

An
Coimisiún
Pleanála

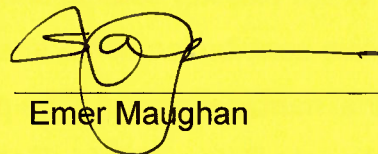
Direction
CD-020208-25
ABP-322161-25

The submissions on this file and the Inspector's report were considered at a meeting held on 10/07/2025.

The Commission decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Planning

Commissioner:


Emer Maughan

Date: 16/07/2025

DRAFT WORDING FOR ORDER

Reasons and Considerations

1. Having regard to the design, scale, layout and massing of the proposed houses and the proposed location of a balcony/ terrace on the southern boundary of house 1, located within a designated conservation area opposite the River Dodder, it is considered that the proposed development would detract from the character and setting of the conservation area and the Dodder Walk, and would be contrary to Policy BHA9 of the Dublin City Development Plan 2022-2028 which seeks to protect the special interest and character of all Dublin's conservation areas. The proposal would result in overlooking and visual overbearance of the adjoining property to the south which would seriously

injure the residential amenity of neighbouring residents. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The site is located entirely within an area zoned Z9 under the Dublin City Development Plan 2022-2028 where the land use objective is 'to preserve, provide and improve recreational amenity, open space and ecosystem services'. The proposed development which provides for an additional house on a site is neither a 'permissible' nor 'open for consideration' use within the Z9 zoning, accordingly the proposed development would be contrary to the Z9 zoning provisions of the Dublin City Development Plan 2022-2028 and would set an undesirable precedent for similar developments. The proposed development would, therefore, be contrary to the proper planning and development of the area.
3. The Commission considered that the applicant has not provided an adequately robust justification for the demolition of the existing cottage and boundary walls which are considered to make a positive contribution to the streetscape within an area of archaeological and industrial heritage interest. The proposed development would therefore be contrary to Policy BHA11 (Rehabilitation and Reuse of Existing Older Buildings) and Policy BHA10 (Demolition in a Conservation Area) of the Dublin City Development Plan 2022 -2028. Furthermore, it is considered that the proposed development is not compliant with Section 15.7.1 of the development plan which requires an evidence basis for the demolition of existing dwellings. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
4. The proposed development is in an area which is deemed to be at risk of flooding, by reference to the current Development Plan for the area and the documentation on file. Having regard to the provisions of the Development Plan in relation to development proposals in areas at risk of flooding, it is considered that, in the absence of adequate information relating to the risk of flooding, analysis of such risk, and appropriate mitigating measures to address

any risk, the proposed development would be contrary to the proper planning and sustainable development of the area.

Note

The Commission also noted the proposed removal of an on-street parking space to accommodate a private off-street parking space, the width of the proposed vehicular entrance and the quantum of car parking spaces proposed and agree with the Inspector that the car parking provision would be contrary to Section 8.5.7, Policy SMT25, in relation to car parking, and Appendix 5 (Transport and Mobility) of the Dublin City Development Plan 2022-2028 and would exceed the maximum standards set out in Section 4.3.1 and Table 2 of Appendix 5. The Commission however considered that this matter could be dealt with by way of a condition in the event of a grant of permission.