



An
Coimisiún
Pleanála

Inspector's Report PL-501145-KE-26

Development	Construction of 15 dwellings with all associated site works.
Location	Oldbridge Station and Station Way, Osberstown, Naas, Co. Kildare
Planning Authority	Kildare County Council
Planning Authority Reg. Ref.	2660068
Applicant(s)	David O'Rourke
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	David O'Rourke
Observer(s)	Keith & Phima Yeomans Noel McGrath Mary Hanley Martina Walsh and others Caitriona Skehan

Date of Site Inspection

28/07/2026

Inspector

David Freeland

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1.0 Site Location and Description

The appeal site is located on the western side of the R407 Regional Road, at the southern approach to Sallins, Co. Kildare, approximately 500 m south of Sallins town centre and at the edge of the built-up area. It is within walking distance (c. 10 minutes) of the town centre and of the Sallins and Naas railway station. The site is within close proximity to bus stops on the R407. Sallins lies within the commuter catchment and immediate hinterland of the Key Town of Naas, approximately 3.5 km to the south.

The site has a stated area of 0.558 ha and is broadly rectangular and generally level. It is a greenfield parcel, comprising in part the former garden of an existing detached dormer bungalow which is located on the southern part of the site. The eastern (R407) boundary comprises a mature hedgerow and an existing field gate is located at the road frontage. The operative vehicular access for the property is fronts onto Osberstown Road to the south with a secondary access from Oldbridge Station to the north.

The site adjoins established, predominantly low-rise residential development on three sides. To the north, where it adjoins the site is the Oldbridge Station development, comprising single-storey bungalows. To the west is The Sidings, a cul-de-sac of single-storey bungalows, the rear gardens of which back onto the western boundary of the subject site. The wider area is characterised by a mix of building heights of one to three storeys, the Hunterswood development to the north is two to three storeys, while the wider Oldbridge Station and Oldbridge Park developments are predominantly two-storey with a small number of three-storey elements.

2.0 Proposed Development

The proposed development comprises the construction of 15no. residential units which will be accommodated within the following:

- 1no. 3 storey block accommodating 14no. units comprising: 7 no. 2 bed ground floor apartments and 7 no. 3 bed duplex units at 1st and 2nd floors,
- 1no. two storey detached house to side of existing house to the south of the site.

- Access off Oldbridge Station, car parking, connection to mains sewers, landscaping, boundary treatments, bin storage, bike storage and all associated site development works.

Key Development Statistics are set out as follows:

Site Area (red-line boundary)	0.558 ha
No. of Dwellings	15 no. new dwellings (1 no. existing dwelling retained on site)
Unit Mix	7 no. 2-bed ground-floor apartments; 7 no. 3-bed duplex units (in a 3-storey block); 1 no. 4-bed two-storey detached house
Density	c. 27 units per hectare across the red-line site (c. 44 units per hectare on the northern block parcel; c. 4–8 units per hectare on the southern parcel)
Communal Open Space	707 sq m serving the duplex block (22.49% of the northern parcel)
Public Open Space	593 sq m at the site entrance; landscaped public open space stated at c. 10% of the site area
Car Parking	19 no. car parking spaces (application / planner's report); 22 no. stated in the grounds of appeal. Covered bicycle parking (38 no. cycle spaces stated at appeal)

3.0 Planning Authority Decision

3.1. Decision

Kildare County Council decided to Refuse Permission for the following three reasons:

1. The subject site is an infill site located at the edge of the town of Sallins, with proposed access via an established low-density housing estate. Section 3.3.6 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024) indicate that small infill sites that are not of sufficient scale to define their own character and density, need to respond to the scale and form of surrounding development, to protect the amenities of surrounding properties. The density, scale, bulk, height and massing of the proposed development, coupled with the infringement of the established building line in this location and the location of bin storage

immediately in proximity to an existing residential unit, fails to adequately respond to its location and to the character and context of the area within which it is set, would be contrary to Objective UD O1 of the Kildare County Development Plan 2023-2029 which requires a high standard of urban design to be integrated into the design and layout of all new development, would seriously injure the existing residential amenity of the area and the value of property in the vicinity, would set an undesirable precedent for similar development of this scale and nature and would therefore be contrary to the proper planning and sustainable development of the area.

2. Having regard to the scale, bulk, massing of the development, to the lack of detail with regard to public open space and green and blue infrastructure, the proposed development fails to provide for quality urban design and placemaking, contrary to the provisions of Policy and Objective 4.2 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024), would set an undesirable precedent for similar development of this scale and nature and would therefore be contrary to the proper planning and sustainable development of the area.

3. In the absence of detail regarding proposed surface water drainage and to the lack of detail regarding confirmation of feasibility for connection to public water and wastewater networks from Uisce Eireann, the Planning Authority is not satisfied that the proposal is acceptable having regard to the capacity of existing or prospective water supplies or sewerage facilities being required for the proposed development and would therefore be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

There is one planning report on file, dated 16/03/2026. The planning authority's report is summarised as follows.

- **Variation of the Development Plan:** Variation No. 3 of the Development Plan was acknowledged within the report. The report indicated that submissions on the material alterations had closed a few days prior to the

date of the report. The report noted the inclusion of Objective CS O31 which required the preparation of a Sallins Settlement Plan.

- **Principle and zoning:** The northern part of the site is zoned C1 (New Residential / Infill) and the southern part Objective B (Existing Residential / Infill) under the Sallins LAP 2016–2022. Having regard to the location, zoning and character of the area, the principle of residential development was considered acceptable.
- **Density:** The proposal of 15 units on 0.558ha equates to approximately 27 units per hectare. The planning authority considered this in excess of the density envisaged for the C1 lands under Table 5 of the 2016 LAP (0.3ha, 20 units per hectare, 6-unit potential). Having regard to the low prevailing density of the adjoining bungalow development, the cul-de-sac access and the scale of the site, it concluded that the three-storey duplex block failed to respond to the scale and form of the surrounding development and was unacceptable.
- **Layout, scale and design:** The block, at 8.95m with a flat roof, was considered set forward of the established building line, harming the character and front public realm of the existing houses. The bin and bicycle store were sited adjacent to an existing dwelling, with potential amenity impacts. The detached dwelling (ridge over 8.3m, beside an existing dwelling of 6.5m) was considered a large house on a constrained plot and visually incongruous on the approach to Sallins, and the juxtaposition of that garden with the R407 frontage is unacceptable.
- **Planning history:** The site was the subject of two recent refusals (Reg. Refs. 25/60349 and 25/60365). Combining these into a single application was not considered to produce an integrated development, and the previous reasons for refusal in particular the scale, bulk, massing and overlooking associated with the duplex block were considered not to have been adequately addressed.
- **Access and car parking:** Access is via the Oldbridge Station cul-de-sac, with a pedestrian link to the R407. The authority noted the extant access permission and a previous grant for access serving 5 dwellings, on which basis it accepted that a precedent for the access had been set. Of the 19

parking spaces, 17 adjoin the rear gardens of the bungalows at The Sidings and Oldbridge Station.

- **Green infrastructure and drainage:** The loss of the mature whitethorn hedge was considered to fail to integrate green infrastructure as required at Section 15.4 of the Development Plan. Surface water drainage detail was considered inadequate, with no nature-based SuDS measures. The site is recorded as lying outside the flood scenarios shown on the Sallins LAP map.
- **Site services and taking in charge:** The application was considered insufficient as to water and wastewater services, with no apparent engagement with Uisce Éireann through the pre-connection enquiry system and no taking-in-charge details submitted.
- **Assessment against guidelines and screening:** Assessed against the key indicators of the Compact Settlements Guidelines, the proposal was found to not of the required standard relating to movement, landscaping / open space / SuDS, residual public open space, and height, scale and massing. EIA and Appropriate Assessment were each screened out. Technical matters raised by internal departments would ordinarily have warranted Further Information, but this was considered unnecessary given the fundamental unacceptability of the scale, density, design and layout, and refusal was recommended.

Other Technical Reports

- Transport, Mobility and Open Spaces (24/02/2026): Request Further Information - no landscape plan or SuDS layout; bin and bicycle store locations unsuitable and a deterioration on the previous application; pedestrian route not reflecting natural desire lines; open space provision unclear; documentation considered insufficient.
- Water Services (03/03/2026): Request Further Information - a site-specific flood risk assessment, a SuDS drainage layout and a SuDS maintenance plan.
- Building Control and Development Control (04/03/2026): Request Further Information - a proposed Taking in Charge map.

- Naas Municipal District (05/03/2026): an outline Construction Management Plan.
- Roads, Transportation and Public Safety (12/03/2026): Request Further Information - a revised layout addressing in-curtilage parking, EV and disabled parking and the Oldbridge Station permeability link, a Lighting Report, and an Acoustic Design Statement having regard to the M7.
- Fire Services (06/03/2026): no objection
- Strategic Projects and Public Realm Team (04/02/2026): no comments.

3.3. Prescribed Bodies

Uisce Eireann (04/02/2026): Request Further Information – applicant did not undertake the Pre-Connection Enquiry (PCE) process to establish feasibility of public water and wastewater services.

3.4. Third Party Observations

Six third-party submissions were received by the planning authority from residents of the adjoining residential areas which includes The Sidings and Oldbridge Station. The observations are summarised as follows.

- **Planning history and precedent:** The scheme is an amalgamation of the two applications refused in May 2025 (Reg. Refs. 25/60365 and 25/60349), unchanged in core design and scale, and fails to address the prior reasons for refusal resulting in similar or greater amenity impacts. The lapsed 2006 permission for 5 bungalows (Reg. Ref. 06/56) is relied upon as establishing the appropriate scale and density. A grant would set a precedent for piecemeal overdevelopment.
- **Density and policy:** The proposal represents a gross overdevelopment. Table 5 of the LAP identifies the C1 lands at 0.3ha, 20 units per hectare and a 6-unit capacity; the departure is characterised as a 133% increase, or 2.5 times that level at approximately 50 units per hectare. The proposal materially contravenes the LAP and undermines the Core Strategy and planned sequencing. It is submitted that the appellant relies selectively on national

guidance (Compact Settlements Guidelines, Apartment Guidelines, Urban Design Manual) which in fact reinforces the primacy of the statutory local plan and requires integration with local character, avoidance of abrupt transitions and protection of neighbouring privacy.

- **Scale, height and character:** The three-storey block (approximately 9m) is out of keeping with a predominantly single-storey context, visually intrusive, discordant on a primary approach to Sallins, and creates an abrupt transition contrary to Section 11.2 of the LAP and to Objective HO O1 and Sections 15.3 and 15.4 of the Development Plan. The Planning and Design Statement's description of the receiving environment as 1–3 storeys is disputed.
- **Residential amenity:** The development would be overbearing and would cause loss of light and privacy with upper-floor windows, balconies and terraces overlooking the rear amenity areas of the bungalows and no mitigation proposed. One observer states that the separation to his dwelling has reduced from approximately 37m in the refused scheme to approximately 31.2m. The continuous line of parking along the western boundary is said to worsen the refused scheme, giving rise to disturbance and a security risk, and the R407 pedestrian entrance would erode existing passive surveillance. Personal impacts on quality of life, privacy, safety and property values are set out.
- **Development standards:** The limited usable open space is said to be a direct consequence of the scale proposed. Against the approximately 112 sq m of communal amenity space said to be required under the Apartment Guidelines, the only area relied upon is a landscaping strip approximately 8m wide adjoining the turning area and parking, not designed for communal use.
- **Traffic and access:** The cul-de-sac (approximately 2.5m wide, designed to serve eight dwellings) is unsuitable as the primary access. The observers estimate at least 38 daily vehicle movements, or 60 at two vehicles per unit, with overspill parking, and raise emergency-access and construction-phase concerns. The proposal is said to fail DMURS and to be contrary to Policy TM P9.

- **Water and wastewater:** Capacity concerns are raised as to the sewerage network (a service truck regularly attending the cul-de-sac entrance) and water supply (low-pressure episodes), with reference to Policy IN O13 and to the Uisce Éireann submission of 04/02/2026 seeking pre-connection engagement.
- **Technical deficiencies:** No technical assessment under the Building Heights Guidelines (2018), no independent landscape or visual assessment, and no quantitative sunlight and daylight assessment were submitted.

4.0 Planning History

P.A. Ref. 25/60365 – Permission Refused for a residential development consisting of 14no. units. The proposed development comprises of: (A) 1no. 3 storey block accommodating 7 no. 2 bed ground floor apartments, with 7 no. 3 bed duplex units at 1st and 2nd floors. (B) Access off Oldbridge Station, car parking, connection to mains sewers, landscaping, boundary treatments, bin storage, bike storage and all associated site development works. The three reasons for refusal were:

1. The subject site is an infill site located at the edge of the town, with proposed access via a low density existing and established housing development. Section 3.3.6 of the Sustainable Residential Development and Compact Settlements Guidelines indicate that small infill sites that are not of sufficient scale to define their own character and density, need to respond to the scale and form of surrounding development, to protect the amenities of surrounding properties. Furthermore, the ground levels at the site vis a vis the subject development would appear to be significantly inaccurate. The density, scale, bulk, height and massing of the proposed development, coupled with the infringement of the established building line in this location, fails to adequately respond to its location and to the character and context of the area within which it is set, would be contrary to Objective UD O1 (and Section 15.3 and Section 15.4) of the Kildare County Development Plan 2023-2029 which requires a high standard of urban design to be integrated into the design and layout all new development, would seriously injure the existing residential amenity of the area and the value of property in the vicinity, would set an

undesirable precedent for similar development of this scale and nature and would therefore be contrary to the proper planning and sustainable development of the area.

2. The proposed development of a 3-storey block in close proximity to existing single storey dwellings (both to the north and south of the site) would create an abrupt transition in scale at a highly visible site off the R407 road and having regard to the substandard interaction between the proposed block and the proposed public open space, which is detached completely from the residential block by boundary treatments, and where the proximity of car parking and access road is in close proximity to the side and rear amenity spaces of adjacent dwellings and the site of the bin storage which is located at a prominent location along the public thoroughfare and having regard to the lack of a principal northern front-façade design, which will be highly visible from the R407, (requiring a sensitive design), the proposed development represents an overdevelopment of the site, would be contrary to policy and objectives of the Sallins Local Area Plan 2016-2022, particularly Table 5, Section 8.2.1 and Policy HP1 of the Plan which seeks to facilitate the sustainable development of lands in Sallins for residential use to ensure compliance with the core strategy and the settlement strategy set out in Kildare County Development Plan 2023-2029 and would be contrary to Table 2.3 of the Kildare County Development Plan 2023-2029 that seeks to avoid abrupt transitions in scale and to require proposed developments abutting residential areas to address scale, density and appearance of development through design, and if granted the proposed development would seriously injure the amenities, or depreciate the value, of property in the vicinity and would be contrary to the proper planning and sustainable development of the area.

3. In the absence of detail regarding proposed surface water drainage and flood risk and to the lack of detail regarding confirmation of feasibility for connection to public water and wastewater networks from Uisce Eireann, the Planning Authority is not satisfied that the proposal is acceptable having regard to the capacity of existing or prospective water supplies or sewerage

facilities being required for the proposed development and would therefore be contrary to the proper planning and sustainable development of the area.

P.A. Ref. 25/60349 – Permission Refused for subdivision of existing site and construction of two storey dwelling house to side of existing house, connection to mains sewer, upgraded site entrance to dual access entrance, landscaping and all associated site development works. The two reasons for refusal were as follows:

- 1. The proposed development, which includes an adaptation of the vehicular entrance onto the L2006 Road, in close proximity to the junction with the R407 Regional Road, where there are high volumes of traffic at the existing junction, would endanger public safety by reason of traffic hazard or obstruction of road users or otherwise, and where a new dwelling at this location would result in increased traffic at the vehicular entrance would endanger public safety, would contravene policy TM P6 of the Kildare County Development Plan 2023-2029 which seeks to maintain and improve the capacity, safety and function of the regional road network and if granted would be contrary to the proper planning and sustainable development of the area. 3*
- 2. Objective UD 01 of the Kildare County Development Plan 2023-2029 requires that a high standard of urban design is integrated into the design and layout of all new developments. It is considered that the design of the proposed dwelling in this prominent location is visually incongruous and would seriously injure the visual amenities of this streetscape, an approach road to the town of Sallins. The proposed development would therefore be contrary to the provisions of Objectives UD 01 and HO O18 of the Kildare County Development Plan 2023 2029 and if permitted would seriously impair the visual amenities of the area and would set a negative precedent for other such developments in the area and would therefore be contrary to the proper planning and sustainable development of the area.*

P.A. Ref. 23/60146 – Permission Granted for new site entrance located off existing estate road, Old Bridge Station, to serve as access to the adjoining lands to include new piers and gates, dropped kerb and all associated site development works.

P.A. Ref. 06/56 – Permission Granted for a housing development to include (a) 4 semi-detached three bedroom bungalows and 1 detached four bedroom bungalow

(b) Access road car parking area boundary walls and all associated site development works (c) Site entrance.

Enforcement:

UD8132 – Warning Letter regarding new access to public road – Case Closed

5.0 Policy Context

5.1. National Policy

Project Ireland 2040 — National Planning Framework (NPF), First Revision (2025)

The NPF sets the national strategy of compact growth and the consolidation of development within the existing built-up footprint of settlements, directing a significant proportion of new housing to infill, brownfield and regeneration locations (NPO 45) and providing a general presumption in favour of development within established settlements (NPO 7 & NPO 9), subject to meeting planning related standards (NPO 22) and achieving high quality urban spaces (NPO 12). The First Revision has been given statutory effect in County Kildare through Variation No. 3 of the Development Plan (below).

5.2. Regional Policy

Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy 2019-2031

The Eastern & Midland Regional Assembly RSES 2019–2031 gives regional effect to the NPF and is underpinned by compact, sequential growth. Within County Kildare, Naas and Maynooth are designated Key Towns. Sallins is not separately designated; RPO's 4.48, 4.49 and 4.52 indicate the role of Sallins in supporting and delivering the transport network (including public) and amenity (Grand Canal Greenway). RPO 3.2 requires compact growth urban development within existing built-up areas and RPO 3.3 requires the identification of regeneration and infill sites.

5.3. Development Plan

Kildare County Development Plan 2023–2029 (as varied) (KCDP)

The operative statutory plan is the Kildare County Development Plan 2023–2029, as varied. The relevant provisions are as follows.

Core Strategy and Settlement Strategy (Chapter 2).

Table 2.7 places Sallins in the Towns tier of the settlement hierarchy, below the Key Town of Naas. The Core Strategy Table (Table 2.8) records Sallins with a 2016 population of 5,849, a housing target of 174 units to the end of the Plan period, a land requirement of approximately 6 ha, and a target residential density of 35–40 units per hectare. Variation No. 3 aligned the Plan with the NPF First Revision (2025) and the associated Section 28 Guidelines, including the Sustainable Residential Development and Compact Settlements Guidelines (2024). Variation No. 3 also allocated an additional 500 dwellings to Sallins (Table 2.8A) at densities in accordance with those Guidelines, and Objective CS O31 commits the Council to preparing a Settlement Plan for the town.

Housing (Chapter 3).

Table 3.1 sets appropriate density levels, including 20–35 units per hectare for edge-of-centre sites and 15–20 units per hectare for the edge of a small town or village. Policy HO P5 promotes densities appropriate to location and surrounding context; Objective HO O6 requires a balance between the protection of existing residential amenity, the established character of the area and the provision of sustainable residential development; and Objective HO O18 supports high-quality design in new housing.

Urban design, infrastructure and standards.

Objective UD O1 (Chapter 14) requires a high standard of urban design to be integrated into all new development and healthy placemaking through compact, permeable neighbourhoods.

Chapter 6 requires nature-based SuDS, surface-water management and the protection of water quality. Chapter 15 sets the development-management standards for residential layout, amenity, parking and services, including the integration of green infrastructure (Section 15.4).

Sallins Local Area Plan 2016–2022 (Expired)

The Sallins LAP 2016–2022 has expired. In accordance with Section 2.11 of the Development Plan (as varied), the Council continues to have regard to the LAP zoning and its provisions pending the making of a replacement plan; the land-use

zoning of the site derives from this Plan. Under the LAP the northern portion is zoned Objective C1 (New Residential / Infill) and the southern portion Objective B (Existing Residential / Infill), the latter directed at protecting existing residential amenity and providing for appropriate infill at a density appropriate to the area. The Plan's transitional-area provisions require that abrupt transitions in scale and use be avoided at the boundary of adjoining zones. The C1 lands are Phase 1 lands (with the C2 and C8 lands). Table 5 records the C1 lands at 0.3 ha and a density of 20 units per hectare, yielding a unit potential of 6 units. Policy HP 1 and Section 8.2.1 provide for the phased, sustainable development of these lands in accordance with the core and settlement strategy.

Draft Sallins Settlement Plan – Proposed Variation No. 6 (Emerging)

A new Sallins Settlement Plan is being prepared as Proposed Variation No. 6 to the Development Plan, under Section 58 of the Planning and Development Act 2024, to replace the Sallins LAP 2016–2022.

The Proposed Variation was placed on public display from 22 April 2026 to 20 May 2026, and the Chief Executive's Report on the 1,428 submissions received is dated 16 June 2026. It was listed for the consideration of the Elected Members on 27 July 2026.

Under the Draft Settlement Plan, the appeal lands are zoned B — Existing Residential / Infill, the objective of which is to protect and enhance the amenity of established residential communities while promoting sustainable intensification. Unlike the LAP, the Settlement Plan does not set a prescriptive density or unit capacity for infill lands; Table 2.4 provides an infill allowance of 68 units on the combined Town Centre (A) and Existing Residential / Infill (B) lands, being 10% of the Core Strategy allocation to allow for unidentified residential growth.

The roadside hedgerow to the site is identified on the green and blue infrastructure map of the Settlement Plan

5.4. Relevant Guidelines

Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024)

For small to medium sized towns, the key priorities, in order, are to strengthen town centres; to protect and enhance historic fabric, character and environmental quality; to realise opportunities for adaptation, reuse and intensification, and for backland, brownfield and infill development; and to deliver sequential and sustainable urban extension at locations closest to the urban core.

Densities in the range of 25–40 units per hectare (net) are to apply generally at the edge of small to medium sized towns.

Section 3.3.6 provides an exception for very small infill sites that are not of sufficient scale to define their own character and density: in such cases the need to respond to the scale and form of surrounding development, to protect the amenities of adjoining properties and to protect biodiversity may take precedence over the density ranges.

Section 4 and Policy and Objective 4.2 require the key indicators of quality urban design and placemaking (Section 4.4) to be applied in the assessment of individual applications.

The Guidelines contain a number of Strategic Planning Policy Requirements (SPPRs) relevant to the proposal, including those relating to separation distances, private and public open space, and car and cycle parking.

Other relevant guidelines

Having regard to the duplex / apartment format and three-storey height of the proposed development, the Planning Design Standards for Apartments – Guidelines for Planning Authorities (2025) and the Urban Development and Building Heights Guidelines for Planning Authorities (2018) are also relevant. The Design Manual for Urban Roads and Streets (DMURS) (2019), are further of relevance.

Natural Heritage Designations

The appeal site is not located within or adjacent to any designated European site (SAC or SPA) or Natural Heritage Area (NHA or pNHA).

The closest natural heritage designations to the subject site include the Grand Canal pNHA (Site Code: 002104) located to the west.

The closest European site to the subject site includes: Ballynafagh Lake SAC (Site Code: 001387) – 8.4km to north-west; Ballynafagh Bog SAC (Site Code: 000391) – 8.5km to north-west; Mouds Bog SAC (Site Code: 002331) - 8.5km to south-west; Red Bog, Kildare SAC (Site Code: 000397) – 9.9km to south-east; Poulaphouca Reservoir SPA (Site Code: 004063) – 12km to south-east; Pollardstown Fen SAC (Site Code: 000396) – 12.9km to south-west.

5.5. EIA Screening

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). The proposed development is of a CLASS specified in Part 2, Schedule 5 of the Planning and Development Regulations 2001 (as amended) but is sub-threshold being a Class 10(b)(i) 'Construction of more than 500 dwelling units'. 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.

5.6. Water Framework Directive

An assessment of the proposed development has been carried out in accordance with Article 4 of the Water Framework Directive and relevant EPA guidance, including best practice in sustainable drainage design.

The development incorporates appropriate surface water management measures, including Sustainable Drainage Systems (SuDS), designed to replicate greenfield runoff rates and provide treatment of surface water prior to discharge.

These measures ensure that there will be no increase in pollutant loading, no alteration of the receiving waterbody's hydrological regime, and no risk of deterioration in water quality or ecological status. Any residual risks identified during the assessment are capable of being addressed through standard mitigation measures and best practice construction management.

The proposed development will not impact on the achievement of environmental objectives for any water body and is therefore considered compliant with the requirements of Article 4.

6.0 The Appeal

6.1. Grounds of Appeal

A first-party appeal was submitted which included a document setting out the grounds of appeal accompanied by a revised Site Layout Plan relocating the bin and bicycle store and car parking space no. 17, an Engineering Drainage Report and Flood Risk Assessment and a Foul and Surface Water Drainage Layout by OBA Consulting Engineers, and an acknowledgement from Uisce Éireann of a Pre-Connection Enquiry (Ref. CDS26002997). The grounds of appeal are summarised as follows:

- **Reason 1 — Density:** The appellant relies on Chapter 3 of the Development Plan (Policies and Objectives HO P5, HO O5, HO O6 and HO P6) supporting infill and sustainable intensification, and on the Compact Settlements Guidelines' density range of 25–40 units per hectare at the edge of small to medium towns. The density of approximately 27 units per hectare (16 units, existing and proposed, on 0.558ha) is said to comply with the Guidelines, against the 20 units per hectare and 6-unit figure of the LAP. The site is 5–8 minutes' walk from the town centre and the Sallins & Naas station, is served by the 139 bus, and has pedestrian and cycle links to the R407. The C1 lands are Phase 1 lands with capacity to exceed the housing requirement for Sallins, and low-density single-storey use is said to be an inefficient use of zoned and serviced land.
- **Reason 1 — Height and scale:** The prevailing height is characterised as low-rise 1–3 storeys, 2–3 storeys fronting the R407, the adjoining single-storey houses not presenting onto the R407, and the heights proposed not exceeding 9m. Reliance is placed on Hunterswood (a taller three-storey development onto which the single-storey houses already look), on Section 3.4 of the Building Heights Guidelines 2018 (3–4 storey duplex form in

suburban areas) and on Table 14.4 of the Development Plan (a 2–4 storey mix at suburban edges). Separation distances of approximately 30–35m to the single-storey houses to the west, 13.5m to the house to the north and approximately 11.6–13m to the dwellings to the south are cited, with no first- or second-floor windows opposing them; the 1.8m difference between the existing (6.5m) and proposed (8.3m) houses to the south is considered modest given the separation and corner location. The stair access is stated to be non-habitable circulation space approximately 8m from the boundary, partly screened, with no opposing upper windows. Private amenity space (gardens, terraces and balconies) is stated to meet or exceed the Apartment Guidelines and Development Plan standards. The staggered building line is said to address the R407, consistent with a frontage established approximately 150m to the north, and to comply with Objective UD O1.

- **Reason 1 — Bin storage:** The revised Site Layout Plan relocates the bin and bicycle store and space no. 17. The appellant will accept a condition on relocation.
- **Reason 2 — Quality urban design and placemaking:** Addressing the key indicators under Policy and Objective 4.2 of the Compact Settlement Guidelines: the site is within walking distance of the centre and station and uses the existing vehicular access with new pedestrian and cycle links; 22 car parking spaces (within the two-per-unit maximum, Table 3.8) and 38 cycle spaces are provided to DMURS; the 2- and 3-bedroom mix reflects household formation trends; landscaped public open space equating to approximately 10% is provided in two areas, the eastern hedge retained and infill-planted with two links, and green / blue roofs and bioswales provided; and the block is said to create a strong urban edge at the southern approach. Open space is described as Area 1 (the existing home and new detached house, landscaped by the family) and Area 2 (the duplex units, 707 sq m, or 22.49% of 3,138 sq m), with a further 593 sq m of public open space at the entrance. The appellant will accept a landscaping condition.
- **Reason 3 — Surface water and services:** The OBA drainage report and layout, stated to have been omitted in error from the original application,

provide SuDS (a sedum green / blue roof, blue paved balconies, bioswales and permeable paving), with discharge restricted by hydrobrake to the greenfield rate of 1.4 l/s and attenuation of 122.5 cu m against a required 92.91 cu m (100-year event, 20% climate change and 10% urban creep). The Flood Risk Assessment places the site in Flood Zone C. Foul drainage connects to the existing 225mm sewer at Oldbridge Station and water to the existing 100mm watermain. A Pre-Connection Enquiry has been submitted to Uisce Éireann and a response is awaited. The engineer contends that reasons 2 and 3 could have been dealt with by further information or condition rather than refusal.

- **Conclusion:** The appellant submits that the development accords with the Development Plan and relevant guidelines, that the site is an underutilised, serviced infill site near the town centre for which no extant permission exists, that the proposal replaces a poor R407 boundary with a strong contemporary urban edge, that adequate private open space and separation are provided, and that permission should be granted.

6.2. Planning Authority Response

In a letter dated 29/04/2026, the planning authority confirmed its decision and refers to the Planner's Report and various technical reports in relation to the assessment of the planning application.

6.3. Observations

Five observations on the appeal were received from residents of The Sidings and Oldbridge Station cul-de-sac each requesting that the Commission uphold the refusal.

The observations substantially reiterate the third-party submissions made to the planning authority, summarised at Section 3.4 above: overdevelopment and material contravention of the density provided for the C1 lands under Table 5 of the LAP; the incongruity of a three-storey block in a single-storey context and its infringement of the building line; overlooking, loss of privacy and overshadowing of the adjoining bungalows; the boundary parking, bin location and inadequate communal open

space; the unsuitability of the cul-de-sac for the traffic generated; and unresolved water and wastewater capacity. The points made specifically in response to the appeal are as follows.

- The emerging Sallins Settlement Plan (Proposed Variation No. 6) carries limited weight as a draft, but in any event zones the lands Existing Residential / Infill (Zone B), continues to require infill to respond to existing character, amenity and context, and distinguishes them from the larger planned-growth locations to which the appellant seeks to compare the site.
- The appellant's reliance on the National Planning Framework, the RSES and the Compact Settlements Guidelines to justify the density is misplaced: these are strategic policies implemented through the Development Plan and LAP, which set a site-specific capacity that general policy does not displace. National policy does not override the current local plan.
- The reliance on Hunters Wood is not persuasive. That block is geographically disconnected, stepped back behind the rear building line and separated from the streetscape, with balconies facing the R407 and a green area rather than existing bungalows, and cannot establish a height precedent here. More recent development to the west (Oldbridge Station, Close and Avenue) used bungalows to achieve transition, confirming the need for compatibility with adjoining low-rise dwellings.
- The appellant's reliance on passive surveillance as a design merit in fact confirms the extent of overlooking towards neighbouring gardens and rear rooms. No BRE-compliant daylight and sunlight analysis and no independent landscape or visual assessment have been submitted, and in their absence the Commission cannot be satisfied that there would be no significant overshadowing or loss of amenity.
- The introduction of an engineer's and drainage report at appeal stage does not remedy what are fundamental design failures; the appellant's position amounts to disagreement with the authority's assessment rather than evidence that the deficiencies have been resolved.

- The proposal is said to have caused demonstrable harm already, one dwelling in the cul-de-sac having lost two prospective purchasers in 2025, and to be contrary to National Policy Objective 4 of the National Planning Framework. The two adjoining owner-occupiers describe direct and daily impacts on the privacy and amenity of their homes.

7.0 **Assessment**

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

- The statutory planning framework
- Zoning and principle of development;
- Density;
- Scale, height, character and residential amenity;
- Design, layout and integration;
- Road and traffic safety;
- Site services, surface water and flood risk;
- Development standards;
- Biodiversity and green infrastructure; and
- Other matters.

7.2. **The statutory planning framework**

7.2.1. The operative statutory plan is the Kildare County Development Plan 2023–2029 (as varied). The land-use zoning derives from the Sallins Local Area Plan 2016–2022 ('the LAP'). A new Sallins Settlement Plan has been prepared as Proposed Variation No. 6 to the Development Plan.

7.2.2. The LAP was adopted in 2016 and has expired. Section 2.11 of the Development Plan (as varied) states that the planning authority continues to have regard to the

LAP zoning and its provisions when considering new proposals for development, pending the making of a replacement plan. The LAP therefore remains a relevant consideration, particularly for zoning. Its provisions are not, however, determinative, and its density and unit-capacity figures reflect the policy framework of 2016, which has since been overtaken by the National Planning Framework, with its emphasis on compact growth and the intensification of serviced infill land, and by Variation No. 3 of the Development Plan.

7.2.3. The Development Plan has been varied by Variation No. 3, which brought it into line with the National Planning Framework – First Revision (2025) and the associated Section 28 Guidelines, including the Sustainable Residential Development and Compact Settlements Guidelines (2024). Variation No. 3 also increased the housing allocation for Sallins by 500 dwellings (Table 2.8A of Variation 3) and committed the Council to preparing a Settlement Plan for the town (Objective CS O31). The Development Plan as varied, together with the 2024 Guidelines, is the primary policy framework for this appeal.

7.2.4. The Sallins Settlement Plan has been prepared as Proposed Variation No. 6, under Section 58 of the Planning and Development Act 2024. It was placed on public display from 22 April 2026 to 20 May 2026, and the Chief Executive's Report on the 1,428 submissions received is dated 16 June 2026. The Proposed Variation was listed for the consideration of the Elected Members at a special meeting of the Council on 27 July 2026. It is understood that the Variation was made at that meeting, and that the finalised document, taking account of the amendments indicated in the Chief Executive's Report on the submissions, is to be published shortly. On that basis, the Settlement Plan is expected to be in place at the time the Commission determines this appeal, at which point it will have replaced the LAP as the source of zoning and local policy for the town. I have had regard to its provisions in this assessment.

7.3. Zoning and Principle of Development

7.3.1. Under the 2016 LAP, the site straddles two zonings: the northern part is zoned Objective C1, New Residential / Infill, and the southern part Objective B, Existing Residential / Infill. Both provide for residential development as the primary use, and the C1 lands are Phase 1 lands. Given the status of the LAP as set out above, the

acceptability of residential development will ultimately be determined against national and Development Plan policy and the characteristics of the site.

7.3.2. The site lies within the built-up area of Sallins, is served by an existing access, and is within walking distance of the town centre and the Sallins and Naas railway station. It is precisely the type of serviced infill site to which the National Planning Framework, the Regional Spatial and Economic Strategy and the Development Plan (as varied) direct compact residential growth. I am satisfied that the principle of residential development on the site is acceptable.

7.3.3. Under the Settlement Plan, the appeal lands are zoned B – Existing Residential / Infill, the objective of which is to protect and enhance the amenity of established residential communities while promoting sustainable intensification. The principle of residential development is therefore also acceptable under the incoming Plan.

7.4. Density

7.4.1. The proposed development provides 15 no. dwellings on a site of 0.558 ha. The figure of approximately 27 units per hectare relied upon by both the appellant and the planning authority represents the 15 new units spread across the entire red-line site, and it does not reflect the way in which the development is actually laid out. Taken in its component parts, the block provides 14 no. units on the northern parcel of approximately 0.31 ha, a density of c. 44 units per hectare, while the southern part of the site, comprising the retained family dwelling and the single detached dwelling, is developed at a very low density of the order of 4 to 8 units per hectare.

7.4.2. The Guidelines apply density ranges according to the type of settlement and the location of a site within it. Sallins is identified as a Town in the settlement hierarchy of the Development Plan, with local service and employment functions in close proximity to higher order urban areas, including Naas. The site is located at the southern edge of the built-up area of the town. On that basis, the range of 25 to 40 units per hectare for the edge of small to medium sized towns is the appropriate standard, and this is the range that both the appellant and the planning authority applied. The Planning Authority acknowledged that this density range applied within Sallins, however, they considered the exception under section 3.3.6 (which relates to small infill sites that are not of sufficient scale to define their own character and

density) and applied the 20 units per hectare standard of the LAP as the appropriate benchmark.

- 7.4.3. National policy supports the consolidation of settlements and the delivery of much of the new housing within the existing built-up area, and the site is within walking distance of the town centre and the railway station. On that basis, a density towards the higher end of the 25 to 40 units per hectare range could reasonably be regarded as acceptable at this location, and the density of the block, taken alone, is consistent with that range, albeit slightly above it. However, having regard to the proximity of established low-density housing and the constraints of the site, a somewhat lower density on the northern portion may be more appropriate.
- 7.4.4. I do not accept that the LAP capacity figure of 6 units is decisive, considering the status of the LAP. For the reasons at Section 7.1 above, it is the indicative capacity of an expired 2016 plan, based on a density that has since been overtaken by national policy and by Variation No. 3, and I do not consider that it should be given determining weight, notwithstanding that the varied Development Plan indicates the planning authority shall have regard to the LAP.
- 7.4.5. I note, however, that the LAP figure of 6 units does not appear to be solely a limitation on density rather, it may reflect the spatial judgement as to what the site could reasonably absorb once provision was made for rear private amenity space, an internal access and circulation road, and public open space. The planning framework has changed since the 2016 density parameters, and I do not consider that the six-figure unit as the benchmark to which the proposal is assessed. The scale of development which may be facilitated shall be based on the overall quality of the scheme and its impacts on the amenities of the area.
- 7.4.6. I note that the Settlement Plan, unlike the LAP, does not set a prescriptive density or unit capacity for the subject lands. Table 2.4 allocates 68 no. units to infill sites on lands zoned 'A: Town Centre' and 'B: Existing Residential / Infill' combined, being 10% of the overall Core Strategy allocation to allow for unidentified residential growth, and, unlike the identified development sites in that table, no density figure is applied to infill lands. The density of infill development on the 'B' zoned lands therefore will be determined by the zoning objective, which is to protect and enhance the amenity of established residential communities and promote sustainable

intensification, and by the requirement to avoid abrupt transitions in scale at the boundaries of adjoining zones. I would note that the 15 no. units proposed would be within the 68-unit infill allowance of the incoming Plan.

- 7.4.7. The planning authority's first reason for refusal referenced the density, scale, bulk, height and massing of the development together, relying on Section 3.3.6 of the Guidelines, on the basis that the site is not of sufficient scale to define its own character and density and should therefore respond to the low-rise scale and form of the surrounding development.
- 7.4.8. I accept that care is needed as to whether the upper end of the range can be achieved on this particular site, given the adjoining low-rise development. However, I do not accept that the density should be tied back to the standard of the expired LAP. A density in the mid to upper part of the 25 to 40 range is capable of being achieved here, depending on the design and layout adopted, and national policy supports aiming for the upper part of the range at a location of this accessibility. On this point I have reached a different conclusion to the planning authority.

7.5. Scale, Height, Character and Residential Amenity

- 7.5.1. The planning authority refused permission largely on the basis that the site, with an area of c. 0.3 ha, is not of sufficient scale to define its own character and density, and that, applying Section 3.3.6 of the Compact Settlements Guidelines, the three-storey block should have responded to the low-rise scale of the surrounding development. It coupled this with objections as to the scale, height, bulk and massing of the development, the infringement of the established building line, and the impact on residential amenity.

Scale and height

- 7.5.2. The proposed development comprises a three-storey block of 8.95 m and a two-storey detached dwelling of over 8.3 m, in an area which immediately adjoins predominantly single-storey development. I do not consider that a three-storey form is inappropriate at this location. National and Development Plan policy supports compact, higher-density development on serviced sites close to town centres and public transport, and this site is within walking distance of both. A two-to-three-storey profile is, in principle, appropriate here. The building heights proposed are not, in themselves, excessive; a modern two-storey terrace would be of broadly comparable

height. The pertinent consideration is not the height as such, rather, whether the transition from the neighbouring single-storey development is handled acceptably.

- 7.5.3. I do not accept the contention that a three-storey form is out of place in this area. A three-storey apartment / duplex block, forming part of the two-to-three-storey development at Hunterswood to the north, is approximately 42 m to the north of the site and approximately 22 m from dwellings on the cul-de-sac to Oldbridge Station. While it is separated from those dwellings by the public road and by mature planting which soften its scale, it demonstrates that development of this scale is already an established and accepted feature of the immediate area. I do not agree with the argument that the receiving environment is exclusively single storey.

Building line

- 7.5.4. I do not consider that there is a definitive building line along the western side of the R407 at this location. The setback proposed is consistent with the relatively recently constructed housing to the north at Oldbridge Station (No.'s 282–289 fronting onto the R407, beyond Hunterswood), which is set close to the road, c. 10 m back from the road edge. The three-storey block the subject of this appeal proposes a broadly similar setback, albeit in this instance further to the west. I note that the previously refused application for the three-storey block (Reg. Ref. 25/60365) was more closely aligned with the development at Oldbridge Station to the north. In any event, the position of the block on the road edge would provide a defined and active street edge to the R407, consistent with the key indicators of quality design and placemaking under Section 4 of the Guidelines. I have no significant objection on building-line grounds, and I do not adopt the planning authority's objection in that regard.

Residential amenity – the three-storey duplex block

- 7.5.5. The three-storey block would be separated from the rear boundaries of the single-storey houses to the west by approximately 18 to 21 m, and from the rear walls of those houses by approximately 21m to 41 m. These distances exceed the 16 m minimum between opposing first-floor windows under SPPR 1 of the Guidelines (and in this instance there is no directly opposing upper floor level windows). The external stairs serving the upper units are located on the front (R407) elevation and would not overlook the houses to the west, while the balconies and terrace decks to the rear,

together with the tree planting proposed along the western boundary, would not give rise to undue or excessive levels of overlooking, including of the rear private open spaces. In any case, the proposed development would not directly oppose any upper floor level windows of the dwellings to the west, and I consider the separation distances, along with the boundary tree planting, to be sufficient to avoid excessive levels of overlooking.

- 7.5.6. In relation to the dwelling to the north, No. 128 Oldbridge Station, the block would stand c. 13.6 m from the south-east edge of that house. Some additional overshadowing may occur at times, most significantly to the front of the dwelling; however, that dwelling retains a good open outlook to the east and to the immediate south and south-west, and I do not consider that, in planning terms, this property would be significantly impacted. The upper floor windows in the northern elevation of the block serve hall space only and could readily be fitted with obscure glazing. In the interests of avoiding any potential or perceived overlooking, it may also be appropriate to provide screening to a height of 1.8 m to the north-western corner first-floor balcony. Both matters could be secured by condition in the event of a grant of permission.
- 7.5.7. While no daylight and sunlight analysis in accordance with the BRE standards has been prepared, based on the scale and height of the proposed development, the separation distances achieved, and experience of infill sites of this nature, I do not consider that the proposed development would reduce daylight or sunlight to the adjoining properties to a level below the minimum BRE standards, and it would not be injurious to their residential amenities, nor have an overbearing effect.
- 7.5.8. Consideration is also required of the relationship between the three-storey block, the existing dwelling and proposed detached dwelling to the south. The block would have a separation distance of 11.6 m to the proposed dwelling to the south. It may be appropriate to provide screening to the south-west balcony to avoid overlooking and entrance stairs if appropriate, to avoid overlooking. The upper floor windows in the southern elevation serve hall space and could be fitted with obscure glazing. Again, these are matters that could be secured by condition in the event of a grant.
- 7.5.9. The line of car parking along the western boundary is not the ideal arrangement, and it would be preferable to reconfigure it. However, in itself, and subject to appropriate

landscape treatments, I do not consider that it warrants refusal. In this regard, I note that in the previously refused three-storey scheme (Reg. Ref. 25/60365) the car parking was more appropriately positioned.

Residential amenity – the proposed detached dwelling to the south

- 7.5.10. The proposed detached dwelling would be positioned predominantly to the eastern side of the existing dormer bungalow, with its front elevation facing east and its rear elevation facing west towards the existing dwelling. It would have a separation distance of c. 5.3 m to 9 m from the eastern wall of the existing dwelling, and c. 3.2 m to 6.2 m to the new boundary with the parent dwelling. The rear (west) elevation includes windows at first floor level serving a bathroom and a study, and it may be appropriate that these windows be fitted with obscure glazing to ensure that there is no potential for excessive overlooking towards the parent dwelling, notwithstanding the family connection. Having regard to the positioning of the dwelling to the side of the existing dwelling, I do not consider that it would have undue impacts upon daylight or sunlight, or an overbearing appearance.
- 7.5.11. For these reasons, the scale and height of the development, and its impact on residential amenity, do not in my view provide a basis for refusal. I am satisfied that the transition from the adjoining single-storey development to the three-storey block is acceptably mediated by the separation distances achieved, which exceed the minimum standards of the Guidelines, together with the absence of directly opposing upper-floor windows and the boundary planting proposed.

7.6. Design, Layout and Integration

- 7.6.1. The planning authority's second reason for refusal related to the scale, bulk, massing of the development but also the public open space and green and blue infrastructure which it considered failed to provide for quality urban design and placemaking.
- 7.6.2. Objective UD O1 of the Development Plan requires a high standard of urban design to be integrated into the design and layout of all new development, and healthy placemaking through compact, permeable neighbourhoods. Section 4 of the Compact Settlements Guidelines, and Policy and Objective 4.2, require the key indicators of quality design and placemaking to be applied in the assessment of individual applications. These include a coherent and responsive built form, a legible layout, and public and communal open space designed as an integral part of the

scheme rather than left over. The LAP and the Settlement Plan each require, in transitional areas at the boundary of adjoining zones, that abrupt changes in scale be avoided and that the scale, density and appearance of development protect residential amenity. Objective HO O6 requires a balance to be struck between the protection of existing residential amenity, the established character of the area, and the need to provide for sustainable residential development.

- 7.6.3. Assessed against these policies, the proposed development does not amount to an integrated or coherent scheme. In my view it reads as three separate developments on a single site: a three-storey duplex block of contemporary design to the north, a detached period-style dwelling, and the retained dormer bungalow to the south-west of the site. There is no alignment between the three portions of the site in terms of the design of the dwellings, comprising a typical one-off dormer bungalow, a large two-storey period-style dwelling, and a three-storey contemporary duplex block, with no relationship in design terms between the three. The appellant's own submission describes the site in these terms, as 'Area 1' (the existing family home and the new detached house) and 'Area 2' (the duplex units), each with its own open space. The parts relate to one another only by proximity and by a shared vehicular access, and there is no meaningful design or layout relationship between them.
- 7.6.4. I note the planning history supports this. When it refused the block on its own (Reg. Ref. 25/60365) and the detached dwelling on its own (Reg. Ref. 25/60349), the planning authority indicated that there would be merit in developing the two landholdings as a single site, so that layout, siting and urban-design matters could be addressed comprehensively. The present application is that amalgamation. The difficulty is not that the two landholdings have been brought together, in my view that was the correct course, but that the combined scheme does not deliver the integrated and coherent development that the amalgamation was intended to achieve. The opportunity to design a single scheme for the whole site has not been taken.
- 7.6.5. The detached dwelling illustrates the difficulty. It is a standalone, period-style house with a hipped slated roof and feature bay windows, the design of which bears no relationship either to the single-storey dormer bungalow it adjoins or to the contemporary three-storey block to the north, and it occupies a prominent position on the approach to Sallins along the R407. The planning authority refused a materially

similar dwelling on this land under Reg. Ref. 25/60349, finding that it did not relate to the existing single-storey dormer bungalow, that its height would dominate that bungalow, and that it sat more comfortably with the duplex block than with the house alongside it, contrary to Objective UD O1 and Objective HO O18. I concur with that assessment, although I would be of the view that it would have been better designed with a similar palette to the duplex scheme to the north. The dwelling does not achieve the integration of design and layout, or the quality of placemaking, that Objective UD O1, Objective HO O18 and the Guidelines require. The juxtaposition of a large two-storey period-style dwelling within a small curtilage, adjacent to an existing single-storey dormer bungalow and a higher-density three-storey contemporary scheme, is a haphazard form of development which I do not consider to be of high-quality urban design, and it fails the responsive built form key indicator of the Guidelines.

- 7.6.6. The layout highlights similar issues. The open space is fragmented across several disconnected areas, the car parking is split between two locations, and it is not clear how the site is divided as between the retained dwelling and the new dwelling, with the retained family dwelling appearing to be left with a substantially reduced amenity area. In the same way, the communal and public open space serving the block comprises a number of incidental spaces to the front and rear rather than being designed as a coherent and usable amenity. This was also identified by the planning authority and by the Parks Section, specifically relating to the requirements of Section 15.4 of the Development Plan for the integration of green infrastructure. When considered in combination, the layout does not read as a single, legible, well-designed neighbourhood, but as a collection of separate parts.
- 7.6.7. I consider that the site is capable of a more coherent arrangement, and I would share the view of the planning authority that a comprehensively designed scheme for the site as a whole could deliver an integrated development, incorporating a relatively high density in the context of the low-rise surrounding environment and a high quality of urban design. A single, integrated scheme, with the block addressing the R407 as a defined street edge and the remainder of the site given over to a legible and well-designed layout of open space, circulation and parking, would make a positive contribution to this approach to the town. Any future proposal, and the extent of the lands to be included in it, is a matter for the applicant. I would observe

that the form of development at No.'s 182–189 Oldbridge Station to the north, which incorporates two-storey dwellings with three-storey bookend elements, indicates a scale and form of development that has been successfully accommodated in the immediate area. I consider that such a revised scheme would be better resolved through a fresh, comprehensive application, should the applicant consider that appropriate for their circumstances.

7.6.8. I have considered whether these matters could be addressed by condition, for example by the omission of the detached dwelling. I do not consider that they can. The lack of integration is not addressed by removing one element and in my view, it runs through the design and layout of the scheme as a whole. While the duplex block to the north has the potential, in general terms, to be acceptable, the omission of the dwelling to the south would not produce an integrated scheme, would not resolve the layout, open space and site-division difficulties set out above, and would not address what the application itself seeks to achieve, the retention of the existing family home, the provision of a dwelling to meet the needs of the applicant's son, and the development of the remainder of the lands. While I consider that potential remains for the development of these lands to realise the full potential of the site, the current arrangement and layout does not achieve this, and I do not consider that the appropriate scheme can be achieved by way of design changes or the omission of units under conditions attached to a grant of permission. What is required is a coherent and integrated scheme for the site as a whole, which I consider warrants a fresh application.

7.6.9. I am therefore satisfied that the proposed development, by reason of its poorly integrated and incoherent design and layout, would fail to provide the high standard of urban design and quality placemaking required by Objective UD O1, Objective HO O6 and Objective HO O18 of the Kildare County Development Plan 2023–2029 (as varied), and by Section 4 (Policy and Objective 4.2) of the Sustainable Residential Development and Compact Settlements Guidelines (2024). It would therefore be contrary to the proper planning and sustainable development of the area. This reflects the planning authority's first and second reasons for refusal concerned with the failure to provide an integrated development and quality placemaking. It does not include reasons based on the density, height, massing or building-line grounds also raised by the planning authority, for the reasons outlined above.

7.7. Development Standards

- 7.7.1. The quantitative standards of the scheme are addressed in the Quality Housing Assessment submitted with the application, and I have reviewed the proposal against the Planning Design Standards for Apartments (2025) and the standards of the Development Plan.
- 7.7.2. The 7 no. two-bedroom ground-floor apartments have a stated floor area of 78.5 sq m, against a minimum requirement of 76 sq m, and the 7 no. three-bedroom duplex units a stated floor area of 109.55 sq m, against a minimum of 92 sq m. Bedroom sizes, aggregate living areas and storage provision are stated to meet or exceed the minimum standards in each case, and all units are dual aspect. Private open space is provided by way of ground-floor terraces of 11 sq m to the two-bedroom units (7 sq m required) and terrace decks of 20 sq m to the duplex units (9 sq m required). The detached dwelling, at a stated 206 sq m with private open space in excess of 120 sq m, comfortably exceeds the applicable standards.
- 7.7.3. Communal and public open space serving the duplex block is stated at 707 sq m, equating to 22.49% of the northern parcel, which exceeds the quantitative requirement. As set out at Section 7.5, my concern with this space is qualitative rather than quantitative: it comprises a number of incidental areas rather than a coherent, usable amenity. Car parking of 19 no. spaces and covered bicycle parking are proposed, and the Transportation Section raised no objection to the quantum of parking. On the quantitative standards, therefore, the scheme is compliant, and no issue arises that would warrant refusal in itself.
- 7.7.4. **Road and Traffic Safety**
- 7.7.5. Road and traffic safety were not included in the reasons for refusal. The planning authority noted that permission exists for the site access (Reg. Ref. 23/60146), and that an earlier permission had been granted for an access to serve 5 no. dwellings, and considered on that basis that a precedent had been established for an access to serve additional housing via Oldbridge Station. The appeal is accompanied by tracking and layout drawings, and the internal road is a lightly-trafficked local access street.
- 7.7.6. The observers raise concerns as to the use of the Oldbridge Station cul-de-sac, its width and capacity, the traffic and vehicle movements it would generate, construction

traffic, and the suggestion that an alternative access from the Osberstown Road should be explored. I have considered these concerns. The cul-de-sac is the established and permitted means of access to the site, and the traffic associated with the development, while representing an intensification, is not of a scale that would in itself warrant refusal on road-safety grounds. Construction-phase effects would be capable of control by way of a Construction Management Plan. I do not consider that road or traffic safety warrants a reason for refusal.

7.8. Site Services, Surface Water and Flood Risk

- 7.8.1. The third reason for refusal concerned the absence of detail on surface water drainage and the absence of confirmation of the feasibility of connection to the public water and wastewater networks.
- 7.8.2. The appeal is accompanied by an Engineering Drainage Report and Flood Risk Assessment and a surface water drainage layout prepared by OBA Consulting Engineers, the covering letter stating that these were omitted in error from the original application. The documentation with the appeal indicates that the proposal provides for SuDS measures, including a green / blue roof to the block, and attenuation, with discharge restricted to a greenfield rate, and the Flood Risk Assessment concludes that the site lies in Flood Zone C. The site is recorded as lying outside the flood scenarios identified for the town on the LAP flood map, and no issue of flood risk arises. The appeal is further accompanied by an acknowledgement from Uisce Éireann of a Pre-Connection Enquiry; confirmation of feasibility, or a connection agreement, is awaited.
- 7.8.3. I consider that this issue could ordinarily be addressed by condition, and on the material now before the Commission I would not regard the third reason for refusal as a standalone ground. As the proposal is recommended for refusal on other grounds, it is not considered necessary to include services as a reason for refusal.

7.9. Biodiversity and Green Infrastructure

- 7.9.1. The hedgerow along the eastern (R407) boundary of the site, and a hedgerow to the north of the site (not adjoining it), are indicated on the green and blue infrastructure map of the Settlement Plan. The site layout provides for the retention and infill planting of the roadside hedgerow, with two sections proposed to be removed to accommodate the development. Having regard to the extent of hedgerow retained

and the infill planting proposed, I do not consider that the proposal would significantly harm this hedgerow or the green infrastructure network identified in the Settlement Plan subject to agreement of a landscape plan with the planning authority. In this regard I note that the Parks Section sought a comprehensive landscape plan and SuDS / soft-landscaping details, which had not been submitted with the application,. In the event of a grant of permission, the treatment of this boundary should be agreed with the planning authority by condition prior to the commencement of development.

7.10. Other Matters

7.10.1. Property values, and the possible loss of prospective purchasers, are not matters that would warrant refusal in themselves. Concerns about wastewater capacity and low water pressure are matters to be resolved with Uisce Éireann through the connection process. The concern regarding enforcement of boundary damage is a matter for the planning authority and is not within the remit of the Commission. I also note Section 34(13) of the Planning and Development Act 2000 (as amended), which provides that a grant of permission does not in itself entitle a person to carry out development.

Conclusion

For the reasons set out above, and notwithstanding that the principle of residential development, the density, the scale and height, and the impact on residential amenity would not warrant refusal, the proposed development by reason of its poorly integrated and incoherent design and layout would be contrary to the proper planning and sustainable development of the area. I recommend that permission be refused for the reason and considerations set out at Section 10.0.

8.0 AA Screening

I have considered the proposal for the construction of 15no. residential units and all associated siteworks in light of the requirements of S177U of the Planning and Development Act 2000 as amended.

The subject site is an infill site at the southern edge of the built-up area of Sallins, Co. Kildare.

The closest European site to the subject site includes:

- Ballynafagh Lake SAC (Site Code: 001387) – 8.4km to north-west;
- Ballynafagh Bog SAC (Site Code: 000391) – 8.5km to north-west;
- Mouds Bog SAC (Site Code: 002331) - 8.5km to south-west;
- Red Bog, Kildare SAC (Site Code: 000397) – 9.9km to south-east;
- Poulaphouca Reservoir SPA (Site Code: 004063) – 12km to south-east;
- Pollardstown Fen SAC (Site Code: 000396) – 12.9km to south-west.

Surface water and foul water from the proposed development will discharge to the Uisce Éireann networks. Save for the underlying groundwater, there are no surface-water features within the zone of influence of the development that would provide a hydrological connection to any European site, and the site is not suitable as ex-situ habitat for any species for which a European site is designated. No concerns as to impacts on European sites were raised in the course of the application or appeal. The planning authority screened the development for Appropriate Assessment and determined that AA was not required.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. The reason for this conclusion is as follows:

- The location of the development within an existing urban serviced area.
- The distance between the appeal site and the nearest European site and the lack of connections;
- The screening determination by the planning authority.

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

9.0 Recommendation

I recommend that permission is refused based on the below reasons and considerations.

10.0 Reasons and Considerations

Having regard to the National Planning Framework and its emphasis on compact growth, the provisions of the Kildare County Development Plan 2023–2029 (as varied), and the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024), it is considered that the proposed development would fail to achieve a coherent and integrated form of development. The juxtaposition of the three-storey duplex block, detached period-style dwelling and existing dormer bungalow bear no coherent relationship to one another. The buildings are served by fragmented and residual open space within a disjointed overall layout. The proposed development would, therefore, fail to provide the high standard of urban design and quality placemaking required by Objectives UD O1, HO O6 and HO O18 of the Kildare County Development Plan 2023–2029 (as varied). It would also conflict with Section 4, including Policy and Objective 4.2, of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024).

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

David Freeland
Planning Inspector

29/07/2026

Appendix 1 - Form 1 - EIA Pre-Screening [EIAR not submitted]

An Coimisiún Pleanála Case Reference	PL-501145-KE-26		
Proposed Development Summary	Construction of 15 dwellings with all associated site works.		
Development Address	Oldbridge Station and Station Way, Osberstown, Naas, Co. Kildare		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes No	X
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes			EIA Mandatory EIAR required
No	X		Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
		Threshold	Comment (if relevant)
No		N/A	No EIAR or Preliminary Examination required
Yes	x	10(b)(i): Construction of more than 500 dwelling units.	Proceed to Q.4
4. Has Schedule 7A information been submitted?			
No		X	Preliminary Examination required
Yes			Screening Determination required

Inspector: _____ Date: _____

Appendix 2 - Form 2 - EIA Preliminary Examination

Case Reference	PL-501145-KE-26
Proposed Development Summary	Construction of 15 dwellings with all associated site works.
Development Address	Oldbridge Station and Station Way, Osberstown, Naas, Co. Kildare
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The proposed development comprises the construction of 15no. dwellings with proposed connections Uisce Eireann networks. The lands are an existing infill site is located within an established urban area. Access to the site is proposed from the existing access roads through Oldbridge Station. The development comes forwards as a standalone project, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The site is not located within or immediately adjacent to any designated site. The proposed development would connect to public water and wastewater. It is considered that the proposed development would not be likely to have a significant effect individually, or in combination with other plans and projects, on a European Site and appropriate assessment is therefore not required.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration,	Having regard to the nature of the proposed development, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.

cumulative effects and opportunities for mitigation).	
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ Date: _____