



An
Bord
Pleanála

Inspector's Report PL26.249271

Development	A 26-bed extension with ancillary hotel services and associated site works.
Location	Treacy's Hotel, Templeshannon, Enniscorthy, Co. Wexford
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	2017/0917
Applicant(s)	Combray Ltd
Type of Application	Permission
Planning Authority Decision	Grant, subject to 11 conditions
Type of Appeal	Third party -v- Decision
Appellant(s)	David Garahy
Observer(s)	None
Date of Site Inspection	22 nd November 2017
Inspector	Hugh D. Morrison

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1.0 Site Location and Description

- 1.1. The site is located on the eastern side of Templeshannon (R744), a town centre street that runs on a north/south axis from its junction with Enniscorthy Bridge (N11) and Shannon Quay (N11) on the northern eastern side of the River Slaney. This street is composed of a variety of predominantly traditional multi-storey buildings that are subject to retail and commercial uses. It is of enclosed form with a tight two lane carriageway and narrow footways on either side.
- 1.2. The main body of the site is of regular shape and the entire site has an area of 0.1957 hectares. The main body accommodates the existing Treacy's Hotel a three storey building with a further two floors in its mansard roof. This Hotel maintains a frontage of 31.3m to the street and it is accompanied by a yard and outbuildings, which provide ancillary storage space above the two storey rear portion of the Hotel. The ground floor approximates to the street level of Templeshannon, while the yard and outbuildings approximate to the ground level of the adjoining residential property to the east, which is known as "Ardmount".
- 1.3. An appendage to the main body of the site comprises a lane that links the aforementioned yard to another street known as The Shannon. This site also accommodates two adjoining smaller three storey buildings at Nos. 30 and 31/32 Templeshannon. The former building is known as "Dempsey's" and it is a protected structure. The latter one is known as "D-Bar" and it is a new building. They are both in use as part of the overall Hotel.

2.0 Proposed Development

- 2.1. The proposal would entail the provision of essentially a two storey rear extension that would provide 26-bedrooms and ancillary storage space. This extension would be constructed over the existing yard and outbuildings above the two storey rear portion of the existing hotel. Its floors would correspond with the third and fourth floors of the existing Hotel. At its southern end and to the rear of No. 30 Templeshannon, the extension would have an additional storey at second floor level.
- 2.2. The majority of the aforementioned extension would be of rectangular form with ancillary elements that comprise a link block, towards the southern extremity, and a

return block, towards the northern extremity. The resulting space enclosed by the extension and the rear elevation of the upper floors of the existing Hotel would serve as a light well. The eastern rear elevation of this extension would overlook the neighbouring residential property, "Ardmount". Windows on this elevation would be orientated to the north and to the south.

- 2.3. The proposal would entail an increase in the floorspace of the Hotel by 1030 sqm from 3928 sqm to 4958 sqm.

3.0 Planning Authority Decision

3.1. Decision

Permission was granted subject to 11 conditions. The second of these conditions makes clear that this permission does not authorise the use of a nearby building compound as a car park and so such usage would need to be the subject of a further planning application.

3.2. Planning Authority Reports

3.2.1. Planning Reports

See the planning decision.

3.2.2. Other Technical Reports:

- Chief Fire Officer: Advises that a Fire Safety Certificate would be required.
- Area Engineer: Construction Traffic Management Plan requested.
- Environmental Scientist: Details of noise, dust, and vibration mitigation measures and waste management arrangements requested.
- Disability Access Officer: Advises that a Disability Access Certificate would be required.

3.3. Prescribed bodies

None.

3.4. Third Party Observations

See grounds of appeal.

4.0 Planning History

- TP1197: Demolition of Nos. 26 – 29 Templeshannon and the construction of the main hotel building: Permitted.
- TP1575: Demolition of Nos. 30 – 32 Templeshannon and the construction of a 36-bed extension to the hotel, including bar and restaurant facilities: Withdrawn.
- TP1734: Change of use, part demolition, construction, alteration and extension of existing three storey buildings: Permitted.
- TP1744: Retention of fourth floor layout and 9 rooflights to the front and 6 rooflights to the rear elevations + Proposed alterations to this layout to reduce the number of bedrooms from 11 to 9, to replace the said rooflights with 10 dormer style windows to the front and 8 dormer style windows to the rear elevations, and rear lift extension upwards: Permitted.
- P2017/0338: Pre-application consultation held on 14th June 2017.

5.0 Policy Context

5.1. Development Plan

Under the Enniscorthy Town and Environs Development Plan 2008 (extended to 2019), the site is shown as lying within an area that is the subject of the town centre zoning with an objective “To protect and enhance the special physical and social character of the existing town centre and provide for new or improved town facilities.” It is also shown as lying within a zone of archaeology (WX020-031) and in the Templeshannon ACA. (It is within the vicinity of a national monument (WX020-031), too). There is a protected structure on the site at No. 30 Templeshannon (RPS No. E101 (NIAH No. 15603199)). Protected views EV07 & 16 from Slaney Street, on the south western side of the River Slaney, include the hotel on the site within their vistas.

Objective TM04 states, “To develop and maximise the tourism potential of Wexford by facilitating the expansion of existing and the provision of new sustainable tourism products, facilities and infrastructure while ensuring the protection of the environment.”

5.2. Natural Heritage Designations

Slaney River Valley SAC and Slaney River Valley NHA (both site code 000781).

6.0 The Appeal

6.1. Grounds of Appeal

David Garahy of “Ardmount”, The Shannon, Enniscorthy

The appellant begins by both describing his residential property and that of the applicant’s hotel, and outlining the proposal, the planning policy context and history of the site.

Attention is drawn to several matters:

- With respect to drawing no. 17020 P 013 Sections 1 and 6 are cited as displaying inaccuracies, i.e. the former omits dormer windows from the fourth floor and the latter omits a small side wall that projects from the mansard roof.
- The application is invalid insofar as the site identified as a construction phase yard does not adjoin the site and so it is not exempted development and the after use of this site as a car park has not been included in the formal description of development.

Under the heading impact of the proposal, the applicant makes the following points:

- The appellant’s residential property “Ardmount”, i.e. the dwelling house, its curtilage, and its walls, is all of historic interest and the residential use of this property is as permissible under the town centre zoning as the applicant’s hotel.
- The rear elevation of the proposal would, due to its proximity to the common boundary, height, length, and blank look, appear as visually obtrusive from

within “Ardmount”. While the windows in this elevation would be angled, they would still overlook the appellant’s rear garden, resulting in a loss of privacy within the same. Likewise overshadowing would ensue. In this respect, no lighting study was submitted with the application.

- The extended hotel would exhibit a high plot ratio of 2.5.
- The history of the site indicates that the applicant previously sought to extend to the south by the redevelopment of Nos. 30 – 32 Templeshannon. When this attracted objection, the applicant changed course and refurbished these properties for the purpose of providing new facilities. That the outstanding bedrooms should now be sought by means of a rear extension that would impact on the residential amenities of “Ardmount” is unreasonable. Furthermore, the development potential of “Ardmount” would be inhibited.
- The site lies within an ACA and No. 30 is a protected structure. Additionally, it lies within the vistas of protected views EV07 & 16. The existing building is large within these views and so its extension would cause it to appear out of scale. This extension would obscure the presence of trees beyond and it would be both an unattractive feature within the ACA townscape and harmful to the setting of the protected structure.
- The need for 28 car parking spaces would be addressed by a financial contribution. In these circumstances, the Planning Authority should indicate where it would provide any compensatory parking.

The appellant comments on the case planner’s report, which did not recommend any material modifications to the proposal, as follows:

- The Planning Authority’s handling of the car parking question is considered to be unsatisfactory. Thus, the proposal should be refused on the basis that car parking provision has not been properly addressed.
- Likewise, the proposed construction phase compound has not been satisfactorily addressed and so this provides a further ground for refusal.
- The absence of comment from statutory conservation consultees is lamented.
- The Planning Authority has not balanced sufficiently the interests of the applicant as a commercial user of land and the appellant as a local resident.

- The description of the site in the pre-application consultation minutes as “typical of a town centre site” is contested by reference to its considerable constraints, i.e. the protected structure, levels across the depth of the site, and the proximity of the appellant’s dwelling house.
- The Planning Authority’s position that the 2.7m high wall along the common boundary and the presence of trees and shrubs in the appellant’s garden would mitigate the impact of the proposal is contested, i.e. it would nevertheless be overbearing.
- The Planning Authority’s discussion of protected views is considered to be inadequate as it prematurely dismisses the impact of the proposal upon EV016 and it does not discuss EV07 or the view from the castle ramparts.
- The Planning Authority does not consider the impact of the proposal upon the Templeshannon ACA. In this respect, its design would not be of a standard commensurate with its inclusion in this ACA.

6.2. Applicant Response

With respect to residential amenity concerns, the following points are made:

- The appellant’s dwelling house is sited 10m back from the common boundary and none of the windows of his dwelling house face this boundary. The privacy of his residential property would be safeguarded by the specification of angled windows to the rear elevation of the proposal. In this respect, it would represent an improvement over the existing situation.
- The appellant’s residential property may be old, but its historic interest has not been established thereby. The entire property would remain in the event the proposal proceeds.
- The proposal would not exceed the height of the existing hotel and it would present as two storeys above the 2.7m high wall on the common boundary. Its mass would be broken up by existing planting. Accordingly, it would not be overbearing. Nevertheless, if the Board deems it to be necessary, the rear elevation could be conditioned to be a “living wall”, i.e. portions of this elevation could be planted with vegetation.

- Attention is drawn to the generously dimensioned curtilage to the appellant's property, which exceeds conventional DP standards, and the limited increase in overshadowing that would arise under the proposal (cf. submitted shadow analysis plans).

With respect to the ACA and the protected structure, the following points are made:

- The features of No. 30 identified by the NIAH would all be retained under the proposal. That the proposal would abut the rear of the protected structure is not necessarily an issue, i.e. it could be seen as framing this structure by means of a contrasting modern structure with contemporary finishes. In any event, its presence would not be evident from street level.

With respect to protected views, the following points are made:

- While the presence of the proposal would be evident in certain protected views, the above cited "living wall" would soften its visual impact. Such a wall could be introduced into the elevation that would rise above the protected structure, too.

With respect to other issues, the following points are made:

- The proposed car park would be the subject of a separate planning application, the need for which was referred to in the case planner's report.
- Noise is addressed under the parent permission by means of a condition, which the applicant is confident it is compliant with.
- The legal right to light is different from any BRE assessment of lighting. Again the applicant is confident that this right would not be imperilled by the proposal.

6.3. Planning Authority Response

No further comments to make.

6.4. Observations

None.

6.5. Further Responses

None.

7.0 Assessment

7.1. I have reviewed the proposal in the light of national planning guidelines, the Enniscorthy Town and Environs Development Plan 2008 (TEDP), relevant planning history, the submissions of the parties, and my own site visit. Accordingly, I consider that the current application/appeal should be assessed under the following headings:

- (i) Legalities,
- (ii) Land use,
- (iii) Conservation,
- (iv) Visual amenity,
- (v) Residential amenity,
- (vi) Traffic, access, and parking,
- (vii) Water, and
- (viii) AA.

(i) Legalities

7.2. The appellant draws attention to the omission of certain details from the depiction of the existing hotel in the submitted plans. These details pertain to the consistent depiction of the fourth floor dormer windows in the front roof plane and the depiction of the roof and an associated stairwell that abuts the south eastern corner of this roof. In relation to the former omission, I note that the windows in question are depicted in the submitted floor plans and so to that extent they are shown. In relation to the latter omission, the submitted plans do not show the southern and eastern elevations of the hotel “as existing”, as distinct from “as proposed”. The rear roof plane is of mansard type and the stairwell in question would be reconfigured as part of the proposal and so the submitted plans are accurate.

7.3. The appellant also draws attention to the yard, which lies on the far side of “Ardmount” from the hotel site (cf. drawing no. 17-020 P-002). This yard is leased by

the applicant and it is identified in the application as one that could be used during the proposal's construction phase and, thereafter, as a car park. The appellant states that, as this yard does not adjoin the site, the normal exemption, under Class 16 of Part 1 to Schedule 2 to Article 6 of the Planning and Development Regulations, 2001 – 2017, afforded to "structures, works, plant, or machinery" needed in connection with the construction phase would not apply. He also states that, as this yard and its future use as a car park are not cited in the description of the proposal, this future use cannot be authorised under the current application.

- 7.4. Neither the applicant nor the Planning Authority have commented on the first of the appellant's points set out in the foregoing paragraph. *Prima facie*, I consider that his reading of the Regulations is correct and so there may be the need for a further application to address the use of the said yard under any construction phase. The first and second parties do accept the second point and so condition 2 attached to the draft permission states that a separate permission would be necessary for the proposed use of the yard as a car park.
- 7.5. I conclude that there are no legalities that would inhibit the Board from assessing and determining the current application/appeal in the normal way.

(ii) Land use

- 7.6. The site lies within the town centre and it is presently in use as a hotel, which, under the TEDP, is a permissible in principle use within this centre. The proposal would entail an intensification of this use on the site.
- 7.7. The appellant's residential property, known as "Ardmount", adjoins the site to the east. This property, too, lies within the town centre and its residential use is likewise permissible in principle.
- 7.8. In the light of the foregoing, the appellant contends that, as both uses are on a par under the TEDP, the Planning Authority's assessment of the proposal fails to give sufficient weight to the amenities of the appellant's residential property.
- 7.9. I accept that both uses are permissible in principle and that any assessment of the current proposal does need to weigh the reasonable aspiration to intensify the hotel use, on the one hand, with the maintenance of an urban standard of residential amenity for the adjoining property, on the other hand. Whether or not I consider that

the Planning Authority's assessment has struck the appropriate balance or not will become clear as my assessment progresses.

7.10. I conclude that there is no, in principle, land use objection to the current proposal.

(iii) Conservation

7.11. The site encompasses three distinct buildings, i.e. the multi-storey building that presents to the streetscape as "Treacy's Hotel" and two shorter three storey buildings at Nos. 30 and 31/32 Templeshannon, the first of which is a protected structure (RPS No. E101 (NIAH No. 15603199)). These buildings were the subject of permitted application TP1734, which authorised the conversion of No. 30 and the rebuilding of Nos. 31/32 for bar/lounge/restaurant uses and an entrance passageway to the night club in the rear portion of the hotel itself.

7.12. The description of the current proposal states that it would come within the curtilage of No. 30. A comparison of historic maps of the site within its context and this proposal indicates that it would be the three storey portion at the southern end of the extension which would come within this curtilage. This portion would be constructed above apparatus on the roof to a first floor bar, which is accessed from the ground floor night club in the rear of the hotel. Two-and-a-half of its storeys would exceed the ridgeline of the existing street fronted building at No. 30. The resulting discrepancy in height would be unlikely to be apparent from street level within Templeshannon, due to the narrowness of this street and the presence of nearby multi-storey buildings. From the rear of the existing building, this discrepancy would be apparent. From vantage points to the west within the grounds of the Leisure Centre, I anticipate that the proposed extension would only be likely to be visible in conjunction with the roof of the existing building. From within the grounds of "Ardmount" only the upper two storeys of the extension would be visible above the eastern boundary wall to this residential property.

7.13. Policy BH4 of the TEDP states that high quality design will be a foremost consideration when assessing proposals for development within the curtilage of protected structures. Apart from the height and scale of the portion of the proposed extension in question, it would have a box-like design and its appearance would entail the specification of blank elevations to the east and to the west, which would be finished in painted render. The remaining southern elevation would entail a row of

three windows on each of the floors. Thus, the extension would be of utilitarian design and appearance.

- 7.14. The appellant contends that the proposal would harm the setting of the protected structure and the applicant counters by stating that its contemporary design would frame and thereby contrast with this structure. In the light of my discussion above, I consider that the scale of the southern portion of the proposal would be excessive and that the design, while contemporary, would be insufficiently sympathetic to its immediate context.
- 7.15. The site also lies within the Templeshannon ACA and within protected views from Slaney Street, which are identified in the TEDP, i.e. EV07 & 16, and so I will consider the townscape implications of the proposal under the following heading of my assessment.
- 7.16. I conclude that the southern portion of the proposal would lie within the curtilage of the protected structure at No. 30 Templeshannon and that, while joint views of this portion and the protected structure would be limited in number and extent, I am, nevertheless, concerned that the height, scale, form, design, and appearance of this portion of the proposal would fall short of the aspirations of Policy BH4 of the TEDP.

(iv) Visual amenity

- 7.17. The proposal would feature in short range and longer range views of the site. Examples of the former would be from within "Ardmount" and the street to the north of this residential property, known as The Shannon. Examples of the latter would be from Island Road in the vicinity of Enniscorthy Bridge (EV016) and from Slaney Street (EV07). Within the first three of these views, the profile of the proposal would appear on the skyline and, within the fourth view, it would appear against the backdrop of the existing townscape of The Shannon, which is composed of buildings and trees.
- 7.18. Within the first two of the aforementioned views, the proposal would conceal existing views of the rear mansard roof of the hotel with its third and fourth floor windows, which include a hipped gable element at third floor level and dormer windows at fourth floor level. This existing vista is not particularly attractive and the rectangular form of the proposed extension, of which the upper two storeys would be visible complete with projecting angled windows, would arguably present a more coherent

vista. That said, at the southern end of the proposal, its blank eastern elevation would accentuate its elongated form. The applicant, at the appeal stage, has indicated that the visual impact of this portion of the elevation could be relieved by means of a living wall. Nevertheless, I remain concerned that the proposal would appear unduly elongated.

7.19. At present the third and fourth views of the hotel are of its southern gable. Under the proposal this gable would continue to be visible, but it would be accompanied by the link corridor element and, in a forward position, the southern elevation of the three storey portion of the extension. The height of this link and this extension would coincide with the ridgeline of the hotel. The link would be of solid form, while the windowed southern elevation would have a solid/light form. Consequently, the profile of the existing rear roofline to the gable would be obscured by a lack of differentiation between the gable and the link. If a glazed link were to be introduced instead, then the existing gable and the said southern elevation could be differentiated and the perceived bulk of the proposal relieved, accordingly.

7.20. I conclude that the proposal would be capable of being compatible with the visual amenities of the townscape if the southern portion of the extension is omitted and the link element is redesigned to be a glazed one.

(v) Residential amenity

7.21. The appellant draws attention to the impact that the proposal would have upon the residential amenities of his property “Ardmount”. He expresses concern that this proposal would be overbearing and that it would result in overlooking and overshadowing.

7.22. The applicants have responded to this critique.

- With respect to the overbearing concern, they draw attention to fact that only the upper two storeys of the proposal would be visible above the 2.7m high wall between “Ardmount” and the site and the presence of these storeys would be mitigated by existing trees within the appellant’s garden.
- With respect to overlooking, they draw attention to the existing situation whereby third and fourth floor windows in the rear (eastern) elevation of the hotel directly overlook “Ardmount”, whereas, under the proposal, the windows

on the eastern elevation would be angled to face north and south, thereby ensuring that overlooking is reduced to the vicinity of the boundary only. A net decrease in overlooking would thus ensue.

- With respect to overshadowing, they have submitted a shadow/lighting study plan of the existing and proposed scenarios for their site. This plan depicts overshadowing for 21st March at 0900, 1200, and 1500. An increase in overshadowing would thus arise at 1500. Had 1800 been included, too, I anticipate that a more pronounced increase would arise then.

7.23. The appellant's dwelling house is sited centrally within its grounds. This dwelling house is orientated on a roughly north/south axis and so the main habitable room openings are in the elevations that face in these directions. The northern side elevation would correspond with the eastern elevation of the proposal over a separation distance of c. 11.75m. The outlook from the openings in the southern elevations would include the southern portion of the proposal. The omission of this portion has been identified under above headings with respect to conservation and visual amenity. Such omission would also ease the overbearing effect of what would otherwise be an unduly elongated elevation at a point where its visibility from the said openings would be greatest. Overshadowing of the garden would also be correspondingly eased.

7.24. I conclude that, if the southern portion of the proposed extension is omitted, then the more overbearing aspect of the proposal would be relieved and overshadowing would be eased somewhat. A net reduction in overlooking would arise from the extension as a whole. Accordingly, "in the round" the proposal would be compatible with the residential amenities of "Ardmount", the residential property which would be most immediately affected by it.

(vi) Traffic, access, and parking

7.25. The proposal would entail a significant increase in the number of bedrooms in the applicant's hotel, i.e. by 26, from 57 to 83. While the site is close to Enniscorthy railway station and country bus stops, this increase would be likely to generate an increase in private vehicular traffic, with a corresponding increase in the call upon parking spaces.

- 7.26. The applicant has identified the yard that he leases to the east of “Ardmount” as a site wherein, under the TEDP, the requisite 26 car parking spaces could be provided. However, as such provision was not referred to in the description of the proposal, it is not one that can be authorised under the current application. The Planning Authority attached condition 5 to its draft permission, whereby a levy is required in lieu of car parking spaces. The appellant has requested information as to where such spaces would be provided. However, the Planning Authority has not been forthcoming in this respect.
- 7.27. The site is accessed off Templeshannon and The Shannon. This site is already developed and the said town centre streets are narrow and heavily trafficked at peak times. Consequently, the logistics of any construction phase and the management of construction generated traffic would be challenging. The applicant has submitted an outline construction management plan, which also addresses traffic management. Under any permission more detail in these respects should be conditioned.
- 7.28. I conclude that the proposal would generate an increase in traffic and a corresponding increase in the call upon car parking spaces. In the absence of the provision of such spaces under this application, a levy in lieu of such provision is needed. Likewise, any construction management plan should address the challenges that the locality of the site poses for the access of construction traffic.

(vii) Water

- 7.29. The proposal is for the extension to an existing town centre hotel, which is served by the public water mains supply and the public foul and surface water sewers.
- 7.30. The completed application forms indicate that the front portion of the hotel, which lies at a lower level than the rear portion, was the subject of fluvial flooding in 2000 & 2015. The relevant OPW draft CFRAM map shows the south western corner of the site as lying within Zone A and the south western half of the site as lying within Zone B for flood risk purposes.
- 7.31. Normally, under The Planning System and Flood Risk Management Guidelines, a site within the Zones A and B would prompt a sequential exercise. However, as (a) the subject site lies within Enniscorthy town centre, (b) the proposal is for an extension that would be constructed at a level well above the level of Templeshannon, which is the street at risk of flooding, and (c) as emergency escape

routes would be available onto The Shannon, an adjoining site at a higher level than Templeshannon, I do not consider that such an exercise is required.

(viii) AA

- 7.32. The site does not lie within a Natura 2000 site. The nearby River Slaney is such a site, i.e. it is designated the Slaney River Valley SAC (site code 000781). As outlined above under the heading of water, the site is a fully serviced urban one and the proposal is simply for an extension to the existing hotel on this site. Accordingly, no Appropriate Assessment issues would arise.
- 7.33. Having regard to the nature and scale of the proposal and the nature of the receiving environment, no Appropriate Assessment issues arise and it is not considered that the proposal would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

That permission be granted

9.0 Reasons and Considerations

Having regard to the Enniscorthy Town and Environs Development Plan 2008, it is considered that, subject to conditions, the proposal would comply with the town centre zoning objective for the site and that, subject to the omission of the southern portion of the proposed extension and the redesign of a link corridor element, this proposal would be compatible with its position within the setting of the protected structure at No. 30 Templeshannon and its location within both the streetscape of the Templeshannon ACA and the townscape of Enniscorthy town centre. Likewise, the proposal would be compatible with the visual and residential amenities of the area. Traffic generation and car parking requirements would be capable of being satisfactorily addressed. No flood risk or Appropriate Assessment issues would arise. The proposal would thus accord with the proper planning and sustainable development of the area.

10.0 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 No. 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.
 - (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 proposal respects the setting of the protected structure at No. 30 Templeshannon and to ensure that it is compatible with the visual amenities of the Templeshannon ACA 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 so it cannot be authorised under 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 with any application for permission consequent on this grant of outline permission. Details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to the commencement of construction work, shall be determined at permission consequent stage.

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 kept 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.

11. The developer shall pay to the planning authority a financial contribution in lieu of the provision of car parking spaces on site with respect to the provision or improvement of the car parking facilities in Enniscorthy by the planning authority. 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.

Hugh D. Morrison
Planning Inspector

21st December 2017