



An  
Bord  
Pleanála

**Board Direction**  
**PL09 248186**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on 25th September, 2017.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the sites location within the Naas Town Centre on lands zoned "Town Centre" in the Naas Town Development Plan 2011-2017, the policies of the planning authority as set out in the Kildare County Development Plan 2017-2023, to the nature, scale and design of the proposed development being an extension to an existing hotel, and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area, would respect the existing character of the Architectural Conservation Area, would not directly or indirectly impact on any Protected Structures, and would be acceptable in terms of traffic and pedestrian safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **Conditions**

1. The development shall be retained and carried out and completed in accordance with the plans and particulars lodged with the application as

amended by the further plans and particulars submitted on the 23<sup>rd</sup> November 2016 and the 27<sup>th</sup> January 2017, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

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

2. This permission authorises the retention of the 80.7sq.m courtyard suite and its use shall be as indicated on the documentation i.e. to host small conferences and meetings.

**Reason:** In the interest of clarity and orderly development.

3. The double doors located at the ground floor breakfast rooms on the southern elevation, shall be used as fire exits only and shall not be used by patrons to access the open space area for any reason except in the case of an emergency.

**Reason:** In the interests of visual and residential amenity.

4. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

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

5. Details of the materials, colours and textures of all the external finishes to the proposed extension shall be submitted to, and agreed in writing with the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

6. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

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

7. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:
  - (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
  - (b) Location of areas for construction site offices and staff facilities;
  - (c) Details of site security fencing and hoardings;
  - (d) Details of on-site and off-site car parking facilities for site workers during the course of construction;
  - (e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
  - (f) Measures to obviate queuing of construction traffic on the adjoining road network and measures to prevent usage of the lane adjacent to no.6 Gleann na Greine;
  - (g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
  - (h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
  - (i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;

(j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;

(k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;

(i) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains;

(m) Measures to protect and ensure the stability of that portion of the boundary wall proposed to be retained as part of the development.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

**Reason:** In the interest of amenities, public health and safety.

8. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

9. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in

accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

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

10. The landscaping scheme shown on Drg. no. 16./JT/L 02 prepared by Hayes Ryan Landscape Architects, as submitted to the planning authority on the 23<sup>rd</sup> day of November, 2016 shall be carried out within the first planting season following substantial completion of external construction works.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

**Reason:** In the interest of residential and visual amenity.

11. (a) During the operational phase of the proposed development, the noise level arising from the development, as measured at the nearest dwelling shall not exceed:-

(i) An Leq,1h value of 55 dB(A) during the period 0800 to 2200 hours from Monday to Sunday inclusive (the T value shall be one hour).

(ii) An Leq,15 min value of 45 dB(A) at any other time (the T value shall be 15 minutes).

The noise at such time shall not contain a tonal component.

(b) All sound measurement shall be carried out in accordance with ISO Recommendation 1996:2007: Acoustics - Description and Measurement of Environmental Noise.

Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To protect the residential amenities of property in the vicinity of the site.

12. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall -
- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
  - (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and excavation works, and
  - (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

**Reason:** In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

13. Bat roosts shall be incorporated into the site and the recommendation of the Bat Survey reports shall be carried out on the site to the written satisfaction of the planning authority and in accordance with the details submitted to the planning authority on the 23rd day of November, 2016.

**Reason:** To ensure the protection of the natural heritage on the site.

14. Trees to be removed on site shall be felled in late summer or autumn. Any disturbance to bats on site shall be in a manner to be agreed in writing with the planning authority on the advice of a qualified ecologist. Any envisaged destruction of structures that support bat populations shall be carried out only under licence from the National Parks and Wildlife Service and details of any such licence shall be submitted to the planning authority.

**Reason:** In the interest of nature conservation.

15. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located

underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing over ground cables shall be relocated underground as part of the site development works.

**Reason:** In the interests of visual and residential amenity.

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

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

17. Cycle Parking facilities shall be provided in accordance with the requirements of the Kildare County Development Plan 2017 – 2023. Details of the layout and marking demarcation of these spaces shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

18. The applicant shall complete full width resurfacing of Gleann na Greine from the proposed hotel works to the R445, including a painted yellow box on the R445 at its junction with Gleann na Greine. The applicant shall also restore all footpaths in the same area. Details of the proposed works on Gleann na Greine shall be submitted to, and agreed in writing with the planning authority prior to commencement of development. The costs of these works shall be borne by the applicant and shall not take place until construction traffic to/from the site has substantially abated.

**Reason:** In the interest of amenity and of traffic and pedestrian safety.

19. S 48 carparking shortfall €105,000

**Reason:** In the interests of traffic safety.

22. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefitting development in the area of the planning authority that is provided or intended to be provided (not to include payment towards carparking shortfall) by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

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

**Board**

**Date:26.09.2017**

**Member**

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Terry Prendergast

**Note 1:** The Board noted the concerns of the inspector regarding the external finishes on the eastern elevation of the building but considered that the finishes as proposed, because of their durability, would represent a satisfactory approach.



**Note 2.** The car parking requirement for the proposed development calculated in accordance with the Kildare County Development Plan 2017 – 2023 is 132 spaces. The number of car parking spaces provided on site is 111. Therefore, there is a shortfall of 21 spaces. The applicant has indicated that there are 16 spaces on New Street and in the access lane, and that there is an informal agreement with Naas Town Centre Multi-Storey car park regarding the provision of car parking spaces for the hotel. The developer shall pay to the planning authority a sum of €5,000 per car space shortfall i.e. €105,000.

Please include Board Direction with Order.