



An
Coimisiún
Pleanála

Inspector's Report ACP-323772-25

Development

Protected Structure: The construction of a single storey extension and internal modifications including all associated site works and services.

Location

(Protected Structure) Back Gate
Lodge Kilkea Demesne, Castledermot
Athy Co. Kildare R14 Y006, Athy.

Planning Authority

Kildare County Council

Planning Authority Reg. Ref.

2461388

Applicant(s)

Wizard Earl Limited.

Type of Application

Permission.

Planning Authority Decision

Refuse.

Type of Appeal

First Party

Appellant(s)

Wizard Earl Limited.

Observer(s)

None.

Date of Site Inspection

15th December 2025.

Inspector

Terence McLellan

1.0 Site Location and Description

- 1.1. The subject site measures approximately 0.068ha and is located within the demesne of Kilkea Castle and Moat which is a Protected Structure. The existing gate lodge is a detached two storey dwelling with pitched roof and adjacent detached stable block, both finished in traditional stone and slate. The lodge is located at the rear entrance to the demesne, approximately 340m south of Kilkea Castle itself. Access is from the L8049 Local Secondary Road.
- 1.2. Kilkea Castle operates as a hotel and golf resort. There is a service area associated with Kilkea Castle to the northwest of the subject site and the golf course extends to the areas just to the west and north. The landscaped grounds comprise many mature trees, including to the immediate to the northwest of the lodge.

2.0 Proposed Development

- 2.1. Planning permission is sought for the erection of an extension to the existing gate lodge dwelling. The proposal was amended at Further Information stage and now comprises a single storey extension that bridges the gap between lodge and the original stable block. The extension would be finished in masonry to match the existing lodge and would incorporate a shallow pitched roof. The development would require the dismantling and re-positioning of original boundary walls.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Permission was refused by Kildare County Council on 3rd September 2025 for the following reason:

1. Having regard to the proposed extension to 'Back Gate Lodge', which acts as a gateway to the Demesne of Kilkea Castle and Moat, which is a protected structure (ref B37-02), and considering the site's prominent location, which is highly visible and considering the incongruous nature of the structure, 'jammed in' between the principal structure and its historic outbuildings, requiring the relocation of a protected wall with a vernacular 'cock and hen' feature (seriously

impacting the integrity of this feature) and eliminating a principal and important façade of the existing structure, the proposed development would be contrary to Objectives AH O21, AH 060, AH 032 and AH 059 of the Kildare County Development Plan 2023-2029 as it would:

- (a) Cause loss of or damage to the special character of the protected structure and/or any structures of architectural heritage value within its curtilage and adversely impact on the setting, curtilage, or attendant grounds of a protected structure, (Objective AH O21),
- (b) Adversely impact on the setting of a protected structure or obscure established views of its principal elevations (Objective AH O32),
- (c) Remove historic fabric, negatively impacting on the character, which it is an objective of the Plan to preserve, including original building features or materials such as windows, doors, roof coverings and setting (e.g. gates, gate piers, boundary treatments, courtyards) and erode the setting and design qualities of the original structure and would not be in proportion or subservient to the existing building. (Objective AH O60),

and if granted would have a negative impact on and would materially affect a protected structure, it would set an undesirable precedent and would therefore be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

- 3.2.1. The first Planner's Report considered the principle of extending the property to be acceptable. Concerns were raised regarding the design/scale/form of the proposed extension and its relationship to the existing buildings. It was considered that the proposal would have an adverse heritage impact through the loss of historic fabric and diminishing the importance of the principal structure.
- 3.2.2. The first Planner's Report concluded in a request for Further Information seeking a redesign of the extension in a contemporary style that complements rather than competes with the original structure. The report states that the Applicant may wish to consider a 'floating-extension' or a 'lighter' structure to link the historic

- 3.2.3. fabric with the new. The Further Information request also sought revised plans to address discrepancies, provision of CGI's, consideration of the impact on a previously permitted dormer extension.
- 3.2.4. A redesigned scheme was submitted as Further Information. This proposed a single storey extension bridging the gap between the existing Gate Lodge and the adjacent stable block. This proposal included the removal of the original stone boundary wall with 'cock n' hen' capping.
- 3.2.5. The second Planner's Report noted that the new design reduces the visual impact on the Protected Structure but that it now projects beyond the rear building line and continues to obscure a principal elevation. The report states that the wider footprint of the proposed extension distorts the form of the existing vernacular gate lodge and is not sympathetic to its character. It is further submitted that the patio would be incongruous.
- 3.2.6. The Planning Authority are not supportive of the removal and repositioning of the 'cock n' hen' capped walls and the Architectural Heritage Assessment Report is not considered to be sufficient in its assessment of the development. The design is considered heavy and 'rammed up' against the Protected Structure, squeezed between the structure and the original outbuildings and not complementary. It was also noted that the north point on the floorplans was still incorrectly pointing east.

3.3. Other Technical Reports

- 3.3.1. Heritage Officer (03.09.2025): The Heritage Section do not support the proposal. Concerns include that the footprint significantly exceeds the existing building line on both sides of the lodge and that a wider footprint for the extension does not reduce the visual impact. The patio proposal is considered particularly incongruous, and it is still proposed to dismantle the stone boundary wall. Concerns are raised that no attempt has been made to integrate the original stables into the development or address the relationship between the two structures. It is submitted that the development is scaled to completely fill the yard between to obtain the largest extension possible. It is further stated that the Architectural Heritage Assessment is not a detailed assessment of the impact of the proposal considering the prominent location, scale of proposal relative to the original structure, or previous requests to retain original fabric in situ (stone wall).
- 3.3.2. Environment Section (09.01.2025): No objection subject to conditions.

3.3.3. Municipal District Engineer (23.01.2025): No objection subject to conditions.

3.4. **Prescribed Bodies**

3.4.1. None.

3.5. **Third Party Observations**

3.5.1. None.

4.0 **Planning History**

Subject Site

4.1. Planning Authority Reference 23/60152: Permission was granted by Kildare County Council in January 2024 for the construction of a dormer roof to the rear of the existing protected to provide a compliant stair, and internal modifications including all associated site works and services.

4.2. There is an extensive and detailed planning history available for the wider Kilkea Castle Demesne. This is set out in full in the Planning Authority report.

5.0 **Policy Context**

5.1. **Kildare County Development Plan 2023-2029**

5.1.1. The site is on unzoned lands within the demesne of Kilkea Castle. Kilkea Castle and Moat is a Protected Structure (RPS19-115) and the site is located within the curtilage and attendant grounds of same.

5.1.2. Chapter 11 of the CDP, Built and Cultural Heritage, seeks to protect, conserve and sensitively manage the built and cultural heritage of County Kildare and to encourage sensitive sustainable development so as to ensure its survival and maintenance for future generations. Policies and objectives of specific relevance include:

- Policy AH P6: Protect, conserve and manage the archaeological and architectural heritage of the county and to encourage sensitive sustainable development in order to ensure its survival, protection and maintenance for future generations.

- Objective AH O20: Conserve and protect buildings, structures and sites contained on the Record of Protected Structures of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.
- Objective AH O21: Protect the curtilage of protected structures or proposed protected structures and to refuse planning permission for inappropriate development that would adversely impact on the setting, curtilage, or attendant grounds of a protected structure, cause loss of or damage to the special character of the protected structure and/or any structures of architectural heritage value within its curtilage. Any proposed development within the curtilage and/or attendant grounds must demonstrate that it is part of an overall strategy for the future conservation of the entire built heritage complex and contributes positively to that aim.
- AH O23: Require an Architectural Heritage Assessment Report, as described in Appendix B of the Architectural Heritage Protection, Guidelines for Planning Authorities (2011), to accompany all applications with potential for visual or physical impacts on a Protected Structure, its curtilage, demesne and setting. This report should be prepared by a person with conservation expertise that is appropriate to the significance of the historic building or site and the complexity of the proposed works.
 - AH O32 Ensure that new development will not adversely impact on the setting of a protected structure or obscure established views of its principal elevations.
 - AH 059 Respect the setting, form, scale and materials of existing vernacular structures and to only permit changes to these structures where they are sympathetic to their special features and character.
 - AH 060 Preserve the character, including original building features or materials should be retained such as windows, doors, roof coverings and setting (e.g. gates, gate piers, boundary treatments, courtyards etc) of vernacular buildings, where deemed appropriate by the planning authority. Proposals for extensions to historic or vernacular buildings should not erode the setting and design qualities of the original structure and should be in proportion or subservient to the existing building.

- 5.1.3. Chapter 15, Development Management Standards, sets out the development management policies of the Planning Authority.
- 5.1.4. Section 15.4.12 relates to extensions to dwellings and states that adapting residential units through extensions can sustainably accommodate the changing needs of occupants subject to the protection of residential and visual amenities. A well-designed extension can provide extra space, personalise and enhance the appearance of a dwelling. Whilst a flexible approach will be taken to the assessment of alternative design concepts and high-quality contemporary designs will be encouraged, a different approach may apply in the case of a Protected Structure, structures with significant heritage or within an Architectural Conservation Area.
- 5.1.5. Section 15.17.1.1 relates to works to a Protected Structure. Under this section an Architectural Heritage Impact Assessment (AHIA) is required, relevant inclusions are set out, and it is stated that the AHIA should be prepared by an accredited conservation architect or equivalent.
- 5.1.6. Section 15.17.2 relates to development within the curtilage, attendant grounds, and setting of Protected Structures. This section states that in considering applications for development within the curtilage and/or attendant grounds of a Protected Structure, regard will be had to:
- The various elements of the structure which give the Protected Structure its special character and how these would be impacted on by the proposed development.
 - The proximity of any new development to the main Protected Structure and any other buildings of heritage value.
 - The design of the new development that should relate to and complement the special character of the Protected Structure.

5.2. Section 28 Ministerial Guidelines

Architectural Heritage Protection Guidelines for Planning Authorities (Department of Arts, Heritage and the Gaeltacht 2011).

- 5.2.1. Guidance is provided in terms of the criteria and other considerations to be taken into account in the assessment of proposals affecting Protected Structures. The guidelines seek to encourage the sympathetic maintenance, adaptation, and re-use of buildings

of architectural heritage. Chapter 13 deals with curtilage and attendant grounds whilst Section 13.8 of the guidelines relates to development affecting the setting of a Protected Structure or an Architectural Conservation Area. The guidance promotes the principle of minimum intervention (Para.7.7.1) and emphasises that additions and other interventions to Protected Structures should be sympathetic to the earlier structure and of quality in themselves and should not cause damage to the fabric of the structure, whether in the long or short term (7.2.2).

5.3. Natural Heritage Designations

- 5.3.1. The site is not within or immediately adjacent to any European sites. The nearest European site is the River Barrow and River Nore SAC (Site Code 002162) c. 3.55km to the south-east.

5.4. EIA Screening

- 5.4.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. A First Party appeal has been received from Wizard Earl Ltd. The grounds of appeal are summarised as follows:
- The application was accompanied by a detailed conservation report prepared by a Grade 1 Conservation Architect.
 - The report indicated that the development and use of these Protected Structures must allow for elements of upgrading and extension as required for contemporary use.

- The report concluded that there would be no significant impact on the Protected Structure. The Planning Authority have entirely overlooked this element of the development.
- It is requested that the Commission review the entirety of the application.

6.2. Planning Authority Response

- 6.2.1. The Planning Authority note the Conservation Report submitted as part of the application but are not satisfied that the report's contents and findings were transposed into the design of the extension and it is considered that the development of an extension to this structure would benefit from the input of a Conservation Architect into the overall design.
- 6.2.2. Attention is drawn to the prominent location of the structure within Kilkea. The location is considered to be highly visible and creates a sense of arrival into this historic space. Development of this structure would therefore need to be of the highest quality.
- 6.2.3. The Heritage Section have responded to the appeal reiterating their serious concerns with the proposal, which are not considered to have been adequately resolved in the Further Information response.

6.3. Observations

- 6.3.1. None.

6.4. Further Responses

- 6.4.1. None.

7.0 Assessment

- 7.1. I consider the main issue in determining this appeal to be the design of the proposed extension and the impact on the host dwelling and stable block which are protected by reason of their location within the demesne of Kilkea Castle and Moat, which is a Protected Structure. A gate lodge plays an important role in historic estates, creating a sense of arrival and departure and are an integral element of the designed estate entrance.

- 7.2. I have considered the Conservation Report submitted with the application and updated at Further Information. The Conservation Report concludes that impacts would be neutral based on the fact that the extension does not interrupt the views to or from the principal elevations of the original lodge, that the removal of the existing extension would be beneficial and that the rear elevation is no longer considered an intact principal elevation and that the design of the proposed extension is contemporary and will not detract from the special character or views.
- 7.3. I agree with the Heritage Section of the Planning Authority that the Conservation Report assessment of the impact of the development is insufficient to justify permission. There is no significant or meaningful assessment of the proposed extension and how it connects to the existing buildings and no assessment of works to the protected buildings is provided.
- 7.4. Whilst I accept that the amended scheme submitted at Further Information has a reduced impact due to the lower overall height of the extension, the massing being proposed is still significant in the context of the Protected Structure. The extension appears bulky, protruding from the side building line and fully filling the gap between the lodge and the stable block. In my opinion, the perception of bulk is increased by the largely blank masonry elevations. Overall, the bulk, scale and form of the extension is inappropriate, and it would be highly visible on approaches from Kilkea Castle.
- 7.5. I also share the Planning Authority's concerns regarding how the extension relates to the stable block, directly abutting the building and blocking its only entrances without addressing the structure in any meaningful way. The proposed development would necessitate the loss of two historic 'cock n' hen' capped boundary walls, and whilst I note that one of these would be re-positioned, the loss would not be justified in my opinion and there is adequate scope to develop a domestic extension without the loss of these features. Overall, I consider the scale, massing and form of the extension to be inappropriate intervention that would have an adverse impact on the character and setting of the existing structure.
- 7.6. I note that the Planning Authority identified deficiencies/inaccuracies on the drawings in relation to the north point. Following a site inspection, I have further significant concerns regarding the accuracy of the drawings, largely in relation to the detached stable block. From my site inspection it is clear that the existing and proposed drawings

misrepresent the form/angle of the pitched roof. Furthermore, whilst the drawings appear to suggest that the ridge height of the stable block and the lodge are roughly consistent with each other, it was evident from my site visit that the eaves height of the stable block is markedly lower than the eaves height of the lodge. This is important in terms of how the proposed extension would connect to the stable block. The proposed plans show the extension meeting the stable block at eaves level. Clearly this would not be possible without significant interventions to the stable block, which would not be justified in my opinion. Importantly, I do not consider that the drawings show an accurate representation of how the extension would meet/adjoin the stable block and I note that no indication is given in the application documents or notices that any such works are proposed to enable development. This is a new issue, and the Commission may wish to seek the views of the parties. However, having regard to the substantive reasons for refusal set out below, it may not be considered necessary to pursue the matter.

- 7.7. A further matter that the Commission should be aware of is the existing mature tree immediately adjacent to the location of the proposed extension. Whilst not detailed in the application documents or addressed in the Planning Authority report, this tree would likely need to be removed in order to enable development. I consider that this matter could be addressed by way of Further Information.

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 Kilkea, at a distance of approximately 3.55km from the River Barrow and River Nore SAC (002162), which is the nearest European site. The development comprises an extension to an existing dwelling. 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:

- The nature and small scale of the works.
- The significant separation distance from the nearest European site and lack of connections.

- The screening determination of the Planning Authority.

8.2. 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. There are no water courses in the immediate vicinity of the appeal site. The proposed development comprises the extension to an existing dwelling. No water deterioration concerns were raised in the planning appeal. I have assessed the proposed development 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.

9.2. 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:

- The nature and scale of the works;
- The location of the site in a serviced area, the distance from nearest water bodies, and the lack of direct hydrological connections.

9.3. 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. I recommend that the Commission refuse planning permission.

11.0 Reasons and Considerations

1. The existing lodge forms a principal gateway to the demesne of Kilkea Castle and Moat, a Protected Structure, and occupies an important and prominent location within the demesne grounds. The proposed extension, by reason of its scale, massing and form, fully infilling the courtyard space between the lodge and original stable block, and which would require the loss of historic fabric in the form of the boundary wall, would be an incongruous and discordant addition that would have a detrimental impact on the character and setting of the existing structure contrary to Objectives AH O21, AH 060, AH 032 and AH 059 of the Kildare County Development Plan 2023-2029 . The proposed development would have a negative impact on and would materially affect a Protected Structure and would therefore be contrary to the proper planning and sustainable development of the area.
2. The Commission is not satisfied that the proposed development has been adequately or accurately described, having regard to the inaccuracies on the submitted drawings in terms of the eaves height of the detached stable block. As such, the drawings do not provide a reliable basis for the assessment of the proposal in terms of its relationship to the stable block and the impact on the protected structure. The proposed development would, therefore, be contrary to the proper planning and sustainable development.

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.

Terence McLellan
Senior Planning Inspector

5th January 2026

Form 1 - EIA Pre-Screening

Case Reference	ACP-323772-25
Proposed Development Summary	Protected Structure: The construction of a single storey extension and internal modifications including all associated site works and services.
Development Address	(Protected Structure) Back Gate Lodge Kilkea Demesne, Castledermot Athy Co. Kildare R14 Y006, Athy.
	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.	
<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 checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed	

<p>type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	

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)
No <input type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____