

An
Coimisiún
Pleanála

Commission Order
PL-501321-KE-26

Planning and Development Act 2000, as amended

Planning Authority: Kildare County Council

Planning Register Reference Number: 26/60179.

APPEAL by Kandle Trust against the decision made on the 15th day of April 2026 by Kildare County Council to refuse permission for the proposed development.

Proposed Development: The development will consist/consists of the construction of a single storey limestone pastoral centre of 315 square metres to the south of the existing limestone church, the removal of the existing 20th century grotto, the removal of a section of existing boundary wall and all associated site development works, all at Saint Coca's Church, Church Street, Kilcock, County Kildare, a Protected Structure.

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 site within Kilcock town core, to the provisions of the Kildare County Development Plan 2023 - 2029 relating to protected structures and to Architectural Conservation Areas, to the objectives of that Plan supporting community facilities and pedestrian permeability, and to the "Architectural Heritage Protection Guidelines for Planning Authorities", issued by the Department of Housing, Local Government and Heritage in 2011, it is considered that the provision of a pastoral centre serving the adjoining church is considered acceptable in principle.

Having regard to its impact on the protected structure and the Architectural Conservation Area, account has been taken of the single storey scale, form and stone construction of the building, of its position below the eaves of the church, of the Architectural Heritage Impact Assessment and photomontages submitted, and of the proposals to expose and repoint the stonework of the roadside boundary wall. It is considered that the proposed development would not adversely affect the setting or character of the protected structure, would not obscure established views of its principal elevation and would not detract from the character of the Architectural Conservation Area.

The development would also improve the public realm at the junction of Church Street and Mill Lane and would provide a pedestrian route from Church Street through the church grounds to Scoil Chóca Naofa, increasing permeability within the town core. It would be acceptable in terms of traffic and pedestrian safety and adequately serviced. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed 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 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. The pastoral centre shall be used as a facility ancillary to the adjoining church and for community purposes only. It shall not be used for commercial, industrial or residential purposes. Any change of use shall be the subject of a separate application for planning permission.

Reason: In the interest of clarity, to regulate the use of the development, and in the interest of the proper planning and sustainable development of the area.

3. Prior to commencement of development, the developer shall submit for the written agreement of the planning authority drawings at a scale of not less than 1:50 showing the precise extent of the boundary wall to be removed at
 - (a) the junction of Church Street and Mill Lane and
 - (b) the existing pedestrian entrance onto Mill Lane,

together with the profile and detailing of the new wall ends at each opening. The extent of removal shall be the minimum necessary to provide the pedestrian access, seating area and footpath widening proposed, and shall not exceed the extents shown on the drawings lodged with the application.

Reason: To control the extent of removal of the roadside boundary wall, in the interest of protecting the setting of the protected structure and the character of the Architectural Conservation Area.

4. Prior to the commencement of development, the developer shall submit for the written agreement of the planning authority:
 - (a) confirmation that the development will be monitored by a suitably qualified architect with conservation expertise and accreditation, and that competent site supervision, project management and crafts personnel, suitably qualified and experienced in conservation works, will be engaged;
 - (b) a detailed method statement covering all works to be carried out within the curtilage of the protected structure, to include a full specification of materials and methods to ensure that the works are carried out in accordance with the Architectural Heritage Protection Guidelines for Planning Authorities and current conservation practice, the removal by hand of the cement render and capping from the retained boundary walls and the repointing of the stonework in lime mortar, the salvage, storage and re-use of the stone arising from the sections of wall to be removed, the taking down and rebuilding of the section of wall alongside the Mill Lane entrance, and the methodology for recording and retaining any concealed features or fabric exposed during the works; and

- (c) samples of the stone, mortar and workmanship proposed for the new building and for the repair of the boundary walls.

The development shall be carried out in accordance with the agreed details.

Reason: In the interest of the protection of architectural heritage, in accordance with the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities.

5. Prior to the commencement of development, the developer shall make a record of the areas of the protected structure and its curtilage affected by the development and of the structures to be removed. The record shall comprise
 - (a) a full set of survey drawings, to include elevations, plans and sections of the grotto and of the sections of boundary wall to be removed, and
 - (b) a detailed, labelled photographic survey of those structures and of the curtilage.

A copy of this record shall be submitted to the planning authority prior to commencement of development and to the Irish Architectural Archive.

Reason: In order to establish a record of this protected structure and in the interest of the protection of architectural heritage.

6. The developer shall engage a suitably qualified, licence-eligible archaeologist to monitor, under licence under the National Monuments Acts, all site clearance, demolition, topsoil stripping and groundworks associated with the development. Prior to the commencement of such works the archaeologist shall consult with and forward a method statement for the written agreement of the planning authority and the National Monuments Service. Should archaeological remains be identified in the course of monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the National Monuments Service, as to appropriate mitigation, and the developer shall facilitate the archaeologist in recording any remains identified. Following the completion of all archaeological work on site and any necessary post-excavation analysis, the planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of the monitoring and of any subsequent investigative work. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation, either in situ or by record, of places, caves, sites, features or other objects of archaeological interest.

7. (a) The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:
- (i) a plan to a scale of not less than 1:200 showing existing trees, hedgerows and stone walls, specifying which are proposed for retention as features of the site landscaping, and the

measures to be put in place for the protection of these landscape features during the construction period;

- (ii) the species, variety, number, size and locations of all proposed trees, shrubs and hedging;
 - (iii) hard landscaping works, specifying surfacing materials, furniture and finished levels; and
 - (iv) details of any external lighting proposed, including the location, type, height, intensity and direction of all fittings and the measures proposed to avoid light spill onto the protected structure and onto adjoining property.
- (b) All tree removal, tree protection and landscaping works shall be carried out under the supervision of a suitably qualified arboriculturist and in accordance with the arboricultural method statement contained in the Arboricultural Assessment submitted with the application. Prior to commencement of development, all trees and hedges which are to be retained shall be enclosed within protective fencing, and no plant, materials, spoil or fuel shall be stored, and no fires lit, within the fenced areas.
- (c) All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of visual amenity and biodiversity and in order to protect the setting of the protected structure and the character of the Architectural Conservation Area.

8. (a) Prior to the commencement of development, the developer shall submit for the written agreement of the planning authority details of the pedestrian route through the church grounds between the new entrance at the junction of Church Street and Mill Lane and the entrance onto Mill Lane. The details shall include surfacing materials, levels, boundary treatment and the arrangements for the management and maintenance of the route and for its availability for public use. The route shall be provided before the development is brought into use.
- (b) Prior to the commencement of development, the developer shall submit for the written agreement of the planning authority details of the widened public footpath and the seating area proposed at the junction of Church Street and Mill Lane, including surfacing materials, kerbing, levels and the treatment of the interface with the public road. These works shall be carried out at the developer's expense and shall be completed before the development is brought into use.
- (c) Secure cycle parking shall be provided within the site. Details of the number, location, type and finish of the cycle parking shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interests of pedestrian safety and permeability, to secure the public realm improvement proposed, and to encourage the use of sustainable modes of transport.

9. (a) All foul sewage and soiled water shall be discharged to the public foul sewer.
- (b) Only clean, uncontaminated storm water shall be discharged to the surface water drainage system.
- (c) 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.

10. Prior to the commencement of development, the developer shall submit for the written agreement of the planning authority a Construction Management Plan, which shall be adhered to during construction. The plan shall provide details of the intended construction practice for the development, including, noise and dust management measures, the routing, parking and management of construction traffic having regard to the width of Mill Lane and Church Street, the location of the site compound and of areas for the storage of plant, materials and deliveries, measures to prevent the deposit of spoil, dirt or debris on the public road and footpath, the protection of the retained boundary walls and of the trees to be retained, the maintenance of pedestrian access to the church and to Scoil Chóca Naofa during the works, and the management and off-site disposal of construction and demolition waste in accordance with a Resource and Waste Management Plan prepared under the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021). Any damage caused to the public footpath, kerb or carriageway in the course of construction shall be made good at the developer's expense.

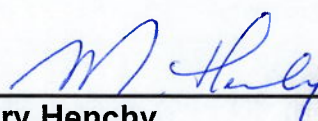
Reason: In the interests of public safety, the amenities of property in the vicinity, the protection of architectural heritage and the proper management of waste.

11. Site development and building works shall be carried out only between the hours of 0700 and 1900 from Mondays to Friday inclusive, between 0800 and 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 property in the vicinity.

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

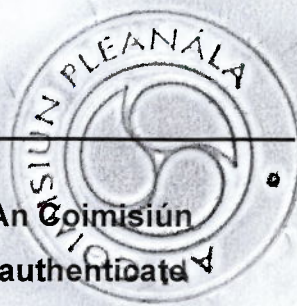


Mary Henchy

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate

the seal of the Commission.



Dated this *14th* day of *September* 2026.