



Planning and Development Act 2000, as amended

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD25A/0091W

Appeal by Gerry Teague against the decision made on the 30th day of July, 2025 by South Dublin County Council to refuse permission for the proposed development.

Proposed Development: The development consists of the following: the removal of the existing car parking spaces for the construction of three new houses: one number four-bed detached house and two number three-bed semi-detached houses. The vehicular and pedestrian entrance is accessed by an existing road connected to Leixlip Road R835. The development will also include all landscaping, and site associated works, all on a site of 0.177 hectares at Ball Alley House, Leixlip Road, Lucan, County Dublin (a Protected Structure, South Dublin County Council RPS number 094).

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the nature and scale of the proposed development, the RES residential zoning objective of the site as set out in the South County Dublin Development Plan 2022-2028, and to the pattern of development in the area, and the benefits of bringing forward much needed housing on a serviced and sustainable infill site within the existing built up area, it is considered that, subject to compliance with the conditions set out below, the proposed development would provide an acceptable level of amenity for future residents, would not seriously injure the residential amenities of property in the vicinity or the visual amenities and character of the area or of the Ball Alley Protected Structure, would not compromise traffic or pedestrian safety and would, therefore, be in accordance with the provisions of the South Dublin Development Plan 2022-2028 and with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Commission noted that the proposed development would result in a reduction in car parking spaces serving the pub from fifty two to six spaces and considered therefore that the proposed provision of three residential units with six car parking spaces would not constitute an intensification of use of the existing access. The Commission further considered that given the location of the site in a 50km/hour, that the sightlines in this instance, on an existing access, were acceptable. The Commission did not share the opinion of the Inspector that there was insufficient space to provide for the servicing of the pub by larger vehicles having regard to the overall layout of the site including the six parking spaces retained by the pub and the space on the eastern and western boundaries which could facilitate turning or reversing movements for service vehicles. Noting that this was not raised as a reason for refusal by the planning authority, the Commission considered that appropriate arrangements for the

servicing of the pub could be agreed with the planning authority and secured by Condition and attached Conditions 2 and 3 accordingly. The Commission also considered having regard to the small infill site on a tarmac car park that the proposed landscaping would constitute an improvement in green space versus the existing condition of the car park and that the failure to meet a Green Space Factor score of 0.5 was not a reason for refusal in itself and could be addressed through agreement of landscaping plan with the planning authority.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the plans and particulars lodged on the 3rd day of July 2025, and received by An Coimisiún Pleanála on 26th day of August 2025, 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. A right of access to the rear of the Ball Alley public house shall be provided and retained indefinitely. Details to demonstrate compliance with this condition shall be submitted to the planning authority for agreement prior to the commencement of development.

Reason: In the interest of proper planning.

3. Prior to the commencement of development, a servicing plan for the Ball Alley public house, including access and turning arrangements for vehicles, shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interests of orderly development and traffic safety.

4. Details of the materials, colours and textures of all the external finishes to the proposed dwellings and structures shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

5. A comprehensive boundary treatment and landscaping scheme shall be submitted to, and agreed in writing with, the planning authority, prior to commencement of development.

Reason: In the interests of visual amenity and biodiversity.

6. Proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of urban legibility (and to ensure the use of locally appropriate placenames for new residential areas).

7. Public lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. Such lighting shall be provided prior to the making available for occupation of any residential unit.

Reason: In the interests of amenity and public safety.

8. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements, in writing where necessary, of the planning authority for such works and services.

Reason: In the interest of public health.

9. Prior to the commencement of development, the developer shall enter into a Connection Agreement with Uisce Éireann to provide for a service connection to the public water supply and/or wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

10. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company. A management scheme providing adequate measures for the future maintenance of public open spaces, roads and communal areas shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

11. The internal road network serving the proposed development including turning bays, parking areas, footpaths, kerbs, materials and surfacing shall be in accordance with the detailed construction standards of the planning authority for such works and design standards outlined in the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government in March 2019, as amended. The development shall otherwise comply with the transport requirements of the Council.

Reason: In the interest of traffic safety.

12. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

13. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 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 properties in the vicinity.

14. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including traffic management, noise and dust management measures, storage of plant and materials, and off-site recovery and disposal of construction/demolition waste.

Reason: In the interests of public safety and amenity.

15. Prior to the commencement of development, a safety statement shall be submitted to, and agreed in writing with, the planning authority detailing how the Protected Structure will be safeguarded during the proposed construction works. Safety measures should be put in place and indicated in the safety statement with regard to providing a sufficient buffer around the Protected Structure during the proposed development.

Reason: To ensure the correct safety measures are put in place during the proposed

16. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Mary Gurrie

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

Dated this 15 day of July 2026.