



An  
Coimisiún  
Pleanála

## Inspector's Report PL-500618-KE-26

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<b>Development</b>	PROTECTED STRUCTURE: Construction of a new storey and a half house and demolition of existing sheds
<b>Location</b>	St. David's Terrace, Naas, Co. Kildare
<b>Planning Authority</b>	Kildare County Council
<b>Planning Authority Reg. Ref.</b>	2561224
<b>Applicant</b>	Bridget McCarthy
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	To refuse permission
<b>Type of Appeal</b>	First Party
<b>Appellant</b>	Bridget McCarthy
<b>Observer</b>	An Taisce
<b>Date of Site Inspection</b>	2 <sup>nd</sup> April 2026
<b>Inspector</b>	Trevor Rue

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## 1.0 Site Location and Description

- 1.1. The application site is about 750 metres to the west of the town centre of Naas. It is on the western side of a narrow road known as St. David's Terrace, about 30 metres to the north of its junction with the R445 Newbridge Road.
- 1.2. The site is L-shaped and has a stated area of 0.1 hectares. It includes a partly cleared yard and low flat-roofed sheds with a floor area of 103 square metres. At the northern end of the site there is a mobile home resting on blocks. A sitting area with play equipment occupies the north-western part of the site. A blockwork wall runs along the western, northern and eastern site boundaries and there are large wooden gates at the south-eastern corner.
- 1.3. The thatched Lauristina Cottage lies to the south of the application site. The blockwork wall continues along much of the eastern and south-eastern boundary of the cottage but there is an opening close to the junction of St. David's Terrace and Newbridge Road. A two-storey dwelling is attached to the cottage by a link structure and there are substantial outbuildings to its south and west.
- 1.4. There is a detached bungalow to the south west of the application site with an indirect vehicular access from Newbridge Road. The site is bounded to the north and north west by a housing development known as Jigginstown Park. There are two-storey dwellings on the eastern side of St. David's Terrace.

## 2.0 Proposed Development

- 2.1. Permission is sought to demolish the existing sheds and to erect a 1½-storey dormer-style house. It would have 305 square metres of floor space and a maximum roof height of 7.6 metres. The house would be orientated towards the south east. It would have two single-storey pitched-roofed projections to the rear. The only upper-floor window on the south-western elevation would serve *en-suite* facilities and have obscured glazing. The walls would be finished in plaster and natural stone, while the roof would be covered in concrete tiles or slates.
- 2.2. The submitted drawings show a vehicular access from St. David's Terrace with a 4-metre-wide double gate. The access is shown flanked by a 1.2-metre-high wall with 1.5-metre-high pillars. A 2-metre-high wall is shown along the remainder of the site

perimeter, coupled with unspecified boundary planting. There would be car-parking areas in the north-eastern corner of the site and adjacent to the southern boundary and a rear garden 300 square metres in area.

### 3.0 Planning Authority Decision

#### 3.1. Decision

3.1.1. On 10<sup>th</sup> December 2025, Kildare County Council decided to refuse planning permission, for the following reasons:

*1. The proposed dwelling is located within the curtilage of Protected Structure NS19-111 Tigh na Ceard (Thatched House), a detached four-bay single storey Thatched House c.1700...*

After quoting at length from several of the development plan policies which are set out below in Section 5.1 of this report, the reason continued:

*...The scale, bulk and mass of the dwelling fails to respect the historic relationship between the site and the thatched cottage and does not appropriately respond to the historic site context in terms of scale, form, layout, or orientation. In addition, having regard to the lack of supporting detail received with the application regarding the impact the proposal on the character and setting of the site of a protected structure, the development would be contrary to the provisions of Objectives AH O21, AH O23 and Section 15.17.11 of the Kildare County Development Plan 2023-2029 and, in the absence of evidence to the contrary, would materially affect the protected structure, would set an undesirable precedent for similar developments of this scale and nature and would therefore be contrary to the proper planning and sustainable development of the area.*

*2. The application fails to acknowledge or address the existing chalet/mobile home on site. The existing mobile home represents an unacceptable addition within the curtilage of the protected structure and, in the absence of sufficient detail to the contrary, would materially affect the protected structure and its curtilage and is therefore contrary to the proper planning and sustainable development of the area.*

## 3.2. Planning Authority Reports

3.2.1. A **planning report** dated 5<sup>th</sup> December 2025 provided the reasoning for the authority's decision. The main points were as follows:

- Due to the location and zoning of the site and the character of the surrounding area, a dwelling is acceptable in principle.
- Notwithstanding the scale of adjacent dwellings, the bulk and scale of the proposed two-storey dwelling are such that it would be a highly visible presence on the narrow St. David's Terrace. Due to the proximity of its side elevation to the south-western boundary, it would represent an incongruous form of development with a consequent impact on the value of property and the residential amenity of the occupiers of the adjacent bungalow.
- The application site is located to the north of a thatched cottage dating from the 1700s, a Protected Structure forming part of the applicant's landholding. The thatched cottage is a prime example of vernacular heritage. The proposed layout would close off the Protected Structure site, creating two separate plots within the curtilage.
- The scale, nature and design of the proposed dwelling are unacceptable. While there may be an opportunity to develop the site for a dwelling at a point in the future, any proposal must take full cognisance of the architectural heritage impact that such a development may have on the character and setting of the Protected Structure and be accompanied by a range of supporting architectural heritage documentation. No such detail accompanies this application.
- There does not appear to be any reference or indication in the documentation to the existing chalet / mobile home on the site.

3.2.2. The Council's **Environment Section** had no objection subject to conditions relating to sewage disposal, noise and dust emissions, preparation of a construction and demolition resource waste management plan, and sound levels.

3.2.3. The Council's **Water Services Department** had no objections subject to conditions relating to surface-water discharge and roadside drainage.

3.2.4. The Council's **Transport, Mobility and Open Spaces Department** had no objections subject to 10 specified conditions.

3.2.5. The Council's **Architectural Conservation Officer** made the following comments:

- The application site is located adjacent to a Protected Structure which is included on the Council's Record of Protected Structures. The site was demarcated on the first edition Ordnance Survey map (in about 1830). Development must respect the historic relationship between the site and the thatched cottage.
- The proposed house is not a high-quality design solution. It fails to respond appropriately to the historic site context in terms of scale, form, layout, and orientation. It would significantly detract from the Protected Structure and unduly impact its setting.
- A more appropriately designed dwelling may be acceptable on this site. Any revised design should be guided by a suitably qualified conservation architect to ensure the integrity of the neighbouring Protected Structure is preserved.

### 3.3. **Prescribed Bodies**

3.3.1. No report was received from **Uisce Éireann**.

## 4.0 **Planning History**

### 4.1. **Application Site**

4.1.1. **25/60395**: On 4<sup>th</sup> June 2025, Kildare County Council refused permission to John Connors for development at Lauristina Cottage on land which included the present application site. The proposed development comprised, among other things, demolition of boundary walls (due to structural failure); replacement walls, pillars and cappings; retention of two entrances; a new vehicular entrance and gate on to St. David's Terrace as constructed; and retention of a mobile home for a period of two years. The Council's reasons for refusal may be summarised as (i) lack of supporting detail regarding the impact of works to date on the character and setting of the site of a Protected Structure; (ii) failure accurately to reflect the full extent of works

undertaken on site, including demolition/removal of an outhouse to the east of the thatched cottage and works to the stable block to the north; and (iii) the mobile home would materially affect the Protected Structure and its curtilage and seriously injure the amenities or depreciate the value of property in the vicinity.

#### 4.2. **Comparison Site Cited by the Appellant**

- 4.2.1. **19/217:** On 13<sup>th</sup> June 2019, the Council granted permission for a replacement house at Slievereagh, Morristown Road, Newbridge. Prior to the grant, it sought further information from the applicant about an apparent unauthorised dwelling on the site which was not reflected in the submitted drawings. The applicant responded that the chalet was a temporary family home which would be removed as part of the development. The Council attached a condition to the grant of permission requiring the structure to be removed within one month of the completion of the approved house.

### 5.0 **Policy Context**

#### 5.1. **Development Plan**

- 5.1.1. Map 11.1 of the **Naas Local Area Plan 2021-2027** indicates that the application site is subject to Land Use Zoning B, Existing/Infill Residential. The objective of that zoning, set out in Table 11.1 of the Plan, is to protect and enhance the amenity of established residential communities and promote sustainable intensification. Table 11.3 indicates that a dwelling is permitted in principle under Zoning B.
- 5.1.2. Map 8 of the Naas Local Area Plan indicates the presence of Protected Structure NS19-111 at the junction of St. David's Terrace and Newbridge Road. Policy BH1 of the Plan is to preserve and enhance the buildings identified on the Record of Protected Structures and to carefully consider any proposals for development that would affect the special value of such structures, including their historic curtilage, both directly and indirectly. Objective BH 1.1 is to ensure the protection and conservation of all protected structures (or parts of structures), including the curtilage and attendant grounds of structures contained in the Record of Protected Structures as listed in the Kildare County Development Plan. Objective BH 1.2 is to support the sensitive conservation of protected structures, their curtilage and attendant grounds, and to

operate flexibility with regard to the use of these buildings to facilitate their ongoing use, subject to good conservation principles.

- 5.1.3. In Appendix 6 to the **Kildare County Development Plan 2023-2029**, the address of Protected Structure NS19-111 is given as Thatch House, Tigh na Ceard. It is described as follows:

*Detached four-bay single-storey thatch cottage built c.1700, with two-bay two-storey section adjoined perpendicularly to the rear c. 1900. Front porch, c. 1950. Located on substantial site. Rubble limestone and brick outbuildings with loft. Site enhanced by low slung outbuildings to north-east.*

- 5.1.4. Section 11.15 of the Plan explains that when a building or structure is included on the Record of Protected Structures, legal protection extends to all man-made features within its curtilage and any man-made features within its identified attendant grounds.

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

- 5.1.6. Objective AH O21 of the Plan is to protect the curtilage of protected structures or proposed protected structures and to refuse planning permission for inappropriate development that would adversely impact on the setting, curtilage, or attendant grounds of a protected structure, cause loss of or damage to the special character of the protected structure and/or any structures of architectural heritage value within its curtilage. Any proposed development within the curtilage and/or attendant grounds must demonstrate that it is part of an overall strategy for the future conservation of the entire built heritage complex and contributes positively to that aim.

- 5.1.7. Objective AH O23 is to require an architectural heritage assessment report, as described in Appendix B of the Architectural Heritage Protection Guidelines for Planning Authorities (2011), to accompany all applications with potential for visual or physical impacts on a Protected Structure, its curtilage, demesne and setting. This report should be prepared by a person with conservation expertise appropriate to the significance of the historic building or site and the complexity of the proposed works.

- 5.1.8. Objective AH O32 is to ensure that new development will not adversely impact on the setting of a protected structure or obscure established views of its principal elevations.

5.1.9. Section 15.17.1.1 Bullet 2 of the Plan states that all development proposals potentially impacting on Protected Structures shall have regard to Section 11.15 of the Plan (quoted above) and the Department of Arts, Heritage and the Gaeltacht Architectural Heritage Protection Guidelines for Planning Authorities (2011). (There is no Section 15.17.11.)

## 5.2. **Architectural Heritage Protection Guidelines**

5.2.1. Appendix B to the Architectural Heritage Protection Guidelines deals with architectural heritage impact assessments. Section B2.1 states that the detail and extent of the assessment should be appropriate to the nature and scale of the proposed works. The object of the assessment should be to describe how the proposals would affect the character of the protected structure or any part of it. This will normally require a description of the existing structure, a description of the works proposed and a description of how any potential adverse impact on the architectural heritage is to be mitigated. Section B2.2 advises that if the application relates to a new building within the curtilage of a protected structure, the assessment should concentrate on the relationship between the structure and its setting, and the merits of, and impacts on, existing structures and features in the curtilage.

## 5.3. **Natural Heritage Designations**

5.3.1. The application site is not within any Natura 2000 European site of nature conservation importance. The nearest Natura 2000 sites are:

- Ballynafagh Bog Special Area of Conservation (SAC), about 10.5 kilometres to the north west, designated for active and degraded raised bogs and depressions on peat substrates;
- Ballynafagh Lake SAC, about 10 kilometres to the north west, designated for fens, whorl snail and marsh fritillary;
- Mouds Bog SAC, about 8 kilometres to the west, designated for active and degraded raised bogs and depressions on peat substrates;
- Pollardstown Fen SAC, about 11 kilometres to the west, designated for fens, petrifying springs and whorl snail;

- Red Bog SAC, about 10 kilometres to the south east, designated for transition mires and quaking bogs; and
- Poulaphouca Reservoir Special Protection Area, about 11 kilometres to the south east, designated for greylag goose and lesser black-backed gull.

5.3.2. The application site is not in any Natural Heritage Area (NHA). Hodgetown Bog NHA lies within 15 kilometres of the site. Thirteen proposed NHAs in Co. Kildare also lie within 15 kilometres, namely Grand Canal, Donadea Wood, Ballynafagh Lake, Ballynafagh Bog, Liffey at Osberstown, Mouds Bog, Pollardstown Fen, Curragh, Liffey Bank at Athgarvan, Liffey Valley Meander Belt, Poulaphouca Reservoir, Red Bog and Kiltel Wood.

## **6.0 Environmental Impact Assessment Screening**

6.1. The proposed development has been subject to preliminary examination for environmental impact assessment; refer to Form 1 and Form 2 in Appendix 1 to this report. Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, I am satisfied that there is no real likelihood of significant effects on the environment. I conclude, therefore, that the proposed development does not trigger a requirement for EIA screening and that an EIA report is not required.

## **7.0 The Appeal**

### **7.1. Grounds of Appeal**

7.1.1. The grounds of appeal may be summarised as follows:

- It is proposed to provide a single family home on a large infill site zoned for residential use to meet the needs of the appellant, her husband and their four children.
- When the appellant bought the property, the site was in a state of disrepair and there were large evergreen trees overgrowing into St. David's Terrace. She has cleaned up the site and intends to complete a boundary wall and gated entrance in consultation with the Council. The existing cottage can now be

seen from Newbridge Road and is an attractive architectural structure. It is the appellant's intention to create a high-quality development at this location.

- The proposed house would be set into the lands adjacent to the existing thatched cottage. There would be over 23 metres between it and the cottage, plus adequate rear garden spaces, access and car parking. Its orientation would be in keeping with that of the thatched cottage but, due to the separation distance, it would not detract from the view of the cottage from Newbridge Road.
- The proposed house would be a typical four-bedroom detached home on two floors. It would have a simple two-gabled structure with a central gable feature. It would have a low profile of 7.6 metres, which would be sympathetic to the heights of the adjacent cottage and its two-storey extension. The proposed house would be set into the foreground of two-storey houses within the housing estate to the rear of the application site. St. David's Terrace consists mostly of two-storey houses and the height and scale of the proposed house are acceptable in its context.
- The mobile home is temporary. The appellant is willing to accept a planning condition requiring her to remove it should permission be granted for the proposed house. The Council attached a similar condition to the planning permission referenced 19/217.
- The appellant has engaged the services of a conservation architect to advise on this application and future works to the existing cottage.

7.1.2. The conservation architect submitted a supplementary report, in which he made the following points:

- For many years the Protected Structure was surrounded by a tall evergreen hedge and was not visible to the public. The appellant recently removed the hedge and proposes to reinstate the low pebble-dashed boundary wall and wrought-iron gates. This will renew the cottage's positive contribution to the streetscape.
- The integrity of the form of the cottage has long been compromised by the attachment of a two-storey slated structure to the rear. The proposed dwelling would be as far as could reasonably be expected towards the opposite end of

the site and would read as a separate entity. It would be similar in scale to the cottage and subordinate to its extension. It would not impact negatively on the setting of the historic structure.

- If the appeal is successful, the appellant intends to restore the character of the Protected Structure in consultation with the Conservation Officer and with all necessary planning permission or declarations of exemption.

## **7.2. Planning Authority Response**

7.2.1. The planning authority confirmed its decision and referred to its planner's report and various technical department reports (summarised in Section 3.2 of this report).

## **7.3. Observations**

7.3.1. Pursuant to Article 28(1)(c)(i) and (ii) of the Planning and Development Regulations 2001, the Commission requested the Department of Housing, Local Government and Heritage, the Heritage Council, An Taisce, An Chomhairle Ealaíon and Fáilte Ireland to make submissions or observations.

7.3.2. Only An Taisce responded. It said that while the site is suitable for a sensitively designed house, it concurred with the Council's grounds of refusal with regard to the design and orientation proposed.

## **8.0 Assessment**

### **8.1. Issues**

8.1.1. Having inspected the site and considered in detail the documentation on file for this first-party appeal, it seems to me that the main planning issues are:

- the effect of the proposed development on the Protected Structure;
- its effect on surrounding residential properties; and
- the planning status of the mobile home.

## 8.2. Effect on the Protected Structure

- 8.2.1. It seems to me that the crucial question posed by Objective AH O21 of the County Development Plan is whether the proposed development would adversely impact on the setting, curtilage or grounds of the protected thatched cottage or cause loss or damage to the special character of the Protected Structure.
- 8.2.2. The Council's planning report, while noting that the proposed layout would close off the Protected Structure site and create two separate plots within its curtilage, nevertheless acknowledged that there may be an opportunity to develop the application site for a dwelling. The Council's Architectural Conservation Officer also expressed the view that a more appropriately designed dwelling may be acceptable. An Taisce went further and said that the site is suitable for a sensitively designed house. I concur with these conclusions and proceed on the basis that it is not the principle of building a dwelling on the site that is objected to but the actual development proposal.
- 8.2.3. The Council's planning report on the previous application 25/60395 described the sheds on the application site as a stable block. No one has objected to the removal of these sheds which, in my judgement, are utilitarian in appearance and do not contribute positively to the setting of the Protected Structure. They are not referred to in the description of the Protected Structure given in Appendix 6 to the County Development Plan and may not be contemporaneous with the Protected Structure.
- 8.2.4. The planning authority's first reason for refusal refers to the scale, bulk and mass of the proposed house, as well as to its form, layout and orientation. The height of the house would be comparable to that of many of its neighbours, including the two-storey dwelling attached to the Protected Structure. Its footprint would however be significantly larger than that of any surrounding building. In my judgement, a large house in the proposed position would make a substantial visual impression when seen from St. David's Terrace and would draw attention away from the Protected Structure.
- 8.2.5. I do not consider the form of the proposed house, as expressed in its elevations, to be in itself objectionable in this urban context. However, the proposed layout would produce an awkwardly shaped rear and side garden and an excessively large area of hard surfacing to the front of the house. While the designer has opted to replicate the general orientation of the Protected Structure, it seems to me that this would result in

an uncomfortable relationship not only between the proposed house and its plot but also between the proposed house and the Protected Structure. A house with a smaller footprint, facing directly towards St. David's Terrace and situated further away from the thatched cottage, would have less impact on the Protected Structure.

- 8.2.6. A photograph on file shows the tall evergreen vegetation that used to obscure the Protected Structure. It also shows an ornamental pedestrian gate which has been removed and not replaced. According to the planning report on the previous application 25/60395, an outhouse to the east of the Protected Structure has also been demolished. The current boundary treatment of the application site and of the eastern and south-eastern frontages of the Protected Structure consists mainly of an unadorned concrete-block wall. While the Protected Structure is now visible from Newbridge Road and St. David's Terrace, I consider that the crude appearance of the wall and the gap in the frontage significantly detract from its setting. The net impact of the changes to the boundary is markedly negative.
- 8.2.7. One of the submitted drawings shows natural stone walls with piers and granite cappings in the vicinity of the proposed site entrance but no information is provided as to whether, or how, it is proposed to finish the remaining walls. Landscaping of the application site is shown schematically on the site layout plan but no details are provided. There are no proposals to landscape the adjoining land to the south in the appellant's ownership. The perpetuation of the current boundary treatments without significant improvement would, in my opinion, be unacceptable.
- 8.2.8. It is stated in Objective AH O21 of the County Development Plan that any proposal for development within the curtilage of a Protected Structure must demonstrate that it is part of an overall strategy for the future conservation of the entire built heritage complex and contributes positively to that aim.
- 8.2.9. The appellant has expressed, through her conservation architect, an intention to restore the character of the Protected Structure and reinstate boundary features. The conservation architect's submission is aspirational in tone and does not contain the detailed information which an architectural heritage assessment report, as described in the 2011 Architectural Heritage Protection Guidelines, is expected to have. The development therefore does not achieve compliance with the requirements of Objective AH O23 and Section 15.17.1.1 of the County Development Plan.

- 8.2.10 It seems to me that the future of the present application site should not be considered in isolation from that of the Protected Structure and its environs. A comprehensive scheme of restoration works to the Protected Structure and improvements to its immediate setting should accompany any revised proposals for new development. The scheme should be devised in consultation with relevant Council officials and supported by an architectural heritage assessment report in full accordance with the 2011 Guidelines. In my opinion, the piecemeal approach of the present application would not protect the character and setting of the Protected Structure in the short term or secure its conservation in the long term.
- 8.2.11. As the issues raised in this appeal are intensely site-specific, I am not persuaded that a decision to grant or refuse permission would set a widespread precedent for other developments. However, having come to the view that the proposed development would have an adverse impact on the character and setting of the Protected Structure, I find that the first reason for refusal is sustained in that regard.

### **8.3. Effect on Surrounding Residential Properties**

- 8.3.1. Although not a reason for refusal, the impact of the proposed development on the value of property and specifically on the residential amenity of the occupiers of the bungalow to the south west was mentioned in the Council's planning report. I accept that the proposed orientation of the house would be incongruous. However, in my judgement, the separation distance of roughly 9 metres between the existing bungalow and the proposed house and the absence of any clear-glazed window on the south-western elevation of the latter would ensure that the residential amenity and hence the value of the existing property would not suffer any undue adverse impact by reason of overlooking, overshadowing or overbearance.
- 8.3.2. I also judge that, with the provision of suitable landscaping on the western and northern site boundaries, the separation distances would ensure that the proposed development would not have any unacceptable impact on the residential amenities of the existing dwellings to the west and north. Oblique views towards the front of the two-storey houses on the eastern side of St. David's Terrace would be available from the proposed house but, again because of the separation distances, no undue overlooking or significant adverse impact would arise.

#### **8.4. The Mobile Home**

- 8.4.1. The application does not contain any reference to the mobile home which is on the site. It is not included in the description of development. It did not feature in the statutory press and site notices to facilitate public comment. I am of the opinion that, in judging the acceptability of the proposed development, no account should be taken of a structure which is not part of the proposed development. It seems to me that the authority's second reason for refusal is misconceived.
- 8.4.2. Notwithstanding the manner in which Application 19/217 was dealt with, I consider that it would not be appropriate for the Commission to attach a condition to any planning permission for the proposed house setting a time limit for removal of the mobile home, as that would be tantamount to a grant of temporary permission for a structure for which permission has not been sought.

#### **9.0 Appropriate Assessment Screening**

- 9.1. Having considered the nature, location and modest scale of the proposed development, the nature of the receiving environment as a built-up urban area, the nature of the foreseeable emissions therefrom, the availability of public piped services to accommodate the foul effluent arising therefrom, the distance from the nearest European site and the absence of any known hydrological link between the application site and any European site, I am content on the basis of objective information that the development is not likely to have a significant effect on any European site, either alone or in combination with other plans or projects. I therefore conclude that the carrying out of an appropriate assessment under Section 177V of the Planning and Development Act 2000 is not required.

#### **10.0 Water Framework Directive**

- 10.1. The application site is located about 300 metres from the Grand Canal. The proposed development comprises the construction of a 1½-storey house and the demolition of sheds. No water deterioration concerns were raised in the planning appeal.
- 10.2. I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive (WFD) which seek to protect and, where

necessary, restore surface and 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.

- 10.3. The reasons for this conclusion are the nature and small scale of the works, the distance from nearest water bodies and the lack of known hydrological connections.
- 10.4. I conclude on the basis of objective information that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

## **11.0 Recommendation**

- 11.1. I recommend to the Commission that planning permission be refused.

## **12.0 Reasons and Considerations**

- 12.1. It is considered that due to its scale and orientation, the proposed house would have an awkward and unsatisfactory relationship with the Protected Structure to the south known as Lauristina Cottage or Thatch House, Tigh na Ceard. Given the inadequacy of information about proposed boundary treatments and the absence of a comprehensive scheme covering all of the appellant's landholding, the application fails to demonstrate that it is part of an overall strategy for the future conservation of the entire complex and that it contributes positively to that aim. The development would have an unacceptable adverse impact on the character and setting of the Protected Structure contrary to the Kildare County Development Plan 2023-2029, and in particular Objective AH O21 thereof, and to Policy BH1 of the Naas Local Area Plan 2021-2027. It would therefore also 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.



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**TREVOR A RUE**

Planning Inspector

9<sup>th</sup> April 2026

## Appendix A: Form 1 – EIA Pre-Screening

<b>Case Reference</b>	<i>PL-500618-KE-26</i>
<b>Proposed Development Summary</b>	<i>Construction of a 1½-storey house and demolition of sheds</i>
<b>Development Address</b>	<i>St. David's Terrace, Naas, Co. Kildare</i>
<b>In all cases check box /or leave blank</b>	
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources).	<input checked="" type="checkbox"/> <i>Yes, it is a 'Project'. Proceed to Q2.</i>
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input checked="" type="checkbox"/> <i>No, it is not a Class specified in Part 1. Proceed to Q3.</i>	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<input checked="" type="checkbox"/> <i>Yes, the proposed development is of a Class but is sub-threshold.</i> <b>Preliminary examination required (Form 2)</b>	<b>State the Class and state the relevant threshold</b> <i>Class 10(b)(i)</i> <i>Threshold: 500 dwelling units</i>
<b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b>	
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3).

Inspector: *Trevor A Rue*

Date: 9<sup>th</sup> April 2026

**TREVOR A RUE**

## Appendix B: Form 2 – EIA Preliminary Examination

<b>Case Reference</b>	<i>PL-500618-KE-26</i>
<b>Proposed Development Summary</b>	<i>Construction of a 1½-storey house and demolition of sheds</i>
<b>Development Address</b>	<i>St. David's Terrace, Naas, Co. Kildare</i>
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's report attached herewith.</b>	
<b>Characteristics of the Proposed Development</b> (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)	<b>Briefly comment on the key characteristics of the development, having regard to the criteria listed.</b>  <i>The development has a modest footprint, comes forward as a standalone project, does not require the use of substantial natural resources. It does not give rise to a significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster and is not vulnerable to climate change. It presents no risks to human health.</i>
<b>Location of Development</b> (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)	<b>Briefly comment on the location of the development, having regard to the criteria listed</b>  <i>The development is removed from sensitive natural habitats and designated landscapes of identified significance in the County Development Plan. Although adjacent to an individual Protected Structure, it is not in a designated area of wider historic, cultural or archaeological significance.</i>
<b>Types and Characteristics of Potential Impacts</b> (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation)	<b>Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects.</b>  <i>Having regard to the modest nature of the proposed development, its location removed from sensitive habitats, the 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 Planning and Development Act 2000.</i>

Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
<i>There is no real likelihood of significant effects on the environment.</i>	<i>EIA is not required.</i>

Inspector: Trevor A Rue

Date: 9<sup>th</sup> April 2026

**TREVOR A RUE**