



Development	Retention of single-storey extension to the side and rear, construction of the continuation of the side extension into a first-floor extension.
Location	101 The Drive, Castletown, Celbridge , County Kildare
Planning Authority	Kildare County Council
Planning Authority Reg. Ref.	2560072
Applicant(s)	Michael Curtain
Type of Application	Retention and Permission
Planning Authority Decision	Grant Retention and Permission
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Paul Carey
Observer(s)	None
Date of Site Inspection	20 th April 2026
Inspector	Matthew O'Connor

Table of Contents

1.0	Site Location and Description.....	3
2.0	Proposed Development.....	3
3.0	Planning Authority Decision	3
4.0	Planning History	7
5.0	Policy Context	7
6.0	EIA Screening	8
7.0	The Appeal.....	8
8.0	Assessment.....	10
9.0	Appropriate Assessment (Screening).....	17
10.0	Water Framework Directive.....	18
11.0	Recommendation	18
12.0	Reasons and Considerations	18
13.0	Conditions	19

Appendix 1: Form 1 EIA Pre-Screening

1.0 Site Location and Description

1.1. The appeal site is 0.024 and comprises an existing two storey semi-detached house in the established Castletown housing estate in the settlement of Celbridge, Co. Kildare. The appeal site is the second house from the end of a residential row and adjoins No. 102 The Drive. The subject dwelling, although semi-detached is also bounded to the north by No.100 The Drive on account of abutting side extensions. The character of the surrounding area is residential with the dwellings in the large Castletown estate dating from the latter part of the twentieth century. The dwellings are predominantly two-storey semi-detached and semi-detached houses of a conventional design and have a generally similar style and design with painted render or dashed finishes, brown roof tiles, front curtilage carparking and gardens to the rear. A number of dwellings have been modified and extended over time.

2.0 Proposed Development

2.1. The subject development comprises the following:

- Retention for the construction of a single-storey extension to the side and rear;
- Permission for the construction of the continuation of the side extension into a first-floor extension
- internal alterations; and,
- All associated ancillary site works.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. The Planning Authority granted permission and retention for the subject development, subject to 11 no. conditions. I note the conditions are generally standard in nature but are summarised as follows:

- Condition 1: Development shall be retained and carried in accordance with submitted plans.
- Condition 2: Dwelling/extensions shall be jointly occupied as a single housing unit.

- Condition 3: Submission of revised elevations with the proposed parapet removed and without a soffit on northwestern boundary to prevent any part of the roof structure from overhanging the property to the north
- Condition 4: No part of development shall overhang or encroach onto the neighbouring property.
- Condition 5: Finishing details shall match existing dwelling.
- Condition 6: Surface water to be contained on site.
- Condition 7: Surface water to discharge to the surface water system and foul sewage and soiled water to discharge to the foul system.
- Condition 8: Best practice for preventing/limiting noise and dust emissions during construction.
- Condition 9: Submission of a Construction and Demolition Resource Waste Management Plan (RWMP)
- Condition 10: Hours of construction and noise limits
- Condition 11: Financial contribution.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

- The first Planner's Report had regard to the submitted documentation, locational context of the site, policy framework of relevant Development Plan; any inter departmental/referral reports; and, the submission received.
- In terms of assessment, the Planning Authority noted that the principle of house extensions are generally considered acceptable.
- In terms of the design, layout and finishes, the Planning Authority noted that the extension to the rear is of an acceptable scale. In addition, it was noted that design of the ground floor extension to the side of the existing dwelling matches the existing dwelling. Concern was raised with the proposed separate front door which could serve as an independent living accommodation and was deemed to be unacceptable.
- The Planning Authority acknowledged the submission received relating to concerns of encroachment to the neighbouring property and that the applicant should demonstrated that the development does not encroach onto the neighbouring property.

- The Planning Authority also noted concerns raised in relation to rows of blockwork above the single storey extension to the side of the existing dwelling and the structural integrity of the proposed first floor extension.
- It was noted that retention is not sought for this section of blockwork as part of the subject development.
- The Planning Authority also deemed it necessary for the applicant submit an independent report on the structural integrity of the existing single storey extension to the side of the existing dwelling and the expected structural integrity of the proposed first floor extension.
- With regard to impacts on residential amenity, the Planning Authority noted that the submission raised concerns on amenity and privacy issues. It was deemed that the proposal would not lead to a significant loss of privacy.
- No objections were raised from the Municipal Area Engineer or Environment & Water Services Section – subject to conditions.
- No concerns were raised in respect of Appropriate Assessment or Environmental Impact Assessment.
- Further Information was sought in relation to 4 no. items - 1. The second separate front door is unacceptable, and revised plans should be submitted showing the door converted to a window. 2. Concerns are raised in relation to encroachment onto No. 100 The Drive. The applicant is requested to demonstrate that encroachment has not occurred and is fully contained within the curtilage of the site. 3. Submission of an Engineer's Report on the structural integrity on the existing single storey extension and expected structural integrity of the proposed first floor level extension. 4. Address the points raised in the submission by way of a response.
- The second Planner's Report provides an analysis of the applicant's Further Information response. In relation to Item No. 1, the Planning Authority noted the applicant's revised drawings showing separate door on front elevation being replaced with a window which was deemed to address point of Further Information. Reference was however made to a parapet at first floor level extension which was not initially included in the initial application. The Planning Authority considered this parapet to be a negative deviation from the character of the existing dwelling and surrounding dwellings and should be requested to revise the elevations with the proposed parapet removed. In relation to Item

No. 2, the applicant provided a boundary survey indicating concluding that no encroachment over the neighbouring party has occurred. The Planning Authority had concern with the suggested parapet and considered this element to be unnecessary. With respect to Item No. 3, a structural report was submitted which concluded that the existing extension is structurally sound and there no existing structural defects precluding the construction of a first-floor extension. This response was deemed to be acceptable to the Planning Authority. In terms of Item No. 4, the Planning Authority considered the response addressing the third party submission to be inadequate and that clarification of further information be sought.

- The Planner's Report dated 10th October 2025 recommended that Clarification of Further Information be requested submitted with revised drawings submitted demonstrating the proposed parapet as being removed and without a soffit on the northwestern boundary to prevent any part of the roof structure from overhanging the property to the north.
- A Director of Services Order dated 16th October 2025 informs a decision to grant permission for the subject development. Correspondence subsequently received from the Planning Authority on the appeal file confirms that the application was incorrectly Withdrawn on 14th October 2025 but was subsequently re-instated and that a Clarification of Further Information was issued in error and that there is no other Planner's Report as Clarification of Further Information should not have been issued.

3.2.2. Other Technical Reports

- Celbridge/Leixlip M.D Engineer - No objection, subject to conditions.
- Environment (Water Services) - No objection, subject to conditions.
- Environment Section - No objection, subject to conditions.
- Heritage, Biodiversity and Conservation Unit - No objection.
- Fire Services - No objection.

3.3. **Prescribed Bodies**

- Uisce Eireann - No response received.

3.4. **Third Party Observations**

3.4.1. One third party observation was received and the issues raised are similar to those in the appeal. Nevertheless, the issues of concern relating to the subject development were summarised by the Planning Authority as follows:

- Development started without the benefit of planning permission.
- The front door to the side extension impacts neighbouring amenity and privacy.
- Development has commenced on the first-floor extension for which permission is being sought.
- Encroachment on to property.
- Extension to the rear is also an unauthorised development and is now finished.
- Concerns over structural integrity of the first floor extension.
- Safety concerns in relation to the blockwork which has commenced for the first floor extension.
- Concerns over fireproofing of extension.
- Potential for further encroachment.

4.0 Planning History

4.1. None.

5.0 Policy Context

5.1. Development Plan

5.1.1. The Kildare County Development Plan 2023-2029 is the relevant Development Plan.

5.1.2. Section 15.4.12 relates to Extensions to Dwellings and sets out a number of basic principles. The following parameters are considered most applicable to the subject development:

- The extension should be sensitive to the appearance and character of the house and the local area (urban or rural).
- The extension shall have regard to the form and scale of the existing dwelling and should not adversely distort the scale or mass of the structure.
- The design and scale should have regard to adjoining properties.
- The extension should not provide for new overlooking or loss of privacy below reasonable levels to the private area of an adjacent residence.
- The cumulative impact of the existing extent of overlooking and the overlooking that would arise as a result of any proposed extension need to be considered.

- The extension should not have an overbearing impact on neighbouring properties. Large extensions, particularly if higher than one storey, should be moved away from neighbouring property boundaries.
- New extensions should not overshadow adjacent dwellings to the degree that there is a significant decrease in daylight or sunlight entering into the house.

5.2. **Celbridge Local Area Plan (LAP) 2017-2023**

5.2.1. The Celbridge Local Area Plan 2017- 2023 is expired, however it is considered to be relevant as it is stated on the Planning Authority's website that Kildare County Council will continue to have regard to the adopted Local Area Plans until it is reviewed or another plan made. The appeal site is zoned 'B' – 'Existing Residential' with an objective '*To protect and enhance the amenity of established residential communities and promote sustainable intensification*'.

5.3. **Natural Heritage Designations**

5.3.1. The appeal site is not located on or within proximity to any designated Natura 2000 sites. The nearest designated site is the Rye Water Valley/Carton Special Area of Conservation (Site Code: 001398) located approximately 3.3km to the north of the site and is also indicated as a proposed Natural Heritage Area (pNHA). The Royal Canal pNHA (Code: 002103) is located approximately 2.86km to the north of the site.

6.0 **EIA Screening**

6.1. 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.

7.0 **The Appeal**

7.1. **Grounds of Appeal**

7.1.1. The third party appeal was lodged by the resident of the neighbouring dwelling to the north of the appeal site. The grounds of appeal are summarised as follows:

- The development started without the benefit of planning permission with the rear extension continuing and finishing. The two storey side extension paused as there is a dispute regarding encroachment.
- There are concerns regarding the health and safety of the development.
- the Unauthorised Development Department ignored this development and there has been a serious lack of enforcement.
- It is understood that agreement and permission is required to build on a party wall.
- No permission or consent was sought or given to allow encroachment onto No. 100 The Drive.
- The development encroaches onto No. 100 The Drive in many ways and the two storey side extension sits on the party division of the flat roof.
- It is understood that when the houses were built (1970s) that the builder was asked to build garages to the side of the houses and extended the garden. There was no underpinning/foundations so there is no confidence in building a two-storey extension.
- Two detailed surveyor reports have been provided to highlight encroachment.
- The wall currently built does not appear to be fire rated and it was not mentioned in the permission letter and Kildare Fire Service has objection to this application.
- The size and scale of the development will throw the side and rear of the property at No. 100 The Drive into darkness and will impact on enjoyment of property.
- A fence has been erected to the side of No. 100 The Drive for privacy purposes as the double doors on the rear extension look into/toward the neighbouring property.
- There are concerns regarding drainage for the development. It has been advised there is no drainage plan/drawing and gutter wastewater merges with the foul waste into the same drain.
- The owner of No. 101 The Drive informed that the extensions were for rental purposes. The rear extension has been subdivided with the single storey extension which is why the door was added. The pre-existing lean-to roof was removed without permission, and the 2 no. front windows were added without permission. There is a history of ignoring planning permission and there are concerns with the short cuts being taken in construction with negative effects on No. 100 The Drive as a result of the development.

- The decision of the Planning Authority is flawed and failed to address some of the real concerns raised.

7.2. Applicant Response

- Correspondence was received on behalf of the applicant in the form of a 'Grant Planning and Compliance Report'. This document sets out the conditions of the Planning Authority's decision to grant permission and informs how conditions will be addressed/complied with. Updated drawings to reflect changes required as part of the conditions have also been attached. The report does not address the appeal.

7.3. Planning Authority Response

- None.

7.4. Further Response

- The appellant responded to the submission made on behalf of the applicant and states that it does not address any concerns regarding this development. The original appeal is re-submitted.

7.5. Observations

- None.

8.0 Assessment

Having examined the application details and other associated documentation on file, the third party appeal, having conducted an inspection of the site, and having reviewed relevant local policies and guidance; I consider the main issues in this third party appeal can be addressed under the following headings:

- Principle of Development.
- Impact on Residential Amenity.
- Other Issues
- Appropriate Assessment (Screening).

8.1. Principle of Development

8.1.1. In assessing any development, I consider that a key consideration for the assessment of the proposal is the principle of development. The site is zoned 'Objective B' in the

Clane Local Area Plan 2017-2023 which seeks to *'protect and enhance the amenity of established residential communities and promote sustainable intensification'*. Residential development is permissible in the land use zone. The Commission shall note that this Local Area Plan is now expired however, it is stated on Kildare County Council's website that the Council will continue to have regard to this Local Area Plan until it is reviewed or another plan is made.

- 8.1.2. Notwithstanding the status of the Local Area Plan, I have had regard to the subject development which seeks to retain a single storey extension to the rear of the dwelling (approximately 29sq.m) indicated as a dining room; retain a single storey extension to the side of the dwelling (approximately 33sq.m) comprising two unstated rooms and a bathroom/en-suite; and, permission for the continuation of a first floor level extension (approximately 23sq.m) containing a new bedroom and study. The works also include internal modifications to the house. I am satisfied, given the nature of the subject development to an existing dwelling within a settlement that such a proposal is acceptable in principle - subject to the parameters set out in Section 15.4.12: 'Extensions to Dwellings' of Kildare County Development Plan 2023-2029.
- 8.1.3. The appellant has queried the purpose of subject development and claims that the extensions are for rental purposes with two extra bedrooms and that the rear extension has been subdivided. It is further claimed the single storey extension is already being rented out which is why the door was added. Having visited the site and carried out an inspection of the property, I am of the view that the rear extension forms an integrated part of the main dwelling as a dining/living area and is not subdivided. In relation to the side extension, I acknowledge that there is a separate front door currently serving this part of the dwelling and that this section of the property contains two rooms including a W/C or bathroom. However, this part of the dwelling is only partly constructed and is unfurnished internally with evidence of water damage and a part-collapsed ceiling. I am satisfied that this area is not presently inhabited and that the subject development will remove the separate front door and integrate the rooms with the main house. I consider that should the Commission be minded to grant permission for the subject development that a condition can be attached similar to that of Condition No. 2 of the Planning Authority's decision requiring that the dwelling and extensions be jointly occupied as a single housing unit and that the extensions shall not be sub-divided from the remainder of the dwelling or sold/let as a separate dwelling unit.

8.2. Impact on Residential Amenity

8.2.1. The appellant has raised concerns in relation to loss of light and impacts on privacy to their property from the subject development. In the interests of clarity, I shall consider each topic under the following sub-headings:

Loss of Privacy

8.2.2. According to the appeal, a fence has been erected to the party boundary for privacy purposes as it is claimed that the double doors on the side of the rear extension look into/toward the neighbouring property. In considering the privacy concerns, I have had regard to the configuration of the single storey rear extension to the dwelling and I acknowledge that there are patio/double doors on the side (north facing elevation) along with a narrow window ope. From my observations, this rear extension is used as a dining/living area and I note that the side elevation of this extension is approximately 4.5 metres from the party boundary with the neighbouring property to the north. During my site inspection, I noted this block boundary wall to considerably less than 2 metres in height (estimated as being approximately 1.5-1.7 metres in height) and therefore, it is possible to view the rear areas neighbouring residences from a standing position to the back of the subject house.

8.2.3. With this in mind, I consider the layout and design of the single storey rear extension to be acceptable and sufficiently set back from the neighbouring property. In my view, the perceived impacts of privacy are borne from the modest height of the boundary wall between the subject site and could be addressed and/or eliminated through the increase of this boundary. Whilst the appellant has not raised any specific concerns in their appeal, I have also had regard to potential overlooking from the proposed upper floor extension to the side of the dwelling and I note that there is a proposed rear window serving a room indicated as a study. It is my view that the extent of overlooking of adjoining properties from the proposed first floor level would be comparable with that of an established built-up residential area. I am of the opinion that a certain degree of overlooking is to be anticipated in this regard and I do not anticipate that impacts on privacy would be so great so as to warrant a refusal of permission.

Overshadowing and Loss of Light

- 8.2.4. The appeal claims that the subject development would lead to overshadowing which will negatively impact the enjoyment of their residence and result in the loss of light. I note that neither the applicant nor the appellant have submitted any Sunlight/Daylight/Shadow Assessment in respect of the subject development to consider any impacts on neighbouring properties and so, in the absence of such assessments or studies, I must form my opinion on this matter. Having reviewed the subject development and carried out a site inspection, I do not consider that any significant shadowing impacts or loss of light arise from the subject development. I have formed this view on the basis of the limited extent of the proposed first floor level development which will not project beyond the depth of the current first floor level of the house. I also consider that the single storey rear extension to be retained is subservient to the main roof profile of the dwelling and would still allow for natural daylight and sunlight to penetrate the appellant's property. As such, I consider that any potential changes in shadowing from this element of the development would be minimal and confined largely to the side and rear curtilage of the appeal site property. I acknowledge that the dwellings on this section of The Drive are west facing and therefore the path of the sun casts shadows predominantly westwards in the morning and eastwards in the evening for large parts of the year. Given the orientation of the dwellings in The Drive, I am of the view that some shadows are cast northward during the afternoon period. However, I do not consider that the subject development, on account of its scale, would significantly alter the current shadow situation.
- 8.2.5. In this regard, I do not consider that there would be any significant impacts in terms of overshadowing or loss of light from the subject development on the appellant's property and its occupant(s). It is my opinion that any potential changes in the shadow effect or lighting would be minimal from that of the existing built environment and I consider it to be reasonable on account of the scale of the revisions to the house and the site location within an established residential area. On this basis, I consider the subject development to be acceptable.

Concluding Remarks on Residential Amenity

- 8.2.6. Overall, in relation to the perceived impacts on residential amenity on the neighbouring property to the immediate north of the appeal site, I am of the view that

any such impacts would not be of such significance so as to warrant alterations to the proposed design or indeed a refusal of retention and permission. The subject development, in my view, constitutes relatively minor extensions and modifications to the side/rear of an existing residential property in an established residential area, where extensions to modify and improve houses are common. Having regard to Section 15.4.12 of the Kildare County Development Plan 2023-2029, I note that extensions to dwellings are generally supported and in this regard, I am of the view that the extensions are sensitive to the character and appearance of the dwelling and those in the Castletown estate in terms of design, form and scale; would not result in new overlooking or loss of privacy to the private area of adjacent residences that is below reasonable levels; or that any overbearing impacts arise. I do not consider that the upper floor level extension is large in the context of this semi-detached dwelling that it would warrant re-siting/positioning away from the neighbouring boundary. As such, I consider the subject development to be acceptable and in compliance with Section 15.4.12 of the Kildare County Development Plan 2023 2029.

8.3. Other Issues

8.3.1. Having regard to the grounds of appeal, I shall also consider the following matters raised in the sub-headings below:

Encroachment

8.3.2. One of the principal grounds of appeal raised by the appellant is the alleged encroachment of the subject development onto the neighbouring property at No. 100, The Drive with specific reference made to the two-storey extension sitting on the party division of the flat roof. The appellant refers to a boundary survey/declaration and a Technical Assessment prepared on their behalf which claims that blockwork extends over the party line. Conversely, in response to a Request for Further Information, the applicant submitted a Boundary Survey report which notes that Nos.100 and 101 The Drive have existing ground floor buildings connected by a boundary wall and that the proposed extension is to create a first floor above this existing building without encroaching, crossing, or possessing the neighbouring boundary. The report refers to an extract from landdirect.ie and it is indicated that it was ensured the Planning Pack Map matches same. The applicant proposed an abutment to ensure that there would be no encroachment of the neighbouring property however, the Planning Authority did

not accept this element and it is conditioned out of the proposed development in Condition No. 3 of the decision.

8.3.3. in considering this ground of appeal, I note that matters raised in relation to boundary issues or disputes are considered to be a civil matter covered under separate legislation and outside of the remit for consideration by the Commission. I refer to Section 5.13: 'Issues relating to title to land' of the Development Management Guidelines for Planning Authorities (2007) which indicates that the planning system is not designed as a mechanism for resolving disputes about title to land or premises or rights over land. Therefore, An Coimisiún Pleanála cannot adjudicate on the concerns raised in this appeal regarding ownership and rights over land as this is a matter to be resolved in the Courts. In addition, I draw the attention of the Commission to Section 34(13) of the Planning and Development Act 2000 (as amended) which states that a person shall not be entitled solely by reason of a permission to carry out any development. Should permission be granted, I consider that a suitably worded condition can be attached requiring that no part of the development (inclusive of any fascia boards, gutters, drainpipes or other such rainwater goods) shall overhang or encroach onto the neighbouring property.

Structural Integrity & Safety

8.3.4. The appellant raises concern regarding the health and safety of the development. It is claimed in the appeal that when the houses were originally built that garden walls were extended and roofed to form side garages. It is stated that there was no underpinning or foundations and so the appellant has no confidence in building a two-storey extension. It is further indicated that the wall does not appear to be fire rated. In considering these matters, I firstly note that in terms of Fire Safety, the application was referred to Kildare County Council's Fire Services who indicated no objection to the application. With respect to the structural integrity of the development, I note that the appellant has provided no details to corroborate the claim that there are no foundations/underpinning at the walls. As part of the Response to Request for Further Information, the applicant submitted a Site Investigation Report prepared by consulting Engineers to confirm the structural adequacy of the existing single storey side extension and its capacity to support the proposed first-floor extension. The report informs that a trial hole excavation confirms the extension is supported on

concrete strip foundations and that the extension can support the proposed first floor construction – subject to standard engineering detailing. I consider that the response provided at Further Information stage to be acceptable. In addition, I also draw the attention of the Commission to Section 7.8: ‘Conditions relating to other codes’ of the Development Management Guidelines for Planning Authorities (2007) whereby it is stated that is inappropriate in development management to deal with matters which are the subject of other controls unless there are particular circumstances and there is good reason to believe that they cannot be dealt with effectively by other means. It is indicated, in this regard, that the existence of a planning condition, or its omission, does not free an applicant/developer from their responsibilities under other codes and that it is wrong to use the development management process to attempt to force a developer/applicant to apply for other licences, approval or consents.

Unauthorised Development

8.3.5. The appellant claims that there is a history of ignoring planning permission on the site and that the subject development started without the benefit of permission with the rear extension continuing to a state of completeness and the two storey side extension pausing due to a dispute regarding encroachment. On this particular matter, I note that issues of apparent unauthorised development are a matter for the Planning Authority and outside of the remit of the Commission for consideration in this appeal. Furthermore, I also note that the Planning & Development Act 2000 (as amended) provides for the regularisation of development by way of an application through retention and that the applicant has sought to retain elements of development carried out on the site to date whilst also seeking permission to complete/carry out proposed works.

Drainage

8.3.6. The appellant has raised concerns in relation to drainage for the subject development and has indicated that no proper drainage plans/drawings have been provided and claims that gutter wastewater merges with the foul waste into the same drain. Having reviewed the appeal file, I note that Question 20 of the submitted Application Form states that the Proposed Wastewater Management/Treatment is via an existing connection to the public sewer and that Surface Water Disposal is via Public Sewer/Drain. I note that the details on the appeal file in relation to service connections

have not been presented on drawings however, the claims by the appellant regarding run-off from gutters merging with the foul waste is unsubstantiated and I was unable to verify connections during my site inspection. The assessment of the Planning Authority raised no concern in terms of services and the application was referred to the Environment/Water Services Section who had no objection to the development – subject to conditions. In this regard, I note that Conditions 6 and 7 of the Planning Authority’s decision relate to surface and foul water collection and discharge. I consider that such conditions are appropriate, and I recommend that should the Commission be minded granting permission that similar condition(s) be attached that surface/foul water collection and disposal be in accordance with the requirements of the Local Authority who are responsible for such services.

9.0 Appropriate Assessment (Screening)

- 9.1. I have considered the subject development in light of the requirements S177U of the Planning and Development Act 2000 (as amended). The subject development seeks retention of construction of a single-storey extension to the side and rear and planning permission for the construction of the continuation of the side extension into a first-floor extension, internal alterations and all associated ancillary site works No. 101 The Drive, Castletown, Celbridge, Co. Kildare. The appeal site is located in an urban area and is not located within or immediately adjoining any designated Natura 2000 sites.
- 9.2. The subject site is approximately 3.3km from the nearest designated site which is the Rye Water Valley/Cartron Special Area of Conservation (Site Code: 001398). 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 small scale and nature of the development;
 - The location of the site on serviced lands in an urban area and distance from nearest European site and lack of connections.
 - Taking into account the screening determination by the Planning Authority
- 9.3. I conclude, on the basis of objective information, that the subject 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.

10.0 Water Framework Directive

- 10.1. The subject site is in a serviced urban area and is to connect to the existing sewer network. There are no water courses in the immediate vicinity of the appeal site which is situated within a mature and established urban area
- 10.2. An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive. Having considered the nature, scale, and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects.
- 10.3. In addition, the proposed development will not adversely affect the achievement of established environmental objectives, including the protection, maintenance, and improvement of water body status, as required under the Directive. Accordingly, the subject development is considered to be compliant with the requirements of Article 4 of the Water Framework Directive.

11.0 Recommendation

- 11.1. I recommend that retention and permission be GRANTED subject to the conditions set out in the following reasons and considerations.

12.0 Reasons and Considerations

- 12.1. Having regard to the established residential location, pattern of development in the vicinity, policies of the Kildare County Development Plan 2023-2029 in terms of residential extensions (Section 15.4.12); and, the design, layout and scale of the subject development, it is considered that, subject to compliance with conditions below, the subject development would provide for a reasonable upgrade of accommodation on the site, would not have an adverse impact on the amenities of adjoining properties, including No. 100 The Drive, would be wholly in keeping with the pattern of development in the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on 29/01/2025 and as amended by further information submitted on 19/09/2025, 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, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.

Reason: In the interest of clarity.

2. The dwelling and extension(s) shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: In the interests of clarity and development control.

3. Prior to the commencement of any further works on the site, the Applicant shall submit for the written agreement of the Planning Authority, revised elevations with the proposed parapet removed and without a soffit on the northwestern boundary to prevent any part of the roof structure from overhanging the property to the north.

Reason: In the interests of clarity.

4. No part of the subject development including any fascia boards, gutters, drainpipes or other rainwater goods shall overhang or encroach onto any neighbouring properties.

Reason: In the interest of the proper planning and sustainable development of the area.

5. The disposal of surface water shall comply with the requirements of the Planning Authority for such works and services. Prior to the commencement of any further

works on the site, the developer shall submit details for the disposal of surface water from the site for the written agreement of the Planning Authority.

Reason: To prevent flooding and in the interests of sustainable drainage.

6. (a) All foul sewage and soiled water shall be discharged to the public foul sewer.
- (b) Only clean, uncontaminated storm water shall be discharged to the surface water drainage system.

Reason: In the interest of public health

7. Site development and building works shall be carried out between the hours of 07:00 to 18:00 Mondays to Fridays inclusive, between 08:00 to 14:00 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

8. 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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Matthew O Connor
Planning Inspector

30th April 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-500207-KE
Proposed Development Summary	Retention of single-storey extension to the side and rear, construction of the continuation of the side extension into a first-floor extension.
Development Address	101 The Drive, Castletown, Celbridge, County 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?	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2.
	<input type="checkbox"/> No, No further action required.
(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)	
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 type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	The development is not a Class.
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
<input 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)	
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 checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____