

An
Coimisiún
Pleanála

Commission Order
PL-500184-DS

Planning and Development Act 2000, as amended

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB2144/25

Appeal by Peter Byrne against the decision made on the 7th day of October, 2025 by Dublin City Council to grant subject to conditions a permission to Hentive Limited in accordance with the plans and particulars lodged with said Council.

Proposed Development: Construction of a terrace of three single storey townhouses consisting of two number one-bed dwellings and one number two-bed dwelling and all associated landscaping, site works and services, all at 5 Walkinstown Road, Dublin.

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 location of the proposed dwellings within a residential zoning of Z1 Sustainable Residential Neighborhoods in the Dublin City Development Plan 2022-2028 within the wider Balfe Court complex, as permitted under An Coimisiún Pleanála register reference number ABP-307186-20, which provides for future community amenity space and ancillary facilities, it is considered that, subject to compliance with the conditions set out below, the car-free proposed development adjacent to public transport would provide appropriate levels of residential amenity, would be in accordance with the Dublin City Development Plan 2022-2028, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Commission was satisfied that the proposed development on a constrained site zoned for residential development met the relevant accommodation standards, provided appropriate residential amenity for future occupants, including access to the amenities of the parent development, was acceptable as a car-free development in close proximity to public transport, and did not pose a traffic and safety risk for future occupants subject to the completion of the Balfe Court Complex and the conditions of this permission.

Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 31st day of July, 2025 and on the 10th day of September, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall comply with all applicable conditions of the parent permission (planning register reference number 4364/19 and appeal reference number ABP-307186-20) save where amended by this grant of permission.

Reason: To clarify the scope of the permission.

3. Prior to commencement of development, the applicant shall enter into an agreement with the Planning Authority under Section 96 of the Planning and Development Act 2000 (as substituted by Section 3 of the Planning and Development Amendment Act 2002) in relation to the provision of social and affordable housing, in accordance with the planning authority's Housing Strategy, unless the applicant has applied for and been granted an Exemption Certificate under Section 97 of the Planning and Development Act 2000, as amended.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended.

4. Prior to commencement of development, the developer shall submit full details of the treatment of the boundary to the front of the proposed houses. This shall consist of a low wall or railing not exceeding 1.2 metres in height. Any wall shall be capped and shall have a finish of either brick or render/plaster, in each case matching the materials used on the façade of the house.

Reason: In the interest of visual amenity.

5. The naming and numbering of the proposed dwelling units shall be in accordance with a naming and numbering scheme which shall be submitted to, and agreed in writing, with the planning authority prior to occupation of the proposed dwellings.

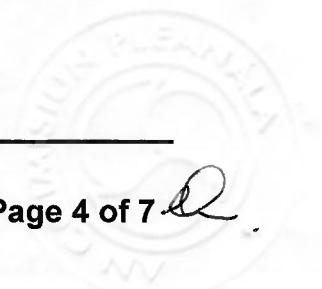
Reason: In the interest of orderly street numbering.

6. A minimum of one cycle parking space shall be provided for each dwelling, in a location which is secure, sheltered and convenient to the dwelling. One additional visitor space shall also be provided within the overall development.

Reason: In the interest of orderly development and sustainable transportation.

7. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management.



8. The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths, and kerbs, shall comply with the detailed construction standards of the planning authority for such works and design standards as outlined in the Design Manual for Urban Roads and Streets (DMURS).

Reason: In the interest of amenity and of traffic and pedestrian safety.

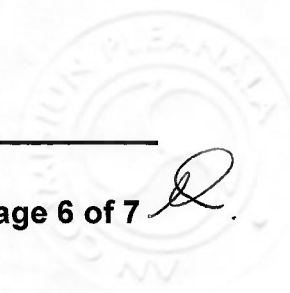
9. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

10. Prior to commencement of development, 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 proposed development, including noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

11. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the planning authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.
- Reason:** To ensure the satisfactory completion and maintenance of the development until taken in charge.



12. 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.




Mick Long

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

Dated this 11th day of March 2026.