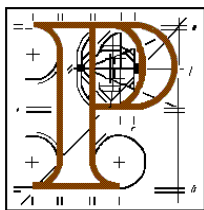


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Kildare County Council

Planning Register Reference Number: 17/35

An Bord Pleanála Reference Number: ABP-300023-17

Appeal by Naas Village Owners Management CLG care of Advanced Building and Land Surveyors of 26/27 Pembroke Street, Dublin against the decision made on the 28th day of September, 2017 by Kildare County Council to grant subject to conditions a permission to The Osprey Hotel Limited care of Moloney O'Beirne Architects of Oyster Point, Temple Road, Blackrock, County Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: (a) The construction of a detached new 24 bedroom block over three storeys to the side of the existing hotel; (b) the demolition of the existing single storey hotel backup generator outbuilding and adjacent associated landscaping and the relocation of the hotel backup generator to the existing basement shaft to the side of the proposed bedroom block; (c) the redistribution of the existing 32 car parking spaces by way of eight number spaces in front of the proposed bedroom block, 10 number new spaces to the existing bus parking bays on the northern boundary of the site and by creating an entrance into the existing currently inaccessible ESB substation area and for the provision of 14 new spaces in this area including associated ancillary site works at The Osprey Hotel and Spa, The Devoy Quarter, Naas, County Kildare.

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 pattern of development in the vicinity and the proposals for replacement car parking spaces within Devoy Quarter, it is considered that, subject to compliance with the attached conditions, the proposed development would not impact on the amenities of property in the vicinity, would be acceptable in terms of traffic safety and convenience, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out 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 1st day of September 2017, and by the further plans and particulars received by An Bord Pleanála on the 11th day of January 2018, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. Prior to commencement of development, details of the materials, colours and textures of all the external finishes to the proposed apartment building shall be submitted to the planning authority for written agreement.

Reason: In the interest of orderly development and the visual amenities of the area.

3. 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 and to ensure a proper standard of development.

4. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site.

Reason: In the interest of orderly development and the visual amenities of the area.

5. The proposed apart-hotel development shall be used only as a short-stay tourist accommodation facility, with a maximum occupancy period of two months, and shall not be used for permanent occupation or for use as a student residence. It shall be retained in single overall ownership with the adjoining hotel building.

Reason: In the interest of orderly development and to protect residential amenities.

6. No advertisement or advertisement structure, the exhibition or erection of which would otherwise constitute exempted development under the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, shall be displayed or erected on the building or within the curtilage of the site, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

7. Site development works shall be confined to 0800-1800 hours, Monday to Friday only.

Reason: In the interest of residential amenity.

8. Prior to commencement of development, the developer shall submit, and obtain the written agreement of the planning authority to, a plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials, and for the ongoing operation of these facilities.

Reason: To provide for the appropriate management of waste and, in particular, recyclable materials, the interest of protecting the environment.

9. 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 the 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.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2018