Comhairle Contae Chill Dara
Kildare County Council

Date: 29th September 2026.
Our Ref: ED1376.

Woodpath Limited (Barry & Brian Flanagan),
c/o Derek Whyte
Great Connell,
Newbridge,
Co Kildare.

Re: Notification under Article 10(6) of the Planning and Development Regulations 2001 (as amended) for change of use at at First Floor, over JP Healy and Boylesports, Canal View, Sallins, Co KIldare, W91 TD83.

Dear Sir/Madam,

I acknowledge receipt of your Notification under Statutory Instrument 30 of 2018, outlining your intention to change use from commercial to residential use at First Floor, over JP Healy and Boylesports, Canal View, Sallins, Co Kildare, W91 TD83 which was received in this office 07th July 2026.

The proposal does not appear to clearly comply with the provisions of Article 10(6) of the Regulations [in relation to the proposal contravening Condition No. 2 of Reg. Ref.: 23/317].

Should the Applicant wish to receive full consideration and formal determination of this matter, an application for a Section 5 Declaration should be made, accompanied by the appropriate plans and details and payment of the required fee.

You are also advised of your obligations to comply with all other statutory obligations that might apply, such as compliance with the Building Regulations, particularly in relation to Fire Safety.

Yours faithfully,

PP
Senior Executive Officer,
Planning Department.

Ref: ED1376

Location: First Floor over JP Healy and Boylesports, Canal View, Sallins, Co. Kildare W91 TD83

Applicant: Woodpath Limited (Barry & Brian Flanagan)

Planner's Check:

Please check the documents broadly in terms of the requirements of Art 10 (6) below and insert a **brief** comment. Please note that this is a Notification and not a S5 Declaration; full examination is not expected.

Article 10(6)(d)(i)	The development is commenced and is/will be completed during the relevant period (18/02/2018 – 31/12/2025)	Yes
Article 10(6)(d)(ii)	Subject to sub-paragraph (iii), any related works, including works as may be required to comply with sub-paragraph (vii), shall affect only the interior of the structure and shall not materially affect the external appearance of the structure so as to render its appearance inconsistent with the character of the structure or of neighbouring structures	One additional window is proposed at first floor level in the side elevation. This is not considered to materially affect the external appearance of the structure so as to render its appearance inconsistent with the character of the structure or of neighbouring structures
Article 10(6)(d)(iii)	Any related works for the alteration of existing ground floor shop fronts shall be consistent with the fenestration details and architectural and streetscape character of the remainder of the structure or of neighbouring structures.	No works proposed to ground floor.
Article 10(6)(d)(iv)	No development shall consist of or comprise the carrying out of works to the ground floor area of any structure which conflicts with any objective of the relevant local authority development plan or local area plan, pursuant to the Part 1 of the First Schedule to the Act, for such to remain in retail use, with the exception of any works the purpose of which is to solely provide on street access to the upper floors of the structure concerned.	No works proposed to ground floor.
Article 10(6)(d)(v)	No development shall consist of or comprise the carrying out of works which exceeds the provision of more than 9 residential units in any structure.	5 no. units proposed

Article 10(6)(d)(vi)	Dwelling floor areas and storage spaces shall comply with the minimum floor area requirements and minimum storage space requirements of the "Sustainable Urban Housing: Design Standards for New Apartments — Guidelines for Planning Authorities" issued under section 28 of the Act or any subsequent updated or replacement guidelines.	Areas all comply.
Article 10(6)(d)(vii)	Rooms for use, or intended for use, as habitable rooms shall have adequate natural lighting.	All habitable rooms have natural light, accept the kitchen of Unit No. 3. However, as this is open plan with the sitting room this is considered acceptable.
Article 10(6)(d)(viii)	No development shall consist of or comprise the carrying out of works to a protected structure, as defined in section 2 of the Act, save where the relevant planning authority has issued a declaration under section 57 of the Act to the effect that the proposed works would not materially affect the character of the structure or any element, referred to in section 57(1)(b) of the Act, of the structure.	No works proposed to a Protected Structure.
Article 10(6)(d)(ix)	No development shall contravene a condition attached to a permission under the Act or be inconsistent with any use specified or included in such a permission.	Condition No. 2 of Reg. Ref.: 23/317 approved 28/8/2023 has condition No. 2 which states: There shall be no commencement of development on site until such time as the existing Boylesports betting office on Main Street Sallins, ceases to operate business. Details confirming this shall be submitted to the Planning Authority for its written agreements. Reason: To avoid the proliferation of betting offices in the town centre of Sallins. This condition has not been complied with and

		the proposed development, on this site, would contravene this condition.
Article 10(6)(d)(x)	No development shall relate to any structure in any of the following areas: (I) an area to which a special amenity area order relates; (II) an area of special planning control; (III) within the relevant perimeter distance area, as set out in Table 2 of Schedule 8, of any type of establishment to which the Major Accident Regulations apply.	No special amenity areas or areas of special planning control are in this location.
Article 10(6)(d)(xi)	No development shall relate to matters in respect of which any of the restrictions set out in subparagraph (iv), (vii), (viiA), (viiB), (viiC), (viii) or (ix) of article 9(1)(a), or paragraph (c) or (d) of article (9)(1), would apply	The development adheres to these restrictions.
Article 10(6)(d)(xii)	No development shall consist of or comprise the carrying out of works for the provision of an onsite wastewater treatment and disposal system to which the code of practice made by the Environmental Protection Agency pursuant to section 76 of the Environmental Protection Agency Act 1992 relates and entitled Code of Practice — Wastewater Treatment and Disposal Systems Serving Single Houses together with any amendment to that Code or any replacement for it.	The development would not require onsite wastewater treatment system.

Planner's Recommendation:

I recommend that the Applicant be advised as follows:

Please acknowledge receipt of the Notification and advise that the proposal does not appear to clearly comply with the provisions of Article 10(6) of the Regulations [in relation to the proposal contravening Condition No. 2 of Reg. Ref.: 23/317*]. Should the Applicant wish to receive full consideration and formal determination of this matter, an application for a Section 5 Declaration should be made, accompanied by the appropriate plans and details and payment of the required fee*

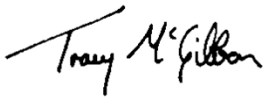
Signed:



Executive Planner

28/09/2026

Endorsed by:



Tracy McGibbon
Senior Executive Planner
28/09/2026

NOTIFICATION FORM
EXEMPTED DEVELOPMENT - ARTICLE 10(6) CHANGE OF USE EXEMPTION

Name of Relevant Planning Authority: KILDARE COUNTY COUNCIL

Name of Notifier/Property Owner: Woodpath Limited (Barry + Brian Flenagan)

Name of Person/Agent Acting on behalf of Notifier/Property Owner (if any):
DEIRDRE WHITE, WHITE PLANNING CONSULTANTS LTD

[Note: Contact Details to be supplied at the end of this form] DEIRDRE WHITE

Notification of intention to avail of exempted development provisions under Article 10(6) of the Planning and Development Regulations 2001, as inserted by Article 2 of the Planning and Development (Amendment) (No. 2) Regulations 2018, at least two weeks prior to the commencement of the proposed change of use and any related works.

Notification Details Required:

Location of structure	*Full Postal Address* FIRST FLOOR OVER JP MEAH BAR AND BOWLESPORTS, CANAL VIEW, SALLINS CO. KILDARE	
	Eircode W91 TD83	
Total number of Residential Unit(s)	*number – e.g. 5* 5	
Total Residential Floorspace (m²)	*number – e.g. 642* 288	
	Number of bedrooms	**Floorspace of unit (m²)**
Residential Unit 1	*number – e.g. 2* 1	*number – e.g. 84* 54
Residential Unit 2	1	46
Residential Unit 3	1	55
Residential Unit 4	1	51
Residential Unit 5	1	49
Residential Unit 6		
Residential Unit 7		
Residential Unit 8		
Residential Unit 9		
Date works will commence (Minimum of two weeks subsequent to date of notification)		22.07.26 *dd/mm/yyyy*
Signed (Notifier/ Agent as appropriate):		**Date:** 7.7.26

CONTACT DETAILS – NOT TO BE PUBLISHED

Notifier/Property Owner

Address: BRIAN FLANAGAN, BARRY FLANAGAN

Eircode: CANAL VIEW, SALLINS, CO. KILDARE W91 TD83

Telephone number: [redacted]

Mobile number: [redacted]

E-mail address: [redacted]

Person/agent (if any) acting on behalf of the Notifier/Property Owner

Address:

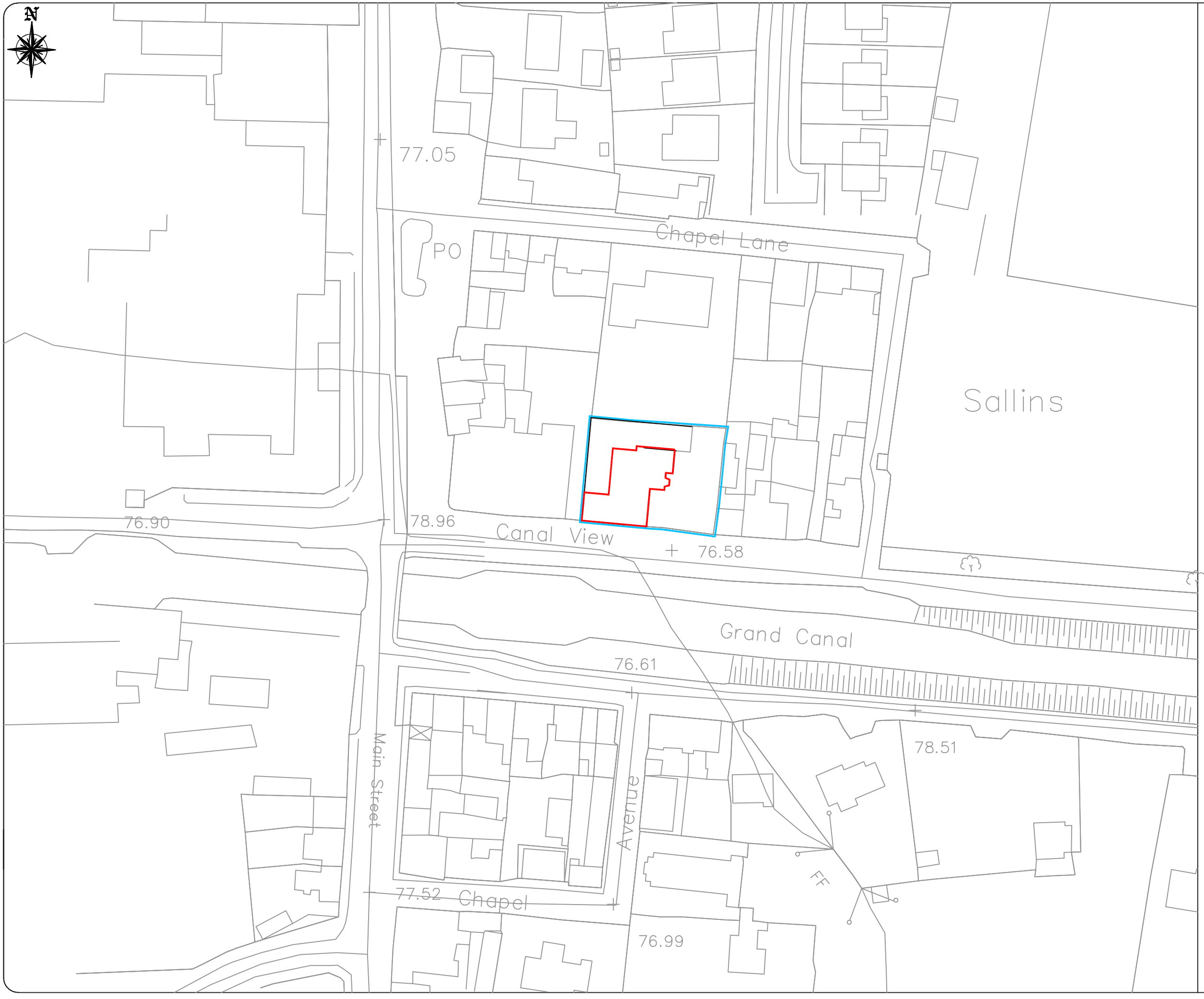
Eircode:

Telephone number:

Mobile number:

E-mail address:

Whyte Planning Consultants.
View | Plan | Create
Derek Whyte
Great Connell
Newbridge, Co. Kildare
Tel: 086 6001194
info@derekwhyte.ie

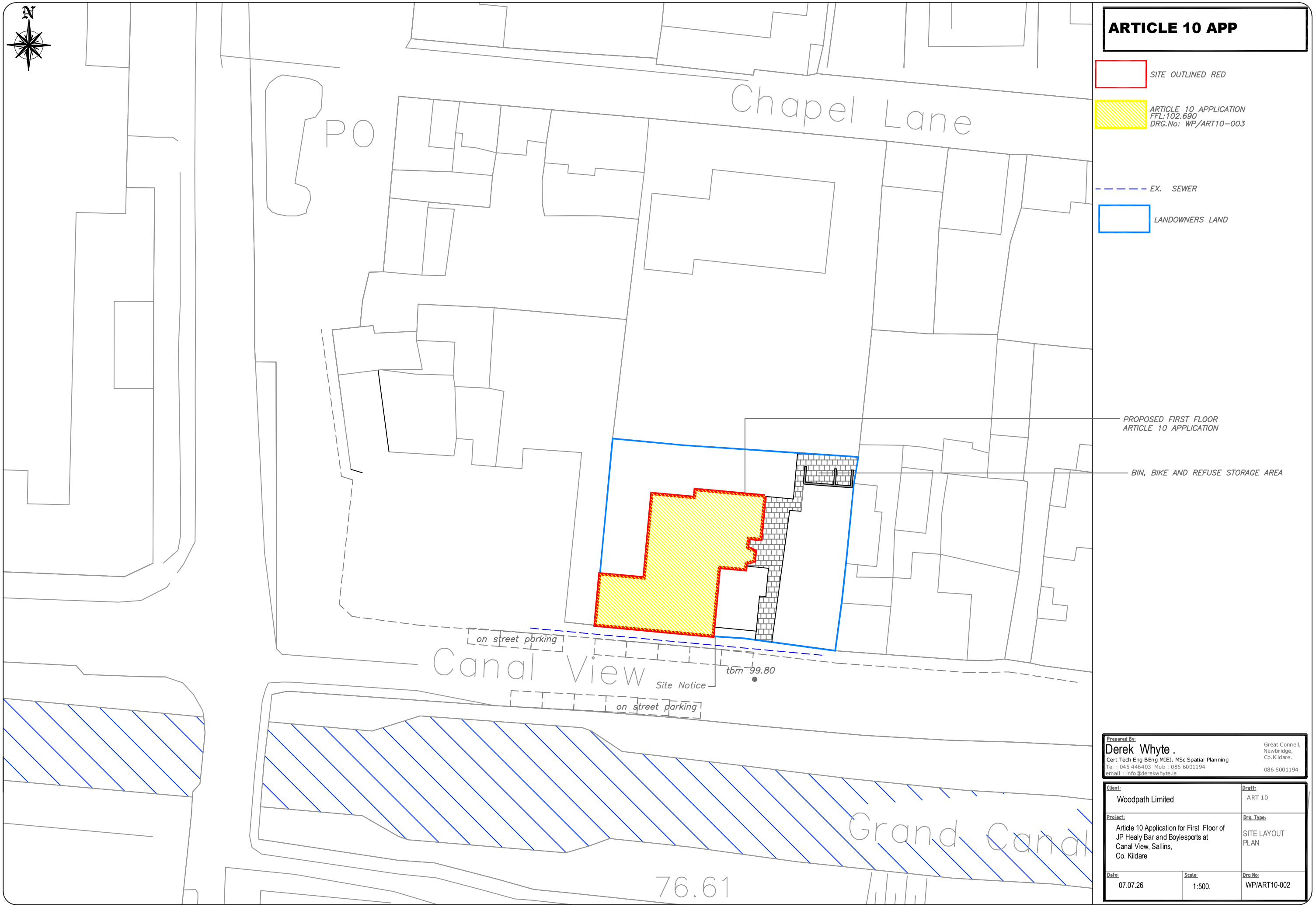


ARTICLE 10 APP

SITE OUTLINED RED
LANDOWNERS LAND BLUE
OS SHEET No: 3509A, 3448C

Prepared By:
Derek Whyte .
Cert Tech Eng BEng MIEI, MSc Spatial Planning
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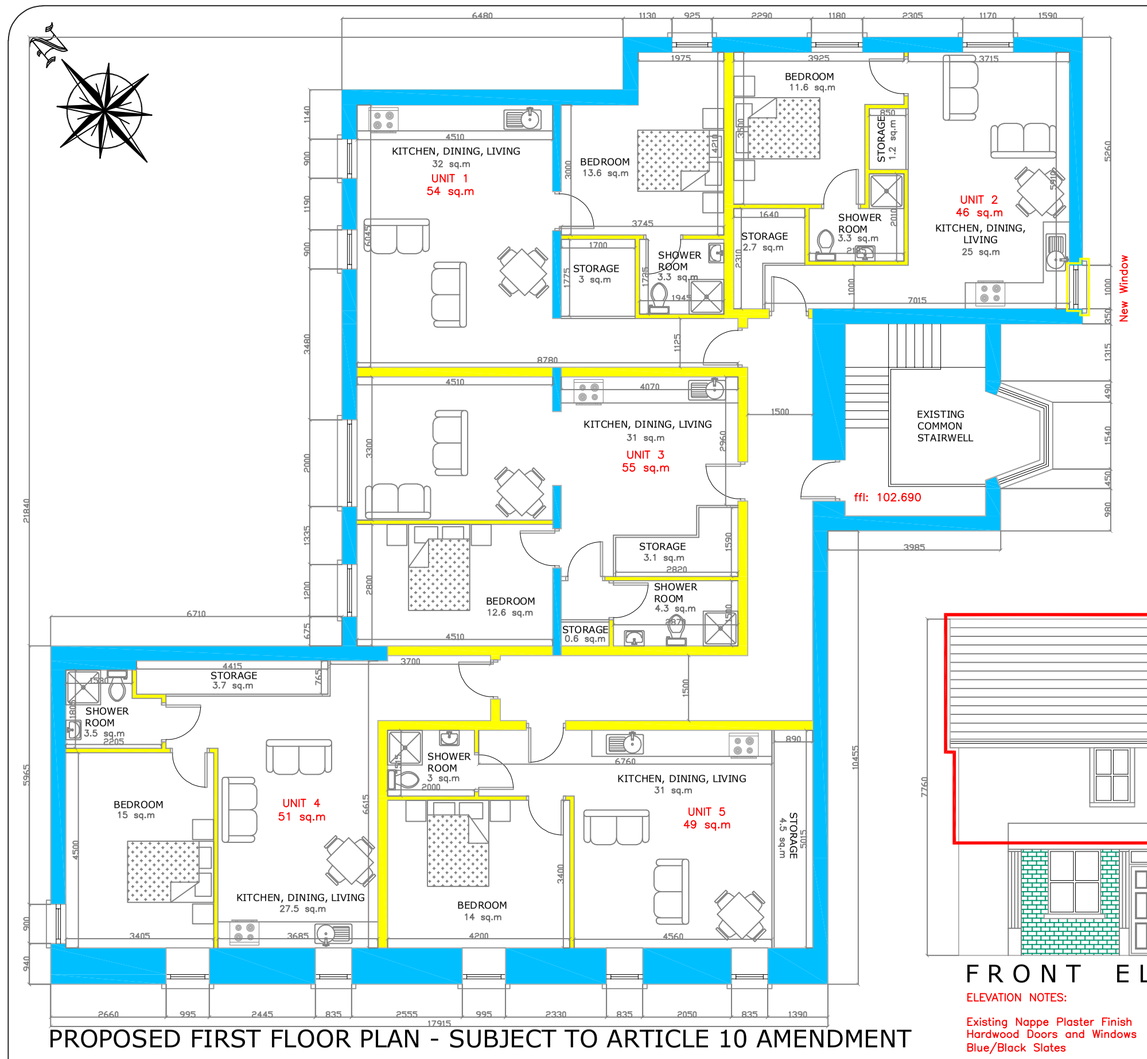
Client:	Draft:
Woodpath Limited	ARTICLE 10
Project: Article 10 Application for First Floor of JP Healy Bar and Boylesports Canal View, Sallins, Co. Kildare	**Drg. Type:** SITE LOCATION MAP
Date: 07.07.26	**Scale:** 1:1000.
	Drg No: WP/ART10-001



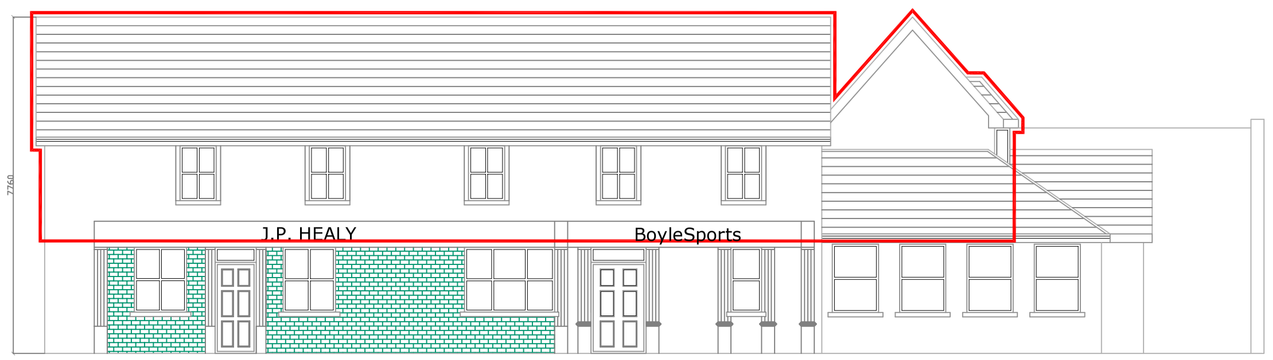
Prepared By:
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email : info@derekwhyte.ie
Great Connell,
Newbridge,
Co.Kildare.
086 6001194

Client: Woodpath Limited	Draft: ART 10
Project: Article 10 Application for First Floor of JP Healy Bar and Boylesports at Canal View, Sallins, Co. Kildare	Drg. Type: SITE LAYOUT PLAN
Date: 07.07.26 / Scale: 1:500.	Drg No: WP/ART10-002

ARTICLE 10 APP



PROPOSED FIRST FLOOR PLAN - SUBJECT TO ARTICLE 10 AMENDMENT



FRONT ELEVATION

ELEVATION NOTES:

Existing Nappe Plaster Finish
Hardwood Doors and Windows
Blue/Black Slates

Article 10 Application

EXISTING OVERALL FLOOR AREA: 959 sq.m
EXISTING GROUND FLOOR AREA: 651 sq.m
EXISTING FIRST FLOOR AREA: 308 sq.m

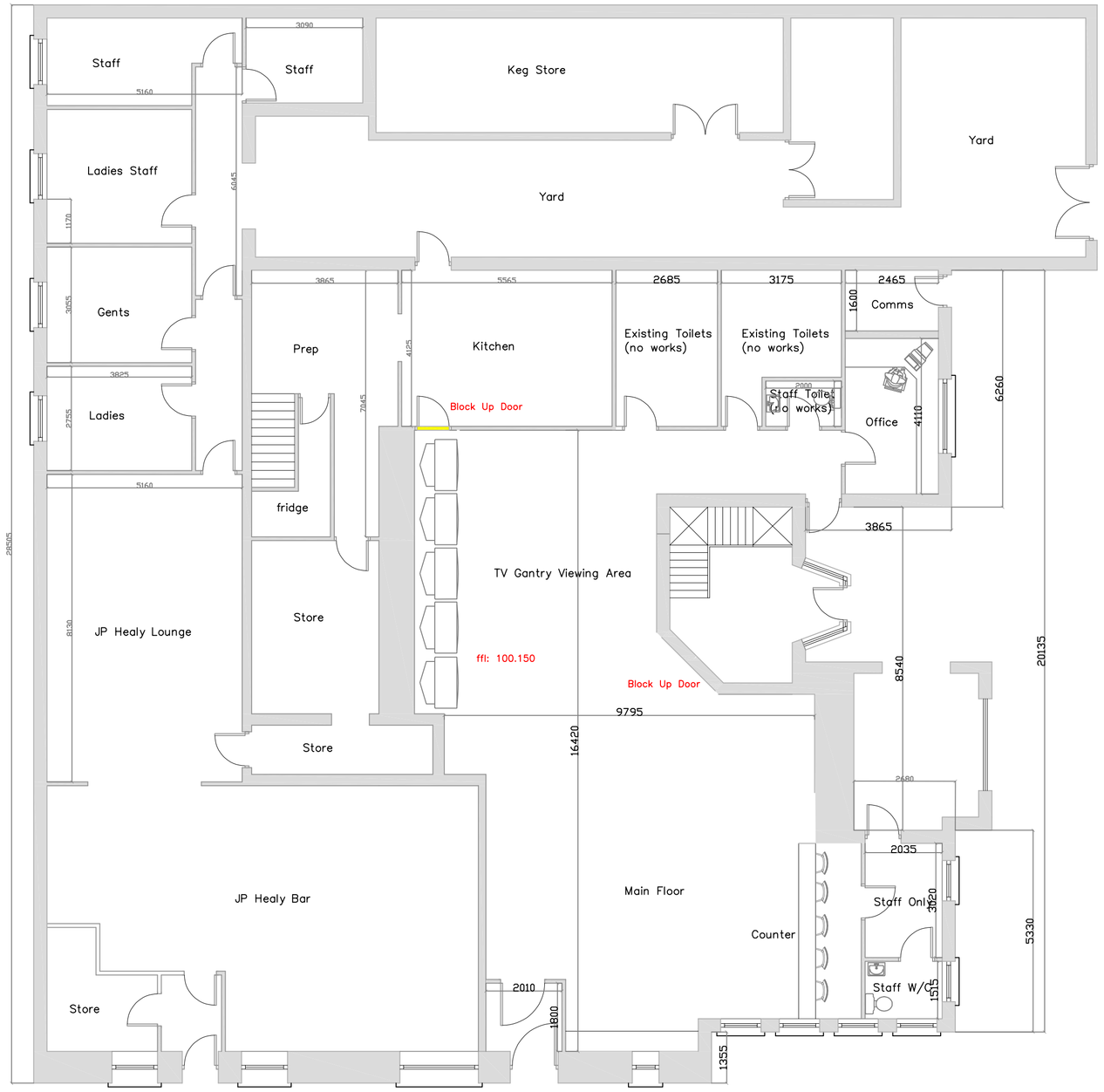
UNIT 1: 54 sq.m (One Bedroom)
LIVING AREA: 32 sq.m BEDROOM: 13 sq.m SHOWER: 3.3 sq.m STORAGE: 3.0 sq.m

UNIT 2: 46 sq.m (One Bedroom)
LIVING AREA: 26 sq.m BEDROOM: 11.4 sq.m SHOWER: 2.4 sq.m STORAGE: 3.9 sq.m

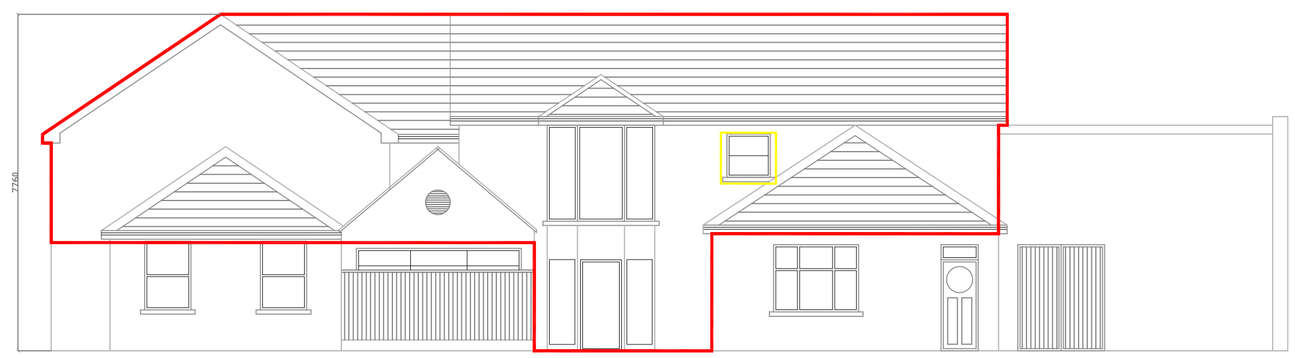
UNIT 3: 55 sq.m (One Bedroom)
LIVING AREA: 34 sq.m BEDROOM: 12.6 sq.m SHOWER: 6 sq.m STORAGE: 3.7 sq.m

UNIT 4: 51 sq.m (One Bedroom)
LIVING AREA: 26 sq.m BEDROOM: 15 sq.m SHOWER: 3.5 sq.m STORAGE: 3.7 sq.m

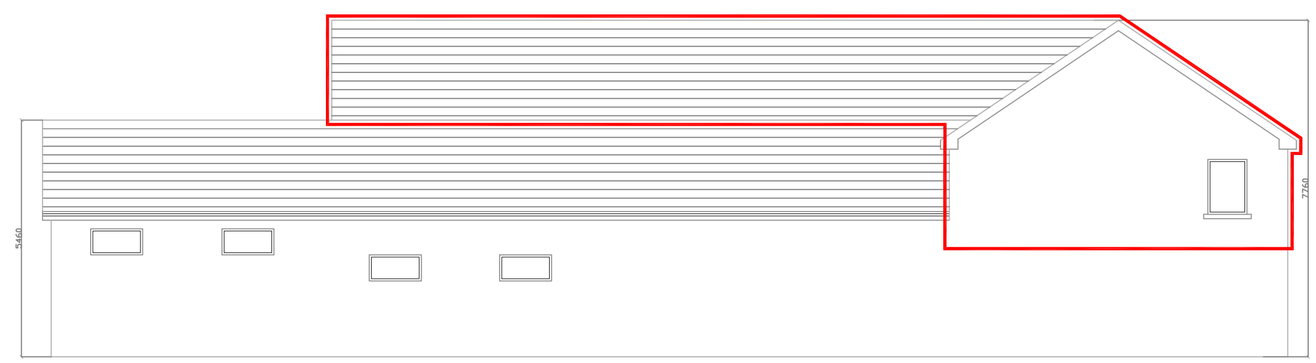
UNIT 5: 49 sq.m (One Bedroom)
LIVING AREA: 31 sq.m BEDROOM: 14 sq.m SHOWER: 3 sq.m STORAGE: 4.5 sq.m



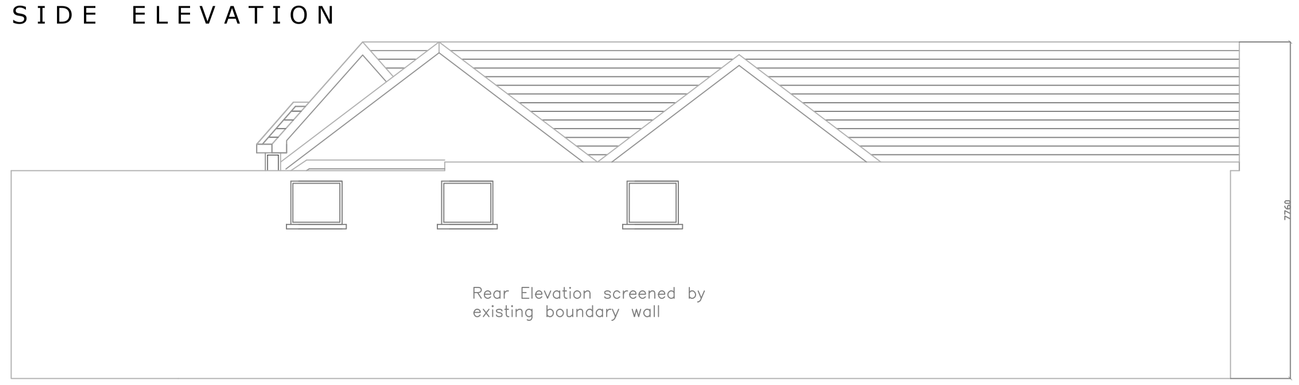
EXISTING GROUND FLOOR PLAN



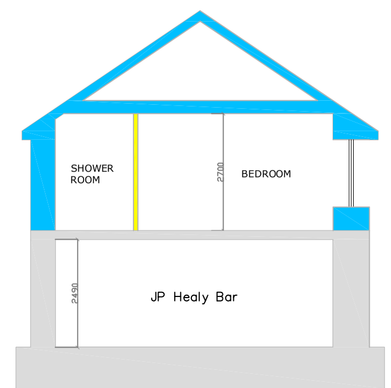
SIDE ELEVATION



SIDE ELEVATION



REAR ELEVATION



TYPICAL SECTION THRU UNIT 4

EXISTING WORKS
PROPOSED WORKS
ARTICLE 10 WORKS

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Great Connell, Newbridge, Co.Kildare.
Planning Consultant

Client: Woodpath Ltd	Draft: ART 10
Project: Proposed development at First Floor of the JP Healy Bar and Boylesports, Canal View, Sallins, Naas, Co. Kildare	Drg. Type: PLANS, ELEVATIONS & SECTION
Date: 07.07.26 / Scale: 1:100 (A1)	Drg No: WL/ART10-003

MORRIN LEGAL
SOLICITORS

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045 835212
DX 49003 Naas

Our Ref: WOO002/0002/JM/MH

6th July 2026

Kildare County Council
Aras Chill Dara
Devoy Quarter
Naas
Co. Kildare

RE: Our Client – Woodpath Limited
Premises formally known as The Bridgewater Inn, Canal View, Sallins, Co. Kildare

Dear Sir / Madam,

We confirm that we acted on behalf of Woodpath Limited in connection with the purchase of the above property in 2022.

We confirm that our instructions are that the first floor premises has been vacant for a continuous period of in excess of two years. From our own knowledge of dealing with our client in relation to this matter, we are satisfied to confirm that this is the position.

If you require any further information, please revert to us.

Yours faithfully,

Joseph Morrin
Morrin Legal