

Planning and Development Act 2000, as amended

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1937/26

Appeal by Capital Scene Unlimited against the decision made on the 15th day of June, 2026 by Dublin City Council to refuse permission and temporary permission, for a duration of five-years, for development comprising the demolition of the existing vacant two-storey building on site (including the removal of six number existing car parking spaces directly adjoining the existing building at the western elevation and the removal of eight number existing car parking spaces directly adjoining the existing building at the southern elevation) and the temporary provision of 47 number car parking spaces in its place. Temporary permission is also sought for the reconfiguration of the existing car parking layout along the western and southern boundaries, resulting in a total of 72 number car parking spaces on site, including four number accessible spaces and 19 number EV charging spaces. The proposed works include the closure of the existing vehicular entrance on the western boundary onto Merrion Road, to be replaced with a new low-level boundary wall and associated planting to match the existing boundary treatment. A new vehicular entrance is proposed along the southern boundary onto the existing car park to the south of the site, incorporating access over the existing culvert. This will result in the removal of four number car parking spaces on the southern boundary of the subject site's car park and the removal of four number car parking spaces in the adjoining car park to the south (within the

application red line). All existing trees on site will be retained. The development also includes all ancillary site development and infrastructural works necessary to facilitate the proposed development, all at Block 2, Merrion House, 294 Merrion Road, Booterstown, Dublin.

Decision

GRANT permission for the demolition of the existing vacant two-storey building on site (including the removal of six number existing car parking spaces directly adjoining the existing building at the western elevation and the removal of eight number existing car parking spaces directly adjoining the existing building at the southern elevation). The proposed works include the closure of the existing vehicular entrance on the western boundary onto Merrion Road, to be replaced with a new low-level boundary wall and associated planting to match the existing boundary treatment. A new vehicular entrance is proposed along the southern boundary onto the existing car park to the south of the site, incorporating access over the existing culvert. This will result in the removal of four number car parking spaces on the southern boundary of the subject site's car park and the removal of four number car parking spaces in the adjoining car park to the south (within the application red line). All existing trees on site will be retained. The development also includes all ancillary site development and infrastructural works necessary to facilitate the proposed development hereby permitted, in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below.

REFUSE temporary permission for a period of five years for the reconfiguration of the existing car parking layout resulting in a total of 72 number car parking spaces on site, including four number accessible spaces and 19 number EV charging spaces based on the reasons and considerations marked (2) under.

Reasons and Considerations (1)

Having regard to the location of the site on lands zoned Z10 – Inner Suburban and Inner City Sustainable Mixed-Uses in the Dublin City Development Plan 2022-2028 and to the demolition report submitted with the application, it is considered that, subject to compliance with the conditions set out below, the proposed demolition of a deteriorated structure is justified and necessary and would provide a substantial improvement to the appearance of the site through its removal resulting in an improvement to the visual amenities of the area. The proposed demolition works element would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation not to permit the demolition element of the development, the Commission noted and agreed with the inspector that the demolition of the building is reasonable but did not share the inspector's view that it would not be appropriate approach to allow for the demolition where there are no plans for future proposals. In this regard, the Commission was satisfied, having regard the contents of the justification report, prepared by appropriate professionals, that it is reasonable in this instance to permit the demolition of a deteriorated structure which is justified and necessary and determined that its removal will provide a substantial improvement to the appearance of the site and furthermore, its removal would not impede any future redevelopment of the site.

Conditions

1. The demolition element of the development hereby permitted shall be carried out in accordance with the plans and particulars lodged with the application, 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 and the development shall be retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The finished site shall be levelled and shall not be laid out for surface car parking and cars shall not be permitted to park on the site post the demolition of the building hereby permitted.

Reason: In the interest of clarity.

3. Details of the site levels, and ground surface finishes, drainage, landscaping and boundary treatments shall be submitted to, and agreed in writing, with the planning authority prior to the commencement of the development.

Reason: In the interests of visual amenity and orderly development.

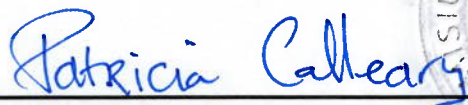
4. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for

effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of proper planning and sustainable development.

Reasons and Considerations (2)

The proposed provision of off-site car parking to serve medical/other nearby uses at a highly accessible location within the city would give rise to increased commuting by private car. The development of a surface car park as proposed would, therefore, be considered contrary to policies and objectives of the Dublin City Development Plan, 2022-2028 which seek to discourage commuter parking and promote a modal shift to sustainable transport means, including Policies SMT1 and SMT26 and Objective SMT01 of Chapter 8. Furthermore, it has not been demonstrated that the proposed development would comply with the required parking standards set out in Table 2 of appendix 5 of the development plan. The development would set an undesirable precedent for similar sites and uses in the city and would, therefore, be contrary to the proper planning and sustainable development of the area.



Patricia Calleary

Planning Commissioner of An Coimisiún

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



Dated this **15th** day of **October** 2026