



An
Coimisiún
Pleanála

Inspector's Report ABP-320199-24

Development	Construction of extension to store and alterations to car park with all associated site works
Location	The existing Aldi Foodstore, Newbridge Road, Jigginstown Park, Naas West, Co. Kildare
Planning Authority	Kildare County Council
Planning Authority Reg. Ref.	24/60448
Applicant(s)	Aldi Stores (Ireland) Limited
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Vincent & Anne Naughton
Observer(s)	None
Date of Site Inspection	05/07/2025
Inspector	Paula Hanlon

1.0 Site Location and Description

- 1.1. The site (0.514ha) subject to this appeal (hereafter referred to as 'the site') is the established site of an existing Aldi store, which is located along the southern side of the Newbridge Rd (R445), on the western approach into Naas town centre in Co. Kildare.
- 1.2. The existing store is setback a distance of approximately 48m from the adjoining Newbridge Rd with a surfaced car park area to the front of the store and overspill car park located at the rear of the store.
- 1.3. The site adjoins the rear gardens of a number of established residences within Arconagh residential scheme (east and south), Jigginstown Commercial Park (west) and the Newbridge Rd with adjoining residential development (north).
- 1.4. Vehicular access is by way of an existing access directly off the Newbridge Rd. which bounds the northern side of the site.
- 1.5. Its topography comprises a gentle fall in a southerly direction.

2.0 Proposed Development

- 2.1. The proposed development consists of the following:
 - A new single storey extension (365m² [297m² net retail floor area]), with an overall maximum height of 3.65m along the southern (rear) elevation of the existing store.

The extension proposed is sought so as to accommodate the reconfiguration of the existing store's layout, including the relocation of the existing warehouse/storage area to the rear and to provide an extension of the store's existing retail area. [1,693m² (1,147m² net) [850m²] permitted].

- A Deposit Return Scheme room within the building, which would be internally accessed only from the within the store.
- Alterations to the existing car park including the relocation of 7(no) car parking spaces from the southern boundary to the eastern boundary, with a reduction of 13(no car spaces overall [i.e. 85(no) existing car parking spaces would be reduced to 72(no) spaces under this application].

- Installation of 4(no) EV charging parking spaces, minor infrastructural upgrades and all associated works to facilitate the development.

2.2. The application was accompanied by the following documentation of note –

- Traffic & Car Parking Report prepared by TPS M Moran & Associates
- Engineering Letter prepared by Downes Associates
- Planning Schedule and Areas.

2.3. The applicant's appeal response is accompanied by the following documentation of note –

- Correspondence detailing refrigeration plant equipment design prepared by Tingle & Associates Refrigeration Consultants (dated 08 Aug 2024).

3.0 Planning Authority Decision

3.1. Decision

By Order dated 10 July 2024, Kildare County Council (WCC) issued a notification of decision to grant planning permission subject to 8(no) conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

One Planning Report is attached to the file. The planning officer in their report recommended that planning permission be granted for the proposed development. In making the recommendation to grant permission, the report referred to the site's history and considered planning matters including design & layout, traffic impact, overbearance and noise impact.

3.2.2. Other Technical Reports

- District Engineer: Referred to Roads Section.
Roads, Transportation & Public Safety Department: Further Information sought (bicycle parking, surface water runoff onto public road and provision of a draft Demolition & Construction Management Plan).
- Environment Department: Conditions recommended.

- CFO: No objection – Fire Safety Certificate required.

3.2.3. Conditions

I am generally satisfied that all conditions attached by the PA in its decision to grant permission are standard conditions insofar as they relate to the proposed development. The following conditions are of note:

- Condition 2: Requirements at construction stage.
- Condition 4 & 5: Requirements on Noise Control.

3.3. Prescribed Bodies

None received.

3.4. Third Party Observations

The Planning Authority (PA) received 2(no) third party submissions during the course of their determination. The matters raised are predominantly similar to those detailed within the appeal submission (incl. impacts on residential amenities (in terms of noise, lighting, disturbance, overlooking), privacy concerns (cctv), submission of inaccurate & misleading particulars and the applicant's failure to fulfil previous promises and agreements).

4.0 Planning History

Subject Site:

Pl. Ref: 05/500053: Permission was granted in 2006 for a discount foodstore (1,326m² GFA) (850m² net retail area).

Pl. Ref. 07/500126: Permission was granted for freestanding signage.

Pl. Ref. 08/500157: Permission to grant was overturned following an appeal (PL73.234840) for an extension (275m²) to existing discount foodstore increasing the GFA to an overall 1,601m² (1,125m² net retail area) on the grounds of car parking.

5.0 Policy Context

5.1. Kildare County Development Plan 2023-2029

5.1.1. Chapter 8 – Urban Centres & Retail and Chapter 15 DM Standards.

5.1.2. Naas / Newbridge is designated a Level 2, Major Town Centre and County Town within the Retail Hierarchy for the Region.

5.1.3. Policy objectives and Sections of particular relevance include:

Objective RET O11: Support existing retail facilities and to facilitate the provision of new facilities as appropriate where such proposals are in accordance with the Retail Planning Guidelines, the Regional Retail Strategy, the Core Strategy and Settlement Strategy and the proper planning and sustainable development of the area.

Objective RET O15: Guide retail development to town and village centres in the first instance where practical and viable in accordance with the Sequential Approach...

5.2. Naas Local Area Plan 2021-2027

5.2.1. The Naas Local Area Plan 2021-2027 (LAP) which became effective on 01 December 2021 is the operative plan which is relevant in the assessment of this case.

5.2.2. Landuse Zoning

The settlement boundary and landuse zonings for Naas town are set out within Map Number 11.1, contained within Appendix 1 (Maps) of the LAP. The site is located on lands zoned 'K – Commercial/Residential (Mixed-Use)' with the zoning objective "To provide for commercial and appropriate residential mixed-use developments". The development proposed comprising an extension to an established retail use is, in principle, consistent with the site's zoning.

The site, along with adjoining lands to the west (Jigginstown Commercial Centre) forms part of a larger parcel of land which has a specific objective that requires a high standard of design and quality development, having regard to the site's strategic gateway location and proximity to Jigginstown Castle (Specific Objective K2).

5.2.3. Policy objectives and Sections of particular relevance include:

Chapter 6 – Economic Development and Retail

Section 6.6 Retail

Objective EDO 3.1 Ensure the type, quantum and location of future retail floorspace provision in Naas is consistent with the requirements and recommendations of the CDP, relevant regional policy frameworks and national planning guidelines.

Objective EDO 3.2 Protect and promote the vitality and viability of the Core Retail Area, through the application of a sequential approach to retail development, in accordance with the Retail Guidelines (DECLG, 2012).

5.3. **Regional Spatial and Economic Strategy for the Eastern and Midland Region 2020 – 2031 (RSES)**

The RSES recognises that employment-intensive sectors such as retail have significant implications for the RSO of placemaking and creating attractive environments in which to live and work.

5.4. **Project Ireland 2040 National Planning Framework First Revision (April 2025)**

The National Planning Framework (NPF) is the Government's high-level strategic plan for shaping the future growth and development of Ireland up to the year 2040. The Framework was recently revised and updated in April 2025 to take account of changes that have occurred since it was published in 2018 and to build on the framework that is in place. The preferred approach involves compact development that focuses on reusing previously developed, 'brownfield' land, building up infill sites, which may not have been built on before and either reusing or redeveloping existing sites and buildings.

National Policy Objective 11 in referring to planned growth at a settlement level also provides that the consideration of individual development proposals on zoned and serviced development shall have regard to a broader set of considerations beyond the targets including, in particular, the receiving capacity of the environment.

National Policy Objective 20 outlines that in meeting urban development requirements, there will be a presumption in favour of development that can encourage more people

and generate more jobs and activity within existing towns, subject to the development meeting appropriate planning standards and achieving targeted growth.

5.5. National Guidelines

Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions from the PA, I am of the opinion that the directly relevant Section 28 Ministerial Guidelines are:

- Retail Planning Guidelines for Planning Authorities (2012)
- Retail Design Manual, A companion document to the Retail Planning Guidelines for Planning Authorities (2012).

5.6. Retail Planning Guidelines for Planning Authorities (2012)

The Guidelines acknowledge that the retail sector is a key element of the national economy in terms of employment, economic activity and the vitality of towns. A key aim of the Guidelines is that the PA planning system should promote and support the vitality and viability of town centres in all their functions.

Section 2 outlines five key objectives which are intended to guide and control retail development, namely: -

- Ensuring that retail development is plan-led;
- Promoting city/town centre vitality through a sequential approach to development;
- Securing competitiveness in the retail sector by actively enabling good quality development proposals to come forward in suitable locations;
- Facilitating a shift towards increased access to retailing by public transport, cycling and walking in accordance with the Smarter Travel strategy; and
- Delivering quality urban design outcomes.

5.7. Retail Design Manual

The companion document to the Retail Planning Guidelines promotes high quality urban design in retail development, to deliver quality in the built environment. It sets out 10 principles of urban design to guide decisions on development proposals.

5.8. The Climate Action Plan 2025 (CAP25)

The Climate Action Plan 2025 (CAP25) sets out the roadmap to deliver on Ireland's climate ambition. It aligns with the legally binding economy-wide carbon budgets and sectoral ceilings that were agreed by Government. CAP25 builds upon Climate Action Plan 2024 by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings and should be read in conjunction with CAP24.

It reaffirms the previous commitment to halve Ireland's emissions by 2030 and reach net zero by no later than 2050, as committed to in the Climate Action & Low Carbon Act 2015 (as amended) (The Climate Act). CAP25 also underlines the important role the planning regime will play in developing Ireland's renewable energy capacity.

5.9. Climate Action & Low Carbon 2015 (as amended) (The Climate Act)

The Climate Act commits Ireland to the objective of becoming a carbon-neutral economy by 2050, reducing emissions by 51% by the end of the decade.

Section 15 of the Climate Act sets out that;

- (1) A relevant body shall, in so far as practicable, perform its functions in a manner consistent with—
 - (a) the most recent approved climate action plan,
 - (b) the most recent approved national long term climate action strategy,
 - (c) the most recent approved national adaptation framework and approved sectoral adaptation plans,
 - (d) the furtherance of the national climate objective, and
 - (e) the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State.

An Bord Pleanála is a relevant body for the purposes of the Climate Act. As a result, the obligation of the Commission is to make all decisions in a manner that is consistent with the Climate Act.

5.10. Natural Heritage Designations

The appeal site is located approximately 150m east of The Grand Canal pNHA (Site Code 002104). There are no Natura 2000 sites within the zone of influence. The nearest Natura 2000 site is Mouds Bog SAC (002162), located in excess of 7.5km west of the site.

5.11. Water Framework Directive

The European Union Water Framework Directive (WFD) aims to improve water quality and applies to all water bodies. The Directive runs in six-year cycles and is currently in its third cycle 2022 to 2027. Member States are required to achieve 'good' status in all waters and must ensure that status does not deteriorate. The Directive has been given effect by the Surface Water and Groundwater Regulations.

I have assessed the proposed development and have considered the objectives as set out in Article 4 of the WFD 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. Having considered the nature, scale and location of the project, I am satisfied that there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

5.12. EIA Screening

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

A third-party appeal, made by Vincent & Anne Naughton, being residents of an adjoining dwelling was received on 17 July 2024. A summary of the grounds of appeal is set out within Section 6.1 below.

6.1. Grounds of Appeal

- It is contended that the proposed development will severely impact on the appellants residential amenities for a number of stated reasons.
- It is purported that inaccurate drawings were submitted with the application which is misleading.
- An issue is raised in respect of the proposed development's compliance with the Retail Planning Guidelines and Retail Design Manual.
- Concerns are raised on noise pollution, the proposed location of Deposit Return Scheme room and loss of light to private garden as a result of the proposed development.
- It is argued that the applicant failed to undertake previous promises and agreements made (incl. measures to prevent out-of-hours access to premises, lightspill and the making of further applications/ being a good neighbour).

6.2. Applicant Response

- An Aldi store is long established on the subject site.
- The proposal is of a suitable form, design and scale and is compliant with national, regional and local policy and the Retail Planning Guidelines (2012).
- There were no concerns raised by the Council's planners, subject to conditions.

- The submitted drawings are not misleading. Clarity is given on details shown on a submitted Section Dwg.
- The proposed development incorporates design measures which minimise impacts on adjoining property.
- The matter of noise pollution is collectively addressed in terms of plant area, internal flooring and overall compliance with Condition 4 of the PA's decision in respect of noise limitations.
- The location of proposed Deposit Return Scheme (DRS) unit is justified in respect of making reference to a planning exemption for same and on access arrangements to the DRS unit.
- It is argued that there would be no significant additional impact on the appellants private garden given the siting, levels and design of the proposed development.
- The raised matters on privacy concerns are addressed in respect of CCTV camera(s) and the extent of public accessibility to the rear of the premises.
- The applicant refers to the site's planning history and provides its rationale for the non-inclusion of a vehicle barrier on this site.

6.3. Planning Authority Response

A response has been received from the Planning Authority dated 19 July 2024 which confirms the PA's decision to grant permission. It also refers the Commission to the reports attached to its assessment of the application.

6.4. Observations

None

7.0 Assessment

Having examined the application details and all other documentation on file, including the submission received in relation to the third-party appeal, the applicant's appeal response submission & reports of the local authority, having visited the site, and having regard to the relevant local/regional/national policies objectives and guidance,

I consider that the substantive issues in this third-party appeal to be considered are as follows:

- Principle of Development
- Impact on Residential Amenities
- Noise Impact
- Procedural/Other Matters.

7.1. Principle of Development

The County's retail strategy is set out in Chapter 8 of the CDP. The plan refers to the importance in ensuring that the retail sector is allowed to expand with a choice of locations either in town centres or on appropriate sites elsewhere, while at all times having regard to protecting the vitality and viability of core town centre sites. The Core Retail Area which forms part of the commercial core, encompassing lands along the Main Street and the Naas Shopping Centre site (ref. Map 6.1) is the preferred area for retailing.

In this context, I note in the outset that the subject site is located outside of the Core Retail Area and its associated expansion area as designated within the CDP. Notwithstanding, I submit that due cognisance must also be afforded to the fact that the use of the subject site for retail use is long-established, with permission first granted as a 'Discount Foodstore' to Aldi Stores (Ireland) Ltd. on this site in 2006. I note to the Commission that a distinction between 'discount stores' and other convenience goods stores which was contained in the 2005 Retail Planning Guidelines no longer applies.

I also note that an overarching retail objective set out within the CDP seeks that existing retail facilities are supported and that the provision of new facilities are facilitated subject to its accordance with planning requirements including, most notably the Retail Planning Guidelines, the Core Strategy and Settlement Strategy and the proper planning and sustainable development of the area (CDP Objective RET O11).

I have reviewed the nature of the proposal in respect of Question 2.4 of the Retail Design Manual, as raised within the appeal submission. The extension sought to the established retail store is compatible with the site's zoning objective and the proposal

does not relate to new retail development at this location. Furthermore, the site is not at flood risk. Given its siting, within an already established built and serviced site and continuance of use of an established access onto the adjoining Newbridge Rd., within the urban area, I am satisfied that there are no physical constraints or road safety issues which would warrant a refusal of permission in this case. The existing store is located within the urban area of Naas, which along with Newbridge, is designated as a Level 2, Major Town Centre and County Town within the Retail Hierarchy for the Region. The proposed extension which would provide an increase of 365m², including an increase of 297m² net retail floor area would result in an overall store area of 1,693m² (1,147m² net retail area) which is significantly below the maximum net retail floorspace (2,500m²) given within the Retail Guidelines for a supermarket.

Accordingly, I am satisfied that the proposed increase in floorspace is appropriate in this instance, and that it would not be inconsistent with the Retail Planning Guidelines and the provisions of the CDP, if permitted.

In this context, I see no reason to query the principle of the extension sought in terms of applying the order of priority for the sequential approach as set out within the Retail Planning Guidelines and supported by local objectives within the operative LAP for Naas (Objective EDO 3.2). I propose to further examine the matter of impact(s) on adjoining residential amenities separately below (refer Section 7.2).

7.2. Impact(s) on Residential Amenities

I recognise that the site immediately adjoins the rear boundary of the appellant's dwelling and adjoining residences situated to the rear (south) of the site.

The proposed extension is sought onto the existing Aldi store's rear (southern) elevation. The subject area which would encompass the proposed extension is currently available to customers for car parking. A separation distance of 4.6m (at its closest point) would remain between the southern elevation of the proposed extension and the shared (southern) boundary with the appellants private garden to the rear of their two-storey semi-detached dwelling.

Whilst I recognise that there is a level difference, with the subject site's levels approximately 1m - 1.5m above the neighbouring private (rear) garden, I would concur with the applicant that there would be no significant impact on adjoining properties arising from overshadowing/loss of natural light, given the single storey height sought

and separation distance to the boundary. Furthermore, I wish to note that in terms of orientation, the extension sought is north of the adjoining residences and the footprint of the appellants dwelling is located a distance of c.16m from the footprint of the proposed extension.

In reviewing the plans and particulars submitted, I see no reason to determine that the details shown are inaccurate and/or misleading. The submitted Sectional drawing (Dwg No. 303 – entitled ‘Existing and Proposed Sections - Contiguous’) clearly denotes a blue dashed line which illustrates line of sight from the neighbouring residence ground floor to the applicant’s proposed extension. It also details the gradual fall in levels in a southerly direction between the site and its neighbouring property (notably FFL 94.5 proposed, with adjoining site level 92.94 at its lowest level). I further note that no windows are sought on the southern elevation of the proposed development and therefore, I am satisfied that there would be no overlooking impact on adjoining residences.

In relation to privacy concerns, I note that there would be no reason for access by customers/the public at large to the rear of this site, save for in exceptional circumstances, where there is a need to utilise the proposed fire exit located along the southern elevation of the extension. I also acknowledge the extent of mature planting and the extent of planting proposed along the site’s southern boundary which provides significant screening off the appellants private (rear) garden. In this regard, I am of the view that the proposal would enhance the current privacy provisions, noting also that future public access to the rear of the store would not be reduced as customer parking will be removed and access to rear only in circumstances whereby the use of the fire escape is required. The matter of CCTV camera(s) is not within the planning remit of this case.

Overall, given the design proposed, including the maximum height of the single storey extension proposed combined with site levels and setback from the shared boundary with adjoining residences within Arconagh residential estate, I am satisfied that the proposed development would not have a significant negative effect on the residential amenities of adjoining properties by virtue of loss of light (overshadowing), overlooking or loss of privacy.

7.3. Noise Impact(s)

In examining the matter of noise impact, I wish to note firstly that there are no national mandatory noise limits relating to development projects. Most environmental noise guidance documents issued across Europe derive limits from guidance issued by the World Health Organisation (WHO). The time, place, nature of the sound and people affected by noise generated, requires consideration in determining likely impacts as a result of environmental noise.

I have examined the matter of noise pollution and the impact of noise generated from plant area associated with the store's refrigeration and chiller store. The local environment in this case is urban in character. While on site visit, I noted that existing noise is generated from the external plant located along the existing store's western elevation. I also noted that no noise was emanating outside from the store's existing internal operations. I also noted that the car park to rear was not occupied by customers, with just two parked cars at time of site visit (approximately 5pm on a Friday evening).

I accept that the system in place whereby an indoor unit is utilised for cooling and the outdoor plant unit is utilised for outdoor heat rejection is commonly used in supermarkets and convenience stores. I am also cognisant that the existing plant system, on foot of a 2006 planning permission is currently in-situ and that it is positioned on the building's western elevation. It is thereby not directly orientated towards the appellants property, along the southern elevation.

The applicant makes clear in their appeal submission response that no change to the external plant system is sought under the current application. In this context, I refer the Commission to correspondence attached to the appeal response from Tingle & Associates Refrigeration Consultants. The correspondence submitted makes clear that the inclusion of a new suite of refrigeration equipment which includes a centralised housed multi-compressor pack, gas cooler, a housed compressor unit for the chill coldroom and a housed compressor unit for the freezer coldroom would achieve the requirements of condition 4 attached by the PA, which (in part) sets out the required noise control limitations at operation stage in this case. For clarity, the condition attached requires that sound pressure levels (Leq 15 minutes) shall not exceed

55dB(A) between the hours of 08:00 and 18:00 Monday to Friday inclusive (excluding bank holidays) and 45dB(A) at any other time.

On balance, given the established use attached to the site, that no change is sought to existing external plant serving the Aldi store and that the applicant is satisfied that equipment can meet the noise limitations set out by condition by the PA, I am of the view that the proposed development is reasonable and that it would not give rise to significant impact on adjoining residents or increased noise pollution in the event that permission was to be granted in this case.

In respect of other potential noise sources, I note and concur with the applicant that the replacement of existing internal flooring would further reduce noise from any internal trolley movements and within the store's warehouse area. I also consider that the omission of existing car parking from the rear of the subject site would further assist in reducing noise impact on adjoining neighbours due to noise generated by existing on-site traffic movements.

For the purposes of clarity, in the event that the Commission was minded to grant permission, I suggest that a condition be attached which clearly states that no change is permitted to the location of the external plant system associated with the site's refrigeration/chilling stores unless otherwise approved in writing by the PA. I further suggest that similarly worded conditions to those of condition numbers 4 & 5 of the PA be attached, so as to ensure that future operations accord with the required noise control limitations, in the interest of protecting the residential amenities of adjoining properties and the amenities of the area.

Finally, I am satisfied that noise control at construction stage which is short-term and temporary can be suitably addressed by condition and managed in the normal manner through the submission and implementation of a Construction Environmental Management Plan (CEMP), if permission were to be granted.

7.4. Procedural/Other Matters

7.4.1. Procedural Matters

As previously detailed within Section 7.2 of this report, I am satisfied that there are no inaccuracies within the submitted plans and particulars, such that they would be misleading to third parties or be misleading in the assessment of this case.

In acknowledging the correspondence submitted by the appellant and purported concerns regarding the applicant's failure to undertake measures including in respect of the installation of an automated gate and external lighting measures, I note that these matters were between the applicant and the appellant in 2009 and as such, I consider that they lie outside of this planning process. I note that no evidence has been provided by any party of any anti-social behaviour (including joy-riding) within this site. I would therefore concur with the applicant in that I see no reason necessitating the inclusion of a roller gate on this site. I wish to also note that the extension proposed differs from an extension proposed and which was previously refused on this site.

7.4.2. Deposit Return Scheme (DRS) unit location

In noting the concerns of the appellant in regard to the location of the DRS, I consider that no negative impact would result on the amenities of adjoining properties (residential and commercial) given that DRS space is internal within the store and that access to same for operational purposes would be solely obtained from within the building. The regulation of the DRS itself is regulated by the Separate Collection (Deposit Return Scheme) Regulations and lies outside of the planning process.

8.0 AA Screening

I am satisfied that the information which I have referred to in my assessment allows for a complete examination and identification of any potential significant effects of the development, alone, or in combination with other plans and projects on European sites. I have reviewed the Appropriate Assessment Stage 1 Screening which was undertaken by the PA and I have carried out a full Screening Determination for the proposed development and it is attached to this report in Appendix 3.

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I

conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European Site and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- Nature of proposed works within an established serviceable site in an urban area.
- The site's location, over 8km from the nearest European site, with no direct hydrological or ecological connections.
- Taking into account the PA's screening determination.

See Appendix 3 - Screening the need for Appropriate Assessment' assessment report which is appended to this report.

9.0 Recommendation

I recommend that planning permission should be granted for the reasons and considerations as set out below.

10.0 Reasons and Considerations

Having regard to

- the nature, siting and design & layout of the proposed development
- the characteristics of the entirety of the site and of its surrounding area
- the provisions of the Naas Local Area Plan 2021-2027 and the Kildare County Development Plan 2023-2029

and

- the relevant provisions of the Retail Planning Guidelines for Planning Authorities

it is considered that, subject to compliance with the conditions set out below, the proposed development would enhance the retail offering on an established site which would not detract from a healthy and vibrant town centre in Naas, and would be in accordance with the County's Settlement Strategy and Retail Strategy. Furthermore, the proposal would not have a significant adverse impact on the residential amenities of adjoining properties, it would not pose a significant risk to the environment or have any significant negative effects including noise pollution and would be acceptable in terms of car parking and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 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 provision of external plant equipment associated with the permitted development's refrigeration and cooling system shall be strictly in accordance with the submitted plans and particulars and as detailed within the applicant's submission to An Coimisiún Pleanála, as received on the 14 August 2024. Any deviation(s) to same is not permitted save without the prior written approval of the Planning Authority.

Reason: In the interest of clarity, to protect the residential amenities of adjoining properties and in the interest of the proper planning and sustainable development of the area.

3. (a) Construction Stage Noise limits for construction activity of 70 dB(A) (LAeq 1 hour) apply between the hours of 08:00 and 18:00 Monday to Friday inclusive (excluding bank holidays) and between 08:00 and 13:00 on Saturdays when measured at any noise sensitive location in the vicinity of the site. Sound levels shall not exceed 45 dB(A) (LAeq 1 hour) at any other time.
(b) Operational Stage noise from the development shall not give rise to sound pressure levels (LAeq 15 minutes) measured at noise sensitive locations (including a dwelling house) which exceed the following limits:
 - (i) 55 dB(A) between the hours of 08:00 and 18:00 Monday to Friday inclusive (excluding bank holidays), or
 - (ii) 45 dB(A) at any other time.

Reason: In the interest of public health, the protection of residential amenities of adjoining properties and the proper planning and sustainable development of the area.

4. A detailed Noise Study, with recommended noise remediation measures (where required) shall be carried out by a competent noise/environmental consultant and to the requirements of Kildare County Council within three months of the development being in full operation and at any other time as may be specified by

Kildare County Council. The Noise Study and any subsequent Noise Study (as required) shall be submitted for the written consent of the Planning Authority.

Reason: In the interest of public health and residential amenities, to avoid pollution, and in the interest of the proper planning and sustainable development of the area.

5. All on-site lighting shall be directed into the subject site and shall not spill onto surrounding residential properties in a manner, or to an extent, likely to cause a nuisance to residential amenity.

Reason: In the interest of residential amenity.

6. The site shall be landscaped strictly in accordance with the details submitted, unless otherwise agreed in writing with the planning authority prior to commencement of development.

Reason: To ensure a satisfactory completion of the development and to allow its effective integration into its surroundings.

7. The supermarket unit shall not be open to the public outside the hours 0800 to 2200. Deliveries shall not take place before the hour of 0700 Monday to Saturday inclusive, nor before the hour of 0800 on Sundays and public holidays, nor after 2200hrs on any day.

Reason: In the interests of the protection of residential amenity of adjoining properties.

8. All service cables associated with the proposed development (such as electrical, and telecommunications) shall be located underground.

Reason: In the interests of visual amenity.

9. Drainage arrangements, including the disposal of surface water from the site, shall be in accordance with the detailed requirements of the planning authority.

Reason: In the interests of public health and the protection of the environment.

10. Construction and demolition waste shall be managed in accordance with a Construction Environmental Management Plan, which shall be submitted to, and

agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

11. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

12. Site development and building works shall be carried out only between the hours of 0700 and 1900 from Mondays to Fridays 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 amenities of property in the vicinity.

13. 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 ABP-307048-20 Inspector's Report Page 30 of 30 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 Bord 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.

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.

Paula Hanlon

Planning Inspector

11 July 2025

Form 1 - EIA Pre-Screening

Case Reference	ABP-320199-24
Proposed Development Summary	Construction of extension to store and alterations to car park with all associated site works
Development Address	The existing Aldi Foodstore, Newbridge Road, Jigginstown Park, Naas West, Co. Kildare
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? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> 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)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> 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?	
<input type="checkbox"/> 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.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
<input checked="" type="checkbox"/> 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)	Class 10(b)(iv) Part 2, Schedule 5 of the Planning and Development Regulations, 2001, as amended refers to the need for EIA for urban development which would involve an area greater than 2ha in the case of a business district and 10ha in the case of other parts of a built-up area. The site area stated as 0.514ha is significantly below the above thresholds for urban development.

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 <input type="checkbox"/>	Screening Determination required (Complete Form 3) <i>[Delete if not relevant]</i>
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3) <i>[Delete if not relevant]</i>

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	ABP-320199-24
Proposed Development Summary	Construction of extension to store and alterations to car park with all associated site works
Development Address	The existing Aldi Foodstore, Newbridge Road, Jigginstown Park, Naas West, Co. Kildare
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).	<p>The site (0.514ha) is located in an urban area and on serviceable lands within Naas town. The proposed development consists of an extension to an established supermarket building, with a reduction in existing car parking. Overall, the proposal is not exceptional in the context of the existing environment, within the urban area of Naas.</p> <p>It is considered that best practice construction measures will be implemented and required remediation measures/mitigation measures addressed by condition through the submission of a Construction Environmental Management Plan. No cause for nuisance is envisaged.</p> <p>The proposed development will not result in the production of any significant waste, emissions or pollutants. All wastes arising including construction works to be managed and disposed of in compliance with the provisions of the Waste Management Acts and the Waste Management Plan for the region.</p> <p>It will not pose risk of accidents or disasters or pose a risk to human health over and above an urban development of this type.</p>
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).	Briefly comment on the location of the development, having regard to the criteria listed <p>The site is located within an urban area, on zoned and serviced lands. The lands are located in excess of c.7.5km from any European Site. There are no watercourses within the immediate vicinity of the site, with the Grand Canal a distance of approximately 150m from the site. The proposal will not impact on any known archaeology. The site has capacity to absorb the proposed development.</p>

<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects.</p> <p>Wastewater generated will discharge to an existing public sewer within the adjoining Newbridge Road (north of site).</p> <p>Surface water drainage is separate to the wastewater drainage system, with surface water from impermeable surfaces to discharge via rainwater downpipes and road gullies to underground drainage pipes to an existing surface water soakaway system within the site's existing car park to the front (north) of the existing store.</p> <p>Having regard to the characteristics of the development and the sensitivity of its location, it is considered that there is no real likelihood for significant effects on environmental parameters and on the environment given the nature & extent of the proposed development and the magnitude and duration of the project.</p>
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA <i>[Delete if not relevant]</i>
There is no real likelihood of significant effects on the environment.	Yes - EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	No
There is a real likelihood of significant effects on the environment.	No

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)

Screening for AA

Finding of likely significant effects

Screening for Appropriate Assessment Test for likely significant effects

1: Description of the project and local site characteristics

Case file: ABP 320199-24

Brief description of project		<p>Construct a new single storey extension (365m²) along the southern (rear) elevation of the existing store and all associated works,</p> <p>A detailed description of the proposed development is provided in Section 2 of the Inspector's report.</p> <p>These works sought are located outside of any European site. The nearest European site is Mouds Bog SAC (002331), located c.7.5km from the proposed development.</p>
Brief description of development site characteristics and potential impact mechanisms		<p>The site is located within the plan boundary area of Naas. Its topography gently falls in a southerly direction. Established residential development and commercial uses lie on adjoining lands.</p> <p>The overall site area lies outside of any flood zone and there are no watercourses adjoining the site. The connections to the existing drainage infrastructure will be made via a soakaway and foul waste via an established connection to the public wastewater network.</p>
Screening report		No
Natura Impact Statement		No
Relevant submissions		None of relevance to Appropriate Assessment.

[Additional information]: *where relevant and appropriate		None

2. Identification of relevant European sites using the Source-pathway-receptor model

There are no European sites identified as being located within a potential zone of influence of the proposed development. Table 1 below identifies the nearest European site to the proposed development in its screening consideration.

European Site (code)	Qualifying interests ¹ (summary) Link to conservation objectives (NPWS)	Distance from proposed development	Ecological connections ²	Consider further in screening ³ Y/N
Mouds Bog SAC (002331)	<p>QIs</p> <ul style="list-style-type: none"> Active raised bogs [7110] Degraded raised bogs still capable of natural regeneration [7120] Depressions on peat substrates of the Rhynchosporion [7150] <p>Mouds Bog SAC National Parks & Wildlife Service</p>		No feasible impact on water quality and the associated QIs	N

I have attached link to site details above, which outlines the Conservation Objectives and qualifying interests of the above listed European site, as provided by NPWS.

3. Describe the likely effects of the of the project (if any, alone or in combination) on European Sites

Mouds Bog SAC (002331)

Given the nature and extent of works sought and the spatial separation distance, c7.5km with no feasible hydrological connection, I conclude that the proposed development will not result in any direct or indirect effects on Mouds Bog SAC (002331), in view of its qualifying interests (refer table above) and its conservation objective – to maintain the favourable conservation condition of Active raised bogs in Mouds Bog SAC, which is defined by a provided list of attributes and targets.

Therefore, there is no likelihood of effects occurring on Mouds Bog SAC, either alone or in combination with other projects.

4: Conclude if the proposed development could result in likely significant effects on a European site

I conclude that the proposed development (alone) would not result in likely significant effects on any European site(s), including Mouds Bog SAC (002331). The proposed development would have no likely significant effect(s) in combination with other plans and projects on any European site(s). No further assessment is required for the project.

No mitigation measures are required to come to this conclusion.

Screening Determination: Please refer to Section 8 of Inspectors Report for Screening Determination.