

KILDARE COUNTY COUNCIL

PLANNING DEPARTMENT

Planning Report

Planning Ref No. 26/60048
Name of Applicant

Bernard Naughton & Niamh McKenna.

Address of Development

The Beeches, Painestown, Co. Kildare. W91 H7N3.

Development

The development consists of planning permission for constructing a new domestic garage and all associated site works.

Type of Permission

Permission

Date Inspected

05/03/2026

Due Date

15/03/2026

DESCRIPTION OF PROPOSED DEVELOPMENT

The proposed development comprises of the following:

- Planning permission for the construction of a single storey domestic garage to the northwest (front of the site) with a gross floor area of 57sqm.
- The garage will have 2x large shutter doors on the eastern side and a ridge height of approximately 5.15m.
- The garage will have a pitched roof, a pedestrian door to the south and a window to the north.

SITE LOCATION/CONTEXT

The proposed development site of a stated 0.270ha area and is approximately 1.02km north of the zoned boundary of Kill. The subject site contains a detached 2 storey dwelling which has recently been extended. The house is located on the southern side of the L2010 local primary road. The site is situated at the eastern end of a ribbon development of rural houses. There are 2x houses across the road from the site, one is listed as a protected structure: Painestown House.

SITE SERVICES

Water: Existing public mains.
Waste Water: Not applicable.
Surface Water: Soakpit.

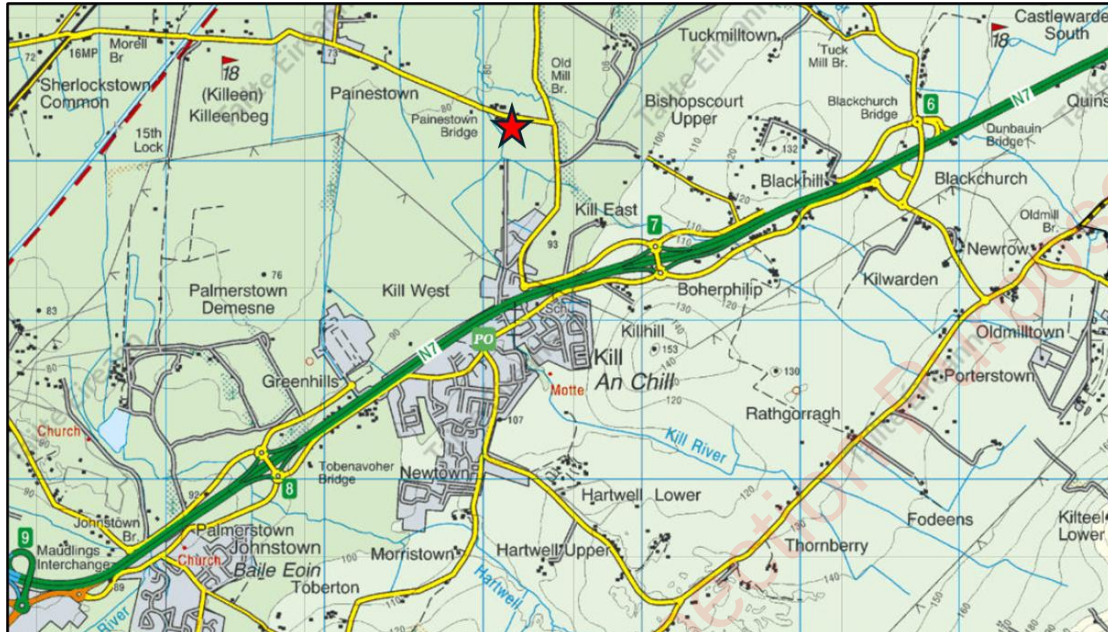


Fig 1: Site location map (subject site denoted with red star)



Fig 2: Aerial of site – Image from GIS (application site denoted in yellow)

BUILT / NATURAL HERITAGE / FLOODING

Built Heritage	There is 1x protected structure located within 500m of the application site. This is Painestown House (B14-30) located approximately 82m northwest of the subject site.
Archaeological Heritage	There are no sites/ monuments located within 500m of the application site.
Natural Heritage	A screening for Appropriate Assessment is attached at the end of this report in relation to SPA/SAC.

Landscape Character Area	Northern Lowlands (sensitivity class 1) Landscape Character Area.
Flood	Part of the site to the northeast intersects with the flood data coverage for the CFRAM High End Future Scenario 0.1% Annual Exceedance Probability. The entrance of the site intersects with the below flood data. • CFRAM Current Scenario 10% AEP • CFRAM Current Scenario 1% AEP • CFRAM 1% AEP Midrange Future Scenario The garage is to be positioned at an area of the site which is outside this zone. With a finished floor area of 0.150 it is considered that any risk of flooding at the proposed development is low.

ENVIRONMENTAL IMPACT ASSESSMENT

A screening report for the need for EIAR accompanies this report. Having regard to the nature and scale of the proposal, it is concluded that EIAR screening or EIAR is not required.

APPROPRIATE ASSESSMENT

The nearest Special Area of Conservation (SAC) site is the Red Bog SAC located approximately 7.76km southeast of the application site at the nearest point. A screening for Appropriate Assessment accompanies this report which concludes that a Stage 2 AA (NIS) is not required.

INTERNAL REPORTS

This application was referred to the following, reports received as indicated below.

<u>Area Engineer:</u>	Site notice inspected, no further comments made.
<u>Environment:</u>	No objections, subject to conditions.
<u>Water Services:</u>	No objections, subject to conditions.

SUBMISSIONS/OBSERVATIONS/REPRESENTATIONS

There were no submissions, observations or representations made in relation to the proposed development.

PRE-PLANNING MEETING

A preplanning consultation has not taken place in relation to the proposed development.

RELEVANT PLANNING HISTORY

Planning Application Ref No. **23/60337**: Planning permission was granted to Bernard Naughton & Niamh McKenna, for alterations & renovations to existing house to include demolishing existing front and side single storey extensions, constructing new single storey front porch, constructing new two storey extension, constructing new garage and all associated site works. Permission was granted and condition no 2 is relevant to this application.

2. The development shall be revised as follows.

The proposed garage shall be reduced to 40sqm in size with a maximum height of 5m and repositioned to the rear of the front building line of the dwelling on site in accordance with the criteria outlined in Section 15.4.13 of the Kildare County Development Plan 2023-2029.

Reason: *In the interest of clarity, proper planning and sustainable development of the area.*

ZONING

The site is on unzoned lands approximately 1.02km north of the zoned boundary of Kill.

Kildare County Development Plan 2023-2029

The lands are not zoned. Section 9.3 of the Kildare County Development Plan 2023-2029, notes if land is not within an identified settlement and is not otherwise zoned, *the use of such land shall be deemed to be primarily agriculture.*

POLICY CONTEXT

A. Kildare County Development Plan 2023-2029

Chapter 15 Development Management Standards

Development control standards for developments such as that proposed are included in Chapter 15 of the Kildare County Development Plan 2023-2029.

15.4.13 Domestic Garage / Store / Home-Work Pod / Garden Room

The development of a domestic garage/store/home-work pod /garden room for use ancillary to the enjoyment of a dwelling house will be considered subject to the standards included in section 15.4.13 of the Plan. The below three standards are relevant to this application.

- *The domestic garage/store/home-work pod /garden room shall be single storey only, **with a maximum gross floor area of 40m²** and a maximum ridge height of 5m.*
- *The unit shall generally be located behind the front building line of the existing dwelling.*
- *The Planning Authority may consider exceptions to the criteria above having regard to the need for the development and the location and characteristics of the subject site.*

SUMMARY OF KEY PLANNING ISSUES AND ASSESSMENT

PRINCIPLE OF DEVELOPMENT

The proposed development consists of planning permission for the construction of a detached garage to the front/side of the existing house. The site is on unzoned lands but there is already an existing residential use on site. The principle of the proposed development can be considered, subject to a thorough assessment and application of County Development Plan policies and objectives.

DESIGN & LAYOUT

The proposal, the submitted drawings and documentation have been assessed against County Development Plan policy and is not yet considered to be acceptable, for the below reasons:

1. The proposed domestic storage shed exceeds the standards set out in section 15.4.13 of the County Development Plan.

The domestic garage/store/home-work pod /garden room shall be single storey only, with a maximum gross floor area of 40m² and a maximum ridge height of 5m.

The garage has a gross area of approximately 57sqm and a ridge height of 5.15m. The overall gross area and height are considered excessive and do not comply with section 15.4.13. The area and height of the proposed structure should be reduced significantly to meet County Development Plan standards.

2. Following a site inspection by the Planning Authority it was found that there was an existing undocumented shipping container near the front of the site (figure 5). This structure is not illustrated in the documents provided and no details of the planning status or the plans for this structure post development have been provided.
3. According to the site layout plan submitted, there is an ESB pole at the location of the proposed garage, which is to be moved (figure 3 and 4). More details are required regarding the plans to move this pole.
4. The Applicant has not indicated how surface water will be diverted to the soakpit on any plans. This is noted and more details are required.

The above issues may be addressed via a request for **further information**.



Fig 3: Site inspection photo.

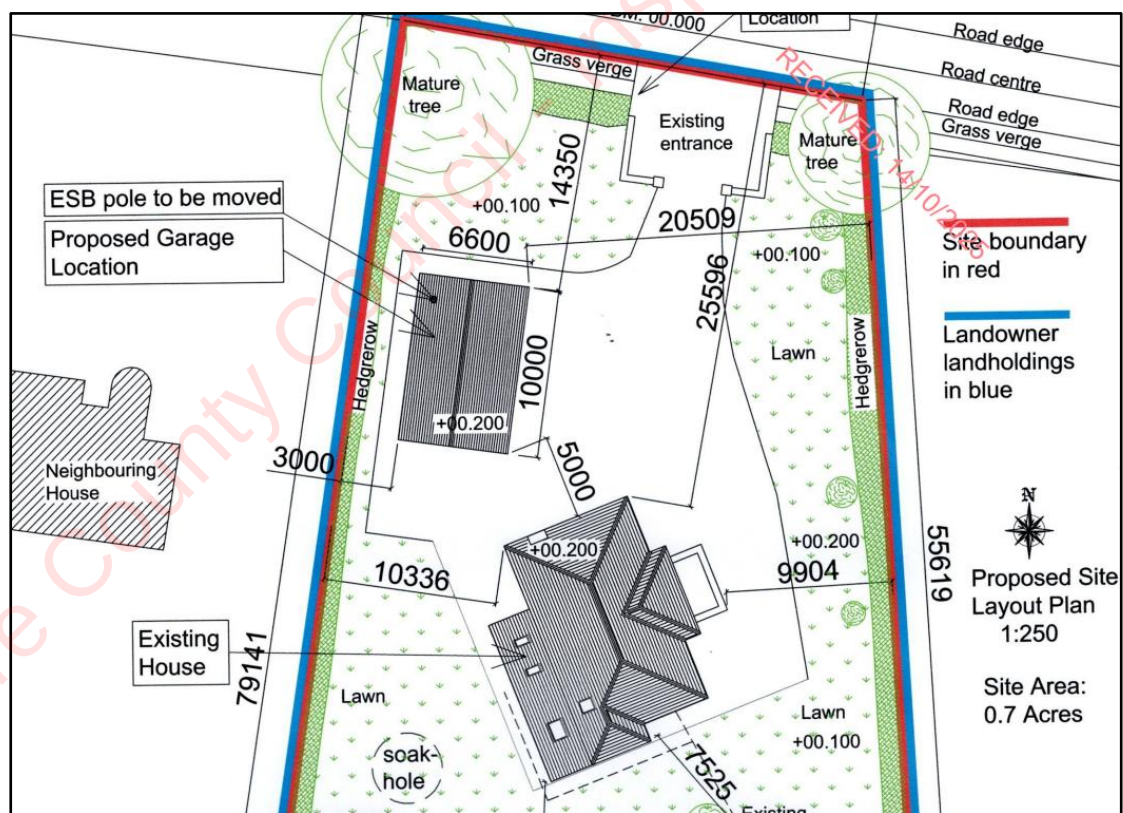


Fig 4: Proposed site layout plan.



Fig 5: Site inspection photo showing an undocumented container on site.

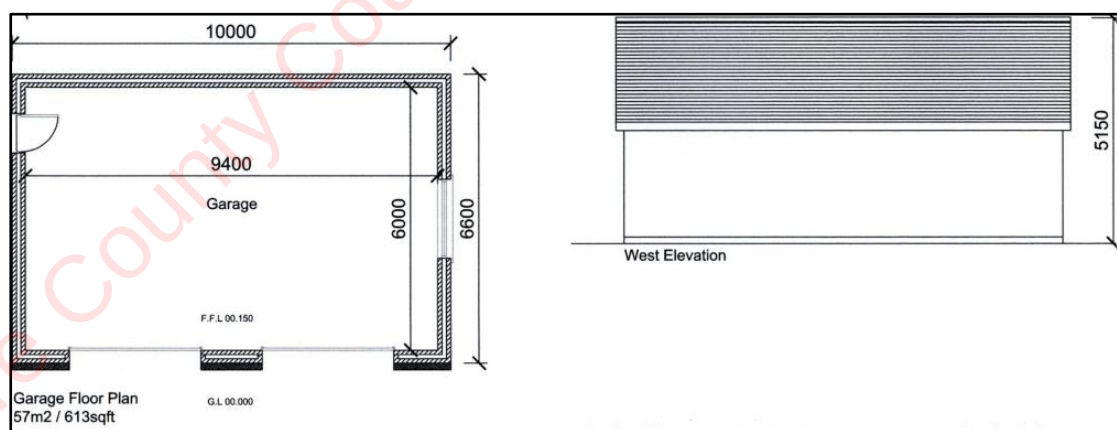


Fig 6: Elevation and plans of showing proposed rear shed/garage.

The garage is to be located to the front of the house; there is a vernacular barn at an adjacent site approximately 45m west which is in front of any established building line. The location to the front of the house may be acceptable in this instance, however the garage should still be moved further to the rear of the

site. The Applicants will be required to amend the location of the garage and move it further to the rear of the site. **Further information.**

Under the previous Planning Reg Ref. No. **23/60337**, the proposed development was permitted, however the size and location of the garage were amended by way of a condition.

Condition No. 2.

The development shall be revised as follows.

The proposed garage shall be reduced to 40sqm in size with a maximum height of 5m and repositioned to the rear of the front building line of the dwelling on site in accordance with the criteria outlined in Section 15.4.13 of the Kildare County Development Plan 2023-2029.

Reason: *In the interest of clarity, proper planning and sustainable development of the area.*

This application must seek to remove Condition No. 2 of Planning Reg Ref. No. **23/60337**. The Applicants will be required to amend the description of development to include the removal of this condition. **Further Information.**

The east elevation of the proposed garage appears to show a brick-style external finish. The main house is characterised by a render finish with no exposed brickwork. The materials in the elevation are noted, however the Applicant should submit a material palette for the proposed garage for approval by the Planning Authority.

The Environment Department and the Water Services Department of Kildare County Council has assessed the application and have no objections subject to conditions. These conditions will be included consequent of a grant of permission.

CONCLUSION

Having regard to,

- Section 15.4.13 of the County Development Plan and where the gross floor area of the proposed structure is approximately 57sqm, and the height is 5.15m,
- the location of the garage to the front of the site,
- the need to remove Condition No. 2 of Planning Reg Ref. No. **23/60337**,
- the undocumented container, which is currently on site,
- the apparent lack of surface water drainage details, and
- concerns relative to the moving of a utility pole at the site,

further information should be sought.

RECOMMENDATION

Having regard to the above, it is recommended that **Further Information** be requested as follows:

1. The proposed domestic garage exceeds the standards set out in section 15.4.13 of the County Development Plan.

The domestic garage/store/home-work pod /garden room shall be single storey only, with a maximum gross floor area of 40m² and a maximum ridge height of 5m.

The garage has a gross area of approximately 57sqm (66sqm gross area) and a ridge height of 5.15m. The overall gross area and height are considered excessive and do not comply with section 15.4.13. Furthermore, Condition 2 of Planning Reg Ref. No. 23/60337, under which the dwelling house has been constructed, required that

The proposed garage shall be reduced to 40sqm in size with a maximum height of 5m and repositioned to the rear of the front building line of the dwelling on site in accordance with the criteria outlined in Section 15.4.13 of the Kildare County Development Plan 2023-2029.

Reason: *In the interest of clarity, proper planning and sustainable development of the area.*

Having regard to Section 15.4.13 of the County Development Plan and Condition 2 of Planning Permission Reg. Ref. 23/60337, the Applicant is requested to demonstrate compliance with both. The area and height of the proposed structure should be reduced significantly, and it should be relocated on site to comply with Condition 2. The Applicant is requested to submit revised plans and elevations reflecting this new design.

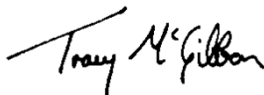
NOTE: If the Applicant decides to continue with the current proposal, they must seek permission to remove Condition 2 of the Planning Reg Ref. No. 23/60337, under which the dwelling house has been constructed. They must also demonstrate successfully why current policy may not apply in this instance and submit a rationale for same. This will be the subject of a full assessment.

2. Following a site inspection by the Planning Authority, it was found that there was an existing undocumented shipping container near the front of the site (figure 5). The Applicant is requested to provide a comment on the planning status of this container and the future plans for it. Please note that a container / structure in situ at the site will not be favourably considered.
3. According to the site layout plan submitted, there is an ESB pole at the location of the proposed garage, which is to be moved. The Applicant is requested to provide more details as to these plans, including the below:
 - The new location of the utility structure post development.
 - The measures that will be put in place to ensure no loss of service.
 - A letter from the ESB agreeing to the relocation of the ESB pole.

4. Having regard to the known flooding in the immediate area and the proposed 66sqm gross area structure [to be reduced in accordance with Item 1 of this Further Information request], which will displace significant water on the site, the Applicant is requested to submit plans illustrating clearly how surface water from the garage will be diverted to and how it will be managed successfully onsite so that surface generated on site is not displaced off site [nature-based solutions should be used].
5. Subject to Further Information Item 1, having regard to the highly visible location of the structure, to the front of the existing dwelling house, the Applicant is requested to submit revised proposals for the materials to be used. A material palette for the proposed garage structure should be submitted for assessment. The materials proposed should match with those of the existing dwelling and be in keeping with the established character of the surrounding environment.



Cian Buckley
Assistant Planner
10/03/2026



Tracy McGibbon
Senior Executive Planner
10/03/2026

Appendix 1: AA Screening

	APPROPRIATE ASSESSMENT SCREENING REPORT AND CONCLUSION STATEMENT	
(A) Project Details		
Planning File Ref	26/60048	
Applicant name	Bernard Naughton & Niamh McKenna.	
Development Location	The Beeches, Painestown, Co. Kildare. W91 H7N3.	
Site size	0.270ha	

Application accompanied by an EIAR (Yes/NO)	No
Distance from Natura 2000 site in km	The nearest Special Area of Conservation (SAC) site is the Red Bog SAC located approximately 7.76km southeast of the application site at the nearest point.
The proposed development comprises of the following: • Planning permission for the construction of a single storey domestic garage to the northwest (front of the site) with a gross floor area of 57sqm. • The garage will have 2x large shutter doors on the eastern side and a ridge height of approximately 5.15m. • The garage will have a pitched roof, a pedestrian door to the south and a window to the north.	

(B) Identification of Natura 2000 sites which may be impacted by the proposed development			
			Yes/No If answer is yes, identify list name of Natura 2000 site likely to be impacted.
1	Impacts on sites designated for freshwater habitats or species. <u>Sites to consider:</u> River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Ballynafagh lake	<i>Is the development within a Special Area of Conservation whose qualifying interests include freshwater habitats and/or species, or in the catchment (upstream or downstream) of same?</i>	No
2	Impacts on sites designated for wetland habitats - bogs, fens, marshes and heath. <u>Sites to consider:</u> River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Mouds Bog, Ballynafagh Bog, Red Bog, Ballynafagh Lake	<i>Is the development within a Special Area of Conservation whose qualifying interests include wetland habitats (bog, marsh, fen or heath), or within 1 km of same?</i>	No
3	Impacts on designated terrestrial habitats. <u>Sites to consider:</u> River Barrow and Nore, Rye	<i>Is the development within a Special Area of Conservation whose qualifying</i>	No

	Water/Cartron Valley, Pollardstown Fen, Ballynafagh Lake	<i>interests include woodlands, dunes or grasslands, or within 100m of same?</i>	
4	Impacts on birds in SPAs <u>Sites to consider:</u> Poulaphouca Reservoir	<i>Is the development within a Special Protection Area, or within 5 km of same?</i>	No

Conclusion:

If the answer to all of the above is **No**, significant impacts can be ruled out for habitats and bird species. No further assessment in relation to habitats or birds is required. If the answer is **Yes** refer to the relevant sections of **C**.

(G) SCREENING CONCLUSION STATEMENT <i>Selected relevant category for project assessed by ticking box.</i>		
1	AA is not required because the project is directly connected with/necessary to the conservation management of the site	
2	No potential significant affects/AA is not required	X
3	Significant effects are certain, likely or uncertain. Seek a Natura Impact Statement Reject proposal. (Reject if potentially damaging/inappropriate)	
Justify why it falls into relevant category above (based on information in above tables)		
Having regard to the scale and nature of the proposed works, it is not considered that there will be any impact on the nearest SAC.		
Name:	Cian Buckley	
Position	Assistant Planner	
Date:	10/03/2026	

Appendix 2: EIA Screening

	ENVIRONMENTAL IMPACT ASSESSMENT SCREENING REPORT STAGE 1: PRE-SCREENING	
<i>For use when establishing if the proposal is a 'sub-threshold development' requiring Preliminary Examination</i>		
Planning Register Reference:	26/60048	
Development Description Summary:	The proposed development comprises of the following: • Planning permission for the construction of a single storey domestic garage to the northwest (front of the site) with a gross floor area of 57sqm. • The garage will have 2x large shutter doors on the eastern side and a ridge height of approximately 5.15m. • The garage will have a pitched roof, a pedestrian door to the south and a window to the north.	
Was a Screening Determination carried out under Section 176A-C:	☐ Yes, no further action required ☒ No, proceed to Part A	
Part A. Is the development a project listed in Schedule 5, Part 1, of the Planning & Development Regs 2001 (as amended)?		
☐ Yes, specify class: [insert class here]	EIA is mandatory No Screening required CS1	
☒ No	Proceed to Part B	
Part B. Does the development comprise a project listed in Schedule 5, Part 2, of the Planning & Development Regulations 2001 (as amended) and does it meet/exceed the thresholds?		
☐ Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): [Insert class & threshold here]	EIA is mandatory No Screening required CS1	
☒ No, the development is not a project of a type listed in Schedule 5, Part 2	No Screening required CS2	
☐ Yes the project is of a type listed but is <i>sub-threshold</i> : [Insert class & threshold here]	Proceed to Part C	
PART C. Has Schedule 7A information/screening report been submitted?		
☐ Yes, Schedule 7A information/screening report has been submitted by the applicant	Screening Determination required	
☒ No, Schedule 7A information/screening report has not been submitted by the applicant	Preliminary Examination required	

CS2: Having regard to the nature and scale of the proposal, it is concluded that EIA screening or EIA is not required.

Name:	Cian Buckley
Position:	Assistant Planner
Date:	10/03/2026

Appendix 3: Additional Site Photos



Fig 6: Site inspection photo.



Fig 7: Site inspection photo.