



An  
Coimisiún  
Pleanála

## Inspector's Report PL-500331-KE-25

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<b>Development</b>	Retention of double retail unit conversion into single unit, and change of use to office.
<b>Location</b>	Johnstown Manor, Johnstown, Co. Kildare
<b>Planning Authority</b>	Kildare County Council
<b>Planning Authority Reg. Ref.</b>	2561032
<b>Applicant(s)</b>	Jack & Jill Children's Foundation
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission + Conditions
<b>Type of Appeal</b>	Third Party Normal Planning Appeal
<b>Appellant(s)</b>	Marie & Noel Gleeson
<b>Observer(s)</b>	Carole and Niall Heaney
<b>Date of Site Inspection</b>	03/03/2026
<b>Inspector</b>	David Freeland

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## 1.0 Site Location and Description

The subject site is located within the Johnstown village centre, c. 2.5km to the centre of Naas Town and c. 2.8km to the centre of Kill village.

The main street of Johnstown village contains a limited number of commercial and retail premises. To the north-east of the village is the now closed Johnstown Inn public house, while to the south-west are the subject site and an adjoining commercial unit located on either side of the entrance road to Johnstown Manor housing estate. Additional commercial/retail units are located further to the south-east within St. John's Court (St. John's Grove).

The subject site is located to the south side of the main street and comprises a two-storey detached building which previously accommodated a Centra retail unit to ground floor level and offices at first floor level occupied by Jack and Jill Children's Foundation. The building forms part of a pair of detached buildings with commercial uses, the other currently occupied by a restaurant/takeaway which are positioned to either side of the entrance road to Johnstown Manor housing estate. The existing retail and office premises have an area of car parking to the rear which immediately adjoins the River Morell.

## 2.0 Proposed Development

The application is for the retention of the amalgamation of the original two ground floor retail units into a single retail unit and proposed change of use of that existing single retail unit from retail to office use. Along with all facilitating and associated site development works.

Documentation with the application indicates that the Centra shop within the retail unit closed in June 2025. At the time of site visit, the retail unit was vacant. A review Google Maps (Streetview) suggests that the amalgamation of two previous retail units occurred a considerable period of time ago.

## 3.0 Planning Authority Decision

### 3.1. Decision

3.2. Kildare County Council made a decision to grant planning permission for the development subject to 9no. conditions.

### 3.3. Planning Authority Reports

#### 3.3.1. Planning Reports

The Planner's report, is summarised as follows:

- Having regard to Table 3.6 – Villages Land Use Zoning Matrix, the planning report indicated that the proposed change of use from retail to office is acceptable under the zoning matrix and is acceptable in principle. The planning report stated that the existing retail unit is insufficient in terms of floor area to allow for the full range of goods necessary to compete with large multiples in nearby Naas. The Planning Authority noted the third part submissions stating that the loss of the retail unit was regrettable, however, there are no policies to retain ground floor retail to the site.
- The Planning Authority noted the proposed amalgamation being typical of office arrangements.
- No undue impacts to residential amenity were identified.
- There is no requirement for appropriate assessment or environmental impact assessment.
- No relevant built or archaeological heritage was identified

#### 3.3.2. Other Technical Reports

- Transport, Mobility and Open Spaces Department: no objection.
- Water Services Department: no objection.
- MD Engineer: no objection.
- Environment Section: no objection
- Environmental Health Officer: no objection

- Fire Officer: no objection.

### 3.4. Prescribed Bodies

Uisce Eireann: no response received by the Planning Authority.

### 3.5. Third Party Observations

5no. observations were received by the planning authority. The observations all object to the change of use from retail to office.

The submissions are summarised as follows:

- The observations raise concerns regarding the loss of the village's only retail unit and the implications for the character, function and vitality of the local area.
- The observers state that Johnstown is lacking in retail facilities and emphasise the importance of the existing retail space as a community resource. It is submitted that the shop previously provided opportunities for community interaction and access to essential goods, particularly during periods such as Covid-19 and adverse weather events.
- Reference is made to population growth in the area since the shop opened, with the submissions indicating that the population has increased by over 1,300 persons and that the community requires a local convenience store.
- It is contended that the function of the retail unit was not to compete with larger retail multiples in nearby Naas but rather to serve as a local convenience shop. Since the closure of the previous shop, it is stated that the village lacks a social hub and that reduced footfall has diminished the vibrancy of the main street.
- While the submissions express support for the work of the Jack and Jill Children's Foundation, it is suggested that office uses do not require a prime village centre location and that alternative accommodation options may be available.

- Concern is also expressed that the loss of the only retail unit would undermine the vitality and viability of the area, set a precedent for further loss of retail uses, and require residents to travel by car to access retail services.

## 4.0 Planning History

**P.A. Ref. 02145:** Permission Granted for a change of use of first floor part of existing building "B" as granted permission under Ref. 99/2097 from consulting rooms to offices together with retention of smoke ventilator / roof window above existing stairwell & extraction flue.

**P.A. Ref. 992097:** Permission Granted for for 2 storey building (614.40 sq. m.) containing 3 no. retail units together with consulting rooms/leisure centre facilities and ancillary works including car parking facilities

## 5.0 Policy Context

### 5.1. Development Plan

Kildare County Development Plan 2023-2029

*Chapter 2 – Core Strategy & Settlement Strategy*

Johnstown is designated as a Village under Table 2.8 – Core Strategy Table.

The Core Strategy (Section 2.5 – Compact Growth and Climate Action) promotes compact urban form of development and the 10-minute settlement concept to reduce a need to travel. The Plans states that results may not be as effective in smaller towns and villages due to their lack of critical mass to support local services and employment and it is acknowledged that there is a degree of inter-dependency between nearby settlements with regard to the provision of local services, facilities and amenities.

*Chapter 8 – Urban Centres & Retail*

- Policy RET 08: *Encourage and facilitate the preservation and enhancement of the retail and services role of both individual villages and village/ settlement clusters around the county.*

Under Table 8.1 of the Development Plan, Johnstown is within a Level 5 Corner Shops/Small Villages of the Retail Hierarchy of County Kildare. Relevant objectives for Smaller Villages/Settlements include:

- RET O62: *Support and encourage the retail offering of Smaller Villages/Settlements and traditional local shops in rural centres.*

#### *Chapter 15 - Development Management Standards*

General development standards and other relevant standards relating to employment uses, retail, shopfronts and advertising and signage are set out within Chapter 15 – Development Management Standards.

#### *Volume 2 Part 2 – Villages and Rural Settlements*

Under Table 3.1 Johnstown is designated as a village.

Relevant objectives for Villages include

- V GO 10: *Encourage appropriate mixed-use development(s) in the village centres to enhance the range of services and promote local employment opportunities.*

The subject site is within an area zoned A-Village Centre per Land Use Zoning Map V2-3.8. Under Table 3.6 – Villages Land Use Zoning Matrix, 'Offices' are Open for Consideration within areas under the Zoning A: Village Centre.

Table 3.4 sets out the Land-Use Zoning Objectives for a Village Centre as follows:

*To provide for the development and improvement of appropriate village centre uses including residential, commercial, office and civic use.*

*The purpose of this zone is to protect and enhance the special character of the village centre and to provide for and improve retailing, residential, commercial, office, cultural and other uses appropriate to the centre of a developing village. It will be an objective of the Council to encourage the use of buildings and backlands and especially the full use of upper floors. The size and scale of all new developments, particularly retail developments shall not be out of character with the already established village centre area.*

*Warehousing and other industrial uses will generally not be permitted in the village centre.*

Section V2 3.13 – Johnstown lists retail (convenience shop) as social infrastructure. Relevant objectives relating to Johnstown include:

- V JT1 Consider mixed-use developments within the village centre zoning. A loss of active commercial or retail floorspace to residential use will not be permitted.
- V JT5 Assess the need to provide for the expansion and development of educational, social, community and recreational facilities in the settlement.

#### Kildare County Council Development Contribution Scheme 2023-2029

The following extracts are relevant to the assessment of the subject application:

#### Section 10 – Exemptions and Reduced Contributions

##### Section 10.6 – Change of Use

*A 100% reduction on contributions will be granted for change of use permissions where in the opinion of the planning authority, the development does not lead to the need for new or upgraded infrastructure or services or significant demand placed on existing infrastructure.*

## 5.2. Natural Heritage Designations

5.2.1. Not relevant.

## 5.3. EIA Screening

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.

## 5.4. Water Framework Directive

The subject site is located within the village centre of Johnstown. The site adjoins the River Waterbody Morell\_020 (IE\_EA\_09M010100), c. 10m to rear (south).

The proposed development comprises the change of use from retail to office use and amalgamation of two ground floor retail units. No external construction works are proposed and the no new water/wastewater connections are proposed.

No water deterioration concerns were raised in the planning appeal.

I have assessed the development to be retained 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. 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:

- Nature of works e.g. small scale and nature of the development

#### Conclusion

I conclude that on the basis of objective information, that the development to be retained 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.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

A third-party appeal requesting the Council's decision to grant permission be overturned. A summary of the grounds of appeal are as follows:

- Context and Population Growth: The appellants state that a retail store has historically operated on the main street of Johnstown Village. The most recent retail use operated as a Centra convenience store for approximately 25 years and served a growing local population. Reference is made to the current population of Johnstown (approximately 1,320 persons), representing a

46.8% increase since the 2006 Census, together with additional residential development in the area which is estimated to have increased the population by approximately 500 persons.

- **Loss of Essential Social Infrastructure:** The appellants contend that the loss of the village's only convenience store represents the removal of essential social infrastructure and is contrary to the planning authority's stated objectives for village development. It is submitted that the decision conflicts with development plan policy supporting mixed-use development within village centres and protecting the vitality of such settlements. The appeal states that the shop functioned as an important local facility and community meeting point.
- **Accessibility and Reliance on Nearby Centres:** The appellants reject the suggestion that residents may rely on facilities in the wider Naas area. It is stated that residents no longer have access to a retail store within walking distance, which particularly affects children, older persons and those with disabilities. The appeal refers to the time required to access alternative shops (such as within Kill and the under-construction Apple Green station to the former Camex Site) and provides examples of individuals affected by the closure.
- **Permanent Loss of Retail Use:** Concern is expressed that permitting the development would result in the permanent loss of a purpose-built retail facility that has served the community for decades. The appellants argue that once the retail use is lost it is unlikely to return and request that the application be refused to allow time for an alternative retail operator to come forward.

## 6.2. Applicant Response

A letter of response to the Grounds of Appeal by the applicant was submitted to the Commission which is summarised as follows:

- The property owner indicates that they are longstanding residents of the community and have contributed towards the community in terms of employment, support/sponsorship of local clubs/groups and charity initiatives.

- The property owner indicates that despite a growing population and investment in the retail unit, the business did not see the return on investment. As such it became clear that the store was no longer sustainable.
- The property owner refutes the claim that the store was not offered for sale, though not publicly advertised, no retailer expressed an interest due to the site's poor economic outlook.

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

In a letter dated 18<sup>th</sup> December 2025, the planning authority confirmed its decision and refers to the Planner's report and various technical department reports in relation to the assessment of the planning application.

### 6.4. **Observations**

One observation objecting to the application was received from a resident of Johnstown Manor which is summarised as follows:

- It is contended that the retail unit has successfully operated at this location since c. 2000 serving the needs of the growing population. In this regard, reference is made to the growing elderly population in the village.
- Since closing, the village has lost a community use with subsequent limited activity in the village and opportunity for residents to meet.
- The contribution of the property owners is acknowledged and the importance of the shop as a community resource during Covid and adverse weather events was recognised.
- The negative environmental impact of the closure was highlighted as residents who previously walked will now have to travel by car.
- The investment of the charity in the property is questioned as to whether it is an optional use of charity donations and suggested less prominent properties would meet the applicant's needs and deliver a more cost-effective solution.
- It is suggested that the Council's planning report did not fully address all submissions including issues relating to suitability of the site for office use,

importance as community and essential resource, green agenda, ageing population, contribution of retail to vibrancy, contrary to mixed-use planning policy, lack of evidence relating to retail viability and the need for a shop in the village.

## 7.0 **Assessment**

- 7.1.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant policies set out within the Kildare County Development Plan 2023-2029, I consider that the substantive issues in this appeal to be considered are the principle of the proposed change of use from retail to office within the village centre and the implications for the vitality of the settlement.
- 7.1.2. I note the application includes for retention of the amalgamation of the existing retail unit. I am satisfied that the amalgamation is acceptable. Minor works are proposed to the internal to facilitate the change of use. The application does not propose any amendments to the external of the building, and it benefits from existing water/wastewater connections. I am satisfied that the proposed works to the building will have no significant or adverse impacts to the amenities of the area.
- 7.1.3. The application includes for the change of use of the ground floor retail units to office use. The unit previously operated as a retail shop (Centra) which ceased trading since summer 2025. The proposed change of use would allow the existing first floor occupant, the Jack and Jill Children's foundation to extend their office use to ground floor.
- 7.1.4. The applicant's cover letter indicates that the charity has been seeking larger premises in the locality for a number of years to accommodate operational requirements noting that the existing offices at first floor level are not fit for purposes due to limited meeting space and lack of wheelchair accessibility. The application does not include for any external construction works while the internal will be reconfigured to suit office use. The property has existing water/wastewater connections.

- 7.1.5. The Planning Authority considered the proposed change of use from retail to office to be acceptable in principle having regard to the Village Centre zoning and the absence of specific Development Plan policies requiring the retention of retail use at this location.
- 7.1.6. The subject site is located on the main street Johnstown Village. The main street contains a relatively modest offering of commercial, retail or community uses with the village predominantly residential in nature. The subject building forms part of a pair of commercial premises located at the entrance to the Johnstown Manor residential development and currently comprises office accommodation at first floor level, a vacant retail unit to ground floor and a restaurant/takeaway operating within the adjoining building. Prior to the closure of the Centra shop (subject site), I note that it was the only convenience shop in Johnstown. Within the wider village, there are other commercial/retail units, notably the parade of units to St. John's Court consisting of a mix of retail, gym and office uses.
- 7.1.7. The Kildare County Development Plan 2023-2029 supports the consolidation and sustainable development of village centres through the provision of a range of services and employment opportunities and community uses. While retail uses play an important role in the vitality of such settlements, I note that the Development Plan does not include a specific policy which implicitly requires retention of existing retail units within village centres or specially Johnstown Village or prohibit alternative commercial uses such as offices.
- 7.1.8. In this regard, I consider that office use is a compatible commercial use within a village centre context and can contribute towards local employment and activity with the settlement.
- 7.1.9. Concerns raised in the grounds of appeal and observation relate primarily to the loss of the former retail shop (Centra) and the resulting absence of a local shop within the village. I acknowledge that the previous retail unit provided a local service to residents. However, it is my understanding that the retail unit has ceased trading and is currently vacant. I am satisfied that the proposed development does not displace an active retail use but rather seeks to repurpose an existing vacant unit.
- 7.1.10. I note the policy context within the Development Plan which seeks to promote compact and walkable settlements while also recognising that smaller settlements

may rely on services within nearby settlements. Johnstown is located immediately adjoining Kill to the east and Naas where a wide range of retail services are available within a short distance of the village.

- 7.1.11. Having regard to the absence of a specific policy requiring retention of the retail use and existing vacancy of the unit, I do not consider that the proposed change of use would undermine the vitality or viability of the village centre. Furthermore, I consider the proposed office use would maintain an active commercial use within the building and facilitate the continue operation of an established charity foundation within the settlement. In my view, this is a reasonable and appropriate reuse of the building within the village centre context.
- 7.1.12. Having regard to the location of the site within the village centre, the existing vacancy of the retail unit, the absence of specific policy requiring the retention of retail use and the compatibility of office use within a site zoned A: Village Centre, I am satisfied that the proposed development would not adversely affect the vitality of the settlement. I therefore consider that the proposed change of use from retail to office is acceptable in principle and would be in accordance with the proper planning and sustainable development of the area.

## 8.0 AA Screening

The application is for the retention of the amalgamation of two retail units and the change of use of the retail unit to office with minor internal works. No external works are proposed to the building and there are existing water supply/wastewater connections. No nature conservation concerns were raised in the planning appeal.

Having considered the nature, small scale and location of the project, and taking account of the screening determination of the planning authority, I am satisfied that it can be eliminated from further assessment because there is no significant risk to any European Site.

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. Appropriate Assessment, therefore, is not required.

## 9.0 Recommendation

I recommend that permission be granted for the retention of the amalgamation of the original two ground floor retail units into a single retail unit and the change of use of that existing single retail unit from retail to office use, along with all facilitating and associated site development works based on the below reasons and considerations and subject to the conditions hereunder.

Conditions: the planning authority attached a number of standard conditions relating to services, drainage and the construction stages. Having regard to the nature of the development which comprises a change of use of an existing building with limited internal works and no alteration to existing services or external structure, I consider the imposition of such conditions would not be necessary in this instance.

I further do not consider that a condition relating to development contributions is warranted having regard to the Council's assessment of the development which was determined to be exempt from contributions based on provisions of section 10.6 – Change of Use of the Kildare County Council Development Contributions Scheme 2023-2029.

## 10.0 Reasons and Considerations

Having regard to the zoning objective for the subject site which is to provide for appropriate village centre uses including commercial and offices uses, the provisions of the Kildare Country Development Plan 2023-2029, the existing vacancy of the former retail unit, the compatibility of office use within a village centre location, and the presence of other commercial units in the village, it is considered that the retention of the amalgamation of the retail units and the change of use from retail to office would not adversely affect the vitality and viability of Johnstown and the amenities of the area and would be in accordance with the proper planning and sustainable development of the area.

## 11.0 Conditions

1. The development shall be carried out and retained 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.

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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David Freeland

06/03/2026

## Appendix 1 - Form 1

### EIA Pre-Screening - [EIAR not submitted]

<b>An Coimisiún Pleanála Case Reference</b>			
<b>Proposed Development Summary</b>	The application is for the retention of the amalgamation of the original two ground floor retail units into a single retail unit and the change of use of that existing single retail unit from retail to office use. Along with all facilitating and associated site development works		
<b>Development Address</b>	Johnstown Manor, Johnstown , Co. Kildare		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>	X
		<b>No</b>	
<b>2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?</b>			
<b>Yes</b>			EIA Mandatory EIAR required
<b>No</b>	x		Proceed to Q.3
<b>3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?</b>			
		<b>Threshold</b>	<b>Comment</b>
			<b>Conclusion</b>
<b>No</b>	x		No EIAR or Preliminary Examination required
<b>Yes</b>			Proceed to Q.4
<b>4. Has Schedule 7A information been submitted?</b>			
<b>No</b>		x	Preliminary Examination required
<b>Yes</b>			Screening Determination required

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