



An  
Bord  
Pleanála

## Inspector's Report ABP – 303000 – 18.

### Development

Change of use of dwelling house to a boutique hotel with ancillary internal and minor elevational alterations together with all associated site works.

### Location

Glack Td, Ardee, Co. Louth.

### Planning Authority

Louth County Council

### Planning Authority Reg. Ref.

18404.

### Applicant

Ashdale Care Ireland Ltd.

### Type of Application

Permission.

### Planning Authority Decision

Grant.

### Type of Appeal

3<sup>rd</sup> Party

### Appellant

John Duffy.

### Observers

None.

### Date of Site Inspection

9<sup>th</sup> April 2019.

### Inspector

Patricia-Marie Young.

# Contents

1.0 Site Location and Description .....	3
2.0 Proposed Development .....	4
3.0 Planning Authority Decision .....	4
3.1. Decision .....	4
3.2. Planning Authority Reports .....	4
3.3. Prescribed Bodies .....	5
3.4. Third Party Observations .....	5
4.0 Planning History.....	5
5.0 Policy & Context .....	6
5.1. Local Planning Policy Provisions.....	6
5.2. Natural Heritage Designations .....	6
6.0 The Appeal .....	6
6.1. Grounds of Appeal .....	6
6.2. Applicant Response .....	7
6.3. Planning Authority Response.....	7
7.0 Assessment.....	7
8.0 Recommendation.....	16
9.0 Reasons and Considerations.....	16
10.0 Conditions .....	17

## 1.0 Site Location and Description

- 1.1. The appeal site has a stated area of 1.778ha. It is located in open countryside c5km to the north west of the settlement of Ardee, in the 'Townland' of Glack, County Louth. The site accommodates a substantial mock period 2-storey with attic level dwelling house built circa 2007. This dwelling house has a stated 1,131m<sup>2</sup> gross floor area. In addition, there is also a detached 2-storey structure garage structure with a stated area of 230m<sup>2</sup> gross floor area with three vehicle entrances on its principal façade.
- 1.2. The dwelling house is setback c250m from the public road and is accessed via a private driveway surfaced with coarse gravel with a meandering and undulating alignment. There are grass verges of various depths on either side of this driveway. The boundaries separating the long and narrow tract of land on which the driveway is located from the agricultural grazing land on either side consists of low timber post and wire metal fencing. The driveway contains a second metal gate blocking entry to the main site area. This is located c50m from the principal façade of the dwelling and from this point the site expands in a southerly direction.
- 1.3. The entrance onto the public road is unfinished and consists of two tall unfinished concrete block pillars at its centre which are setback from the roadside verge from which hangs a tall metal gate flanked on either side by a circa 2m high common laurel hedge and two smaller unfinished concrete block pillars. Views from this entrance onto the restricted in width, poorly surfaced and meandering local road are restricted. The entrance serving the appeal site is located c0.5km to the west of the N2, as the bird would fly, and c1km from the N2 by journeying along local roads.
- 1.4. The site falls in gradient from west to east with the lawns to the front of the house incorporating large earthen mounds and some pockets of planting. The boundaries around the main site area on which the house and garage are sited consist of poorly established and porous laurel hedge, a post and metal wire fence. The surrounding area is predominated by agricultural farm land and it is characterised by its rolling drumlin landscape. There are several one-off residential dwellings located along the public road to the north east of it. In addition to the north east there are two commercial enterprises ('All Seasons Hire' and Cookstown Dairy Services).

## 2.0 Proposed Development

2.1. Planning permission is sought for the following –

- Change of use of an existing dwelling house to a boutique hotel at ground and first floor level with ancillary internal and minor elevational alterations.
- Removal of existing effluent treatment system.
- Decommissioning existing percolation areas.
- Installation of new proprietary wastewater treatment system and polishing filter.
- All associated site development works and services.

2.2. The accompanying planning application indicate that the gross floor area of proposed works to the existing dwelling house would be 848.14m<sup>2</sup> and that these works relate to the ground and first floor levels only. The plans also indicate that the garage would be used as a 'Staff Garage' with storage associated with the running of the hotel and a WC. The supplementary planning application form indicates that the attic floor level of the dwelling house is discounted from the proposed development. It also indicates the provision of 11 car parking spaces, 1 disabled car parking space and that the garage can accommodate the parking of 3 cars for staff.

2.3. This application is accompanied by a Site Characterisation Assessment Report.

## 3.0 Planning Authority Decision

### 3.1. Decision

3.1.1. The Planning Authority decided to **grant** permission subject to conditions including -  
**Condition No. 4:** Requires amendments to the entrance.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

The **final Planning Officers** report is the basis of the Planning Authority's decision to grant permission for the development sought under this application.

The **initial Planning Officers** report concluded with a request for five separate items to be addressed by way of further information. These items related to: 1) the provision of a landscaping plan; 2) environmental matters; and, 3) infrastructure.

### 3.2.2. **Other Technical Reports**

**Infrastructure Section:** Final report - No objection.

**Environment Section:** No objection.

### 3.3. **Prescribed Bodies**

3.3.1. None.

### 3.4. **Third Party Observations**

3.4.1. The appellant submitted an observation to the Planning Authority which I consider raises similar concerns to those contained in their grounds of appeal (See Section 6.1.1 below).

## 4.0 **Planning History**

**ABP Ref. No. PL15.246845 (P.A. Reg. Ref. No. 16/62)** – On appeal to the Board planning permission was **granted** for a development consisting of the change of use of the entire house to an early intervention centre; the retention of a bay window and velux rooflights accommodation; retention of residential accommodation in the attic of the house; retention of dormer style garage to accommodate two number single bedroom respite units ancillary to the main dwelling; and, the upgrading of the waste water treatment system including an extension to the existing soil polishing filter and for all associated site works.

**P.A. Reg. Ref. No. 06/203:** Permission **granted** for a 2-storey dwelling house, waste water treatment, entrance together with all associated site works. This application was subject to significant further information revisions.

**P.A. Reg. Ref. No. 05/1126:** Permission was **refused** for a 2-storey dwelling house, septic tank and percolation area, entrance and associated works. The stated reasons for refusal related to visual amenities.

## **5.0 Policy & Context**

### **5.1. Local Planning Policy Provisions**

- 5.1.1. The applicable plan is the Louth County Development Plan, 2015-2021, under which the site is located within 'Zone 5'. The development objective for such lands is "*to protect and provide for the development of agriculture and sustainable rural communities and to facilitate certain resource based and location specific developments of significant regional or national importance*".

### **5.2. Natural Heritage Designations**

- 5.2.1. None relevant.

### **5.3. Environmental Impact Assessment**

- 5.3.1. Having regard to the nature and scale of the development sought, the lack of any direct hydrological connectivity from the site to any nearby sensitive receptors, I consider that there is no real likelihood of significant effects on the environment arising from the proposed development. Therefore, the need for environmental impact assessment can be excluded at preliminary examination and a screening determination is not required.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

- 6.1.1. The grounds of appeal can be summarised as follows -
- Concerns are raised in relation to the site notices.
  - Concerns are raised in relation to the occupancy loading of the proposed hotel.
  - There is no provision of a safe means of escape and further concerns are raised in relation to the visual implications of providing the same.
  - No signage or illumination indicated.
  - The proposed elevational changes will give rise to additional overlooking.

- A traffic assessment should be undertaken as access to serve the proposed development is via a narrow country road and the entrance is near a bad bend.
- No objection is raised to a small commercial hotel enterprise at this location; but, it is questioned whether the applicants are seeking permission to obtain a commercial operation for a social care residential facility via the backdoor of a boutique hotel. This concern has not been adequately assessed by the Planning Authority in their determination of this application.

## **6.2. Applicant Response**

- 6.2.1. In response to the grounds of appeal the Applicant's agents indicate that the property was sold in November 2018.

## **6.3. Planning Authority Response**

- 6.3.1. The Planning Authority's response indicates that all matters raised by the appellant have been fully addressed during their consideration of this application.

## **7.0 Assessment**

### **7.1. Introduction**

- 7.1.1. I have examined all plans, and documentation on file. I have carried out an inspection of the site and its setting. I have had regard to the relevant planning provisions for the area and for this type of development. In my opinion the main issues arising in this case are -

- Validation Issues
- Principle of Development
- Residential Amenities Impact
- Access
- Parking
- Appropriate Assessment
- Other Matters Arising

7.1.2. I am satisfied that no other substantive issues arise.

## 7.2. **Validation Issues**

7.2.1. The appellant raises concerns in relation to the location and visibility of the Site Notices provided on site by the applicant. I note that the Planning Authority validated this planning application and that this issue was raised by the appellants in their submissions to the Planning Authority during their assessment of this application. The Planning Authority after this issue being raised to them decided to grant permission and there is no evidence on file to suggest that the Planning Authority considered that the site notices were erected in a manner that was not compliant with relevant legislation relating to the validity of a Planning Application. I consider that this matter is one between the appellants and the Planning Authority, in the first instance, and I therefore propose to proceed with an assessment of the substantive planning issues arising from this application in my assessment below.

## 7.3. **Principle of the Proposed Development**

7.3.1. The appeal site is located on lands that are zoned 'Zone 5' in the Louth County Development Plan, 2015 to 2021. The general development objective for such lands is to protect and provide for the development of agriculture and sustainable rural communities.

7.3.2. The proposed development relates to the change of use of an existing dwelling house into a boutique hotel with ancillary residential accommodation at attic level. The latter is indicated as not forming part of this application. According to the documentation on file the subject dwelling house is in use as a residence but there was no evidence of this during the site inspection. I did however observe that there were works on going to the garage. The Planning Authority's Planning Officer similarly observed that the subject dwelling house was vacant during their inspection of the site. They make no mention of any observations in relation to the garage structure. The appeal site was sold in November 2018.

7.3.3. In relation to the proposed change of use Policy 39 of the Development Plan indicates that the Planning Authority will consider developments including '*hotels*' where the proposal involves the re-use or diversification of an existing building. In addition, Policy EDE 26 of the Development Plan further reiterates in relation to hotel developments that this type of development will generally be directed to Level 1, 2



and 3 settlements within the Development Plan area “*except where the proposal involves the re-use or diversification of an existing building, subject to normal planning criteria*”.

- 7.3.4. I consider that the general principle of the change of use of dwelling house to boutique hotel is consistent with both stated Development Plan policies and is therefore generally an acceptable type of development, subject to safeguards, at this location. I also consider that the minor in nature internal and external elevation alterations are also acceptable, subject to safeguards, though I consider that the blocking up of some of the first-floor window openings within the bay projections does diminish the integrity of the design intent of the subject dwelling. It is also a change that would be legible in the wider landscape setting due to the siting of this dwelling within the landscape together with its substantial height, built form and lack of any robust natural screening. Arguably such changes are reversible. In general, the changes made have sought to minimise impact of the proposed change of use on the exteriors. They are modest in nature and scale. In addition, the property which was constructed circa 2006/2007 is not a Protected Structure. I raise no further concerns on this component of the proposed development.
- 7.3.5. The appellant raises concerns in relation to the change of use of a dwelling house to a commercial land use having regard to the planning history of the site under which planning permission was previously granted on appeal to the Board for the change of use of the entire house and garage to an early intervention centre to the same applicants (ABP Ref. No. PL15.246845). The appellant purports that this is the type of business that the applicants operate, and, they raise safety concerns in relation to their operations in other locations. They argue that should the change of use result in residential care, respite through to a rehabilitation centre type of use of the buildings on site that this is fundamentally objected too as it would in their view diminish the established residential amenities of properties in the surrounding area.
- 7.3.6. On this matter I am cognisant that the grant of permission for which ABP Ref. No. PL15.246845 relates has to date not been implemented and that the Board made its decision on the 3<sup>rd</sup> day of November 2016. As such this grant of permission is yet to expire; however, it is subject to conditions should it be implemented and non-compliance with these conditions would be an enforcement matter for the Planning

Authority and other relevant bodies who oversee the operations of such uses to deal with as they see fit.

- 7.3.7. Should the Board be minded to grant permission I consider that a condition can be imposed that restricts the operations of the dwelling house to the boutique hotel proposed in the documentation accompanying this application. Any unauthorised uses of the buildings on site that may occur in the future would be a matter for the Planning Authority to deal with as they see fit.

#### **7.4. Impact on Residential Amenities**

- 7.4.1. The main concern raised by the appellant regarding impact on residential amenity relates to privacy. While I acknowledge that the subject dwelling and the garage are significant built insertions into this rural landscape there is significant separation distances between them and the nearest residential property. The changes to the exterior elevation above ground floor level are modest and would not in my view result in any undue adverse impact on properties within the vicinity, in particular, residential properties. I consider that appropriate landscaping is required to visually buffer this building within its setting as I observed that it is highly visible for considerable distances in the landscape including from several residential properties. This would not only ensure that the building sits more sensitively within this drumlin landscape setting but also in time and as the tree planting matures it would lessen the perception of residential properties in its vicinity being overlooked. Moreover, it would lessen the visual overbearance of this building as viewed from these properties and from the public domain.
- 7.4.2. Having regard to the landscaping scheme submitted with this application I consider it could be meaningfully improved by requiring it to include more robust planting, in particular, additional semi-mature tree specimens.
- 7.4.3. Should the Board be minded to grant permission I consider that the proposed development sought under this application would not adversely impact on the established amenities of residential properties in its vicinity subject to the recommendation of enhanced landscape scheme by way of condition.

#### **7.5. Access**

- 7.5.1. Having inspected the existing entrance serving the appeal site I concur with the Planning Authority in that improvements to the visibility are needed to facilitate the

proposed change of use in a manner that would ensure that the additional traffic generated can be safely accommodated accessing and egressing site more so that the additional traffic movements do not prejudice the safety of existing road users. I note that Condition No. 4 of the Planning Authority's grant of planning permission seeks to address this concern. It sets out a requirement of full visibility of 75m at a setback of 3m from the road edge of the carriageway at a height of 1.05m to 0.6m in each direction to be made available prior to the commencement of any other works on site.

7.5.2. Should the Board be minded to grant permission for the development sought under this application, subject to the inclusion of the requirements set out in the said condition, I consider that the proposed development is unlikely to result in any serious road safety concerns.

7.5.3. During my inspection I observed few vehicles passing by the entrance and I observed that the local road network particularly the two options that would serve to provide access from the N2 are restricted in width, poorly surfaced and of a poor alignment.

7.5.4. In the absence of clarity on the overall operations of the proposed change of use from a dwelling house to boutique hotel and its dining area I consider it is not possible to make an informed assessment and on the level of traffic that the proposed development would generate and whether or not this increase in traffic would result in an adverse impact on the local road network, in particular, its road users, at this location.

7.5.5. I acknowledge that there would be significant difference in traffic generation between the existing dwelling house and an 8 bed hotel proposed with single residence at attic floor level; notwithstanding, the level of traffic associated with the operation of the facility would in my opinion be relatively low and would involve in the main staff and guests entering and exiting the site at staggered times throughout the day. In addition, to this there would also be larger vehicles dealing with deliveries, servicing of the on-site infrastructure and ground maintenance. Moreover, there is also the traffic generated by maintaining a residence within the subject dwelling at attic level.

7.5.6. It is difficult in my view to envisage that the hotel offer would be commercial viable by the provision of just 8-bedroom suites alone at this location. In this instance if the

boutique hotel proposed contains 8-bedroom suites, 7 of which are indicated as double bedrooms and 1 a single bedroom. It also includes a 40-seat dining room. Relative to the bed suites proposed a 40-seat dining room appears to be an excessive provision. Should this dining room be used as an additional commercial offer e.g. restaurant, venue space etc. then there is a strong likelihood that the proposed development has the capacity to generate a larger volume of traffic. Despite this concern I consider that subject to safeguards the local road network could absorb this additional traffic and the property is not overly remote from the N2 (Note: c1km journey by car).

- 7.5.7. In terms of emergency access, I would tend to agree with the applicants that emergency access is required for all properties in the vicinity of the site and not just the appeal site. Therefore, the same requirements of the road network would apply for all residential and other properties in the area. Subject to the amendments to the entrance and upgrading of the driveway, which I consider is of a width that could accommodate larger vehicles, I do not consider that this is a substantive concern in this case. Notwithstanding, the Board may wish to include a condition that seeks that the developer prior to commencement demonstrate that the driveway along its entirety is of a suitable carriage width to accommodate different vehicle types moving in opposite directions to one another along it.

## 7.6. Car Parking

- 7.6.1. The appellant raises a concern that no clarity has been provided on the overall occupancy loading of the hotel development and its operations in this application. This again adds to their concern that the premises would be used for residential care, respite or as a rehabilitation facility.
- 7.6.2. On this matter I share the concerns of the appellant that there is a lack of clarity in terms of the type of hotel operations proposed under this application. This information would have been helpful in view of determining matters such as parking demand and supply within the scheme proposed. Particularly having regard to the sites rural location and the fact that it is accessed by a local country road.
- 7.6.3. According to the submitted plans and documentation the applicant proposes 11 no. car parking spaces, 1 no. disabled car parking space and to use the existing garage to accommodate 3 car spaces for the hotel staff. However, no detailed indication of

this is provided in the drawings submitted. No provision is indicated for deliveries/loading and other larger vehicles nor a discernible back of house provision. I therefore question whether the parking provisions are adequate particularly when regard is had to the lack of this latter mentioned provision and to the fact that a 40-person dining room capacity is indicated in the submitted plans as well as the maintaining the attic space as a single dwelling unit. In relation to the latter it is appropriate in my view that this is considered in the overall car parking provision calculation.

7.6.4. I also consider it incumbent to note to the Board the relevant Development Plan provisions –

- Section 6.3.4 states that *“all surface car parking areas should preferably be located behind the building line, out of view of the general public. Where this is not practical, parking areas should be suitably screened and landscaped. All car parking areas should be suitably surfaced and illuminated. Individual parking spaces should be permanently marked and shall not be less than 5.0m X 2.5m in dimension and shall have appropriate access and circulation aisles. Sufficient loading and unloading bays should be provided. These should be of sufficient size to accommodate loading and unloading operations without encroachment onto any public road or footpath or interfere with the safety and free flow of vehicular traffic or pedestrians. All loading and unloading bays should be located to the side or rear of buildings and should be suitably screened and landscaped”*.
- Section 7.3.9.1 indicates that the provision of car parking facilities is a requirement for all development taking place within the plan area.
- Table 7.6 sets out the car parking requirements within the plan area.

7.6.5. In relation to Table 7.6 the appeal site is located within ‘Area 3’; thus, it requires a provision of 1 car parking space per bedroom for the hotel use proposed. As 8 bedrooms are proposed there is a requirement of 8 car parking spaces to be provided. Subject to the hotel being restricted to the 8-bedroom offer arguably the car parking provision is acceptable having regard to the 7 double bedroom suites and 1 single bed suite that are indicated in the plans. This would appear to indicate maximum guest occupancy 15 persons.

- 7.6.6. As previously discussed in this assessment it isn't clear on whether or not the dining area would be exclusively used by those staying overnight at the proposed hotel with the dining area containing seating for 40 persons and having an area of c60m<sup>2</sup>.
- 7.6.7. Under Table 7.6 in Area 3 the car parking provision for restaurants/function rooms is 1 space per 5m<sup>2</sup>. Thus, if operated as a restaurant/dining area as part of the commercial offer of the proposed hotel this would equate to 12 car parking spaces.
- 7.6.8. Further, as the applicant proposes to maintain the attic space as a 5-bedroom independent residential unit. It would therefore be appropriate in my view that the car parking requirement for dwellings in Area 3 be included in the car parking calculations as a precaution. This requirement is 2 car parking spaces. A minimum of one large vehicle loading zone would also be usual in the context of a hotel use.
- 7.6.9. Based on the above considerations I raise a precautionary concern that the overall car parking provision for guests, staff and loading/deliveries of goods is deficient. Notwithstanding, when regard is had to the ample site area of 1.778ha on which the subject dwelling and garage are sited I consider there is sufficient space for this concern to be overcome by way of an appropriately worded condition.
- 7.6.10. Should the Board be minded to grant permission I recommend that a condition be imposed which seeks clarity on the operations of the hotel. This clarity be used as the basis for ensuring adequate car parking for guests, staff, occupants of the dwelling unit and for the loading/deliveries of goods without any overspill onto the public roadway which has no capacity to absorb it. I consider that such a condition should also have cognisance to the requirements of Section 6.3.4 above, including providing appropriate lighting and more robust landscaping in the vicinity of car parking spaces. It should also revisit whether adequate car parking provisions have been provided to meet the needs of people with impaired mobility.

## 7.7. **Appropriate Assessment**

- 7.7.1. Having regard to the nature and scale of the proposed development, nature of the receiving environment and proximity to the nearest European site, I am satisfied that no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## 7.7.2. **Other Matters Arising**

**Advertising:** Should the Board be minded to grant permission I recommend that they include a condition restricting the provision of advertising and signage unless authorised by a further grant of permission.

**Adaption of Buildings in the Countryside:** Section 2.19.8 of the Development Plan indicates that the Planning Authority will consider the reuse and adaption of existing buildings in the countryside for non-residential uses, including appropriate economic, tourism and recreational uses. I consider the proposed change of use of this substantial dwelling into a boutique hotel is consistent with this. Moreover, arguably the proposed development is also consistent with Policy EDE which seeks to encourage sustainable economic purposes where appropriate.

**Water/Drainage:** The proposed development includes the removal of existing effluent treatment system, decommissioning existing percolation that the Site Plan shows is located to the front, i.e. to the north eastern side of the existing dwelling house and the installation of a new proprietary wastewater treatment system at the same location, alongside the provision of a polishing filter which would be located c83m to the south and all associated site works.

The proposed development would be served by an existing well located 25-meters from the subject raised polishing filter which is located within 4m of the southernmost boundary of the site.

A Site Characterisation Assessment has been submitted with this application. It is proposed to serve the proposed development by an existing well which lies to the rear of the subject property. According to the Site Plan there would be 25-meters between it and the polishing filter. This assessment indicates that the Aquifer Category is poor, and the ground water protection response is 'R1'. It indicates that the groundwater is target at risk due to the high vulnerability rating of the site.

Trial holes confirmed a depth of water ingress at 1.8m and the depth from ground surface to water table to be 0.7m. The T-test results of 12.39min/25mm and a P-test of 23.31 min/25mm soils present were a mixture of silt and clay. Matching T-test results were given for the proposed two soakaways indicated in the further information submission and I could see no evidence of trial holes near where these are proposed to be sited. The Assessment provides that the site is suitable for the provision of a packaged wastewater treatment system and polishing filter discharging

to ground water. The design proposed is for a maximum of 23 persons including guests, residents and staff. They provide that all separation distances are to be achieved and that all works would be carried out in accordance with the EPA guidelines.

I consider the design is acceptable including the provision of soakaways by way of the applicant's further information response. Therefore, based on the documentation submitted and having regard to the relevant Code of Practice for such works I consider that the site is suitable for the disposal of effluent, subject to standard safeguards.

**Fire Safety:** The concerns raised in relation to fire fall outside of the Boards remit and are subject to different codes and regulations. In terms of the appellants concerns that to meet relevant fire safety standards this would require modifications to the exterior of this building and could in turn diminish the visual amenities of this property no such modifications have been included in this application for determination.

## 8.0 Recommendation

8.1. I recommend a **grant** of planning permission based on the reasons and considerations set out below.

## 9.0 Reasons and Considerations

9.1. Having regard to the nature and scale of the proposed development, the fact that the proposal involves the re-use of an existing dwelling house for use as a boutique hotel, it is considered that, subject to compliance with the conditions as set out below, the proposed development would not seriously injure the visual, residential or other amenities of this rural area, would be acceptable in terms of traffic safety and convenience, would not be prejudicial to public health, would not materially contravene the provisions of the Louth County Development Plan, 2015 to 2021, and would, therefore, be in accordance with the proper planning and sustainable development of the area.



## 10.0 Conditions

1. The development shall be retained and carried out in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 1<sup>st</sup> day of October 2018, 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. This permission is for the use as detailed in the application and any change from this use shall require a further planning application.

**Reason:** In the interest of clarity and in the interest of orderly development.

3. Prior to the commencement of development, the developer shall submit details in writing with the planning Authority outlining the day to day operational activities of the hotel. This shall include clarification on the use of the dining area and level of staffing proposed. The car parking provision shall be modified to take account of the anticipated operational activities and shall include provisions for loading and deliveries. The layout, dimensions and markings for the spaces shall be in accordance with the guidance set out in the document "Building for Everyone – a Universal Design Approach" (National Disability Authority). Revised drawings showing compliance with these requirements together with a revised landscaping plan including the inclusion of additional semi-mature trees along all perimeter boundaries and additional planting in the vicinity of the car parking areas shall also be submitted to, and agreed in writing with, the planning authority.

**Reason:** To ensure a satisfactory parking provision for the proposed development that is accessible to all users.

4. 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.

5. Prior to the commencement of development, the developer shall submit to, and agree in writing with, the planning authority revised entrance arrangements, including any traffic management provisions to be provided during construction works and upon operation of the hotel.

(a) A revised entrance design that provides full visibility of 75m at a setback of 3m from the edge of the carriageway at a height of 1.05m to 0.6m in each direction.

(b) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water shall discharge onto the public road or adjoining properties.

(c) Assurance that all surface water from the proposed development will be appropriately disposed of within the boundaries of the site and that no surface water will flow onto the public road or adjoining properties.

(d) Surface treatments for the entrance, the driveway, vehicle circulation and car parking area.

(e) The access driveway to the proposed development shall be of an adequate width along its entirety to accommodate the movement of two vehicles passing in opposite directions.

(f) Details of road signage, warning the public of the entrance and of proposals for traffic management at the site entrance, shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

The developer shall be responsible for the full cost of repair in respect of any damage caused to the adjoining public roadway or footpath arising from the construction work and shall either make good any such damage forthwith to the satisfaction of planning authority or pay to the planning authority the cost of making good any such damage.

**Reason:** In the interest of road safety.

6. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the buildings or within the curtilage of the site, unless authorised by a further grant of planning permission.

**Reason:** In the interest of the visual amenity.

7. 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 hours of working, noise management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interests of public safety and residential amenity.

8. A lighting scheme shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. This scheme shall include details of lighting at the entrance, along the driveway, for the car parking areas and within the main grounds of the hotel complex.

**Reason:** In the interests of visual and residential amenity.

9. Site development and building works shall be carried out between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

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.

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Patricia-Marie Young  
Planning Inspector

11<sup>th</sup> April 2019.