

An
Coimisiún
Pleanála

**Commission Order
PL-501520-KE-26**

Planning and Development Act 2000, as amended

Planning Authority: Kildare County Council

Planning Register Reference Number: 25/60933

Appeal by Stephen McLoughlin and Lyn McCarthy against the decision made on the 15th day of May 2026 by Kildare County Council to grant subject to conditions a permission to Richard Madigan in accordance with plans and particulars lodged with the said Council.

Proposed Development: for (1) retention of a detached single story shed (Marked 'Shed A') with an area of 51 square metres containing dry goods store (horse riding equipment), (2) retention of a detached single story shed (Marked 'Shed B') with an area of 51 square metres containing dry goods store (straw), (3) retention of an internal driveway formed through the compaction of soil and stone, (4) retention of a new vehicular access, (5) retention of a farm gate with flanking timber fencing, and (6) all of the above to be used on this land for equine purposes by the applicant. It should be noted that the development will take place within the curtilage of a protected structure RPS number B14-09 "Ruined Castle and Church and Baptismal Font". Revised by significant further information which consists of: (1) land

use; a revised site layout drawing indicates that the 0.66-hectare site on which permission was granted for a house and associated facilities under planning application registration number 21311, comfortably accommodates both this private residential development and proposed equine development. The submitted drawing also details a proposed landscaping plan, (2) occupation of Shed A; Shed A is to be used as a dry goods agricultural store only. To address the further information request, the Council is welcome to inspect Shed A to confirm that no unauthorized activities are taking place, (3) use of Shed B; Shed B is proposed to be used as a dry goods agricultural store (straw), (4) site access; it is now intended for the entrance and driveway which serves the two farm buildings which are the subject of this present submission to also be used to access the house which was permitted on this overall landholding under planning application registration number 21311, (5) neighbour's submission; the neighbour's submission has been addressed, and (6) archaeological issues; an augmented archaeological submission has been issued to address the queries raised in relation to archaeological issues at Whitechurch, Straffan, County Kildare as revised by further public notices received by the planning authority on the 21st day of April, 2026.

Decision

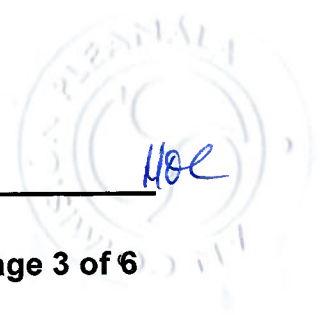
GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to:

- (a) the provisions of the Kildare County Development Plan 2023-2029 including Policy RD P3, Objective RD O16, and Objective DD O2 regarding development for equine and agricultural based activities;
- (b) the provisions of the Kildare County Development Plan 2023-2029 including Objective AHO2, Objective AH O4, Policy AH P6, Objective AH O20 and Objective AH O21 with respect to the protection of protected structures and curtilages, and archaeology preservation.
- (c) the nature, scale, and location of the development with a Sites and Monuments Records zone; and
- (d) the residential amenities of properties in the vicinity of the development, and visual impact of the development for retention,

it is considered that the development proposed to be retained, subject to compliance with the conditions set out below, does not seriously injure the residential amenities of property in the vicinity or visual amenities of the area, or impact on the archaeology of the adjacent protected structure. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.



Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, as amended by the further information received by the planning authority on the 9th 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 and the development shall be retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Within one month of the final grant of permission, photographic evidence shall be submitted for the written agreement of the planning authority which demonstrates 'Shed B' to the rear of the site is fully completed and sealed in its entirety according to the drawings received by the planning authority on the 15th day of August 2025.

Reason: In the interest of clarity and to regulate the development.

3. The use of the sheds/outbuildings proposed to be retained the subject of this application shall be for equine/agriculture purposes only. The sheds/outbuildings proposed to be retained and overall site delineated in red as shown on the Site Layout Plan received by the planning authority on the 15th day of August 2026 shall not be used as habitable accommodation, and not for any trade, workshop, or any other commercial use. The sheds/outbuildings proposed to be retained shall not be let or sold separately.

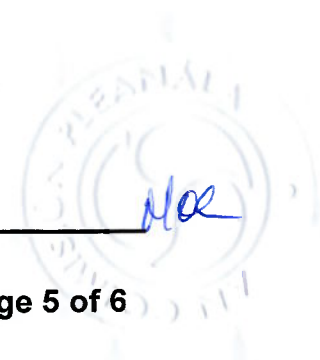
Reason: In the interest of clarity and to regulate the development.

4. The driveway hereby permitted for retention shall remain as constructed. No additions or engineering works, decorative or otherwise, such as kerbing, lighting routed underground, or the use of the driveway to install underground utilities of any description is permitted. Any future subsurface work within the development boundary shall not encroach on the Sites and Monuments Record (SMR) zone of influence and shall be subject to archaeological supervision.

Reason: To preserve the archaeological integrity of the site and to regulate the development.

5. The developer shall ensure that the sight visibility lines, at the entrance are, subsequently, kept free from obstruction and maintained by the occupant, so as not to impede lines of sight at the entrance as provided in accordance with Transport Infrastructure Ireland (TII) documents (DNGeo-03060 and 03031).

Reason: In the interest of road safety.



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.

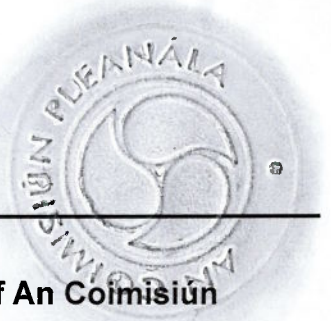
Reason: In the interest of traffic safety and to prevent flooding or pollution.

7. The developer shall provide a Stone Mastic Asphalt (SMA) overlay for the tie in, recessed bell mouth shaped area, from the edge of carriageway to the development's vehicular entrance gate. The developer shall ensure that the new SMA surface at the recessed road entrance is designed and shaped to ensure surface water is collected in a new gully/Acro drain system and discharged to a soakaway within the site. The developer shall ensure that the vehicular access gradient is not more than 2% for seven metres from the carriageway tie-in to the gateway.

Reason: In the interest of road safety.


Marie O'Connor

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



Dated this 06th day of October 2026