

An  
Coimisiún  
Pleanála

Commission Order  
ABP-322161-25

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**Planning and Development Acts 2000 to 2024**

**Planning Authority: Dublin City Council**

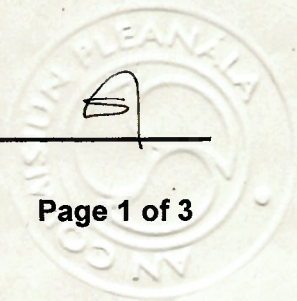
**Planning Register Reference Number: 3005/25**

**Appeal** by B.S Edge Property Services Limited care of Kane Architecture of 6 Clarinda Park North, Dun Laoghaire, County Dublin against the decision made on the 28<sup>th</sup> day of February, 2025 by Dublin City Council to refuse permission.

**Proposed Development:** Demolition of the existing two-storey house and part of the front boundary wall, the erection of two three-storey semi-detached houses and ancillary site works, all at 1 Dartry Cottages, Dartry, Dublin.

## **Decision**

**REFUSE** permission for the above proposed development for the reasons and considerations set out below.



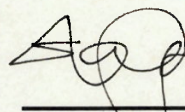


## Reasons and Considerations

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 of Dublin's conservation areas. The proposed development 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 development plan and would set an undesirable precedent for similar developments. The proposed development would, therefore, be contrary to the proper planning and sustainable 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 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 would not be in accordance 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 Dublin City Development Plan 2022-2028 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 mitigation measures to address any risk, the proposed development would be contrary to the proper planning and sustainable development of the area.



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**Emer Maughan**

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

Dated this 18<sup>th</sup> day of July 2025.