



## Inspector's Report

**PL-500797-KE-26**

<b>Development</b>	Construction of office space and all associated site works, within the curtilage of a protected structure
<b>Location</b>	Abbeylands Shopping Centre and Westgrove Hotel & Conference Centre, Abbeylands, Clane, Co. Kildare.
<b>Planning Authority</b>	Kildare County Council
<b>Planning Authority Reg. Ref.</b>	2561196
<b>Applicant(s)</b>	Le Monde Holdings Ltd.
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission with Conditions
<b>Type of Appeal</b>	Third Party Normal Planning Appeal
<b>Appellant(s)</b>	An Taisce
<b>Observer(s)</b>	Friends of the Irish Environment Gerard Dornan Kevin Hargaden
<b>Date of Site Inspection</b>	13 <sup>th</sup> May 2026
<b>Inspector</b>	Elaine Power

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Appendix 1: EIA Pre-Screening

Appendix 2: EIA Preliminary Examination

## 1.0 Site Location and Description

- 1.1. The appeal site has a stated area of 0.018 ha and is located within Abbeylands Shopping Centre and Westgrove Hotel and Conference Centre, c. 400m southwest of Clane town centre. The site forms part of a larger mixed-use complex which includes retail use, a hotel, conference centre, leisure facilities, office use and community and medical uses. To the north and northwest the site is bound by Churchfield and Park Central residential estates.
- 1.2. Vehicular access to the overall site is accessed is from the Clane Inner Relief Road to the southeast with an additional pedestrian access from Main Street to the west. There is unrestricted surface and basement level car parking associated within the uses on the overall site.
- 1.3. The appeal site is located is within the curtilage of Clane Abbey and Graveyard, protected structure (Ref. B14-65) which is located c. 50m west of the appeal site.

## 2.0 Proposed Development

- 2.1. The proposed development comprises the construction of new office, administration and conference spaces (c.161.1.sq.) at first floor level over existing ground floor Unit 10, Unit 09 (Pharmacy) and the existing main entrance to Abbeylands Shopping Centre. The proposed development includes associated alterations to the southwest elevation of the main shopping centre entrance. Access to the proposed new offices is via a new staircase located within existing ground floor Unit 10. A second entrance is proposed at the first-floor level via the existing courtyard / roof garden.

## 3.0 Planning Authority Decision

### 3.1. Decision

Permission was granted subject to 14 no. conditions. Conditions 5, 6 and 7 are considered relevant.

5. Prior to the commencement of development, the Developer shall submit for the written agreement of the Planning Authority, drawings and details outlining the proposed extension to the existing footpath network within their landownership

boundary towards Churchfield Estate. The footpath extension shall directly tie in with the existing footpath.

**Reason:** In the interest of active travel and permeability.

6. Prior to the commencement of development, the Developer shall submit for the written agreement of the Planning Authority, an assessment of traffic movements to and from the overall site and the potential impediment in turning right onto the public road at the existing T junction entrance / exit. This is due to the volume of traffic travelling from the roundabout situated to the southwest on the R407 Regional Road and the potential obstruction with right turning vehicular movements entering the development site from the existing filter lane. The Developer is to assess this existing traffic movements and predicted traffic movement increases to and from the proposed development and have a detailed assessment for a left turn out only at this T junction. This is to allow vehicles to travel to the roundabout situated to the northeast in utilizing the capacity of this section of public road.

**Reason:** In the interest of pedestrian, cyclist and vehicular safety, proper planning and sustainable development.

7. Prior to the commencement of development, the Developer shall submit a revised Site Layout Plan at a scale of 1:250 for the written agreement of the Planning Authority indicating:
  - a. Details as requested under Condition 6 above. This is to include revised corner radii (as required under) in accordance with the Design Manual for Urban Roads and Streets DMURS 2019. Corner radii are to incorporate dished kerbs and tactile paving.
  - b. Electric vehicle (EV) charge points to serve the development site.
  - c. Bicycle parking to serve the application site in order to reduce staff vehicular based journeys. Bicycle parking is to have secure arrangements, adequate lighting, shelter from the weather and passive surveillance.

**Reason:** In the interest of pedestrian, cyclist and vehicular safety and the promotion of sustainable transport in encouraging cycling, EV usage and reducing the use of combustion engine vehicles to and from the development.

### 3.2. Planning Authority Reports

#### 3.2.1. *Planning Reports*

The initial Planners report dated 4<sup>th</sup> December 2025 raise no objection in principle to the proposed development. However, it was considered that there was an outstanding issue regarding permeability within the larger site. It was recommended that further information be sought requiring the applicant to explore providing the local permeability route indicated on Map 8.1 of the Clane Local Area Plan 2017-2023 from the Abbeylands / Westgrove site connecting through to the Churchfield.

The Planners Report dated 19<sup>th</sup> January 2026 considered that the applicant had adequately addressed the request for further information and considered it reasonable that a condition be attached that an extension to the existing footpath network within the applicants landownership boundary, in line with the local permeability improvement as outlined within Map 8.1 of the Clane LAP, be provided.

#### 3.2.2. *Other Technical Reports*

Environment Section: Report dated 3<sup>rd</sup> November 2025 considered that the proposed development was acceptable subject to standard conditions.

Water Services Department: Report dated 3<sup>rd</sup> November 2025 considered that the proposed development was acceptable subject to a standard condition.

Area Engineer: Report dated 25<sup>th</sup> November 2025 requested that further information be sought requesting the applicant to submit proposals for the feasibility of opening a pedestrian connectivity link with neighbouring Churchfield / Central Park Estate.

Chief Fire Officer: Report dated 2<sup>nd</sup> December 2025 considered that the proposed development was acceptable subject to the applicant obtaining a Fire Safety Certificate.

Transport, Mobility and Open Spaces Department: Report dated 7<sup>th</sup> January 2026 considered that the proposed development was acceptable subject to conditions. The recommended conditions required an assessment of traffic turning movements to and from

the site and revised drawings to be submitted indicating *inter alia* EV charging points and bicycle parking.

There is a handwritten note on file from the Enforcement Section with states that there is no unauthorised development at this site.

### 3.3. Prescribed Bodies

#### An Taisce

The detailed submission from An Taisce sets out the sites location and policy context. The main planning grounds of the submission are summarised below.

- The intensified use of the site, against a background of increased use of the access road, contributes to significant local movements in addition to deliveries and service movements.
- A Mobility Management Plan should have been submitted with the application to provide clear evidence based information regarding the scale and nature of vehicle movements generated by the existing and proposed development. It would also have identified measures to manage and reduce vehicular movements and enhance walking, cycling and public transport.
- No assessment has been submitted identifying existing pedestrian and cycling barriers, potential permeability links, or opportunities for internal active-travel connections across the wider landholding.
- The application also does not address the movement and permeability requirements set out in the Clane Local Area Plan, including Objective MTO1.3 and Policy MT1.
- Insufficient information has been submitted to fully assess the application. In particular, the application does not contain scaled or contextual material demonstrating the visual or setting impacts of the additional first-floor office, administrative and conference accommodation in relation to the adjoining Franciscan friary complex, graveyard and associated national monuments. These structures form a coherent archaeological zone adjoining the site, and the absence of verified contextual elevations, cross-sections or visual analysis prevents a complete evaluation of the development's effects on the character and setting of these protected heritage assets.
- There is a requirement for bicycle parking.

- Concerns regarding traffic safety and capacity on the surrounding road network.
- While the proposed increase in floorspace is modest, the absence of a site-wide assessment of active travel infrastructure limits the authority's ability to determine whether the proposal can be delivered consistently with its statutory climate obligations.
- Increased permeability upgraded footpaths and alterations to the surrounding road network would ensure that trips generated by the expanded office, administrative and conference functions can be accommodated primarily by walking, cycling and public transport rather than additional private-car movements. They also support the authority in ensuring that the decision complies with its obligations under s.15 of the Climate Act, the SPPRs, the Section-28 DMURS requirements, and the movement and permeability objectives of the Kildare County Development Plan.

Environmental Health Office: Report dated 24<sup>th</sup> November 2025 considered that the proposed development was acceptable subject to standard conditions.

### 3.4. Third Party Observations

None

## 4.0 Planning History

There are a large number of planning applications relating to modifications, alterations and extensions to the shopping centre, hotel and conference centre and the primary care centre. The most relevant applications are summarised below.

Reg. Ref. 00/470: Permission was granted in 2021 for the construction of a commercial building comprising retail (3,170.6sqm) at ground and basement floor level, 17 no. office units (3,461sqm) at first floor level and roof space and a 64-bed hotel.

Reg. Ref. 08/242: Permission was granted in 2008 for the construction of additional office space (436sqm) and retail space (77sqm) and a new entrance to Abbeylands Shopping Centre including new 3 storey turret feature with associated signage and amendments.

Reg. Ref. 13/244: Permission was granted in 2013 for the change of use of a portion of first floor from offices and bedrooms to a primary care centre, the construction of a new 2-storey entrance incorporating a previously approved ground floor retail area, provision of a new

internal stairs to second floor level, alterations to existing elevations and all ancillary site-works.

Reg. Ref. 14/292: Permission was granted in 2014 for the construction of a 3-storey structure at the entrance to the Primary Care Centre.

Reg. Ref. 21/255: Permission was granted in 2021 for the construction of an extension to the third floor of the existing hotel to create a new office space.

Reg. Ref 22/1307: Permission was granted in 2022 for the change of use of existing office space at first and second floor level and first floor breakout rooms to 17 no. additional bedrooms and storage space. The proposed development also included the removal of the existing first floor toilet facilities to facilitate the extension of the existing food preparation area previously approved.

Reg. Ref. 25/60641: Permission was granted in 2025 for a single storey extension to the existing unit 9 (pharmacy) resulting in alterations to the south-west elevation of The Abbeylands Shopping Centre. The proposed development also included a double height covered entrance area with retractable roof and signage at the south-west entrance to the conference / function rooms.

## 5.0 Policy Context

### 5.1. Clane Local Area Plan 2017 – 2023

The Kildare County Council website ([www.kildarecoco.ie](http://www.kildarecoco.ie)) which I visited in May 2026 states that Kildare County Council will have regard to inter alia the Clane Local Area Plan until such time as it is reviewed or another plan is made. However, there is no evidence on the website that the LAP has been extended. Therefore, it is my opinion that the LAP has expired and while the provisions within the plan may provide guidance it is no longer a statutory document.

The appeal site is zoned Town Centre in the LAP with the associated objective to protect, improve and provide for the future development of town centre.

The following Policies and Objectives are considered relevant:

- **Policy R1:** Town Centre It is the policy of the Council to protect and enhance Clane's role as a vibrant and attractive town that provides a range of retail, commercial, civic, social and cultural services.
- **Objective RO1.1:** To reinforce the town centre as a priority location for commercial, civic, social and cultural development and to promote new development that consolidates the existing urban core.
- **Objective RO1.5:** To improve the accessibility of the town centre with particular emphasis on creating an environment that is accessible to pedestrians and cyclists.
- **Objective RO1.4:** To encourage and facilitate the full use of buildings and sites and in particular the use of upper floors and backlands, with due cognisance to the sequential approach to retail development, quality of urban design, integration and linkage.
- **Policy MT1:** Walking and Cycling It is the policy of the Council to provide an enhanced pedestrian and cycle network in Clane, and secure filtered/full permeability in all new housing areas and in existing areas where possible.
- **Objective MTO1.1:** To secure the implementation of walking and cycling projects identified in Table 8.1 and on Map 8.1.
- **Objective MTO1.3:** To maximise direct cycle and pedestrian access to local shops and services, health facilities, schools, supermarkets, sports grounds and leisure facilities and places of work in all new developments.

## 5.2. ***Kildare County Development Plan 2023 - 2029***

Section 2.14.4 Self-Sustaining Towns states that the self-sustaining towns of Celbridge, Kilcock, Monasterevin and Clane, which have a high level of population growth and a weak employment base, have the potential to improve their employment offering through biotechnology, knowledge based digital enterprises, logistics, tourism and food and beverage products in order to strengthen their overall economic offering.

Chapter 2 Core Strategy and Settlement Strategy, Chapter 4 Resilient Economy and Job Creation, Chapter 8 Urban Centres and Retail and Chapter 15 Development Management Standards of the development plan are all considered relevant. The following policies and objectives of the development plan are also considered relevant:

**Objective RE O31:** *Encourage job creation in the Self-Sustaining Towns of Celbridge, Monasterevin, Clane and Kilcock and with particular focus on the economic areas of biotechnology, digital enterprise, tourism, distilling and brewing industries and food and beverage products, in order for them to become more self-sustainable and balanced considering they have experienced rapid population growth with high levels of commuter focused residential expansion without equivalent increases in jobs and services. Also, encourage new businesses to develop and embrace the diversity of opportunities that exist in these locations.*

**Objective RET O47:** *Reinforce the town centre as a priority location for retail development and to promote new development that consolidates the existing urban core.*

**Objective RET O48:** *Protect the quality, ambience, vibrancy and vitality of Clane Town Centre by promoting an appropriate mix of day and night time uses.*

**Objective RET O49:** *Encourage and facilitate the full use of buildings and sites and in particular the use of upper floors and backlands, with due cognisance to the sequential approach to retail development, quality of urban design, integration and linkage.*

**Objective TM O21** *To ensure site layout proposals detail present and possible future connections to pedestrian/cycle links and improve permeability between existing and proposed developments including adjacent developments thereby facilitating the '10-minute settlement' concept.*

### 5.3. **Natural Heritage Designations**

There are no designed sites within the vicinity of the appeal site.

## 6.0 **EIA Screening**

- 6.1. The proposed development has been subject to preliminary examination for environmental impact assessment. I refer the Commission to Appendix 1 and 2 of my 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

7.1.1. The detailed third-party appeal by An Taisce against the Planning Authority's decision to grant permission includes an Appendix entitled policy hierarchy relevant to sustainable mobility, permeability and SEA-based plan implementation. Section 1 of the appeal outlines the site location and description, Section 2 describes the proposed development, Section 3 outlines Planning Authority's decision, Section 4 includes references to previous decisions where permeable links were provided, and Section 5 sets out the policy context. The grounds of the appeal are set out in Section 6, observations and resident concerns are set out in Section 7, a planning appeal assessment is provided in Section 8 and Section 9 provides a conclusion and recommendation.

7.1.2. Below is intended as a summary of the main planning grounds of the appeal. I have read and considered all documentation submitted with the appeal.

- The appeal concerns the adequacy of the conditions, not the acceptability of the development in principle.
- The Clane LAP identifies a specific permeability link (Map 8.1, Policy MTO1 and Objective MTO1.3) as part of the SEA assessed movement strategy. The Planning Authority's technical assessment identified a strategic requirement for external pedestrian connectivity.
- The appeal seeks a plan-led refinement of the permission on the basis that the decision results in an incomplete movement structure and does not secure the permeability objective identified in the LAP.
- The site adjoins the Churchfield / Central Park estates, yet the permission does not secure a complete, safe and universally accessible pedestrian and cycle connection to the adjoining publicly managed footpath and open space network.
- A recent Supreme Court judgement (Coolglass) confirmed that climate consistency is primarily delivered through the plan led system. Climate obligations operate primarily through the plan-led system, and the LAP represents the climate consistent movement framework for the town. By failing to secure mapped link, the decision tends towards a more car dependant outcome for local trips.

- The evidential basis for treating the boundary as outside the applicants control appears limited. It is considered that the issue is one of legacy title and vesting mechanics capable of being addressed through appropriate local authority and statutory processes at compliance stage rather than an operational constraint.
- It is requested that a condition be attached to deliver the Abbeylands – Churchfield / Central Park filtered pedestrian and cycle link through an agreed design and delivery programme with defined implementation triggers at compliance stage.
- The applicant's response to the further information request states that the Central Park / Churchfield Residents Association is not supportive of the permeability link and makes reference to privacy, security, anti-social behaviour, traffic and maintenance. These concerns are generally addressed through detailed design rather than the omission of planned connections.
- It is recommended that the Commission uphold the permission in principle, subject to revised conditions requiring the submission, agreement and implementation of a detailed design and delivery programme for the Abbeylands – Churchfield / Central Park pedestrian and cycle link, including the boundary interface, lighting, universal access and management arrangements.
- The link is between publicly managed public-realm network rather than an intrusion into private residential curtilage.
- The proposed development represents a further layer of intensification within an already complex, high trip generating site. In such circumstances even modest additional floor space can influence peak hour travel patterns, increasing pressure on walking and cycling environments, and affect the distribution of trip modes.
- A Mobility Management Plan or site wide mobility analysis was not submitted with the application.
- The condition to upgrade the internal footpath, bicycle parking, EV charging and traffic assessment is positive. However, it does not secure the external connection required to give effect to the permeability measures forming part of the SEA assessed movement strategy.

## 7.2. Applicant Response to the third party appeal

The applicant welcomes the clarification from the third party that it does not seek to challenge the acceptability of the permission. It is stated that this response is intended to provide further background and context to the application. The submission is summarised below.

- The permeability route shown in the Clane LAP crosses through three separate land owners, in this regard the applicant, Uisce Eireann and Churchfield Estate. The public open space within Churchfield has not been taken in charge by Kildare County Council.
- The residents of Churchfield have indicated that they do not wish for this route to be provided. They have also submitted formal and informal objections to Kildare County Council since the implementation of the Clane LAP. Without the approval of all landowners, it is not possible to deliver this link. This was acceptable to KCC following receipt of further information.
- Should the views of the adjacent residents change the applicant is happy to make the full provision for future connection to Churchfield Estate.
- If the route were to proceed it would not significantly improve permeability in any direction.
- The Abbeylands Centre is well connected to its surroundings and has developed a good working relationship with its neighbours.
- The Abbeylands Centre offers a multitude of services for the local and wider community. The centre has expanded over time. However, this has not been incremental. Each development has been done in accordance with the required planning assessments, traffic management, environmental engineering, landscape, legal, architectural and retail impact assessment.
- As conditioned by KCC the applicant will provide the requested link across lands within their ownership.

### 7.3. **Planning Authority Response**

The Planning Authority notes the content of the appeal. It confirms its decision and refers the Commission to the Planners Report and reports of the technical departments in relation to the assessment of the application.

### 7.4. **Observations**

Three observations were received from Friends of the Irish Environment, Gerard Dornan and Kevin Hargaden. All three submissions are in support of the appeal from An Taisce and raise similar concerns raised in the appeal relating to the provision of a permeable link between the Abbeylands site and the adjacent Churchfield Estate.

Concerns are also raised regarding the effectiveness of Condition 5 which requires the provision of a footpath up to the boundary with Churchfield Estate.

The observations also consider that provision of a permeable link is in accordance with Policy Objective CS O7 and CS O13 of the Development Plan.

### 7.5. **Further Responses**

None

## 8.0 **Assessment**

8.1. Having examined the appeal details and all other documentation on file, including all of the submissions received in relation to the appeal, the report 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
- Design and Layout
- Built Heritage
- Permeability
- Traffic
- Climate

## 8.2. ***Principle of Development***

8.2.1. The appeal site is not zoned in the Kildare County Development Plan 2023-2029. It was zoned Town Centre with the associated objective *to protect, improve and provide for the future development of town centre* in Clane Local Area Plan (LAP) 2017-2023. The Clane LAP was adopted by members of the Maynooth Municipal District on 10th May 2017 and came into effect on the 6th of June 2017. In accordance with Section 1.2 of the Clane LAP, the plan was to remain in force for a period of 6 years. This six-year period has now lapsed. The Clane LAP was not extended by resolution, nor was it incorporated into the current KCDP (2023-2029). Therefore, it is my opinion that the Clane LAP has expired and as such the land use zoning objective assigned to the appeal site under this plan no longer apply.

8.2.2. The Kildare County Council website notes, under the heading 'Current Local Area Plans' (Current Local Area Plans - Kildare County Council) that the Council will 'have regard to' adopted Local Area Plans, including the Clane LAP, until such time as they are reviewed or another plan made, I am not satisfied that this statement alone provides sufficient statutory basis for the implementation of the policies and objectives outlined in the plan. Therefore, it is my opinion that the subject lands are unzoned. Notwithstanding this, having regard to the previous Town Centre zoning objective under which offices were permissible and the sites location within the Abbeylands Shopping Centre and Westgrove Hotel and Conference Centre, the existing pattern of development and the provisions of Objective RE O31 to encourage job creation in self-sustaining towns, Objective O47 promote new development that consolidates the existing urban core and Objective RET O49 to encourage and facilitate the full use of buildings and sites with due cognisance to the sequential approach to retail development, quality of urban design, integration and linkage I am satisfied that that the proposed use is acceptable in principle.

8.2.3. It is also noted that the third parties and the Planning Authority raised no concerns with regard to the proposed use.

## 8.3. ***Design and Layout***

8.3.1. The proposed development comprises a c. 161.1sqm first floor extension to the existing Abbeylands Shopping Centre. The proposed development would provide 3 no. offices and a conference room with associated waiting area and circulation spaces. The proposed development would also result in a change of use of the existing ground floor Unit 10 from

retail to office with a reception area for the proposed new office use provided at the ground floor level (Unit 10) and a new staircase to provide access to the first floor level. An additional first floor access is proposed via the existing courtyard / roof garden within the Westgrove Hotel and Conference Centre. The proposed development would result in minor alterations to the front (southwest) elevation of the shopping centre. I have no objection to the design and layout of the proposed development and consider it to be in keeping with the existing character of the Abbeylands Shopping Centre and Westgrove Hotel and Conference Centre and the surrounding pattern of development.

#### 8.4. **Built Heritage**

- 8.4.1. The Abbeylands Shopping Centre is located c. 40m north east of Clane Abbey and Graveyard, which is a protected structure (Ref. B14-65) and three national monuments, in this regard KD014-026005 – Religious House – Franciscan Friars, KD014-026012-Graveyard and KD014-02014 – Tomb – effigial. The submission from An Taisce to the Planning Authority considered that insufficient information was submitted to fully assess the application with particular regard to the impact on the adjoining Franciscan friary complex, graveyard and associated national monuments. It is further noted that these structures form a coherent archaeological zone adjoining the site, and the absence of verified contextual elevations, cross-sections or visual analysis prevents a complete evaluation of the development's effects on the character and setting of these protected heritage assets.
- 8.4.2. Having carried out a site visit and having regard to the documentation submitted, I am satisfied that and adequate information has been submitted to allow for a full assessment of any potential impact on built heritage and verified contextual elevations, cross sections or CGI's are not required in this instance.
- 8.4.3. The concerns of An Taisce are noted. However, having regard to the existing structures within the Abbeylands Shopping Centre, the Westgrove Hotel and Conference Centre and the Clane Primary Care Centre, the existing landscaping, the minor nature and scale of the proposed development, the urban context and the separation distances between the protected structure and national monuments and the established pattern of development in Clane Town Centre, I am satisfied that any visual impact on the character and setting of the protected structure and national monuments would be negligible.
- 8.4.4. It is noted that the site is located within a zone of archaeological potential. However, having regard to the minor nature and scale of the proposed development and the highly modified

nature of the site, I am satisfied that no archaeological monitoring is required during the construction phase.

## 8.5. **Permeability**

- 8.5.1. The main vehicular and pedestrian access to the wider landholding is via the Clane Inner Relief Road to the southeast of the shopping centre. There is an additional pedestrian access to the site from Main Street to the west. These routes are identified on Figure 3 of the applicant's response to the appeal. Figure 4 of the response to the appeal identifies the existing footpath / pedestrian route between the shopping centre and the town centre, which equates to a c. 10 minute walk.
- 8.5.2. The main grounds of the appeal and the observations relate to the provision of a permeable link to the adjacent Churchfield residential estate. Map 8.1 Movement Objectives Map of the Clane LAP identified an indicative 'local permeability improvement' objective between the Abbeylands centre and the adjacent Churchfield Estate. The provision of this link is supported by Objective MTO1.1 of the LAP which seeks to secure the implementation of walking and cycling projects identified in Table 8.1 and on Map 8.1. In addition, Policy MT1 of the LAP aims to provide an enhanced pedestrian and cycle network in Clane, and secure filtered/full permeability in all new housing areas and in existing areas where possible. The link identified would provide an additional route between the shopping centre and Churchfield Estate. It is noted that this route has a north-south orientation, similar to that currently provided along Main Street.
- 8.5.3. As noted above the Clane LAP expired in 2023. Therefore, the policies and objectives relating to the appeal site and wider landholding of the applicant provided for under this plan no longer apply. The submission from Friends of the Irish Environment also considers Policy Objective CS O7 of the Development Plan to be relevant consideration when assessing the appeal. Objective CS O7 seeks *to promote and facilitate the development of sustainable and socially integrated communities through, a plan-led approach that is informed by settlement capacity audits and social infrastructure audits by providing for land use zoning designations capable of accommodating employment, environmental education, community, leisure, education campuses, childcare, recreational and cultural facilities having regard to the quality of the receiving environment, and any landscape character, archaeological and architectural heritage sensitivities.* As the LAP has expired the Development Plan is the relevant statutory plan to assess the development.

- 8.5.4. The submission from Friends of the Irish Environment also considered Objective CS O13 to be relevant. Objective CS O13 *requires that the design of future development complies with the 10 minute settlement principle through the creation of a safe, attractive, permeable, and universally accessible environment for all, including permeability to existing estates to require public consultation which maximises the potential for active modes of travel along with accessibility to both present and planned public transport options and to advocate for increased public transport options to meet this goal where none are in place.*
- 8.5.5. It is also noted that Objective TM O21 of the Development Plan also seeks to ensure site layout proposals detail present and possible future connections to pedestrian/cycle links and improve permeability *between existing and proposed developments including adjacent developments thereby facilitating the ‘10-minute settlement’ concept.*
- 8.5.6. The report of the Planning Authority’s Area Engineer requested that further information be sought requiring the applicant to submit proposals for the feasibility of opening a pedestrian connectivity link with neighbouring Churchfield / Central Park Estate. This request formed the basis of the request for further information issued by the Planning Authority.
- 8.5.7. The information provided in the response to the appeal and the response to the request for further information states that the applicants have engaged with local neighbours and residents of the adjacent estate and they are not supportive of the permeability link. The response to the request for further information also included a copy of a letter from local residents to Kildare County Council opposing the inclusion of this link in the Clane LAP and the Clane Town Centre First Plan 2024. Therefore, I am satisfied that sufficient evidence has been submitted indicating that the adjacent residents are not supportive of the proposed pedestrian / cycle link. The proposed development description does not include the provision of a link to adjoining lands and in my opinion the provision of a pedestrian link would significantly alter the proposed development. Having regard to third parties right to public participation it would not be appropriate to attach a condition requiring the provision of a pedestrian / cycle link to third party lands without re-advertising the proposed development.
- 8.5.8. It is also noted that the proposed route crosses through land within multiple ownership, in this regard the applicant, Uisce Eireann and residents at Churchfield Estate. Having regard to the information submitted, which indicates that the applicant is not in control of lands required to provide a link between the shopping centre site and the Churchfield Estate, it is

my opinion that it would be unreasonable to attach a condition to the proposed development requiring the provision of such a permeable link, which cannot be provided by the applicant.

8.5.9. To address the concerns raised by the Planning Authority, the applicant as part of the response to further information, proposed to extend the existing footpath within their landholding up to the boundary of the adjacent site, which would potentially facilitate future connectivity to Churchfield Estate. Condition 5 of the grant of permission required the provision of the extended footpath.

8.5.10. While increased and improved permeability within urban areas is welcomed and supported by Objective CS O13 and Objective TM O21 of the Development Plan, I agree with the applicant that the provision of a pedestrian link with Churchfield Estate would not significantly improve pedestrian / cycle connectivity with Clane. I am also satisfied that the proposed development is not reliant on the provision of an additional pedestrian connection between the appeal site and the town centre. Notwithstanding this, having regard to Objectives CS O13 and TM O21 of the Development Plan to improve permeability between existing and proposed developments it is my opinion that a condition should be attached to any grant of permission which would allow for potential future connectivity. It is also noted that the applicant raised no objection to extending the existing footpath.

8.5.11. In conclusion, the concerns of the third parties regarding improved connectivity and compliance with a plan led system are noted. However, the Clane LAP has expired and the associated policies and objectives no longer have a statutory basis and having regard to lack of public consultation regarding the provision of permeable link, the third party land ownership, the existing pedestrian and cycle connections between the appeal site and the town centre and the minor nature and scale of the proposed development it is my opinion that a condition requiring the provision of such a pedestrian link is unreasonable in this instance.

## 8.6. **Traffic**

8.6.1. Following receipt of further information, a report was received from the Transport, Mobility and Open Spaces Department to the Report stating that there was no objection to the proposed development subject to conditions. The recommended conditions required an assessment of traffic turning movements to and from the site and revised drawings to be submitted indicating *inter alia* EV charging points and bicycle parking. These recommended conditions were included in the final grant of permission as Conditions 6 and 7.

- 8.6.2. Condition 6 requires the applicant to submit an assessment of traffic movements to and from the overall site and the potential impediment in turning right onto the public road at the existing T junction entrance / exit. This is due to the volume of traffic travelling from the roundabout situated to the southwest on the R407 Regional Road and the potential obstruction with right turning vehicular movements entering the development site from the existing filter lane. The applicant was also required to assess the existing traffic movements and predicted traffic movement increases to and from the proposed development and have a detailed assessment for a left turn out only at this T junction. Condition 7 (a) requires details as requested under Condition 6 to be submitted including revised corner radii in accordance with the Design Manual for Urban Roads and Streets DMURS 2019.
- 8.6.3. The proposed development comprises a c. 161.1sqm extension to the existing Abbeylands Shopping Centre. The information submitted indicates that the proposed development is proposed to complement the existing facilities within the overall site and is not anticipated to generate additional footfall within the Shopping Centre or additional staff.
- 8.6.4. The Abbeylands centre includes the Shopping Centre, the Westgrove Hotel and Conference Centre and the Clane Primary Care Centre. It is acknowledged that all developments within the site are likely to generate vehicular movements throughout the day. It would appear that the rationale for the condition is to improve congestion within the overall Abbeylands centre site, with vehicles queuing to existing the site and turn right. It does not appear that this condition has any concerns regarding the impact of the proposed development on the capacity of the public road. Having regard to the minor nature and scale of the proposed development is it my opinion that the proposed development would have a negligible impact on the capacity of the surrounding road network or within the Abbeylands centre. However, it is noted that the applicant raised no objection to the condition in the response to the appeal. Therefore, if permission is being granted it is considered appropriate that a similar condition be attached.
- 8.6.5. Condition 7 b requires Electric vehicle (EV) charge points to serve the development site. The appeal site has a stated area of c. 180sqm and is located within a significantly larger mixed use development. Objective TMO117 of the Development Plan supports the provision of charging facilities on public and private land and requires that buildings undergoing major renovations should install ducting. Having regard to the limited scale of the proposed

development within its urban mixed use context, it is my opinion that this condition is unwarranted in this instance.

8.6.6. Condition 7 c requires bicycle parking be provided to serve the application site in order to reduce staff vehicular based journeys. Table 15.4 of the Development Plan sets out minimum cycle parking standards of 1 no. space per 50sqm of office use. Therefore, there is a requirement to provide 3 no. cycle parking spaces to serve the proposed development. It was noted during my site visit that there is no dedicated cycle parking within the overall landholding. It is my view that details of cycle parking provision should be addressed by way of condition.

## 8.7. **Climate**

8.7.1. The third parties consider that the provision of a pedestrian link between the appeal site and adjacent Churchfield Residential Estate would reduce emissions which would be accordance with the Climate Action Plan and notes that where a design choice would generate avoidable emissions, a decision maker must not authorise an outcome without lawful justification, where a practicable, policy -consistence alternative is available.

8.7.2. As noted above the LAP has expired there is no policy supporting the provision of the pedestrian link between the appeal site and the Churchfield Residential Estate and having regard to lack of public consultation regarding the provision of permeable link and the third-party land ownership the provision of a pedestrian link is not practicable in this instance.

8.7.3. In addition, the information submitted with the application indicates that the proposed uses would be ancillary to the existing uses on site and, therefore, would not generate any additional vehicular movements to the appeal site. The third parties have not submitted any evidence that the provision of a pedestrian link between the appeal site and the adjacent residential estate would reduce vehicular trips

8.7.4. Overall, I am satisfied that the proposed development would have no significant effects during the construction or operational phases on the climate and it is my opinion that the proposed development is consistent with Climate Action Plan, 2025 and the Climate Action and Low Carbon Development (Amendment) Act 2021.

## 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 on an urban town centre site in Clane. It comprises a c. 161.1sqm extension to the existing Abbeylands Shopping Centre and Westgrove Hotel and Conference Centre. There are no designed sites within the vicinity of the appeal site. The closest European Sites, that form part of the Natura 2000 Network are Ballynafagh Bog SAC (000391) located c. 5.6km east of the appeal site, Ballynafagh Lake SAC (001387) located c. 7km north west 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 because it could not have any effect on a European Site.
- 9.4. The reason for this conclusion is as follows:
- The location of the development in a serviced urban area.
  - The urban nature of intervening habitats.
  - The nature and extent of the proposed development.
  - The absence of any surface water feature in the vicinity of the appeal site and the distance from nearest water body.
  - The distance to the nearest European Site, and
  - The lack of a direct hydrological or ecological pathway to a European Site.
- 9.5. 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.
- 9.6. 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 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 granted subject to conditions.

## **12.0 Reasons and Considerations**

Having regard to the sites town centre location, to the existing pattern of development in the area and to the nature and scale of the proposed development it is considered that subject to compliance with the conditions set out below, the proposed development would be acceptable and would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of built heritage and traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **13.0 Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 16<sup>th</sup> day of December 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to

commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Prior to the commencement of development, the applicant shall submit for the written agreement of the Planning Authority, drawings and details outlining the proposed extension to the existing footpath network within their landownership boundary towards Churchfield Estate. The footpath extension shall directly tie in with the existing footpath.

**Reason:** In the interest of active travel and permeability.

3. Prior to the commencement of development, the applicant shall submit for the written agreement of the Planning Authority, a report detailing an assessment of traffic movements to and from the overall site and the potential for a left turn only onto the Clane Relief Road.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of public safety.

4. Prior to the commencement of development, the applicant shall submit for the written agreement of the Planning Authority detailed design proposals for bicycle parking to serve the proposed development, in accordance with Table 15.4 of the Kildare County Development Plan 2023 – 2029. Bicycle parking shall be conveniently located, secure, adequately lit and sheltered.

**Reason:** In the interest of sustainable transport.

5. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity

6. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no advertisement signs including any signs installed to be visible through the windows, advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the retail units or within the curtilage of the site, unless authorised by a further grant of planning permission.

**Reason:** To protect the visual amenities of the area.

7. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless agreed in writing with the planning authority.

**Reason:** To protect the residential amenities of property in the vicinity and the visual amenities of the area.

8. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity

9. The developer shall enter into water and waste water connection agreement with Uisce Eireann, prior to commencement of development.

**Reason:** In the interest of public health.

10. Drainage arrangements, including the disposal and attenuation of surface water, shall comply with the requirements of the planning authority for such works and services.

Prior to commencement of development the developer shall submit to the Planning Authority for written agreement a Stage 2 - Detailed Design Stage Storm Water Audit.

Upon Completion of the development, a Stage 3 Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed and

are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement.

**Reason:** In the interest of public health and surface water management.

11. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006.

**Reason:** In the interest of sustainable waste management.

12. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interests of public safety and residential amenity.

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

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

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.”

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Elaine Power  
Senior Planning Inspector

14<sup>th</sup> May 2026

**Appendix 1: EIA Pre-Screening**

<b>Case Reference</b>	PL-500797-KE-26
<b>Proposed Development Summary</b>	Construction of office use and all associated works within the curtilage of a protected structure.
<b>Development Address</b>	Abbeylands Shopping Centre and Westgrove Hotel and Conference Centre, Abbeylands, Clane, Co. Kildare.
<b>IN ALL CASES CHECK BOX / OR LEAVE BLANK</b>	
<b>1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?</b>	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2.
	<input type="checkbox"/> No, No further action required.
(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	<b>State the Class here</b>
<input type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	

<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. <b>No Screening required.</b>	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. <b>EIA is Mandatory. No Screening Required</b>	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.  <b>Preliminary examination required. (Form 2)</b> <b>OR</b> <b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b>	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.  15: Any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development, but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.
<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>	
Yes <input type="checkbox"/>	
No <input checked="" type="checkbox"/>	<b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b>

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

## Appendix 2: EIA Preliminary Examination

<b>Case Reference</b>	PL-500797-KE-26
<b>Proposed Development Summary</b>	Construction of office use and all associated works within the curtilage of a protected structure.
<b>Development Address</b>	Abbeylands Shopping Centre and Westgrove Hotel and Conference Centre, Abbeylands, Clane, Co. Kildare.
<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 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).	<p>The proposed development comprises an office extension to the existing Abbeylands Shopping Centre and Westgrove Hotel and Conference Centre. The proposed development is similar in nature to the character of the surrounding area and the established pattern of development in Clane town centre.</p> <p>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 resources, production of waste, pollution, nuisance, or a risk of accidents.</p> <p>The site is not at risk of flooding.</p> <p>There are no Seveso / COMAH sites in the vicinity of this location.</p>
<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).	<p>The proposed development is located within the Abbeylands Centre in Clane. 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. There are no protected landscapes, views or prospects within the vicinity of the site.</p> <p>The site is located within the curtilage of Clane Abbey and Graveyard, which is a protected structure (Ref. B14-65) and is adjacent to three national monuments, in this regard KD014-026005 – Religious House – Franciscan Friars, KD014-026012- Graveyard and KD014-02014 – Tomb – effigial. The site is located within a zone of archaeological potential.</p> <p>Having regard to the urban location of the site within the Abbeylands centre, the relatively limited scale of the development and the nature development I am satisfied that there is no potential to significantly affect environmental sensitives in the area, including built heritage or archaeology.</p>

<p><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).</p>	<p>Having regard to the characteristics and urban 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.</p>
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**Conclusion**

Likelihood of Significant Effects	Conclusion in respect of EIA
<p>There is no real likelihood of significant effects on the environment.</p>	<p><b>EIA is not required.</b></p>
<p>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</p>	
<p>There is a real likelihood of significant effects on the environment.</p>	<p><b>EIAR required.</b></p>

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

DP/ADP: \_\_\_\_\_ Date: \_\_\_\_\_

(only where Schedule 7A information or EIAR required)