



Planning and Development Acts 2000 to 2022

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD23A/0169

APPEAL by Gerry Teague of The Ball Alley House Pub care of Manahan Planners, Town Planning Consultants of 38 Dawson Street, Dublin against the decision made on the 13th day of September, 2023 by South Dublin County Council to refuse permission.

Proposed Development: The removal of the existing 52 number car parking spaces for the construction of a three-storey terraced residential development with a total of eight unit apartments, which will consist of four number three bedroom apartments at ground floor level and four number four bedroom duplex apartments on the upper floors. All with associated private open space, bike storage, bin storage, car parking, communal open space, and other necessary site works at a site of 0.177 hectares at the Ball Alley House, Leixlip Road, Lucan, County Dublin (a Protected Structure).

Decision

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

Reasons and Considerations

1. The proposed development, by way of its design, scale, and layout, fails to meet the relevant design standards for infill residential development as it does not provide any transition in height as is required of taller buildings at in-fill sites, under Section 12.6.8 of the South Dublin County Development Plan 2022-2028. Proposed separation distances between windows serving habitable rooms fail to meet the minimum standards of Section 12.6.7 of the development plan and SPPR 1 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024). Communal open space is not of sufficient quality or amenity value to meet the requirements under Table 12.21 of the development plan and Appendix 1 of the Guidelines for Planning Authorities - Design Standards for New Apartments (July 2023), and proposed bedrooms do not universally meet the minimum width standards outlined in Appendix 1 of the Apartment Guidelines. The proposed development would, therefore, constitute a substandard form of development and would be contrary to the proper planning and sustainable development of the area.
2. The proposed development fails to maintain or protect the residential amenities of adjoining dwellings and, in so doing, fails to accord with the land use zoning objective RES – to protect and/or improve residential amenity as set out in the South Dublin County Development Plan 2022-2028. The proposed development will unduly visually overbear upon and overlook the adjoining dwellings owing to its design, and the minimal separation distances provided. The development fails to accord with QDP3 Objective 6 of the South Dublin County Development Plan 2022-2028 as potential impacts on daylight, sunlight and overshadowing have not been assessed. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The proposed development does not provide sufficient space for the safe manoeuvre of larger cars, refuse and delivery trucks, and emergency vehicles. In the absence of dedicated turning areas, these vehicles will have to reverse onto the Leixlip Road to exit the site, which would create a traffic hazard and undermine public safety. As no set-down or loading areas are provided, access to the site and adjoining sites to the east would be periodically blocked by refuse trucks and delivery vehicles serving the Public House. The proposed development would, therefore, result in a traffic hazard and would be contrary to the proper planning and sustainable development of the area.



Paul Caprani

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this 07th day of October 2024.