

An
Bord
Pleanála

Board Direction
BD-019151-25
ABP-321376-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 10/03/2025.

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 provisions of the Westmeath County Development Plan 2021-2027, and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be appropriate in terms of the proposed use, scale, height and design, would not adversely impact on the residential amenity of neighbouring properties by reasons of overlooking or overbearing, would not impact on the character or visual amenity of the area and would be acceptable in terms of traffic and pedestrian safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 11th day of October 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to commencement of development the developer shall submit for the written agreement of the planning authority –
 - (a) detailed designs for all required infrastructural works at the junction of Brawney Road and the Ballymahon Road/N55 roundabout and along the extent of the subject site of Brawney Road, and
 - (b) a revised plan highlighting the recommendations from the Road Safety Audit carried out.

When agreed, these infrastructural works shall be fully completed prior to occupation of the proposed development.

Reason: In interest of road and traffic safety and in conjunction with development in proximity of the site.

3. The three-storey car park hereby permitted shall be solely used in conjunction with the associated hotel accommodation and shall not be used for commercial purposes, unless otherwise authorised by way of a further planning application.

Reason: In the interest of clarity and orderly development.

4. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The brick colour/finish to be used shall be the same as that used on the adjoining existing development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

5. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: In the interest of sustainable drainage.

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

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

7. Details of all signage on site shall be submitted to and agreed in writing with the planning authority, prior to erection of same.

Reason: In the interest of visual amenity and orderly development.

8. Details of the proposed lighting design shall be agreed in writing with the planning authority prior to commencement of development. The luminaries shall be mounted so as to minimise the potential of obtrusive light, glare and light pollution into neighbouring lands or other sensitive receptors.

Reason: In the interest of environmental protection.

9. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority, details of intended notification to the Property Management Branch of the Department of Defence for the use of any cranes.

Reason: In the interest of air traffic and public safety.

10. Prior to commencement of development on this site and unless otherwise agreed in writing with the planning authority:

- (a) The developer shall engage the services of a suitably qualified archaeologist to carry out an archaeological assessment of the development site. No sub-surface developmental work, including geotechnical test pits, should be undertaken until the archaeological assessment has been completed and commented on by the Department of Housing, Local Government and Heritage and the written approval of the planning authority.

- (b) The archaeologist shall carry out any relevant documentary research and inspect the development site. As part of the assessment a programme of test excavation shall be carried out at locations chosen by the archaeologist (licensed under the National Monuments Acts 1930-2004), having consulted the site drawings and the National Monuments Service.
- (c) Having completed the work, the archaeologist shall submit a written report stating their recommendations to the planning authority and to the National Monuments Service. Where archaeological material/features are shown to be present, preservation in situ, preservation by record (excavation) or monitoring may be required.

Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

- 11. The landscaping scheme shown on drawing number ATH-HJL-S-XX-DR-A-0007, as submitted to the planning authority on the 4th day of June, 2024, shall be carried out within the first planting season following substantial completion of external construction works.

In addition to the proposals in the submitted scheme which shall be carried out to the requirements of the planning authority, the following shall be carried -

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.

- 12. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

13. The parking areas serving the hotel development shall be provided with functional electric vehicle charging points to allow for the provision of future electric vehicle charging points. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of sustainable transportation.

14. A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

Reason: In the interest of environmental protection, residential amenities, public health and safety and environmental protection.

15. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of reducing waste and encouraging recycling.

16. Prior to the commencement of development, the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a

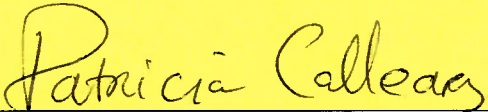
service connection(s) to the public water supply and/or wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

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

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

Board Member


Patricia Callear

Date: 10/03/2025