



An
Coimisiún
Pleanála

Inspector's Report

ACP-323495-25

Development

Construction of three new houses.
Vehicular and pedestrian entrance
and all associated site works.
(A protected structure, South Dublin
County Council RSP No. 094)

Location

Ball Alley House, Leixlip Road, Lucan,
Co. Dublin, K78 X5AO

Planning Authority

South Dublin County Council

Planning Authority Reg. Ref.

SD25A/0091W

Applicant(s)

Gerry Teague

Type of Application

Permission

Planning Authority Decision

Refusal

Type of Appeal

First Party

Appellant(s)

Gerry Teague

Observer(s)

None

Date of Site Inspection

19th December 2025

Inspector

Frank O'Donnell

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Appendix 1 – Form 1: EIA Pre-Screening

1.0 Site Location and Description

- 1.1. The subject appeal site is located on the southern side of the Leixlip Road (R835) to the southwest of the centre of Lucan Village. The site is positioned to the rear of The Ball Valley Public House and comprises an existing surface car park. The site has a stated area of 0.177 hectares and is surrounded to the south, east and west by established residential development. There is an existing Medical Centre and Apartment building located to the immediate east, both of which are accessed via the same access road serving the subject appeal site.
- 1.2. The Ball Alley Public House is listed as a Protected Structure (Ref. 094) and is also listed on the National Inventory of Architectural Heritage (NIAH), as being of Regional Importance, Ref. No. 11201021.
- 1.3. Arfield House, which is located to the east of the existing site access from the R835, which comprises an existing Medical Centre and is also listed on the NIAH as being of Regional Importance, Ref. No. 11201022.

2.0 Proposed Development

- 2.1. The proposed development comprises the construction of 3 no. 2 storey dwellings comprising 1 no. detached 4 bedroom unit (no. 1) and 2 no. semi-detached 3 bedroom units (no's 2 and 3). Unit no. 1 is a 2 storey hipped roof structure which measures 13 metres in length, 8.7 metres in width and 7.5 metres in height. Unit no's. 2 & 3 and both A Gabled roof structures, each of which measure 10 metres in length, 6 metres in width and 7.7 metres in height.
- 2.2. The proposals also include the provision of 6 no. car parking spaces, landscaping and associated site works.
- 2.3. It is proposed to access the site via an existing vehicle entrance from the public road.
- 2.4. The proposed development was amended in Response to the Request for Further Information. The main changes include the relocation of 6 no. car parking spaces further to the north within the site, increased landscaping and communal open space, revised landscaping measures, reconfiguration of the internal access road.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. The Local Authority issued a REQUEST FOR FURTHER INFORMATION in June 2025 on 6 no. main points summarised, as follows:

- Road Safety issues relating to Sightlines or otherwise changes to the junction configuration or more general changes to the scheme.
- Revised proposals for the achievement of minimum floor space standards for all 3 no. dwellings.
- Proposals to
 - achieve the required Green Space Factor (GSF) calculation as per Policy GI5,
 - subject to the response to item 1, reconsideration of the excessive provision of hardstanding carriageway to serve the development, the provision of an extensive 'loop' layout where appropriate on-site does not appear to comply with the requirement to contribute to and promote high quality public realm, as per Policy QDP6. Alternative layouts encouraged which would facilitate the provision of usable public or communal amenity space whilst allowing for access and turning movements for service vehicles as required.
- A Safety Statement relating to safeguarding of the Protected Structure during works and a Schedule of Materials for the proposed new dwellings noting the location of the proposed development to the rear of a Protected Structure.
- Water Services Requirements including:
 - Soakaway results. Where soakaways are proposed, percolation tests are required as per BRE Digest 365 Standards.
 - The submission of cross section and longitudinal drawings showing the discharge point for surface water in detention basins.
 - The submission of documentation in relation to the facilitation of additional SuDs measures where feasible. Preference to utilise SuDs

measures to remove hydrocarbons from surface water instead of a petrol interceptor.

- Revised documentation showing a corrected site boundary or letter of consent from the landowner of the lands to the south of the site which appear to be in the ownership of the Local Authority.

3.1.2. The Local Authority issued a Decision to REFUSE permission in July 2025 for the following 2 no. reasons:

1. *Traffic Hazard.*

The proposed development would intensify the use of an access with reduced sightlines, increasing the risk of a traffic accident, thereby endangering public safety by reason of a traffic hazard. This primarily relates to vehicles exiting the site onto Leixlip Road. Improvement to the sight lines at the access is not possible, and the best option would be to propose an alternate access.

2. *The applicant did not provide a Green Space Factor calculation work sheet for the development. As per Policy GI5 Objective 4 of the South Dublin County Development Plan 2022 - 2028, applicants are required to demonstrate how they can achieve a minimum Green Space Factor (GSF) scoring requirement, and to demonstrate this through the submission of a Green Space Factor (GSF) Worksheet. The applicant has failed to demonstrate how they can achieve a minimum Green Space Factor (GSF) on the site with this development.*

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

- The **Local Authority Planner** noted the significant changes presented in the Application in relation to the overall reduction in height, scale and massing and the omission of overbearing impacts compared to that of previous proposals. The Local Authority Planner considered the revised proposals would not serve to damage the residential character and visual setting of the area and, in this regard that reason for refusal no. 1 of SD23A/0169 had been

overcome. As the proposals would not appear excessively dominant upon the character and setting of the Protected Structure, it was considered by the Local Authority Planner that reason for refusal no. 2 of SD23A/0169 had been overcome.

- In reference to Reason for Refusal no. 1 of the previous Appeal decision, ref. no. ABP-318197-23, the Local Authority Planner considered the proposed development satisfied relevant design standards as set out in Section 12.6.7 & 12.6.8 of the Development Plan, SPPR 1 of the Sustainable Residential Development and Compact Settlement Guidelines, 2024 and Appendix 1 of the Guidelines for Planning Authorities (Design Standards for New Apartments (July 2023)). Concern was raised however that the standards set out under Table 12.21 of the Development Plan concerning the provision of open space of a sufficient quality and amenity value had not been overcome. The Local Authority Planner considered that reason for refusal (no. 2) under Appeal Ref. no. ABP-318197-23 which related to visual overbearance, overlooking, the lack of minimal separation distances and failure to accord with QDP3 Objective 6 of the Development Plan owing to potential impacts on daylight, sunlight and overshadowing, had been suitably addressed. Reason for Refusal no. 3 of ABP-318197-23, related to on-site traffic circulation and was considered by the Local Authority Planner to have been addressed.
- The Local Authority Planner recommended that Further Information be issued on 6 no. main points relating to i) Traffic/ Access, ii) Minimum Floorspace Standards (Storage), iii) the submission of a Green Space Factor (GSF) Calculation and revisions to the Layout of Public Open Space, iv) the submission of a Safety Statement ensuring adequate protection measures for the Protected Structure during construction and details of proposed external Materials appropriate to the setting, v) proposals for surface water drainage including soakway tests, cross sectional and longitudinal sections drawings and the use of SuDs measures, where feasible and vi) revised documentation showing a corrected site boundary which does not encroach onto green space to rear or the provision of a letter of consent.

- Following receipt of the Response to the Request for Further Information, the Local Authority Planner considered the revised proposals had resolved most of the issues raised. The Local Authority Planner however recommended that permission be refused for 2 no. reasons relating to traffic hazard and a failure to achieve a minimum Green Space Factor (GSF) on site.

3.2.2. Other Technical Reports

- **Conservation Officer:** No objection to the proposed development subject to 2 no. conditions in relation to i) A Safety Statement for the Protected Structure during construction and ii) A Schedule of Materials.
- **Roads Department:** Refusal recommended for 1 no. reason relating to Traffic Hazard at the site entrance onto the public road.
- **Water Services Department:** No objection subject to 4 no. conditions in relation to i) A revised Surface Water Drainage Layout, ii) Inclusion of a Sustainable Urban Drainage System (SuDS), iii) All works to comply with the Greater Dublin Regional Code of Practice for Drainage Works and iv) Surface water and foul water drainage systems shall be separated.
- **Public Realm:** Clarification of Further Information is recommended in relation to a Green Space Factor score card.

3.3. Prescribed Bodies

- **Uisce Eireann:** No objection subject to 1 no. standard condition in relation to prior to commencement connection agreements to provide service connections to the public water supply and/ or wastewater collection network, adherence to the standards and conditions set out in that agreement, all development to be carried out to Uisce Eireann's Standard Details and Codes of Practice and the control of construction over its assets and resultant Confirmation of Feasibility (COF) of Diversions if required, prior to commencement of any works.

3.4. Third Party Observations

- 3.4.1. A total of 7 no. Third Party Observation submissions were received by the Local Authority from local residents mostly in objection to the proposed development with some welcoming the significant positive design changes made. The issues raised are similar to those referred to in the decision of the Local Authority.

4.0 Planning History

4.1. Planning History on the subject appeal site

- **Appeal Ref. no. ABP-318197-23 (Local Authority Planning Reg. Ref. no. SD23A/0169):** Permission for 8 no. apartments. Permission was REFUSED in October 2024 for 3 no. reasons, as follows:

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 residential 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, 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 to 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 will 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.*

- **Appeal Ref. no. ABP-312065-21 (Local Authority Planning Reg. Ref. No. SD21A/0179):** Permission for 14 no. apartments. Permission was REFUSED in May 2023 for the following reasons and considerations:

Reasons and Considerations

Having regard to the existing built form and character of the area, and to the established streetscape along Ardeevin Drive, it is considered that the proposed development would be incongruous in terms of its design, scale, massing and bulk, and would be out of character with the surrounding vicinity. The proposed development would seriously injure the visual and residential amenities of the area and would be contrary to the stated policy of the planning authority, as set out in the

South Dublin County Development Plan 2022 – 2028, including the zoning objective associated with the site, which is classed as ‘RES – Existing Residential’ with the objective ‘to protect and/ or improve residential amenity.’ Furthermore, it is considered that the proposed development would be contrary to QDP3 Objective 1, which seeks to ensure that new development contributes in a positive manner to the character and setting of the immediate area in which a proposed development is located, and would be contrary to QDP3 Objective 6, which seeks to ensure that higher buildings in established areas respect the surrounding context and take account of heights and their impact on light and the negative impact that they may have on existing communities to ensure consistency with regard to Healthy Placemaking. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Various modifications to Ball Alley House (Protected Structure) as follows:

- **SD07A/0208 (ABP Appeal Ref. no. PL06S.223914):** Permission GRANTED in November 2007 for conversion of part of an existing open area to a semi covered area to rear at Ball Alley House.
- **SD06A/0749:** Permission GRANTED for a Change of Use of the first-floor rooms from storage to offices and a conference room and refused for the change of use of the existing smoking area to a beer garden at Ball Alley house. Under SD06A/0749/EP, this permission was extended to expire January 2017.
- **SD06A/0201:** Permission GRANTED for change of use of the first floor rooms from storage to offices and a conference room and refused for the change of use of the existing smoking area to a beer garden. Decision date: January 2007.
- **SD04A/0958 (ABP Ref. No. PL06S.211375).** Retention GRANTED by An Bord Pleanála (now An Coimisiún Pleanála) in July 2005 for external smoking area, perimeter walls, railing, storage area, gable windows, internal alterations, retractable canopy on side east elevation at the Ball Alley House.

- **SD08A/0162:** Permission was REFUSED in May 2008 for the removal of existing stone fireplace and extension of existing bar counter.
- **SD03A/0192:** Amendment to S01A/0351 to include 4 no. new windows and enlarged basement. Permission was GRANTED in July 2003.
- **S01A/0351:** Reconstruction and extension. Permission GRANTED in May 2002.

Relevant planning history in the vicinity of the subject appeal site includes the following:

Adjacent site to the northwest

- **PA Ref. SD19A/0297 (ABP Appeal Ref. No. 306121-19):** Permission was REFUSED in April 2020 for the demolition of existing house and shed and the construction of 6 no. apartments in a 3-storey building, and all ancillary works on lands to the northwest of the subject site. 2 no. reasons for refusal were given, which relate to adverse impacts on Ball Alley House, the incongruous nature of the design, impacts on the character and visual amenity of the area, and lack of justification for the demolition of the dwelling.

Nearby site c. 25 metres to the east

- **PA Ref. S99A/0503:** Permission GRANTED in February 2000 for alterations to Appeal Ref. no. PL06S.108364 to give 24 no. 2 bed apartments in two storey with mansard floor blocks over basement parking, in lieu of 16 no. (8 x bed, 8 x 3 bed) apartments in three storey duplex block and associated development works.
- **PA Ref S98A/0153 (ABP Appeal Ref. 06S.108364):** Permission GRANTED in April 1999 for construction of 118 no. apartments in 4 no. 3-storey blocks and 56 no. apartments in 2 no. 3-storey blocks, and all associated site works on lands to the east of the subject site.

5.0 Policy Context

5.1. Development Plan

- *South Dublin County Council Development Plan, 2022 to 2028*

5.1.1. The South County Dublin Development Plan, 2022 to 2028 (The Development Plan), was made on 21st June 2022 and came into effect on 3rd August 2022. I have reviewed the Development Plan and I consider the following Chapters, Sections, Policies and Objectives to be of relevance to the assessment of this appeal. The subject appeal site is zoned Objective RES – *To protect and/or improve residential amenity.*

5.1.2. **Written Statement.** As per **Chapter 2 (Core Strategy and Settlement Strategy)**, Lucan forms part of Dublin City and Suburbs, see also Figure 11 (Dublin City and Suburbs settlement boundary).

5.1.3. **Chapter 3 (Natural, Cultural and Built Heritage).** Section 3.54 relates to Built Heritage and includes Section 3.5.2 (Protected Structures) where the following Policies and Objectives are provided:

- **Policy NCBH19: Protected Structures:** *Conserve and protect buildings, structures and sites contained in the Record of Protected Structures and carefully consider any proposals for development that would affect the setting, special character or appearance of a Protected Structure including its historic curtilage, both directly and indirectly.*
- **NCBH19 Objective 2:** *To ensure that all development proposals that affect a Protected Structure and its setting including proposals to extend, alter or refurbish any Protected Structure are sympathetic to its special character and integrity and are appropriate in terms of architectural treatment, character, scale and form. All such proposals shall be consistent with the Architectural Heritage Protection Guidelines for Planning Authorities, DAHG (2011 or any superseding documents) including the principles of conservation.*

5.1.4. **Chapter 4 (Green Infrastructure).** Section 4.2.3 relates to Climate Resilience and includes the Green Space Factor where the following is stated:

- Green Space Factor (GSF):** *The quantity and quality of green infrastructure provided by new development will be improved by the implementation of a Green Space Factor (GSF) for South Dublin. The GSF is a measurement that describes the quantity and quality of landscaping and GI across a defined spatial area. This measurement comprises a ratio that compares the amount of green space to the amount of impermeable ‘grey’ space in a subject site. As a planning tool, this ratio is used to assess both the existing green cover within a site and the impact of new development, based on the quantity and quality of new green space provided. Greening factors have been adopted and implemented across the UK, Europe and the United States to help ensure that new development makes a positive contribution to the local environment. By ensuring that new development meets minimum standards for the provision of GI the GSF aims to secure a positive contribution to biodiversity, amenity, air quality, stormwater management, temperature regulation and other ecosystem services. The GSF prioritises the retention of existing GI features within a subject site, in order to support the protection of the County’s existing GI network. At the same time, the GSF will ensure that new development incorporates new landscaping and GI features, contributing to the enhancement of the overall GI network. Chapter 12, section 12.4.2 provides further detail on the requirements for the GSF as part of planning applications.*
- GI5 Objective 4:** *To implement the Green Space Factor (GSF) for all qualifying development comprising 2 or more residential units and any development with a floor area in excess of 500 sq m. Developers will be required to demonstrate how they can achieve a minimum Green Space Factor (GSF) scoring requirement based on best international standards and the unique features of the County’s GI network. Compliance will be demonstrated through the submission of a Green Space Factor (GSF) Worksheet (see Chapter 12: Implementation and Monitoring, Section 12.4.2).*

5.1.5. **Chapter 5 (Quality Design and Healthy Placemaking).** Section 5.2.1 relates to the Delivery of Sustainable Neighbourhoods ‘The Plan Approach’ and includes the following Policies and Objectives:

- **Policy QDP2: Overarching - Successful and Sustainable Neighbourhoods:** *Promote the creation of successful and sustainable neighbourhoods through the application of the eight key design principles to ensure the delivery of attractive, connected, and well-functioning places to live, work, visit, socialise and invest in throughout the County.*
- **QDP2 Objective 1:** *To ensure that applications for new development are accompanied by a statement from a suitably qualified person detailing how 'The Plan Approach' has been taken into consideration and incorporated into the design of the development including the materials and finishes proposed and demonstrating how the overarching principles for the achievement of successful and sustainable neighbourhoods have been integrated as part of the design proposal.*

Section 5.2.2 relates to Context and includes the following Policies and Objectives:

- **Policy QDP3: Neighbourhood Context:** *Support and facilitate proposals which contribute in a positive manner to the character and setting of an area.*
- **QDP3 Objective 1:** *To ensure new development contributes in a positive manner to the character and setting of the immediate area in which a proposed development is located taking into consideration the provisions set out in Chapters 3 and 4 of this Plan and having regard to the requirements set out in Chapter 12: Implementation and Monitoring in relation to design statements.*
- **Policy QDP6: Public Realm:** *Promote a multi-disciplinary and co-ordinated approach to the delivery and management of the public realm within South Dublin County.*
- **QDP6 Objective 1:** *To require that all development proposals, whether in established areas or in new growth nodes, contribute positively to the creation of new, and the enhancement of existing public realm. To demonstrate how the highest quality in public realm design is achieved and how it can be robustly maintained over time (see also Chapter 12: Implementation and Monitoring - Design Statements and Public Realm).*

- **QDP6 Objective 6:** *To ensure that all new developments but particularly apartment developments where gardens do not form part of the home, make provision for sufficient public realm space to enable the community to enjoy a healthy living environment outdoors but within the boundaries of the development and that no new development whether it be private or social creates a development that downgrades the public realm to an extent that it is insufficient to serve as a healthy place to live, both mentally and physically.*
- **QDP6 Objective 7:** *To ensure, in so far as is practical, that all boundary walls in new residential developments are of a similar height and of a high quality where they are bordered on either side by a public footpath or an area that has been or is due to be taken-in-charge in order to leverage the opportunity to improve the quality of boundary treatments.*

Section 5.2.6 relates to High Quality and Inclusive Development and includes the following Policies and Objectives:

- **Policy QDP7: High Quality Design – Development General:** *Promote and facilitate development which incorporates exemplary standards of high-quality, sustainable and inclusive urban design, urban form and architecture.*
- **QDP7 Objective 1:** *To actively promote high quality design through the policies and objectives which form ‘The Plan Approach’ to creating sustainable and successful neighbourhoods and through the implementation of South Dublin County’s Building Height and Density Guide.*

Section 5.2.7 relates to Density and Building Heights and includes the following Policies and Objectives:

- **Policy QDP8: High Quality Design – Building Height and Density Guide (BHDG):** *Adhere to the requirements set out in the Urban Development and Building Height Guidelines (2018) issued by the DHLGH through the implementation of the Assessment Toolkit set out in the South Dublin County’s Building Heights and Density Guide 2021.*

5.1.6. **Chapter 6 (Housing).** Section 6.7 relates to Quality of Residential Development and includes Section 6.7.1 Residential Design and Layout which in turn includes the following Policies and Objectives:

- **Policy H7: Residential Design and Layout:** *Promote high quality design and layout in new residential developments to ensure a high-quality living environment for residents, in terms of the standard of individual dwelling units and the overall layout and appearance of the development.*
- **H7 Objective 1:** *To promote a high quality of design and layout in new residential development and to ensure a high-quality living environment for residents, in terms of the standard of individual dwelling units and the overall layout and appearance of the development in accordance with the standards set out in the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009) and the accompanying Urban Design Manual – A Best Practice Guide and the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2020), or as may be updated and Chapter 12: Implementation and Monitoring.*
- **H7 Objective 3:** *To support the principle of permeability schemes that provide improved connections between housing estates and their surrounds for walking and cycling, having regard to the National Transport Authority's Permeability Best Practice Guide (2015) or any subsequent guidelines, including the provisions relating to permeability schemes and anti-social behaviour.*
- **H7 Objective 4:** *To ensure that residential development provides an integrated and balanced approach to movement, placemaking and streetscape design in accordance with the requirements of the Design Manual for Urban Roads and Streets, DTTAS and DEHLG (2013, updated 2019).*

Section 6.7.2 relates to Private and Communal / Semi-Private and Public Open Space and includes the following Policies and Objectives:

- **Policy H8: Public Open Space:** *Ensure that all residential development is served by a clear hierarchy and network of high quality public open spaces that provide for active and passive recreation and enhances the visual character, identity and amenity of the area.*

- **H8 Objective 1:** *To ensure that public open space in new residential developments complies with the quantitative and qualitative standards set out in Section 8.7 of Chapter 8: Community Infrastructure and Open Space and Chapter 12: Implementation and Monitoring.*
- **H8 Objective 2:** *To ensure that there is a clear definition between public, semi-private and private open space at a local and district level and that all such open spaces benefit from passive surveillance from nearby residential development.*
- **H8 Objective 3:** *To enhance the recreational value of open spaces that serve existing residential areas as part of any future infill developments or where appropriate provide for the upgrade of other parks in the immediate area (applying the 10-minute concept) through a financial contribution in lieu, where a proposed development is not capable of providing the full open space standards on site.*

Section 6.7.3 relates to Private and Semi-Private Open Space and includes the following Policies and Objectives:

- **Policy H9: Private and Semi-Private Open Space:** *Ensure that all dwellings have access to high quality private open space and semi-private open space (where appropriate) and that such space is carefully integrated into the design of new residential developments.*
- **H9 Objective 1:** *To ensure that all private open spaces for houses and apartments / duplexes including balconies, patios, roof gardens and rear gardens are designed in accordance with the qualitative and quantitative standards set out in Chapter 12: Implementation and Monitoring.*
- **H9 Objective 2:** *To ensure that the design and layout of new apartments, or other schemes as appropriate, ensures access to high quality and integrated semi-private or communal open space that supports a range of active and passive uses.*

Section 6.8 relates to Residential Consolidation in Urban Areas and includes Section 6.8.1 Infill, Backland, Subdivision and Corner Sites which, In turn, includes the following Policies and Objectives:

- **Policy H13: Residential Consolidation:** *Promote and support residential consolidation and sustainable intensification at appropriate locations, to support ongoing viability of social and physical infrastructure and services and meet the future housing needs of the County.*
- **H13 Objective 2:** *To maintain and consolidate the County's existing housing stock through the consideration of applications for housing subdivision, backland development and infill development on large sites in established areas, subject to appropriate safeguards and standards identified in Chapter 12: Implementation and Monitoring.*
- **H13 Objective 5:** *To ensure that new development in established areas does not unduly impact on the amenities or character of an area.*
- **H13 Objective 6:** *To support the subdivision of houses in suburban areas that are characterised by exceptionally large houses on relatively extensive sites where population levels are generally falling and which are well served by public transport, subject to the protection of existing residential amenity.*

5.1.7. **Chapter 7 (Sustainable Movement).**

5.1.8. **Chapter 8 (Community Infrastructure and Open Space).**

5.1.9. **Chapter 12 (Implementation and Monitoring).**

5.2. **Guidelines**

- Sustainable Compact Settlement Guidelines, 2024
- Design Manual for Urban Streets and Roads, (DMURS), 2019

5.3. **Natural Heritage Designations**

5.3.1. The site is an urban brownfield site and is not located within or adjacent to a Natura 2000 site. The nearest Natura 2000 sites is as follows:

- The Rye Water Valley/ Carton Special Area of Conservation (SAC) (Site Code: 001398) located c. 2.5 km to the northwest.

5.3.2. The site is located c. 135 metres to the southeast of the River Liffey – Proposed Natural Heritage Area (pNHA) (Site code: 000128).

5.4. EIA Screening

- 5.4.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. The Grounds of the First Party Appeal can be summarised as follows
- Traffic Impacts:
 - The existing site is already operating as a Car Park and comprises 52 no. spaces and already generates significant traffic movements. The proposed development results in a decrease as opposed to an intensification of vehicular movements. The Local Authority Roads Department has not appropriately considered the existing Car Park use. A refusal on traffic hazard is not justified. When compared to the exiting situation, the proposals represent an overall planning gain in respect of traffic management and public safety.
 - The Applicant has provided a Sightline Drawing which is stated to indicate sightlines of 45 metres set back 2 metres from the existing kerb. The sightlines are stated to fully accord with recommendations set out in the Design Manual for Urban Roads and Streets (DMURS) for sightlines within a 50 kph zone.
 - The Applicant is will to incorporate a left turning only exit arrangement and considers this will further mitigate any perceived risk of traffic hazard.

- Green Space Factor (GSF) Calculation :
 - The GSF is unrealistic for smaller infill sites and is more geared toward larger sites. The revised proposals have maximised landscaping, reduced hardstanding and increased communal amenity space. The proposals are therefore considered to deliver high quality green infrastructure proportionate to the site despite the limitations of the GSF methodology.
 - In addition, the location of the site benefits from its proximity to a variety of public play areas and parks. It is anticipated that a new public amenity space will be developed on lands opposite the site. Future residents will have access to high quality outdoor amenity spaces and recreational facilities, in addition to the landscaped areas proposed on site.
 - The Applicant has provided a Green Space Factor Calculation Worksheet as part of the Appeal submission. Although the score achieved may not be ideal as per the requirement, the Applicant is happy, in the event of a Grant of permission being issued, to liaise with the Local Authority Public Realm Department with a view to discussing additional measures to compensate for the shortcoming.

6.2. Planning Authority Response

- A Response was received from the Local Authority on 24th September 2025 which states
 - *‘The Planning Authority confirms its decision. The issues raised in the appeal have been covered in the Chief Executive Order.’*

6.3. Observations

- None

6.4. Further Responses

- None

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal and the reports of the planning authority and having inspected the site, and having regard to relevant local/ regional and national policies and guidance, I consider the main issues in this appeal are as follows:

- Zoning
- Reason for Refusal no. 1
- Reason for Refusal no. 2

7.2. Zoning

7.2.1. The subject appeal site is zoned Objective RES in the South Dublin County Council Development Plan, 2022 to 2028. The relevant zoning objective for Objective RES is *'To provide for new residential communities in accordance with approved area plans'*. Residential is a use which is Permitted in Principle on lands zoned Objective RES. Therefore, subject to normal planning and environmental considerations, the proposed development on the subject site, which comprises residential development, is considered to be acceptable in principle.

7.3. Reason for Refusal no. 1

7.3.1. I note Reason for Refusal no. 1 which is concerned with an anticipated intensification of the use of an access with reduced sightlines, increasing the risk of traffic accident, thereby endangering public safety by reason of a traffic hazard. The reason for refusal states this primarily relates to vehicles exiting the site onto Leixlip Road, that improvement to the sightlines at the access is not possible and that the best option would be to propose an alternative access.

- *Access and Servicing*

7.3.2. I note reason for refusal no. 3 of the previous appeal decision on the subject appeal site, as appeal ref. no. ABP-318197-23 refers, is concerned with the lack of sufficient space for the safe manoeuvre of larger cars, refuse and delivery trucks, and emergency vehicles. The said reason for refusal also refers to the absence of a dedicated turning area and notes that such vehicles will have to reverse onto the

Leixlip Road to exit the site which would in turn cause a traffic hazard and undermine public safety. A further consideration under said reason for refusal noted that as no set-down or loading areas are provided and that access to the site and adjoining sites to the east would be periodically blocked by refuse trucks and delivery vehicles serving the Public House, that this would cause a traffic hazard. I note under the said previous application and appeal (planning reg. ref. no. SD23A/0169 and Appeal Ref. no. ABP-318197-23), that the Applicant proposed 8 no. Apartments with 8 no. new associated and dedicated car parking spaces, (see proposed site layout plan Drg. No. 3.1.002 attached to planning file reference no. SD23A/0169, which is available to view on the online planning register). The said drawing included a 6 metre wide access road between the respective parking areas. The site area, as presented under said previous application, as defined by the proposed red line boundary, also included existing car parking spaces to the rear of the public house, which are omitted from the current application and subject appeal.

- 7.3.3. As per the initial proposal submitted to the Local Authority, the Applicant proposed a shared surface looped traffic management system with a central landscaped island, see site layout Drawing Ref. 202_062, 101, Rev. A. As part of said initial proposal, the Applicant also submitted 1 no. Autotrack analysis drawing ref. no. 930-467, AT01, indicating in and out routes for a Fire Tender Truck (Overall Length: 7.7 metres). Although this proposal is noted and indeed indicates that in and out access for a Fire Tender could successfully be achieved, no further Autotrack Analysis Drawings are provided. Larger vehicles such a standard rigid truck (12 metres in length), which would, in my opinion, typically service a public house, would not be able to safely enter and exit the subject appeal site and would need to either reverse in from the main road or reverse out onto the main road. Such a scenario would, in my opinion, serve to create a traffic hazard.
- 7.3.4. I note the revised site layout as presented on site layout drawing no. 2020_062, 101, Rev. B, submitted in Response to the Request for Further Information. The Applicant presented no revised Autotrack Analysis drawings for the said revised site layout. The revised site layout would, in my opinion, not serve to address the servicing issues raised in the above referenced Reason for Refusal no. 3 of planning reg. ref. no. SD23A/0169 (Appeal Ref. No. ABP-318197-23). As such and, in my opinion, the revised site layout similarly serves to create a traffic hazard as it has not been

demonstrated that typical turning movements for larger vehicles can be accommodated within the overall site.

- *Sightlines*

- 7.3.5. The Leixlip Road (R835) is a Regional Road. The existing access/ egress to the subject appeal site from the R835 is positioned at a location where the 50 kmph speed limit applies. There is an existing Bus Route/ Bus Lane on both sides of the R835 fronting the subject appeal site. The existing access serves the rear of the Public House which is in current use as a Car Park and also serves as the sole means of vehicular access into the existing Medical Centre and an Apartment Block (6 no. units) to the immediate east.
- 7.3.6. I note the proposals as initially presented in relation to the provision of sightlines. I further note Point no. 1 of the Request for Further Information which related to concerns raised by the Roads Department regarding the issue of a traffic hazard at the existing site access onto Leixlip Road. The Applicant refers to drawing no. 930-467-C01 Rev C, which it is stated *'show sightlines of set-back 2m from the existing kerb. Each of these sightlines is 45m in length, which is in accordance with DMURS recommendation for sightlines within a 50kph zone.'*
- 7.3.7. I note the Applicants Appeal submission includes a Letter from Consulting Engineers in response to Reason for Refusal no. 1. In relation to the issue of sightlines, it is stated that *'On leaving the site, the 2.0m X 44m sight triangle to the right is clipped by the corner of the Medical Centre momentarily. The building immediately angles backwards.'* Reference is made to the Drawing accompanying the Appeal, Drawing no. 930-467-C10, and it is further stated that *'the boundary wall is a low level wall with railings which can be seen through. A theoretical sight angle of 1.8m x 44m can be achieved.'* As per said Drawing no. 930-467-C10, the Applicant has indicated existing sightlines of 45 metres in both directions set back 2.0 metres from the existing kerb (noting the existing pinch point in an eastern direction at the Medical Centre). On the same drawing, the Applicant also indicates proposed sightlines of 45 metres in both directions at a 1.8 metre set back from the existing kerb.
- 7.3.8. I note as per table 4.2 of Section 4.4.4 (Forward Visibility) of DMURS that, in the case of a Design Speed of 50 km/h, a Stopping Sight Distance (SSD) of 45 metres is recommended and that this increases to 49 metres where there is a Bus Route.

Section 4.4.5 of DMURS relates to Visibility Splays and recommends the use of a maximum site distance of 2.4 metres for priority junctions. In my opinion, while I note the Applicants proposals, a sightline triangle with a setback/ X distance of 2.4 metres and sightlines of 49 metres in both directions cannot be achieved owing to the noted existing obstacles to the east.

- 7.3.9. Further in Section 4.4.5 Visibility Splays, it is noted that in difficult circumstances the stated maximum X distance may be reduced to 2.0 metres where vehicle speeds are low and flows on the minor arm are low. The Applicant has not demonstrated the achievement of a Visibility Splay of 2.0 metres by 49 metres in both directions. Instead, in relation to a setback/ X distance of 2.0 metres, the Applicant has shown the existing situation where a 45 metre sightline to the east is restricted. A reduced set back/ X distance of 1.8 metres indicating clear unobstructed sightlines of 45 metres in both directions is also shown. Having regard to the foregoing, in my opinion, the Applicant has not demonstrated the achievement of a minimum sightline of 2.0 metres by 49 metres in both directions.

- *Intensification in Traffic Movements*

- 7.3.10. At the time of my site inspection, there were a total of 17 no. cars parked in the subject car park as well as 2 no. other vehicles (1 no. van and 1 no. motorhome) which appeared to be parked on a more permanent basis. The proposed development, as presented, would result in the replacement of 52 no. car parking spaces within the existing car park with 6 no. residential car parking spaces, a net decrease of 46 no. car parking spaces.
- 7.3.11. I note the proposed car parking arrangement for 6 no. dedicated car parking spaces to serve the proposed 3 no. dwellings, see Access & Parking Layout Plan, Drg. No. C01, Rev. C, lodged in response to the Request for Further Information and attached to the planning application. I note the said car parking spaces are proposed to be accessed from an internal access road to the rear of the public house which will also serve as a means of delivery access to the rear of said public house as well as access to the associated car parking spaces (6 no. car parking spaces indicated in total to serve the existing public house at this location). In my opinion, owing to the proposed access road layout, there is potential for future traffic conflicts at this location. Although there is a net decrease in car parking proposed, it is my opinion,

owing to the likely concentration of vehicle movements to the above said location and the likely associated traffic conflicts arising, that this would result in an intensification of traffic movements at this said location when compared to the current situation. I would therefore agree with the assessment of the Local Authority in this regard relating to the issue of intensification.

- *Right Turning Lane*

7.3.12. The issue of a right turning from the Leixlip Road (R835) into the site is raised in the Reports from the Roads Department. The Roads Department question how such a turning movement would be achieved. The Applicant has not provided any specific details in this regard.

- *Conclusion on Traffic Hazard*

7.3.13. Having regard to the above traffic issues raised in relation to Access and Servicing, Sightlines and an Intensification of Traffic Movements, it is my opinion that the proposed development, as presented, would result in a traffic hazard. I therefore agree with the assessment and decision of the Local Authority to refuse permission in relation to the issue of traffic hazard.

7.4. Reason for Refusal no. 2

7.4.1. The second reason for refusal, as issued by the Local Authority relates to the issue of a Green Space Factor (GSF) calculation work sheet for the proposed development, as per the provisions of Policy G15 Objective 4 of the South County Development Plan, 2022 to 2028. For ease of Reference, Policy G15 Objective 4 reads as follows:

- **Policy G15 (Climate Resilience)**
- **GI5 Objective 4:** *To implement the Green Space Factor (GSF) for all qualifying development comprising 2 or more residential units and any development with a floor area in excess of 500 sq m. Developers will be required to demonstrate how they can achieve a minimum Green Space Factor (GSF) scoring requirement based on best international standards and the unique features of the County's GI network. Compliance will be demonstrated through the submission of a Green Space Factor (GSF) Worksheet (see Chapter 12: Implementation and Monitoring, Section 12.4.2).*

- 7.4.2. The subject proposal comprises 3 no. dwellings with a stated combined floor area of 391 sqm. As the proposed development comprises more than 2 no. dwellings, it is my opinion that Policy GI5 applies in the subject case. I note Section 12.4.2 of the Development Plan, which relates to Green Infrastructure and Development Management and, I note, in particular, the Guidance provided for Green Space Factor (GSF).
- 7.4.3. As per Appendic C of the Appeal submission, the Applicant has provided a Green Space Factor (GSF) Worksheet. The required GI score for the subject Residential zoning is 0.5. The final score achieved is indicated to be 0.24, which as per the submitted Green Space Factor (GSF) Worksheet is indicated to be a fail.
- 7.4.4. While the Applicants case in relation to established surrounding recreational facilities proximate to the subject appeal site is noted, Policy G15 Objective 4 is, in my opinion, unequivocal in terms of its application, i.e. 2 or more residential units. Based on the foregoing, the Applicant has failed to demonstrate how a minimum Green Space Factor (GSF) is to be achieved and as a result the proposed development as presented does not comply with the provisions of Policy G15 Objective 4.
- 7.4.5. In conclusion therefore, I agree with the assessment and decision of the Local Authority to refuse permission in relation to the issue of the achievement of the appropriate minimum Green Space Factor (GSF) as per the requirements of Policy GI5 Objective 4 of the Development Plan.

8.0 AA Screening

- 8.1. I have considered the proposal in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located in the urban area of Lucan, at a distance of approximately c. 2.5 km from the Rye Water Valley/ Carton Special Area of Conservation (SAC) (Site Code: 001398) located c. 2.5 km to the northwest which is the closest European Site.
- 8.2. The proposed development is for the construction of 3 no. dwellings and associated site works. No appropriate assessment issues were raised as part of the appeal. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European site. The reason for this conclusion is as follows:

- 8.3. The nature and scale of the works and the availability of wastewater services.
- 8.4. The separation distance from the nearest European site and lack of meaningful connections.
- 8.5. The screening determination of the Planning Authority.
- 8.6. I conclude, on the basis of objective information, that the development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and development Act 2000) is not required.

9.0 Water Framework Directive

- 9.1. The River Liffey_170 (EU Code: IE_EA_09L012100) lies within c. 120 metres to the northwest of the subject appeal site (Waterbody Status: Poor). The site lies above the Dublin Groundwater body ((EU Code: IE_EA_G_008) (Waterbody Status: Good). The proposed development is detailed in section 2.0 of my report. No specific water deterioration concerns were raised in the planning appeal or observations.
- 9.2. I have assessed the proposed development and associated works and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration.
- 9.3. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively. The reason for this conclusion is as follows:
 - Nature of works e.g. small scale and nature of the development;
 - Location-distance from nearest water bodies and/or lack of hydrological connections;
- 9.4. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes,

groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

10.0 Recommendation

10.1.1. I recommend that permission be refused for the reasons and considerations set out below.

11.0 Reasons and Considerations

11.1.1. Having regard to the backland location of the subject appeal site which is currently accessed from the Leixlip Road (R835), the insufficient space provided for the safe manoeuvre of larger vehicles, refuse and delivery trucks, and emergency vehicles, the lack of a dedicated turning area, which means such vehicles will have to reverse onto the Leixlip road to exit the site where there are restricted sightlines, and as there is no set down or loading areas provided, access to the site and adjoining sites to the east will be periodically blocked by refuse trucks and delivery vehicles serving the public house, it is considered that:

- The proposed development would result in a traffic hazard and would undermine public safety .

In addition, the proposed development, does not achieve

- The appropriate minimum Green Space Factor (GSF) as per the requirements of Policy GI5 Objective 4 of the Development Plan and as such the proposals are therefore considered to represent a substandard form of residential development.

The proposed development therefore, as presented, would be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Frank O'Donnell
Planning Inspector

30th June 2026

Form 1 - EIA Pre-Screening

Case Reference	ACP-323495-25
Proposed Development Summary	Construction of three new houses. Vehicular and pedestrian entrance and all associated site works. (A protected structure, South Dublin County Council RSP No. 094).
Development Address	Ball Alley House, Leixlip Road, Lucan, Co. Dublin, K78 X5AO
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1.	
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	

☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	State the Class and state the relevant threshold Class 10 b) (i) Construction of more than 500 dwelling units. Class 10 b) (iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. (In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	ACP-323495-25
Proposed Development Summary	Construction of three new houses. Vehicular and pedestrian entrance and all associated site works. (A protected structure, South Dublin County Council RSP No. 094).
Development Address	Ball Alley House, Leixlip Road, Lucan, Co. Dublin, K78 X5AO
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The development has a modest footprint, comes forward as a standalone project, does not require substantial demolition works, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The proposed development site is an infill site located in an urban area. The site is removed from sensitive natural habitats and designated sites and landscapes of identified significance in the County Development Plan. The site is not located within an Architectural Conservation Area (ACA) or an area of archaeological significance. The subject appeal site is located to the rear of a Protected Structure known as Ball Alley House. No works are proposed to the Protected Structure and it is not considered that the proposed development will serve to impact negatively upon the established character and setting of said Protected Structure.

Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)