

**Chontae Chill Chainnigh
Kilkenny County Council
Planning Report**



**Planning & Development Acts 2000 as amended
Planning & Development Regulations 2001 as amended**

Planning Ref: P26/60465
Due Date: 16/09/2026

Applicant: Sylvia Harrison
Subject: Permission for a temporary change of use from two self contained hotel apartments (Ref 16/756) to temporary /short-term (two years) use in medical centre accommodation (temporary transfer from existing premises in Freshford village). The change of use will be at ground floor level of the existing single storey building . Together with associated site development works, including necessary required car parking. Also the installation of the necessary services, including such services required for compliance with the requirements of the Building Control Authority. At Uppercourt Manor. Uppercourt Demesne, Freshford, Co. Kilkenny.

Site location and description

The site forms part of Uppercourt House, a Protected Structure located within Uppercourt Demesne, approx. 1km south west of Freshford village. Permission was granted under P16/756 for its change of use and development into a hotel and multi purpose, function conference and Health/Spa centre. This permission was extended twice under P22/493 and P24/85 which extended the expiry date to December 2025. Emergency planning legislation also allowed for the use of part of the premises for International Protection Accommodation Services.

The structure the subject of this current change of use application is a single storey extension located to the south east of the two storey former dormitory building. Permission was originally granted for the conversion of this single storey section of the overall development for use as 2no. 2-bed hotel apartments. It is e proposed to change the use temporarily to a medical centre accommodation. A temporary permission is sought for 2 years to accommodate the temporary relocation of the existing Health Service Executive health centre use from Freshford village while construction works take place at that site.



Fig 1 – Site location map

Site History

16/756 – for development for a hotel and multi purpose, function conference and Health/Spa centre with a total Gross Floor Area of 5,084 sq m on a site measuring 12.9 ha approximately at Uppercourt House (protected structure, RPS C390). The proposed development includes for

1. The alterations and additions and a change of use (from residential to hotel) to an existing four storey building known as Upper Court House, (Protected Structure RPS C390) to function rooms, Health Spa Rooms and 19 no. bedrooms.

2. The alterations and additions and a change of use (from former Chapel to hotel) of the former Catholic private Chapel to a function room with bar and kitchen.

3. The alterations and internal construction and a change of use (from former dormitory to hotel) of the former 3 storey Dormitory block to 49 no. bedroom units and 2 staff apartments including external alterations to the window fenestration and plaster finish.

4. The alterations, internal construction and single storey extensions and a change of use to a hotel to the single storey link corridor with a front extension comprising of an entrance foyer, a rear extension comprising of a reception and toilet block and the replacement of the felt flat roof to a pitched slate roof with ridge glazing including external alterations to the window fenestration and plaster finish.

5. It is also proposed to locate ancillary structures outside the main complex including a generator, and substation and a guest car park; Landscaping works are to be provided to the surrounding grounds. With modifications to the drive way and to retain existing storm water to existing storm water drains and retain existing foul water connection to public mains

22/493 – Ext of duration of 16/756 granted

24/85 – Further ext of duration granted – Expired December 2025.

Referrals

Area Engineer – Requests upgrade works to access roadway and car parking

Environment – No objection subject to conditions (Note a number of recommended conditions related to construction works which have been removed given the nature of this proposal for a change of use of an existing building)

Third Party Submissions

None on file

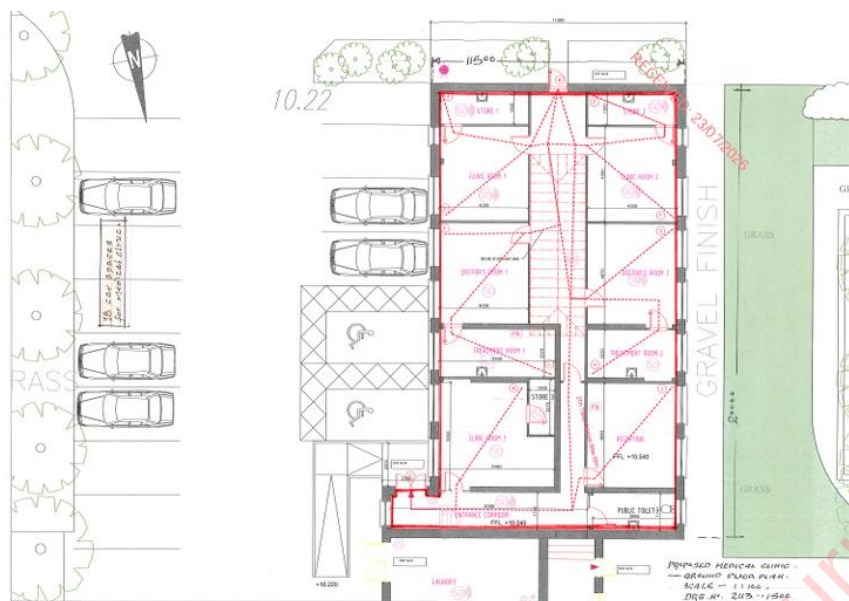
Assessment

Permission is sought for a temporary 2 year duration for the change of use of a section of the building attached to Uppercourt House, to use as a medical centre. Permission was recently granted to the HSE for the extension and refurbishment of the existing Freshford medical centre, located on the R693, Kilkenny road, on the eastern approach to the village. The current proposal is to accommodate this medical centre temporarily during the construction phase of the extended and upgraded medical centre in the village.

Whilst it is acknowledged that the most suitable location for a medical centre/doctors surgery is within a town or village, it is noted that the current proposal is temporary in nature and the site in question is large enough to accommodate the requirements of the medical centre along with associated access, car parking and water/wastewater services on site. The temporary (2year) change of use from hotel accommodation to use as a medical centre, during the construction works of the existing medical centre in Freshford village, is considered acceptable at this location.



Proposed eastern elevation



Proposed floor plan drawing

Access/car parking

The site is served by the existing access to Uppercourt House. It is noted from the proposed site layout drawing that new car parking spaces, including wheelchair accessible spaces, are proposed along the eastern elevation of the building and on the opposite side of the access road to the immediate east of the building, totally 18no parking spaces.

The file was referred to the Roads Section who has stated:

Having regard to the need for the public to access this facility, the applicant shall be requested to submit proposals for the upgrade of the access driveway for accessibility by vehicles, pedestrians and cyclists, and for the provision of intervisible passing bays.

The applicant shall provide details of the construction makeup, finishes and drainage of the proposed parking area.

The applicant shall be requested to provide details of the existing sightlines and visibility splays at the entrance to the development.

The applicant shall be requested to carry out an assessment of the proposed development for the provision of public lighting particularly along the access driveway.

The applicant shall be requested to provide details of any signage proposed for the development which is to be located on the public road and development entrance.

Following discussion with the Acting Senior Planner, Nicolaas Louw, it is recommended that the above are dealt with by way of conditions, which shall be addressed by the developer prior to operation of the temporary medical centre.

Development Contribution

Class 4

Impact on Natura 2000 site

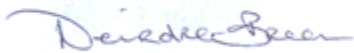
A Screening exercise was completed, which showed that no significant environmental impact is likely on any Natura 2000 site.

EIA Conclusion

A preliminary examination of the nature, size and location of the proposed development has been carried out which determines that there is no real likelihood of significant effects on the environment arising from the proposed development. It is therefore concluded that an EIAR is not required.

Recommendation:

Having regards to the temporary nature of the proposed change of use to accommodate an existing community medical centre/doctor's surgery, the planning history on the site and proposal to connect to existing services on site, it is recommended that permission for a temporary change of use is granted subject to the conditions attached at schedule two below.



14/09/2026

D. Breen,
Executive Planner



14/09/26

C. Bambrick,
A/Senior Executive Planner.

First Schedule
Reasons & Considerations for Decision on Planning Ref. P26/60465

Having regard to the policies and objectives of the current Kilkenny City and County Development Plan 2021- 2027, the temporary nature of the change of use (2 years) to accommodate the existing health centre in Freshford village during the extension and upgrade works to the existing health centre, the planning history on the site and all other material considerations, it is considered that the temporary change of use and associated development would not seriously injure the amenities of the area and if carried out in accordance with the attached conditions the development would accord with the proper planning and sustainable development of the area.

Second Schedule
Conditions attached to Planning Ref. P26/60465

1. The development shall be carried out in accordance with:
 - (i) the conditions of this permission.
 - (ii) the documents lodged with this application on the 23rd July 2026, except as otherwise required by the conditions of this permission.
 - (iii) In all other respects the development shall accord with the conditions attached to P16/756.

Reason: To ensure that the development strictly accords with the permission and to ensure that effective control is maintained.

- 2 The change of use from hotel accommodation to medical centre use shall be for a period of 2 years which shall commence upon operation of the medical centre use on site. The developer shall notify the Planning Authority in writing immediately upon commencement of the operation of the medical centre use.

Reason: To ensure effective control is maintained on this Protected Structure and its curtilage.

- 3 The developer shall pay to the Planning Authority a financial contribution in respect of public infrastructure and facilities benefiting development in Kilkenny County Council's administrative area that is provided or intended to be provided by or on behalf of the Local Authority in accordance with the terms of the Development Contribution Scheme made under Section 48 of the Planning and Development Acts 2000, as amended.

The amount of the financial contribution shall be paid upon commencement of development, with the amount of the contribution being the rate of contribution in existence on commencement of development. In accordance with the current scheme the amount of the contribution is calculated at **€X (Euro)**. Any applicable amount is subject to revision with reference to the Wholesale Price Index and to penalty interest in accordance with the terms of Kilkenny County Council's Development Contribution Scheme 2026-2030

Reason: It is a requirement of the Planning and Development Acts 2000-2025 that a condition requiring a contribution in accordance with the Kilkenny County Council's Development Contribution Scheme 2026-2030 made under Section 48 of the Act be applied to the permission.

- 4 **Prior to operation of the temporary medical centre use**, the developer shall submit the following, for the formal agreement of the Planning Authority:

- a) Detailed proposals for the upgrade of the access driveway for accessibility by vehicles, pedestrians and cyclists, and for the provision of inter-visible passing bays.
- b) Details of the construction makeup, finishes and drainage of the proposed parking area.
- c) Details of the existing sightlines and visibility splays at the entrance to the development from the public road.
- d) An assessment of the proposed development and details for the provision of public lighting particularly along the access driveway.
- e) Details of any temporary signage proposed for the development which is to be located on the public road and development entrance.

Reason: In the interests of traffic and road user safety.

Footnote: All proposals shall have due regard to the Protected Structure status of the property.

5 **Wastewater**

Domestic type effluent shall only be discharged to the foul drainage system. There shall be no discharge of any effluent which is chemically or biologically dissimilar to that of normal domestic effluent.

Reason: In the interest of public health and for the protection of the environment

6 **Waste:**

- a) Prior to operation of the temporary change of use to medical centre, the applicant shall submit an operational waste management plan, to include details for the segregation and storage of the various medical waste streams.
- b) The developer shall ensure sufficient space is set aside both internally and externally at designated locations within the proposed development during the operational phase to allow for the segregated storage of waste into recyclable, biodegradable and residual wastes – i.e. 3 bin system.

Reason: To provide for the recovery/disposal of waste and the protection of the environment.

Footnotes:

Section 34 (13) of the Planning and Development Act 2000, as amended, states:

“A person shall not be entitled solely by reason of a permission under this section to carry out any development.”

Developers are obliged to comply with other legislation and to avoid infringement of third party rights.

~~If there is no appeal against this decision, a Final Grant of Permission in accordance with the Decision will be issued after the expiration of the period within which an appeal may be made to An Bord Pleanala. (See attached).~~

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Please note that the Site Notice shall be removed by the applicant following the notification of the planning authority decision under Article 31.