



An  
Coimisiún  
Pleanála

## Inspector's Report PL-500168-KE

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<b>Development</b>	Alterations to granted 21/1131. Increase in floor area, two storey gable roof to rear, change in main roof design, installation of side screens, change in window size and internal layout at ground and first floor.
<b>Location</b>	10 Castlesize Way, Sallins, Co. Kildare.
<b>Planning Authority</b>	Kildare County Council
<b>Planning Authority Reg. Ref.</b>	2560700
<b>Applicant(s)</b>	Lisa and Stephen Costello
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Lisa and Stephen Costello
<b>Date of Site Inspection</b>	6 <sup>th</sup> February 2026
<b>Inspector</b>	Emer Doyle

## 1.0 Site Location and Description

- 1.1. The appeal site is located in Castlesize, a mature residential housing development in Sallins, Co. Kildare.
- 1.2. The appeal site has a stated area of 0.29 hectares. The site comprises of a two storey semi-detached dwelling which was extended previously. The dwelling was previously in use as a Montessori school and subdivided to create an additional dwelling. I viewed inside the property on the site inspection and the dwelling is no longer subdivided for these purposes and is occupied by one family only.
- 1.3. The subject site has a paved area to the front with off street parking and a garden to the rear. The cul de sac serving the site is characterized by a mix of dwellings which are all two storey.

## 2.0 Proposed Development

- 2.1. Retention permission is sought for the following:

Alterations to PA Ref. Ref. 21/1131 during the course of construction as follows:

- Increase in floor are of 8m<sup>2</sup> at first floor level to the rear (comprising of extended ensuite bathroom and office space)
  - Two storey gable roof over extended area to the rear
  - Change in the main house roof design from hipped roof to gable roof to side
  - Installation of side screens to the front door
  - Change in window size at first floor level to front
  - Change in window and double door layout to rear elevation at ground and first floor
  - Revised internal layout on ground and first floor
  - All associated site works
- 2.2. Revised drawings were submitted to the Planning Authority dated the 4<sup>th</sup> of September 2025 which provide for an updated site layout outlining the as built layout and revised drawings outlining the retention works and works not yet completed.

## 3.0 Planning Authority Decision

### 3.1. Decision

Kildare County Council decided to grant permission for the proposed development subject to 6 No. Conditions. All conditions are of a standard nature for a development of this type.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

- The first report dated 13<sup>th</sup> of August 2025 required Further Information in relation to drawings. The second report dated the 24<sup>th</sup> of September 2025 recommended permission subject to conditions.

#### 3.2.2. Other Technical Reports

**Environment Section:** No objection subject to a condition.

**Area Engineer:** No objection subject to conditions.

### 3.3. Prescribed Bodies

- No reports.

### 3.4. Third Party Observations

- One third party observation was submitted to the Planning Authority. The issues raised are similar to those raised in the appeal.

## 4.0 Planning History

### 4.1. Relevant planning history as follows:

## **PA Reg. Ref. 21/1131**

Permission granted to Stephen and Lisa Costello for extension and elevational changes to existing dwelling.

## **UD8794**

Warning letter issued to Stephen and Lisa Costello for non compliance with condition 1 of Ref. 21/1131.

## **5.0 Policy Context**

### **5.1. Development Plan**

#### **Kildare County Council Development Plan 2023-2029**

Section 15.4.12 relates to Extensions to Dwellings

**Sallins Local Area Plan 2016-2022** - Statement on Kildare County Council website outlines that Kildare County Council will have regard to this plan until such time as it is reviewed or another plan is made.

Site is zoned B- Existing Residential/ Infill.

### **5.2. Natural Heritage Designations**

5.2.1. The site is not within or directly adjacent to any designated site. The nearest are:

- Ballynafagh Bog SAC c. 7.5 km to the NW
- Poulaphouca Reservoir SPA c. 13.2km to the SE
- Ballynagagh Bog NHA c. 7.3km to the NW

### 5.3. EIA Screening

- 5.3.1. The subject 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

- 6.1.1. One third party appeal was lodged against the decision of Kildare County Council to grant permission. The appeal can be summarised as follows:

- The unauthorised development significantly adversely impacts on the residential amenities of the adjacent property.
- The development is overscaled and detracts from the visual amenities of the area and has adverse impacts arising for No.11.
- The side panels to the front door has altered the appearance of the front elevation in a manner at odds with the character and pattern of development in the area.
- Concerns regarding changes in window sizes and overlooking from front and rear windows.
- Internal layout changes allow increased overlooking.
- Impact on light.
- Concerns regarding negative precedent.
- Concerns regarding depreciation in the value of property in the vicinity.
- Section 7.1 outlines 6 No. possible reasons for refusal by ACP.

### 6.2. Applicant Response

- No response.

### 6.3. **Planning Authority Response**

- The Planning Authority confirms its decision and asks the Commission to refer to the planner's report in relation to the assessment of this planning application.

### 6.4. **Observations**

- None.

## 7.0 **Assessment**

7.1. Having examined the appeal details and all other documentation on file, including all of the submissions received in relation to the appeal, the report/s of the local authority, and having inspected the site, and having regard to the relevant local/ regional/ national policies and guidance, I consider that the substantive issues in this appeal to be considered as follows:

- Impact on Residential and Visual Amenities
- Appropriate Assessment
- Water Framework Directive

### 7.2. **Impact on Residential and Visual Amenities**

7.2.1. In the first instance, the principal element of this retention application is for the retention of an additional 8m<sup>2</sup> to the rear of the property over and above that granted by Kildare County Council under PA Reg. Ref. 21/1131. A number of additional amendments to PA Reg. Ref. 21/1131 include internal changes, window and door changes, insertion of panels both sides of the front door together with changes to the roof at both front and back.

7.3. Having regard to the planning history and the zoning objective on the site (B- Existing Residential and Infill - To protect and improve residential amenity), I am satisfied that the principle of development is acceptable at this location.

- 7.4. The main concerns raised in the appeal relate to impacts on residential amenities including loss of privacy, overlooking, overshadowing and loss of light. Impacts on visual amenities are also of concern including scale of development and that the appearance of the development is at odds with the character and pattern of development in the area.
- 7.5. I have reviewed the drawings submitted and compared them to the permission previously granted on the site under PA Reg. Ref. 21/1131. I accept that the size of the dwelling is significantly larger than typical dwellings in the vicinity, nevertheless, I do not consider that the retention of the development is significantly overscaled or excessive in size having regard to what has previously been granted on the site. The design including the amended window sizes and panel inserts adjacent to the front door and roof design are slightly different to adjacent dwellings, however, many of the existing dwellings in the area have been extended and altered in recent years and the finishes proposed are similar to existing dwellings. As such, I do not consider that the extension will detract from the visual amenities of the area.
- 7.6. In relation to overlooking and overshadowing, I note that there are no side windows which could result in additional overlooking on No. 11. Whilst I do acknowledge that the development may result in an element of perceived overlooking, having regard to the extended first floor element in an established built-up residential area, I examined the impact of overlooking from the existing first floor windows on the site inspection. I do not consider that there is any undue overlooking from the as built extension. In addition, I note that the ensuite window closest to No. 11 has opaque glazing. There are no windows directly opposing each other at first floor level.
- 7.7. In terms of overshadowing and loss of light, I accept that there may be some impact and the appellant expresses concern in relation to both a habitable room at ground floor level and a shelter built in the side passage between the dwellings with a polypropylene lean to roof. Nevertheless, having regard to the separation distances between the properties and the limited scale of the extension, it is my opinion that the development will not negatively impact the residential impact on the adjacent property to an undue degree in this case.
- 7.8. I note the concerns raised by the appellants in respect of the devaluation of property. No information or evidence has been provided to corroborate the appellant's claim.

Having regard to my assessment, I do not consider that the development proposed to be retained is unreasonable, on zoned lands in a built up urban location and I am satisfied that the subject development, if approved, would not seriously injure the amenities of the area.

7.9. In conclusion, having regard to the location of the existing development within an existing residential development, together with the design and separation distance to the appellant's property, it is my opinion that the development will not negatively impact the visual amenities of the area or the residential amenities of adjacent properties in the vicinity.

## 8.0 AA Screening

8.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is not located within a designated site, Ballynafagh Bog SAC (site code: 000391) is located approximately 7.5km north west of the subject site. The proposed development consists of the retention of an extension and alterations to an existing dwelling and all associated site works. No conservation issues were raised in 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:

- Scale and size of the development within an existing residential development
- Distance to the nearest European site Ballynafagh Bog SAC (site code: 000391) is located approximately 7.5km north west of the subject site.
- The lack of connections to the SAC.
- Connection to public water, drain and sewer.

I conclude, on the basis of objective information, that the proposed 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. As previously indicated, the subject development comprises of the retention of a rear extension and alterations to an existing dwelling located within a residential development in Sallins, Co. Kildare. The subject development is indicated as connecting to the existing services network in respect of foul and storm drainage. The appeal site which is situated within an established urban area which is in close proximity to the Liffey\_120 IE\_EA\_09L011500 (some 280 metres to the west of site). No specific 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 proposed works; and,
  - The location of the site in a serviced urban area and the distance from nearest water bodies and 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 retention be GRANTED for the reasons and considerations outlined below.

## 11.0 Reasons and Considerations

Having regard to the residential zoning objective for the site, the provisions of the Kildare County Council Development Plan 2023-2029, the nature, scale and design of the development, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not unduly impact on the residential amenities of property in the immediate vicinity, would not negatively impact on the surrounding visual amenities, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 12.0 Conditions

1. The proposed 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 4<sup>th</sup> day of September 2025, 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. Other than as stipulated in this permission, the development proposed to be retained shall be executed in all other respects, in accordance with planning reference number 21/1131.

**Reason:** In the interest of clarity and orderly development.

3. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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.

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Emer Doyle

Planning Inspector

10<sup>th</sup> February 2026

	<b>Appendix 1 - Form 1 - EIA Pre-Screening</b>
<b>Case Reference</b>	500168-KE
<b>Proposed Development Summary</b>	Retention of extension and alterations
<b>Development Address</b>	10 Castlesize Way, Sallins, Co. Kildare.
	<b>In all cases check box /or leave blank</b>
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (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.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.	N/A
<b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3.	
<b>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?</b>	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

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

**Inspector:** \_\_\_\_\_ **Date:** \_\_\_\_\_