



An
Bord
Pleanála

**Board Order
PL 26.249271**

Planning and Development Acts 2000 to 2017

Planning Authority: Wexford County Council

Planning Register Reference Number: 20170917

Appeal by David Garahy care of Auveen Byrne and Associates of Lioscarran House, 32 Dale Road, Kilmacud, Stillorgan, County Dublin against the decision made on the 31st day of August, 2017 by Wexford County Council to grant subject to conditions a permission to Combray Limited care of O'Leary Sludds Architects Limited of Wexford Enterprise Centre, Strandfield Business Park, Kerlogue, Wexford in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of a 26 bedroom extension with ancillary hotel services and associated site works at Treacy's Hotel, Templeshannon, Enniscorthy, County Wexford. The proposed development is within the curtilage of a protected structure – 30 Former "Afrocorthy" of RPS number E101.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Having regard to the Enniscorthy Town and Environs Development Plan 2008-2014 as extended, it is considered that, subject to compliance with the conditions set out below and to the omission of the southern portion of the proposed extension and the redesign of a link corridor element, the proposed development would comply with the town centre zoning objective for the site, would be compatible with its position within the setting of the protected structure at 30 Templeshannon and its location within both the streetscape of the Templeshannon Architectural Conservation Area and the townscape of Enniscorthy town centre, would not seriously injure the visual and residential amenities of the area, would be acceptable in terms of traffic safety and convenience and that car parking requirements would be satisfactorily addressed, and would not pose a risk of flooding. 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 An Bord Pleanála on the 24th day of October, 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. The proposed development shall be amended as follows:

- (a) the southern portion of the proposed extension, which would be sited within the curtilage of 30 Templeshannon and to the rear of the protected structure at this address shall be omitted in its entirety,
- (b) the southern elevation resulting from (a) shall have windows inserted within it, and
- (c) the proposed corridor link at third and fourth floor levels between the existing hotel and the proposed extension shall be redesigned to be a glazed corridor link.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure that the proposed development respects the setting of the protected structure at 30 Templeshannon and to ensure that it would not seriously injure the visual amenities of the Templeshannon Architectural Conservation Area and the townscape of Enniscorthy town centre.

3. The proposed use of the yard to the east of “Ardmount” as a hotel car park shall be the subject of a separate planning application.

Reason: This use was not referred to in the description of the proposal and, therefore, cannot be authorised by this permission.

4. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which 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, and
 - (b) employ a suitably-qualified archaeologist prior to commencement of development. The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues:

- (i) the nature and location of archaeological material on the site, and
- (ii) the impact of the proposed development on such archaeological material.

A report, containing the results of the assessment, shall be submitted to the planning authority and, arising from this assessment, the developer shall agree in writing with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works.

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 area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.

5. 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 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,
 - (e) measures to obviate queuing of construction traffic on the adjoining road network,
 - (f) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network,
 - (g) 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,
 - (h) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels,

- (i) 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,
- (j) off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil,
- (k) means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

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

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

- 6. 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.

- 7. Water supply and drainage arrangements shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

8. 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.

9. No additional development shall take place above roof level, including lift motors, air handling equipment, storage tanks, ducts, or other external plant other than those shown on the drawings hereby approved, unless authorised by a prior grant of planning permission.

Reason: In order to safeguard the visual amenities of the area.

10. 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.

