to August (66%) given the constraints of the urban site located within a network of period terraces where there is a degree of mutual overshadowing of neighbouring properties.

Overbearing

- 8.59. Finally, the appellant highlights that the roof level on the northside of the extension, which was the lowest point of the roof on the drawings as originally submitted, as granted rises above the gutter line as shown on the revised design drawings.
- 8.60. I note this matter. However, I consider that no overbearing impacts would result to the abutting no. 3 Curzon Street given the separation distance (2700mm) between the north elevation of the proposed extension and the shared property boundary.

- 8.61. I conclude on balance that there would be no significant adverse overlooking, overshadowing and overbearing impacts on no.1 Curzon Street that would individually or cumulatively depreciate the existing residential amenity of the adjoining property to the north.
- 8.62. *No. 3 Curzon Street*
- The principal ground of appeal from the resident of no. 3 Curzon Street (appellant) relates to the massing of the extension along the shared property boundary with no. 2 Curzon street, which it is claimed *inter alia* would result in unacceptable overshadowing and overbearing impacts on the adjoining property to the south.
- The owner of no. 3 Curzon Street in their third party response to the applicant response clarifies that the matter of overbearing is the principal substantive matter of concern.
- 8.63. There is an existing single-storey extension to the rear of no. 3 Curzon Street, which is in the form of a mono-pitch roof structure immediately abutting the shared property boundary and a flat roof structure between the mono-pitch extension and the property boundary with No. 4 Curzon Street.
- 8.64. I note that the mono-pitch roof of the single-storey extension abutting to the south rises toward the shared property boundary with no. 2 Curzon Street.
- 8.65. Notwithstanding that the proposed extension would be constructed on the property boundary with no. 3 Curzon Street (projecting 4650mm beyond the established rear building line), I do not consider that the massing of the first floor element of the first floor extension would result in significant overbearing or other adverse impacts given that the area to the immediate south of the proposed first-floor extension within the rear curtilage of no. 3 Curzon Street is fully built over at ground floor level.
- 8.66. In the matter of the massing of the proposed rooflight (rising to a maximum height of 4250mm), I do not consider that the proposed raised roof light would have a significant adverse overbearing or visual impact on the rear curtilage of no. 3 Curzon Street given the limited footprint of the raised rooflight, the modest height above ground floor finished roof level and the location of the raised rooflight to the north of no. 3 Curzon Street.
- 8.67. Finally, the potential combination overbearing impacts of the proposed two-storey extension on the shared property boundary to the north and the existing two-storey massing of no. 4 Curzon Street have been highlighted by the appellant.

- 8.68. I do not consider that the combination impacts would be oppressive given the open aspect to the rear of no. 3 Curzon Street to the west.
- 8.69. Furthermore, I do not consider that there would be significant adverse overshadowing or loss of light impacts, given that the proposed extension is located to the north of no. 3 Curzon Street.
- 8.70. I note that the area to the immediate south of the proposed first-floor extension within the rear curtilage of no. 3 Curzon Street is built over area at ground floor level. The flat roof of the ground floor extension is used as an unauthorised roof terrace amenity area.
- 8.71. The independent Daylight and Sunlight Impact Report appended to the appeal response (Appendix 1 - Section 7.3.1 / Section 7.3.2) confirms that there is no noticeable impacts on the penetration of daylight (<20%) / sunlight to the existing window openings to the rear of no. 3 Curzon Street or to the external rear amenity space.
- 8.72. In terms of overlooking the south elevation of the first floor extension presents a blank elevation to the shared property boundary. Therefore, there would be no direct overlooking impacts.
- 8.73. The proposed first floor bedroom would fenestrate west. I do not consider that overlooking issues arise from the proposed window opening given the line of vision is into the rear curtilage of no. 2 Curzon street.
- 8.74. I consider that the urban location of the development proposal and the distance of the west elevation of the first floor element of the extension from the rear property boundary with the adjoining house at no. 1 Ovoca Road (approximately 6m) would mitigate overlooking concerns in regard to properties to the west.
- 8.75. In the matter of separation distances, there is no back to back window issue arising from the location of the window in the west elevation of the extension at first floor level, as the line of vision is within the back to back space between the parallel terraces on Lombard Street West and Ovoca Road.
- 8.76. Finally, the appellant claims that the existing boundary is unstable and that a survey of the existing fabric is required.
- 8.77. I consider this is a civil matter and it cannot be dealt with through the planning process.

8.78. I conclude on balance that there would be no significant adverse overlooking, overshadowing and overbearing impacts on no.3 Curzon Street that would individually or cumulatively depreciate the existing residential or visual amenity of the adjoining property to the south.

Impact on the residential conservation area

8.79. The appellant(s) claim that the proposal is in conflict with the policies and objectives of the Dublin City Development Plan 2022-2028 for conservation areas, including Section 15.15.2 (Development in Conservation Areas) and Policy BHA9 (to protect the special interest and character of conservation areas).

8.80. I acknowledge that the rationale for a conservation zone is to protect the overall quality of an area in design and layout terms. This requires special care in dealing with development proposals ensuring a sensitive approach to new development in residential conservation areas.

8.81. Policy BHA9 protects the special interest and character of all Dublin's conservation areas including *inter alia* requiring development within or affecting a residential conservation area to contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting.

8.82. The proposed development is to the rear of the terrace and as such is removed from public view in a less visually sensitive environment than the front or front roof profile of the receiving terrace.

8.83. I note that the existing house on site comprises a double pitched roof with an internal valley and that the extension would be located behind the rear roof volume attached to the eaves.

8.84. Finally, I note that the applicant proposes to externally insulate the main house to the rear with horizontal panels of folded metal. The submitted drawings show external insulation cladding attached to the rear façade with a depth of approximately 100mm.

8.85. I consider that rear external insulation would have no discernible massing impact and would be acceptable in principle.

8.86. The visual impact of the folded metal cladding would be significant given that the existing rear elevation is presently rendered. However, on balance I consider the

character change acceptable as the proposed horizontal folded metal panel would harmonise with the cladding of the ground floor elevation of the new two-storey extension.

- 8.87. I note that there are no works to the front façade proposed.
- 8.88. I conclude that the extension built form, contemporary design, massing and material finish as revised by further information response would be an appropriate design solution to protect the special interest and character of the receiving conservation area clearly distinguishing the new build structure from the existing terrace of period dwellinghouses consistent with Section 15.15.2 and Policy BHA9 of the Dublin City Development Plan 2022-2028.
- 8.89. Other Matters
- 8.90. The appellant *inter alia* claims that further information response drawings do not include distances to boundaries.
- 8.91. I consider that the appellant (no.1 Curzon Street) has submitted a comprehensive appeal statement, which shows a full understanding of the revised design proposal as amended by further information response. I do not consider that the omission of measurement(s) between the proposed extension and the shared property boundary with no.1 Curzon Street is a material omission.
- 8.92. Finally, the appellant (no.3 Curzon Street) is unclear how the water would drain from a part mono-pitch roof shown on the original drawings that steeply rises from a valley junction with the existing roof eaves of the house.
- 8.93. I note that a downpipe is clearly shown on the north elevation of the extension on DRG. PA04 Revision A (15/12/25) attached to a gully located at the junction of the main house eaves and the mono-pitch roof of the extension.

9.0 **AA Screening**

I have considered the proposed development in-light of the requirements S177U of the Planning and Development Act 2000 (as amended).

The subject site is located within the urban core and is connected to piped services and is not immediate to a European Site. The proposed development comprises a domestic extension.

No significant nature conservation concerns were raised in the planning appeal.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site given the small-scale nature of the development.

I conclude that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 **Water Framework Directive**

10.1. The site is located in an inner city location. It is not proximate to a water course.

The development comprises a domestic extension of an existing dwellinghouse.

No water deterioration concerns were raised in the planning appeal.

I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is the small scale and nature of the development.

I conclude based on objective information, the proposed development will not result in a risk of deterioration of any water body (rivers, lakes, groundwaters, transitional and

coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

11.1. I recommend a grant of planning permission subject to condition for the following reasons and considerations.

12.0 Reasons and Considerations

Having regard to the residential conservation zoning objective, the pattern of development in the area, characterised by terraced houses with restricted rear gardens and legacy single-storey extensions, and the policy framework provided by Dublin City Development plan 2022-2028, it is considered that the proposed two-storey rear extension and raised roof-light would subject to condition be consistent with Appendix 18 (Ancillary Residential Accommodation), including Section 1.2 (Rear Extensions), and Policy BHA9 (to protect the special interest and character of conservation areas) of the Dublin City Development Plan 2022-2028, would not result in a significant depreciation in the residential and visual amenities of the abutting houses in the terrace at nos. 1 & 3 Curzon Street, would provide a reasonable standard of accommodation on site, and as such, would be consistent with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by further information dated 02/01/2026, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the

agreed particulars.

Reason: In the interest of clarity

2. The site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

3. The disposal of surface water shall comply with the requirements of the planning authority for such works and services in accordance with the submitted documented provided by the applicant dated 02/01/2026.

Reason: To prevent flooding and in the interests of sustainable drainage.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Anthony Abbott King
Planning Inspector

27 May 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-500856-DS-26
Proposed Development Summary	Domestic Extension
Development Address	No. 2 Curzon Street, Dublin 8
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2.
	<input type="checkbox"/> No, No further action required.
<p>(For the purposes of the Directive, "Project" means:</p> <ul style="list-style-type: none"> - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources) 	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	

3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold N/A
<input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	State the Class and state the relevant threshold N/A
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____