



An
Coimisiún
Pleanála

**Commission Order
PL-501467-KE-26**

Planning and Development Act 2000, as amended

Planning Authority: Kildare County Council

Planning Register Reference Number: 25165

Appeal by Reginald Garrett and by Hey Darling against the decision made on the 8th day of May 2026, by Kildare County Council to grant, subject to conditions, a permission to Hey Darling in accordance with the plans and particulars lodged with the said Council.

Proposed Development: Change of use of Unit 2 and Unit 3 to coffee shop for sale of hot food, cold food and no-alcoholic beverages for on and off the premises. Retention of amalgamation of Unit 2 and Unit 3. Retention of change of use of Unit 3 to seating area, and all ancillary works, all at Unit 2 and Unit 3 Morell Manor, Monread, Naas, County Kildare.

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 provisions of the Kildare County Development Plan 2023- 2029, and the Naas Local Area Plan 2021 – 2027, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development proposed to be retained, would not give rise to a traffic hazard and would be an acceptable form of development at this location. The proposed development and the development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Commission considered the provisions of Section 10.6 (Change of Use) of the Kildare Development Contributions Scheme 2023 – 2029, which states a 100% reduction on contributions applies for change of use applications where the development does not lead to the need for new or upgraded infrastructure or services or significant demand placed on existing services. It is considered that development contributions have been paid with respect to the development for retention under An Bord Pleanála reference number PL73.104567/Kildare County Council planning register reference number 97500030 and, therefore, Section 10.6 (Change of Use) of the Kildare Development Contributions Scheme 2023 - 2029 applies. The Commission considered that development contributions are not required for this change of use as no additional floor area is included and that the use is modest and would not result in additional pressure on existing infrastructure.

Conditions

1. The development shall be retained, 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 14th day of April 2026, 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 retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Within three months of the final grant of permission, the applicant shall submit to, and agreed in writing with, the planning authority a revised location for the proposed bicycle shelter/parking to be situated to the front of the building/unit.

Reason: In the interest of clarity.

3. Appropriate signage shall be placed to the front of the car park to advise of additional spaces located to the rear of the site. Details of which shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interests of traffic and pedestrian safety.

4. Outdoor seating and tables shall not be permitted and shall be subject to a separate grant of planning permission.

Reason: In the interest of the residential amenities of neighbouring properties.

5. (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.

Reason: In the interest of public health.

6. All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the laneway or adjoining properties.

Reason: In the interest of traffic safety and to prevent flooding or pollution.

7. All waste shall be managed and disposed of in accordance with the Waste Management Act 1996, as amended, and the Kildare County Council Waste Management Byelaws 2018.

Reason: In the interest of public health, to avoid pollution and to ensure proper servicing of the development.

8. No additional advertisement flags, signs, banners, posters or other advertisement material shall be erected on the façade of the building, within the curtilage of the site, or on any external windows.

Reason: In the interest of visual amenity.

Patricia Calleary

Patricia Calleary

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 21 day of September 2026