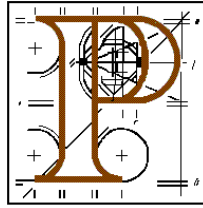


# An Bord Pleanála



## Inspector's Report

PL17.245798

**DEVELOPMENT:** Permission for the construction of a new front porch to the Hotel and Bar area of the Neptune Hotel, Bettystown Square, Bettystown, County Meath.

### PLANNING APPLICATION

**Planning Authority:** Meath County Council

**Planning Authority Reg. No.:** LB15/0356

**Applicant:** Emma Reddan

**Application Type:** Permission

**Planning Authority Decision:** **REFUSE PERMISSION**  
for Reasons and Considerations (1)

### APPEAL

**Appellant:** Emma Reddan

**Type of Appeal:** **FIRST PARTY**

**Observer:** None

**DATE OF SITE INSPECTION:** 28<sup>th</sup> January, 2016.

**INSPECTOR:** Dermot Kelly

## 1. SITE LOCATION

The subject site is located at The Neptune Hotel, Bettystown Square, in the centre of the coastal town of Bettystown, County Meath, as indicated on **APPENDIX A - LOCATION MAP**.

## 2. SITE DESCRIPTION

2.1 The subject site lands at The Neptune Hotel, Bettystown are approximately 0.55 hectares in area and include the original five-bay Neptune Hotel building with an existing front porch centred on the main entrance to the building.

2.2 The Planning Report for the Planning Authority described the site: 'The application site is located in the town centre of Bettystown. It comprises the porch area of a public house and external area abutting same. The porch is set back from the road edge with a paved area between the building and road. Outdoor seating associated with the public house is located in the north-east area of the site. This is cordoned off from the footpath. The public house is part of the Neptune Hotel complex (hotel not currently in operation).'

2.3 The attached Photographs in **APPENDIX B – PHOTOGRAPHS** (including Key Plan which indicates the approximate Photograph locations) illustrate the nature of the subject site and its context.

## 3. PROPOSED DEVELOPMENT

### 3.1 Planning Application

- The proposed development comprises as specified in the Public Notices: Permission for the construction of a new front porch to the Hotel and Bar area of the Neptune Hotel, Bettystown Square, Bettystown, County Meath.
- The proposed front porch – which extends across the front of the original five-bay Neptune Hotel building and also extends across the Public Bar entrance in the adjoining three-bay building – is specified as 12.2 square metres in area.

### **3.2 Further Information Request**

The Planning Authority sought Further Information including as follows: 'The design of the proposed porch extension, which is asymmetrical in form and extends across a substantial area of the existing buildings, is not considered to be consistent with the character of the existing building on site and would be detrimental to the visual amenities of the area and contrary to HER POL 14 of the East Meath Local Area Plan 2014-2020 which states 'To conserve, protect and enhance the architectural heritage and to ensure that new development makes a positive contribution to the historic character of the area'. You are requested to submit a revised design in which the entrance door retains the same central location as currently exists and both of the end windows at ground floor level are visible in the main building façade i.e. building with 'Neptune Beach' inscription.'

### **3.3 Further Information Submission**

Further Information was received on 8<sup>th</sup> October, 2015 including additional drawings and stating that the only preferred option was Option C. The submitted Photographs (2) are noted.

## **4. NOTIFICATION OF DECISION OF PLANNING AUTHORITY - Submissions and Relevant Reports**

### **4.1 Third Party Submission on Planning Application**

This Submission was received in support of the proposed development including by reason that the proposed new front porch would improve customer comfort and as it was considered that 'the proposed design for the new porch is very suitable as it complements the existing structure'.

### **4.2 Planning Report for Planning Authority**

- The Planning Report, dated 26<sup>th</sup> May, 2015 included documenting the Planning History of the subject site/area and relevant provisions of the 2014-2020 East Meath Local Area Plan.
- Under 'Design and Amenity' was stated as follows:  
'There is an existing porch to the bar which consists of a central door with window either side and which has a pitched roof. The

proposed porch would elongate the existing porch, extending across the façade of the building to the north and south. The proposed porch is extended further in a northerly direction, extending the full length of the building façade and across to an adjoining building, which is attached to the bar/hotel but with a lower roof profile and appears as a separate element.’, and

‘The design and alignment are considered to be detrimental to the character of the building and visual amenity contrary to Policy HER POL 14 of the East Meath LAP and the approach of the LAP to town centre development where it is stated that all new development should make a positive contribution to the public realm and reflect the character and setting of this coastal resort. The design should therefore be amended.’

It was recommended that Further Information be requested.

### **4.3 Final Planning Report for Planning Authority**

- This report dated 4<sup>th</sup> November, 2015 included stating as follows in regard to the Further Information Submission:

‘The drawing (Option B) as submitted in the further information response is the same as that submitted with the initial planning application documentation. No changes appear to have been made as a result of the further information request and the concerns raised by the Planning Authority therein. It is not considered that the photography submitted illustrates any technical requirement for an offset in the external and internal doors as proposed in the drawings. It is noted that it is a typical feature of porches that the external and internal entrance doors coincide in location’, and also

‘It is considered that there is a lack of balance and symmetry to the design of the porch and the proposal is not in keeping with the character of the existing building on the site. This site is located in a highly prominent location in Bettystown town centre and it is considered that any new development should make a positive contribution to the urban realm in this location. Any new proposal for the development requires a greater consideration of the architectural qualities of the building and the integration of new development with same.’

- Refusal of permission was recommended for the Reasons and Considerations as stated in the notification of decision of the Planning Authority.

#### 4.4 Notification of Decision of Planning Authority

The Planning Authority, Meath County Council, issued a notification of decision to **REFUSE PERMISSION** for the proposed development for Reasons and Considerations (1) as follows:

1. The proposed development by virtue of its design and layout which does not respect and integrate with the existing building on the site, would be injurious to the visual amenities of the area, contrary to Policy HER POL 14 of the East Meath Local Area Plan 2014-2020 and the approach of the Local Area Plan to town centre development where it is stated that all new development should make a positive contribution to the public realm and reflect the character and setting of this coastal resort and would set an undesirable precedent for future development of this type. It would therefore be contrary to the proper planning and sustainable development of the area.

#### 5. APPEAL GROUNDS

##### First Party Appeal

The First Party Appeal Grounds included as follows: 'The development of the Neptune over the years and indeed the present proposal for a Porch has been designed with the following brief:

- (a) Windows to match existing.
- (b) Dashed finish to match existing.
- (c) Doors to match existing.
- (d) Roof to match existing.'

It was submitted that development had been permitted in Bettystown which 'was not in keeping with Bettystown'.

- 'Photograph 8 shows the existing porch which was constructed in 1997 and is completely unsuitable for the current uses of the Hotel, Bar, Restaurant and Lounge area as follows:-
  - (a) A very large number of wheelchair users for the Ozanam House in Mornington and the local wheelchair group use the premises. The porch and the access area is completely unsuitable at the moment.
  - (b) The proposed porch is wider and allows for wheelchair turning and meets fully the requirements of TGD M.
  - (c) It also allows the wheelchair user wait in shelter for their taxi or mini bus.

(d) The area shown green within the Bar, Lounge and Restaurant is currently left unusable by wheelchair and other users during windy and heavy rain periods of 75% of the time if you take into account cold air periods.

These problems will all be solved if the Porch as proposed is constructed and will also provide the following:-

- (1) Reduction in heating costs of this area by 65%.
- (2) Allow comfort for wheelchair users and other users of the premises and meet fully the requirements of Disability Access in the area.'

- The proposed New Front Porch would increase tourists and employment in the area and the existing four car parking spaces would be relocated to the rear. The attached Report included:

'I disagree that the design is contrary to HER POL 14 of the East Meath Local Area Plan 2014-2020 as the design brief was for windows, dashing, roof to match existing. In addition, if you look at Drawing 006 you will see this porch is in a central location of the hotel with two windows not in the porch area to the north and two windows to the south not in the porch area. The proposed main doors of the porch are in the centre of the total hotel area. See Drawing 006.'

## **6. APPEAL RESPONSES**

### **6.1 Appeal Observation**

No Appeal Observation was received.

### **6.2 Planning Authority Appeal Response**

This Appeal Response received 16<sup>th</sup> December, 2015 included stating: 'The Neptune Hotel is an attractive building in the centre of Bettystown and makes a considerable contribution to the character of the area. The Planning Authority consider that the principle of a porch to the front of the building is acceptable. It is noted that the form of the existing porch to the building has altered over time. The most recent iteration does not significantly impinge on the character of the building and the Planning Authority is anxious to ensure that any future development would similarly seek to conserve this character and ensure that the building continues to make a positive contribution to the urban realm. Reference is made to other developments in the vicinity of the site.

However each application must be assessed on its own merits taking into account the particulars of each site and proposal.'

## 7. PLANNING HISTORY

The Planning Report for the Planning Authority documented the extensive Planning History of the subject site/area.

## 8. LOCAL AREA PLAN

- The provisions of the 2014-2020 East Meath Local Area Plan have been considered, and in particular the following provisions which are attached in **Appendix C – Development Plan:-**
- The B1 – 'Commercial/Town or Village Centre' land use zoning objective for the subject site:  
'To protect, provide for and/or improve Town or Village Centre facilities or uses.'
- The Planning Report for the Planning Authority documented relevant provisions in the Local Area Plan which include:  
'*Architectural Heritage Policies and Objectives:*  
In order to protect the architectural heritage within the plan area it is the policy of Meath County Council:  
HER POL 14: To conserve, protect and enhance the architectural heritage and to ensure that new development makes a positive contribution to the historic character of the area.'

## 9. PLANNING ASSESSMENT – Issues and Evaluation

Having regard to the above and having inspected the site and having reviewed all documents on file, the following is my assessment of this case where the major planning issues for consideration are as follows:

### **Proposed Development and First Party Appeal Grounds**

- The subject site lands at The Neptune Hotel, Bettystown are approximately 0.55 hectares in area and include the original five-bay Neptune Hotel building with an existing front porch centred on the main entrance to the building.

- The proposed development comprises as specified in the Public Notices: Permission for the construction of a new front porch to the Hotel and Bar area of the Neptune Hotel, Bettystown Square, Bettystown, County Meath.
- The proposed front porch – which extends across the front of the original five-bay Neptune Hotel building and also extends across the Public Bar entrance in the adjoining three-bay building – is specified as 12.2 square metres in area.
- I note the Planning Authority sought Further Information including: ‘The design of the proposed porch extension, which is asymmetrical in form and extends across a substantial area of the existing buildings, is not considered to be consistent with the character of the existing building on site and would be detrimental to the visual amenities of the area and contrary to HER POL 14 of the East Meath Local Area Plan 2014-2020 which states ‘To conserve, protect and enhance the architectural heritage and to ensure that new development makes a positive contribution to the historic character of the area’. You are requested to submit a revised design in which the entrance door retains the same central location as currently exists and both of the end windows at ground floor level are visible in the main building façade i.e. building with ‘Neptune Beach’ inscription.’
- In the above regard I refer to the Photographs in Appendix B of this report which were taken on site inspection, and I confirm that I concur fully with the Planning Authority position in regard to the proposed development as set out above. I further consider that the existing front porch area is an attractive feature of the Neptune Hotel building in Bettystown, see Photograph 5 in Appendix B.
- I note that neither the Further Information Submission nor the submitted First Party Appeal Grounds included any revised proposals in regard to the proposed new front porch development.
- While I accept the First Party submissions in regard to a new front porch area linking the area outside the entrance to the Restaurant/Lounge and the area outside the entrance to the Bar as indicated on the submitted Floor Plan drawings, the resultant undesirable adverse visual impact on the character and setting of the two adjoining buildings is clearly indicated in my opinion on the submitted Front Elevation drawing – in contrast to the existing



attractive streetscape of these two distinct buildings as evident in Photographs 4-5 in Appendix B.

- In regard to the existing front porch and the proposed new front porch development, I concur with the Planning Report for the Planning Authority where stated as follows:  
‘There is an existing porch to the bar which consists of a central door with window either side and which has a pitched roof. The proposed porch would elongate the existing porch, extending across the façade of the building to the north and south. The proposed porch is extended further in a northerly direction, extending the full length of the building façade and across to an adjoining building, which is attached to the bar/hotel but with a lower roof profile and appears as a separate element.’
- Further to site inspection, see Photographs in Appendix B, I concur with the Final Planning Report for the Planning Authority where stated as follows in regard to the attractive Hotel building:  
‘This site is located in a highly prominent location in Bettystown town centre and it is considered that any new development should make a positive contribution to the urban realm in this location. Any new proposal for the development requires a greater consideration of the architectural qualities of the building and the integration of new development with same.’
- I note the First Party Appeal Grounds where stated that the windows/dashed finish/door and roof of the proposed new front porch, match those of the existing front porch which was constructed in 1997 and was unsuitable for reasons as specified including in regard to wheelchair access and increased comfort for customers.
- As stated I note that no revised design proposals as requested by the Planning Authority have been submitted either in the Further Information Submission or in the First Party Appeal Grounds and that the latter addressed the design issues as follows:  
‘I disagree that the design is contrary to HER POL 14 of the East Meath Local Area Plan 2014-2020 as the design brief was for windows, dashing, roof to match existing. In addition, if you look at Drawing 006 you will see this porch is in a central location of the hotel with two windows not in the porch area to the north and two windows to the south not in the porch area. The proposed main doors of the porch are in the centre of the total hotel area. See Drawing 006.’

- While I note contrary to as stated above that there is only ‘one window to the south not in the porch area’, I consider that the design of the proposed new front porch extension is totally unacceptable in that it seeks to provide a *unifying element* to *two distinctly different type buildings* – as evident in the Photographs in Appendix B of the five bay Neptune Hotel building and the adjoining three bay Hotel Bar building is of a smaller scale and with a lower roof.
- As such I fully concur with the Planning Authority Appeal Response where stated in regard to the proposed new front porch development at the Neptune Hotel, Bettystown:  
‘The Neptune Hotel is an attractive building in the centre of Bettystown and makes a considerable contribution to the character of the area. The Planning Authority consider that the principle of a porch to the front of the building is acceptable. It is noted that the form of the existing porch to the building has altered over time. The most recent iteration does not significantly impinge on the character of the building and the Planning Authority is anxious to ensure that any future development would similarly seek to conserve this character and ensure that the building continues to make a positive contribution to the urban realm.’
- As such in my opinion the proposed development by reason of inappropriate design, would contravene the stated Policy HER POL 14 in the 2014-2020 East Meath Local Area Plan:-  
‘HER POL 14: To conserve, protect and enhance the architectural heritage and to ensure that new development makes a positive contribution to the historic character of the area.’
- Accordingly I recommend that permission be refused for the proposed development in accordance with the Reasons and Considerations as amended hereunder of the notification of decision of the Planning Authority to refuse permission for the proposed development.

#### *Appropriate Assessment*

Having regard to the location of the subject site and to the nature and scale of the proposed development, I consider that no Appropriate Assessment issues arise in this case. It is not considered that the proposed development either individually or in combination with other plans or projects, would be likely to have a significant effect on a European Site.

## **10. CONCLUSIONS AND RECOMMENDATION**

In conclusion, further to the above planning assessment of matters pertaining to this appeal, including consideration of the submissions of each party to the appeal, and including the site inspection, I consider that the proposed development would be contrary to the proper planning and sustainable development of the area, having regard to the relevant provisions of the 2014-2020 East Meath Local Area Plan which are considered reasonable. Accordingly, I recommend that permission be refused for the proposed development for the Reasons and Considerations stated in the Schedule below.

### **DECISION**

REFUSE permission for the proposed development for the Reasons and Considerations set out below.

### **REASONS AND CONSIDERATIONS**

1. The proposed new front porch which extends across a substantial area of the two existing buildings of varied architectural character which comprise the attractive Neptune Hotel at this prominent location in the centre of Bettystown, would not be consistent with the character and setting of these two distinct buildings and would be detrimental to the visual amenities of the area and contrary to Policy HER POL 14 of the East Meath Local Area Plan 2014-2020 which requires 'To conserve, protect and enhance the architectural heritage and to ensure that new development makes a positive contribution to the historic character of the area', and the proposed development would therefore be contrary to the proper planning and sustainable development of the area.

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**DERMOT KELLY**  
**SENIOR PLANNING INSPECTOR**

**8<sup>th</sup> March, 2016.**

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APPENDIX A - LOCATION MAP  
APPENDIX B - PHOTOGRAPHS (incl. KEY PLAN)  
APPENDIX C - LOCAL AREA PLAN