



An
Coimisiún
Pleanála

Inspector's Report PL-500437-KE-25

Development	Demolition of commercial unit and construction of guesthouse with associated site works.
Location	No 3 Fairgreen Street, South Main Street, Naas, Co. Kildare.
Planning Authority	Kildare County Council
Planning Authority Reg. Ref.	2560192
Applicant(s)	Poleon Ltd
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	Poleon Ltd
Observer(s)	None
Date of Site Inspection	16 th March 2026
Inspector	Elaine Power

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1.0 Site Location and Description

- 1.1. The appeal site is located on the eastern side Fairgreen Street in Naas town centre. Fairgreen Street comprises a variety of architectural styles with a range of commercial and retail uses. The site currently accommodates a vacant single storey commercial unit with a stated gross floor area of 152sqm. The site is bound to the north and south by existing 2-storey commercial units. To the west the site directly fronts on to the public footpath on Fairgreen Street. To the east the site is bound by a single storey commercial unit that fronts onto Loch Bui (public road). This adjacent unit is also within the ownership of the applicant.

2.0 Proposed Development

- 2.1. The proposed development comprises the demolition of the existing single storey commercial unit and the construction of a new part two / part three storey building accommodating a 7-bed guesthouse and all associated works.

3.0 Planning Authority Decision

3.1. Decision

Permission was refused for three reasons:

1. Having regard to Planning Objectives AH O65 and RE O177 of the Kildare County Development Plan 2023–2029, which aim to ensure that development within Architectural Conservation Areas (ACA) and tourism-related projects are appropriately sited, designed, and of high quality to protect local character, heritage, and visual amenities, the proposed part two-storey, part three-storey infill structure with a pastiche design would be detrimental to the character and setting of the Architectural Conservation Area, is not a suitable design solution for such a sensitive area, and would negatively impact the legibility of the town's historical development. If granted, the development would adversely affect the ACA, materially contravene objectives of the Kildare County Development Plan 2023–2029, set an undesirable precedent for similar development, and would be contrary to the proper planning and sustainable development of the area

2. Having regard to Planning Objective AH O66 of the Kildare County Development Plan 2023–2029, which requires all planning applications for new developments within an ACA to include an Architectural Heritage Impact Assessment and Design Rationale addressing design considerations such as urban structure, grain, density, scale, height, materials, landscape, views, landmarks, and historic development, the applicant has failed to submit such an assessment. In line with Policy BH2 and Objective BH 2.1 of the Naas Local Area Plan 2021–2027, the Applicant has also not demonstrated that the proposed development is sympathetic to the distinctive character of the area or enhances the special character and visual setting of the ACA, including vistas, streetscapes, building line, fenestration patterns, and architectural features, while having regard to the ACA Statement of Character. If granted, the proposed development would materially contravene the relevant policies and objectives of the Naas Local Area Plan 2021–2027 and would therefore be contrary to the proper planning and sustainable development of the area
3. The application, as submitted, does not include sufficient or accurate information to enable the Planning Authority to properly assess the proposed development. In particular:
 - No Architectural Heritage Impact Assessment has been provided, contrary to Planning Objective AH O66.
 - No Acoustic Design Statement was provided for the subject site.

In the absence of this information, the Planning Authority cannot determine the impact of the proposed development on the site, its surroundings, or compliance with the Naas Local Area Plan 2021-2027 and the Kildare County Development Plan 2023–2029. The proposal, as it stands, is therefore contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planners Report dated 17th April 2025 notes that a guesthouse is permitted in principle under the sites zoning objective. The report raised a number of concerns

regarding the proposed development and recommended that 10 no. items of further information be sought. These are summarised below.

1. The design of proposed development has not taken adequate consideration of the site's context within an Architectural Conservation Area. Submit a revised design taking into consideration the site context in the ACA, the neighbouring properties, their scale, mass and ridge height. Note: the third storey should be omitted from the scheme.
2. Submit an Architectural Heritage Impact Assessment Report.
3. Submit an Archaeological Impact Assessment and Method Statement.
4. Submit confirmation of a willingness to enter into a Section 47 agreement restricting the use of the facility for tourist accommodation only.
5. Clarify the number of staff working at the guesthouse and provide a redesign to include a reception area.
6. Clarify if asbestos is present on the site and if identified submit proposals for waste management.
7. Submit a revised Site Layout Plan indicating vehicular parking.
8. Submit details of surface water management.
9. Submit a draft Construction Management Plan.
10. Submit an Acoustic Design Statement.

Following receipt of further information, the Planning Authority considered that the applicant had not adequately addressed the request for further information. The proposed development was considered unacceptable as it failed to demonstrate compliance with key policy objectives of the Development Plan. It is considered that the pastiche design is not an appropriate design solution within an Architectural Conservation Area and the development does not comply with the relevant national legislation and standards governing the operation of guest houses.

Critical information required to fully assess the proposal, such as an Architectural Heritage Impact Assessment and an Acoustic Design Statement were not provided and the Planning Authority was not satisfied that the development would not be

detrimental to the character of the structure or to its setting or the general character of the Architectural Conservation Area.

The report recommended that permission be refused for three reasons, which are outlined above.

3.2.2. ***Other Technical Reports***

Water Service Department: Report dated 11th March 2025 recommended that further information be sought regarding surface water management within the site.

Report dated 4th November 2026 considered that the applicant had adequately addressed the request for further information and raised no objection subject to a standard condition.

Environment Section: Report dated 10th March 2025 raised no objection subject to conditions.

Heritage Officer: Report dated 17th April 2025 notes that an Archaeological Impact Assessment was not submitted. It is considered that the scale and mass of the proposed development is excessive and would set a negative precedent for the ACA. It is recommended that permission be refused having regard to the visual impact within the Naas ACA from the roof height and mass.

Report dated 6th November 2025 notes that the structures in situ have been derelict for a number of years, so development of the site is potentially an opportunity to improve the streetscape. Given the location of the development within the Naas SMR Zone, it is recommended that conditions be attached requiring full archaeological monitoring to be undertaken during site clearance, and a report issued to the National Monument Service and the planning authority prior to commencement of any development.

Architectural Conservation Officer: Report dated 7th November 2025 recommended that permission be refused as any design proposal should retain the historic fabric, scale, and form of the cottages. The existing plot divisions should remain legible. While an increase in scale to the rear may be acceptable, it must be sensitively designed. Rear structures should be distinctly contemporary, set back from the street-facing cottages, and should not compromise the legibility or integrity of the site.

Environmental Health Services: Report dated 21st March 2025 recommended that further information be sought regarding the inadequate size of the kitchen / dining room for the number of guests.

Roads, Transportation and Public Safety Department: Report dated 25th March 2025 recommended that further information be sought with regard to (1) the provision of car parking, (2) the submission of a draft Construction Management Plan and (3) the submission of an Acoustic Design Statement.

Report dated 29th October 2025 recommended that permission be refused as it has not been possible to accurately assess the proposed development from a road noise perspective.

Chief Fire Officer: Report dated 4th April 2025 raised no objection subject to a standard condition.

Area Engineer: Handwritten note stating that the site notice was in place on the 7th March 2025.

3.3. **Prescribed Bodies**

None.

3.4. **Third Party Observations**

None.

4.0 **Planning History**

23/122: Permission was granted in 2023 for the change of use of the existing retail unit for use as a take away coffee shop. The works included replacing part of the roof, amending and rebuilding a portion of the front façade and new windows. This development has not been carried out to date.

5.0 **Policy Context**

5.1. **Naas Local Area Plan (LAP) 2021-2027**

The appeal site is zoned A: Town Centre with the associated land use objective to protect, improve and provide for the future development of the town centre. A guest house is permitted in principle on lands zoned Town Centre.

The appeal site is located at the southern boundary of the core retail area of Naas.

The site is located within the Naas Architectural Conservation Area (ACA) and a Zone of Archaeological Potential.

Relevant policies and objectives include the following.

Policy ED3 – Retail: It is the policy of the Council to support the retail function of Naas as Level 2 Major Town Centre and to consolidate existing retail development and to develop / regenerate opportunity sites / areas within the town centre.

Objective EDO 3.7: Encourage and facilitate the re-use and regeneration of vacant / derelict land and buildings for retail and other town centre uses, with due cognisance of the character, heritage and design requirements for the Architectural Conservation Area (ACA).

Policy BH2- Architectural Conservation Area: It is the policy of the Council to protect the character of the Architectural Conservation Area and to carefully consider any proposals for development that would affect the special value of the ACA, while having regard to the guidance contained in the ACA Statement of Character which provides information to support property owners located in the ACA.

Objective BH 2.1 Ensure that new development, extensions and renovation works within or adjacent to Naas ACA is sympathetic to the distinctive character of the area and enhances the special character and visual setting of the ACA including vistas, streetscapes, building line, fenestration patterns and architectural features.

Policy BH4 – Archaeological Heritage: It is the policy of the Council to safeguard the archaeological heritage in Naas and avoid negative impacts on sites, monuments, features or objects of significant historical or archaeological interest.

5.2. *Kildare County Development Plan 2023 – 2029*

Relevant policies and objectives include the following:

Policy RE P15: Support, promote, protect, improve, encourage and facilitate the development of tourism throughout the county as an important contributor to job creation in accordance with the proper planning and sustainable development of the area.

Objective RE O100: Support additional and diversification of tourist accommodation and other types of tourism infrastructure such as motorhome parking and toilet facilities at appropriate, sustainable locations, where the vitality and vibrancy of nearby serviced centres is not compromised.

Objective IN O64: Ensure that future developments are designed and constructed to minimise noise disturbance and consider the multi-functional uses of streets including movement and recreation, as detailed in the Urban Design Manual (2009) and the Design Manual for Urban Roads and Streets (2013).

Policy AH P2: Protect and enhance archaeological sites, monuments and where appropriate and following detailed assessment, their setting, including those that are listed in the Record of Monuments and Places (RMP) or newly discovered archaeological sites and/or sub- surface and underwater archaeological remains.

Policy AH P9: Promote the protection, retention, appreciation and appropriate revitalisation of the built vernacular heritage of the county.

Objective AH O63: Ensure that new buildings adjacent to vernacular structures and extensions to vernacular buildings are of an appropriate design and do not detract from the character of these structures.

Objective AH O65: Ensure that any development, modifications, alterations, or extensions within an ACA are sited and designed appropriately and are not detrimental to the character of the structure or to its setting or the general character of the ACA and are in keeping with any Architectural Conservation Area Statement of Character Guidance Documents prepared for the relevant ACA.

Objective AH O66: Ensure that all planning applications for new developments within or immediately contiguous to an ACA include an Architectural Heritage Impact Assessment and Design Rationale addressing design considerations such as urban structure and grain, density and mix, scale, height, materials, landscape, views and landmarks and historic development.

Section 15.17.2 provides guidance on Development in Architectural Conservation Areas and Section 15.17.3 provides guidance on Development in Zones of Archaeological Potential.

5.3. **Other Relevant Documents**

- Naas Architectural Conservation Area Statement of Character, 2019

5.4 **Natural Heritage Designations**

The appeal site is not located within or immediately adjacent to a designated site. The nearest designated sites are outlined below.

- Grand Canal pNHA (002104) is located c. 190m west of the appeal site.
- Moulds Bog SAC (002331) and Moulds Bog pNHA (00395) are both located c. 8.1km west of the appeal site.
- Red Bog SAC (000397) and Red Bog pNHA (000397) are both located c. 8.6km east of the appeal site.

6.0 **EIA Screening**

- 6.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

7.0 **The Appeal**

7.1. **Grounds of Appeal**

The first party appeal against the Planning Authority's decision to refuse permission describes the site context and the proposed development. An Architectural Heritage Impact Assessment, an Archaeological Impact Assessment, an Inward Noise Impact Acoustic Design Statement and a booklet of Photomontages and 3D images were submitted with the appeal. The main planning grounds are summarised below.

Principle of Development

- The existing development contributes little to the streetscape.

- The proposed development would be a self-service tourist accommodation. There is no need for management and or kitchens or dining rooms. This is a successful business model.
- The site is located in the town centre with a high level of car parking.
- The proposed development is considered appropriate for the site, however, a condition reducing the height to two-storey is acceptable.

First Reason for Refusal

- The proposed development is designed to be consistent with and complementary to the adjoining two-storey structures.
- The pattern of development in the area consists of two and three storey buildings, which all exhibit the same or similar window proportions and solid to void ratios. The development attempts to replicate the architectural pattern.
- The site is small and not especially important, its requires consistency, architectural rhythm and simplicity reflecting the vernacular architecture.
- The three storey element is considered appropriate as there are existing three storey buildings in the town centre, to maximise the plot ratio and economic viability.
- The side elevations would not be visible.
- The proposed development would increase footfall in the area.
- The development would remove a vacant and derelict building and make a positive contribution to the streetscape.

Second Reason for Refusal

- An Architectural Heritage Impact and Design Rationale were submitted and are attached to the appeal.
- The third storey is set back from the front building line and would only be visible from a small section of the road.
- The proposed development would not negatively impact on the visual amenity of the area.

- The third storey element can be accommodated on this town centre site. It accommodates two rooms and would ensure economic viability of the scheme.
- There are numerous three storey buildings in the ACA.

Third Reason for Refusal

- An Architectural Heritage Impact and Acoustic Report were submitted and are attached to the appeal.

7.2. Planning Authority Response

The Planning Authority's response is summarised below.

- The appeal site is located within an ACA. The proposed development does not successfully address its setting and location.
- It is considered that the proposed tourist accommodation fails to comply with the requirements of Objective RE O124 of the Development Plan as it fails to provide sufficient justification for the proposed use, lacks a robust sustainability assessment, fails to demonstrate how the development would be suitably managed. The absence of staff and staff facilities, together with the lack of operational detail would result in an unsustainable form of tourism development.
- There is an absence of information regarding the length of stay of guests.
- If the length of stay for guest was medium – long term duration than residential standards may apply.
- The applicant failed to submit an Architectural Heritage Impact Assessment and an Acoustic Design Statement. It is noted that an Acoustic Design Statement was submitted for an unrelated development in Newbridge. The application remained contrary to Objective AH O66 of the Development Plan.
- There is a possibility of asbestos on the site (roof tiles).
- The Commission is referred to the Planners Report for further information.

7.3. Observations

None

7.4. Further Responses

None

8.0 Assessment

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

- Principle of Development
- Built Heritage
- Noise

8.2. *Principle of Development*

- 8.2.1. The appeal site is located on lands zoned A: Town Centre with the associated land use objective to protect, improve and provide for the future development of the town centre. A guest house is permitted in principle on lands zoned Town Centre.
- 8.2.2. The proposed development comprises a self-service tourist accommodation with 7 no. ensuite bedrooms and a kitchen / dining area and bicycle storage area. In the appeal the applicant states that there are no proposals for management or staff as the accommodation would be booked online and accessed via a key code. Furthermore, this type of development does not require larger kitchens / dining rooms as the site is well served by restaurants and facilities in Naas town centre.
- 8.2.3. In response to the appeal the Planning Authority consider that the proposed development does not comply with the requirements of Objective RE O124 of the Development Plan as it fails to provide sufficient justification for the proposed use, lacks a robust sustainability assessment, fails to demonstrate how the development would be suitably managed and considers that the absence of staff and staff facilities, together with the lack of operational detail would result in an unsustainable form of tourism development.
- 8.2.4. Objective RE O124 requires considers of the following criteria in assessing tourism development proposals: (a) The need for the development and facility to be provided.

(b) Justification for the proposed site location. (c) Details in relation to accessibility including pedestrian and cycle provisions and linkages to the proposed development. (d) Proposed developments should be modest in scale, sensitively located and designed having regard to existing buildings and topography. (e) Proposed developments must be adequately landscaped, serviced and suitably managed.

8.2.5. Having regard to the appeal site's location in Naas town centre, on zoned and serviced lands where a guest house is a permissible use and to the nature and scale of the proposed development, I am satisfied that it is in accordance with the provisions of Objective RE O124. It is also my view that the proposed development is in accordance with Objective RE O100 of the development plan to support additional and diversification of tourist accommodation and other types of tourism infrastructure where the vitality and vibrancy of nearby serviced centres is not compromised.

8.2.6. In response to the appeal the Planning Authority also raised concerns that the applicant has not provided any details on the intended duration of stay and that residential standards may apply for the internal layout of the proposed development. While these concerns are noted, the development description is for a guesthouse, and I am satisfied that the type of accommodation and the length of stay could be addressed by way of condition.

8.3. ***Built Heritage***

8.3.1. The appeal site is located within an existing terrace of commercial and retail units within the Naas Architectural Conservation Area (ACA). The existing building is not a protected structure and is not listed on the National Inventory of Architectural Heritage (NIAH) and the site is not immediately adjacent to a protected structure. The appeal site is located within a terrace which forms View G in the Naas LAP.

8.3.2. The proposed development comprises the demolition of the existing structure on site and the construction of a part two - part three storey tourist accommodation. It is my view that the photomontages submitted with the appeal provide a reasonable representation of how the proposed development would appear.

8.3.3. In my view the Planning Authority's first and second reason for refusal relate to the impact of the proposed development on the ACA. The first reason for refusal noted Objectives AH O65 and RE O177 of the Kildare County Development Plan 2023–2029 and considered that the proposed part two-storey, part three-storey infill structure with

a pastiche design would be detrimental to the character and setting of the Architectural Conservation Area, is not a suitable design solution for such a sensitive area and would negatively impact the legibility of the town's historical development. The reason for refusal also considered that the development would adversely affect the ACA, materially contravene Objectives of the Kildare County Development Plan 2023–2029.

8.3.4. Objective AH O65 seeks to ensure that any development, modifications, alterations, or extensions within an ACA are sited and designed appropriately and are not detrimental to the character of the structure or to its setting or the general character of the ACA and are in keeping with any Architectural Conservation Area Statement of Character Guidance Documents prepared for the relevant ACA. There is no reference to Objective RE O177 in the Kildare County Council and, therefore, appears to be a typographical error.

8.3.5. The Planning Authority's second reason for refusal considered that the proposed development is not in accordance with Policy BH2 and Objective BH 2.1 of the Naas Local Area Plan (LAP) 2021–2027. Policy BH2 of the Naas LAP seeks to protect the character of the ACA and to carefully consider any proposals for development that would affect the special value of the ACA and Objective BH 2.1 seeks to ensure that new development, is sympathetic to the distinctive character of the area and enhances the special character and visual setting of the ACA including vistas, streetscapes, building line, fenestration patterns and architectural features.

Demolition

8.3.6. The proposed development comprises the demolition of the existing single storey structure on site. The applicants Architectural Heritage Impact Assessment (AHIA) submitted with the appeal notes that the existing structure on site appears to comprised the amalgamation of two single storey structures shown on the 1871 OS map. The interior and exterior of the original buildings have been subject to a series of 20th century alterations and in a state of disrepair with corrugated iron roofs. Brick and limestone masonry walls survive. However, the surviving plaster is failing, individual bricks have failed and the lime-based bedding mortar indicates deterioration consistent ongoing water penetration and adjacent and occasionally overlying impermeable 20th century materials.

8.3.7. Section 5.1.9 of the Naas ACA Statement of Character notes that there will be a presumption in favour of retaining any structure that makes a positive contribution to the character of the ACA, to avoid incremental loss or damage to its special character. The report of the Planning Authority's Architectural Conservation Officer recommended that any design proposal should retain the historic fabric. The existing structures on site identify the original plot widths of the original buildings on the site. However, the structures are derelict and, in my opinion, do not make a positive contribution to the streetscape. Having regard to the information provided in the applicants AHIA which indicates that all historic building materials are generally in poor condition and as the existing structures are not protected structures or listed on the NIAH, I have no objection to the demolition of the existing structures to facilitate the redevelopment of the site. It is also noted that the applicants AHIA provides a photographic record of the existing structure to be demolished.

Design, Layout and Height

- 8.3.8. The Planning Authority's first reason for refusal considered that the proposed part two-storey - part three-storey infill structure with a pastiche design would be detrimental to the character and setting of the Architectural Conservation Area. The second reason for refusal considered that the applicant had not demonstrated that the proposed development is sympathetic to the distinctive character of the area or enhances the special character and visual setting of the ACA.
- 8.3.9. The proposed development is part two-storey and part three-storey. The two storey element fronts onto Fairgreen Street and has a traditional gable ended pitched roof with a maximum height of c. 7.1m, which is generally consistent with the adjacent two-storey structures. The three storey element is set back from the building line and has a contemporary box appearance with a metal clad finish. The proposed development has an overall height of 8.7m.
- 8.3.10. Section 5.1.10 of the Naas LAP Statement of Character recommends that new buildings should have regard to the eaves heights, roof pitches, building lines which predominate in the surrounding context. The existing buildings in Naas town are generally two to three storeys in height, and the applicant considers that the proposed development is consistent with the established pattern of development in the town centre.

- 8.3.11. It is noted that the Planning Authority raised concerns regarding the proposed height and the request for further information recommended that the third storey be omitted. While the concerns of the Planning Authority are noted, I have no objection in principle to a relatively taller, 3-storey building on the site. However, I have serious concerns regarding the proposed design approach, in particular the third storey box like structure with a metal clad finish, which in my opinion is not reflective of the existing buildings within the ACA and would be visually incongruous at this sensitive location.
- 8.3.12. The proposed building sits at the sites boundary with Fairgreen Street and is reflective of the established building line in Naas Town Centre. I have no concerns in this regard.
- 8.3.13. The Naas LAP Statement of Character requires new buildings to be designed to blend into the streetscape respecting and using where appropriate the prevailing materials, proportions and massing and that new buildings should have regard to the surrounding scale and mass of built form. Furthermore, contemporary interpretations and detail which allow the new building to be identified as an addition should be favoured over pastiche styles in order to avoid undermining the authenticity of ACA. The Planning Authority consider the design of the scheme to be pastiche and unacceptable in the ACA. The appeal notes that the site is small and not especially important and its requires consistency, architectural rhythm and simplicity reflecting the vernacular architecture. The relatively limited size of the site is acknowledged. However, I agree with the concerns of the Planning Authority that the design, including the window and door placement and proportions on the front elevation, and the proposed raised nappe plaster banding to the ground floor level to match the adjacent building results in a pastiche design approach which in my view is an inappropriate design strategy in the context of the ACA.
- 8.3.14. The Naas LAP Statement of Character further states that that new buildings should follow existing plot boundaries to retain the existing fine grain with a strong vertical emphasis, which is an important determining factor of the special character of the ACA. The proposed layout has no regard to the historic plot sizes of the original structures on site, which in my opinion could be achieved through a vertical emphasis with the use of differing materials.
- 8.3.15. Overall, given the sites location within the ACA, it is my view that the architectural design and style could have been more ambitious providing a contemporary

interpretation of the existing building styles and providing an appropriate contrast to historical buildings within Naas Town Centre.

- 8.3.16. In addition, the appeal site is located within a terrace which forms 'View G' in the Naas LAP. Policy BH3 of the LAP seeks to ensure that the proposed location, siting and design of buildings and structures, protect the special character of protected views of the Naas LAP and Objective BH 3.1 of the Naas LAP seeks to protect the visual amenity and character of protected views in Naas. In my opinion the proposed development would not be consistent with the provisions of Policy BH3 and Objective BH 3.1 of the LAP as it would not protect the special character of the ACA. It is acknowledged that the existing structures on site are vacant and derelict which results in a gap in the streetscape. However, in my opinion the proposed development would not make a positive contribution to the streetscape in the context of the ACA.
- 8.3.17. It is my opinion that the proposed development by reason of its pastiche design approach including window and door placement and proportions and external materials and the third storey metal cladding roof profile would result in a substandard form of development which would fail to integrate into or enhance the character of the Naas ACA and would be visually incongruous in the streetscape. The proposed development does not comply with Objective AH O65 of the Kildare County Development Plan, Policy BH2, Policy B3, Objective BH 2.1 and BH 3.1 of the Naas Local Area Plan and the provisions of the Naas Local Area Plan Statement of Character. It is my opinion that permission should be refused on this basis.
- 8.3.18. The Planning Authority's second and third reason for refusal also stated that as an Architectural Heritage Impact Assessment and Design Rationale was not submitted the proposed development does not comply with Objective AH O66 of the Kildare County Development Plan 2023–2029. This document was submitted with the appeal. Therefore, I am satisfied that the proposed development is in accordance with Objective AH O66.

8.4. **Noise**

- 8.4.1. The Planning Authority's third reason for refusal considered that in the absence of an Acoustic Design Statement a full assessment of the proposed development could not be carried out. The Acoustic Design Statement submitted with the appeal notes that the site is located adjacent to the R448 (Regional Road) and has the potential to be

exposed to noise emissions from traffic flows. A 24 hour noise monitoring survey was carried out in June 2025 the results of which are provided in Section 4 of the report. The results include 68 dB L_{den} (day / evening / night) and 60dB L_{night}. Section 3.4.3 of the Kildare Noise Action Plan 2024 – 2028 notes that for infill, legacy and in some cases, common good developments the use of the EPA thresholds to trigger assessment (70dB L_{den} / 57dB L_{night}) is generally regarded as appropriate. Therefore, the predicated nighttime noise is slightly above the recommended 57dB L_{night} and mitigation measures are required. The proposed mitigation measures are incorporated into the development design and relate to the proposed external walls, roofs, glazing, vents and doors. The information provided indicates that subject to the implementation of the proposed mitigation measures the internal area of the proposed development would be compliant with the noise requirements of the Kildare Noise Action Plan. Having regard to the information provided I am satisfied that, subject to implementation of the proposed mitigation measures, noise levels would be within acceptable parameters.

9.0 AA Screening

- 9.1. I have considered the appeal in light of the requirements of Section 177U of the Planning and Development Act 2000, as amended.
- 9.2. The proposed development is located within Naas town centre and is not located within or immediately adjacent to any designated site. Moulds Bog SAC (002331) is located c. 8.1km west of the appeal site and Red Bog SAC (000397) is located c. 8.6km east of the appeal site.
- 9.3. Having considered the nature, scale and location of the proposed development I am satisfied that it can be eliminated from further assessment as it could not have any effect on a European Site. The reason for this conclusion is as follows:
 - The location of the development in a serviced urban area.
 - The nature and extent of the proposed development.
 - The distance to the nearest European Site.
 - The lack of a direct hydrological or ecological pathway to a European Site.

- 9.4. 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.
- 9.5. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) under Section 177V of the Planning and Development Act 2000 is not required.

10.0 Water Framework Directive

- 10.1. 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.
- 10.2. Having considered the nature, scale, and urban 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.
- 10.4. Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

11.0 Recommendation

It is recommended that permission be refused for the following reasons and considerations.

12.0 Reasons and Considerations

1. The proposed development by reason of its pastiche design approach including window and door placement and proportions and external materials and the third storey metal cladding roof profile would result in a substandard form of development which would fail to integrate into or enhance the character of the Naas Architectural Conservation Areas and would be visually incongruous in

the streetscape. The proposed development does not comply with Objective AH O65 of the Kildare County Development Plan 2023 - 2029, Policy BH2, Policy B3, Objective BH 2.1 and BH 3.1 of the Naas Local Area Plan and the provisions of the Naas Local Area Plan 2021 – 2027 Statement of Character, 2019. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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.

Elaine Power
Senior Planning Inspector

13th August 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-500437-KE-26
Proposed Development Summary	Demolition of an existing single storey commercial unit and the construction of a part two / part three storey guesthouse.
Development Address	No. 3 Fairgreen Street, South Main Stret, Naas, Co. Kildare.
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ 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)	
1. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1 . EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
2. 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?	

☐ 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.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☒ 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)	10 (b)(iv): Urban Development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.
3. 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 ☐	
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	PL-500437-KE-25
Proposed Development Summary	Demolition of an existing single storey commercial unit and the construction of a part two / part three storey guesthouse.
Development Address	No. 3 Fairgreen Street, South Main Stret, Naas, Co. Kildare.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The proposed development comprises the demolition of an existing single storey structure and the constructure of a 7-bed guesthouse in Naas Town Centre. The nature and scale of the development is similar to the character of the surrounding area and the established pattern of development. Having regard to the relatively limited nature and scale of the proposed development I am satisfied that it would not give rise to significant use of natural recourses, production of waste, pollution, nuisance, or a risk of accidents. The site is not at risk of flooding. There are no Seveso / COMAH sites in the vicinity of this location.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The proposed development is a brownfield site in Naas Town Centre. This site is not located on, in or adjacent to any ecologically sensitive site and does not have the potential to impact any such sites. The site is located within the boundary of the Naas Architectural Conservation Area and within a Zone of Archaeological Potential. Having regard to the location of the site and the nature and scale of the development I am satisfied that there is no potential to significantly affect environmental sensitives in the area, including protected structures.

Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	
There is a real likelihood of significant effects on the environment.	

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)