



Comhairle Contae Chill Dara

Kildare County Council

Date: 29th April 2025.
Our Ref: ED/1217.

Marble Dale Ltd,
c/o Mark Bannon,
P.B.A. Architects,
Stoneyford,
Kilkenny

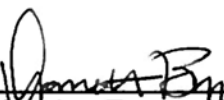
RE: Application for a Declaration of Exempted Development under Section 5 of Planning and Development Act 2000 (as amended) for development at Moyvalley Hotel & Golf Resort, Ballina, Moyvalley, Co. Kildare.

Dear Sir/Madam,

I refer to your correspondence received on 31st March 2025 in connection with the above.
Please find enclosed Receipt no. FIN1/0/510489 in relation to fee paid.

Please find attached declaration made under Section 5 of Planning and Development Acts 2000 (as amended) in this regard.

Yours sincerely,

PP 
Senior Executive Officer,
Planning Department.





Comhairle Contae Chill Dara

Kildare County Council

Declaration of Development & Exempted Development under Section 5 of the Planning and Development Act 2000 (as amended).

ED/1217.

WHEREAS a question has arisen as to whether the change of use of main hotel building and 15 no. short stay self-catering apartments to accommodation for persons seeking International Protection at Moyvalley Hotel & Golf Resort, Ballina, Moyvalley, Co. Kildare, is exempted development,

AS INDICATED on the plans and particulars received by the Planning Authority on 31st March 2025

AND WHEREAS Marble Dale Ltd requested a declaration on the said question from Kildare County Council,

AND WHEREAS Kildare County Council as the Planning Authority, in considering this application for a declaration under Section 5 of the Planning and Development Act 2000 (as amended), had regard to;

- (a) Planning and Development Act 2000 (as amended) and
- (b) Planning and Development Regulations 2001 (as amended); and
- (c) Documentation received with the application

AND WHEREAS Kildare County Council has concluded that the development comprises works to which the provisions of the following applies:

- (a) Section 2, 3, and 4 of the Planning and Development Act 2000 (as amended);
- (b) Article 6 and 9 of the Planning and Development Regulations 2001 (as amended);
- (c) Schedule 2, Part 1, Class 20F of the Planning and Development Regulations 2001 (as amended)

NOW THEREFORE Kildare County Council, in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000 (as amended), hereby decides that the *change of use of main hotel building and 15 no. short stay self-catering apartments to accommodation for persons seeking International Protection* **IS development and IS EXEMPTED development pursuant to Sections 2,3 and 4 of the Planning and Development Act as amended and Article 6, Article 9 of the Planning and Development Regulations as amended.**

Please note that any person issued with a declaration under subsection 2(a) of the Planning and Development Act 2000 (as amended) may on payment to the Board of the prescribed fee, refer a declaration to An Bord Pleanála within 4 weeks of the issuing of the decision.

29th April 2025

PP 
Senior Executive Officer,
Planning Department.

KILDARE COUNTY COUNCIL



PLANNING & STRATEGIC DEVELOPMENT DEPARTMENT

Section 5 referral & declaration on development & exempted development

Planning & Development Act 2000 (as amended)

Reference No. ED/1217

Name Of Applicant(s):	Marble Dale Limited
Address Of Development:	Moyvalley Hotel & Golf Resort, Ballina, Moyvalley Co. Kildare
Development Description:	Change of use of main hotel building and 15 no. short stay self-catering apartments to accommodation for persons seeking International Protection.
Due date	28 th April 2025

Introduction

This is a request for a **DECLARATION** under Section 5(1) of the Planning and Development Act 2000 (as amended) to establish whether under Section 5 of the Act the Change of use of main hotel building and 15 no. short stay self-catering apartments to accommodation for persons seeking International Protection.

Site Location

The application site is located within the grounds of the existing Moyvalley Hotel and Golf Resort, to the south of the M4 Dublin-Galway motorway. The site is accessed via a tree-lined internal access road which is connected to the L5006 local road.



Fig 1: Site Location and context (Google Images)

Planning History

There is an extensive planning history pertaining to the overall site including:

ED1179: Further information not responded to regarding the change of use from hotel accommodation to housing for people seeking international protection.

ED1159: Exempt Development permitted for the COU of 32 apartments permitted as short stay self-catering accommodation to use for the purposes of accommodating persons seeking international protection

22/1498 - Permission granted for development including the construction of 72 no. self-catering units in 3 no. three-storey buildings. A single storey multi-use recreational and amenity pavilion building of 120 sq.m.

13/259: Retention permission granted for alterations and completion of works to previously permitted development granted under planning ref 03/5. The development to be retained and completed comprises i) Retention of alterations and additional floor area (706 sq.m additional floor area) to a two-storey hotel building with redesigned foyer, reception, bar, restaurant, function room, service/ancillary areas, terraces, bedroom block, omission of previously permitted basement area and associated

changes to the elevations. ii) Retention of internal revisions to Ballina (Ballyna) House (Protected Structure) including redesigned basement area to provide bar/lounge/toilets, extension of basement storage area to accommodate services and redesign of permitted Guest Lounges at 1st floor upper and lower levels to provide 2 no. additional guest bedrooms with ensuites; iii) Retention of internal and external revisions to 8 no. previously approved townhouses in blocks A, B, C & D (Protected Structures) to be used as self-catering tourist accommodation, v) Retention of change of use of Block G (Protected Structure) from previously permitted self catering apartment to use as hotel administration/office area, internal alterations to same and extension of original building to provide toilet facilities for this office space; vi) Retention of extension to the Function Room (Protected Structure) to provide toilet facilities; vii) Retention of alterations to permitted self-catering Courtyard Apartment Block (32 no. units) including alterations to permitted siting, relocation of car parking and landscaping of courtyard; viii) Retention of 2 no. bin storage areas adjacent to Courtyard Apartment Block; ix) Retention of woodchip storage building, bin storage areas and associated site works; x) Retention of revised entrance area/gates including a Gate Keepers Hut; xi) Retention and completion of modifications to previously approved on-site wastewater treatment system (extension of reed bed and percolation areas and new pump chamber) new access road to same from main access route on site and for additional upgrades to on-site services as well as all associated site development works on a 10.4 hectare site at Moyvalley Hotel & Golf Resort.

13/396: Permission and Retention permission granted for completion of an 817 sq.m. service yard and revised car parking layout to previously approved Golf Club house (previously granted planning permission under planning ref: 03/5 and 07/1195); Retention of a three sided, three-bay driving range shelter, clad with shiplap timber sheeting; and retention of a green – keepers building, vehicular access and associated site work. The green-keepers building has a total internal floor area of 695sq.m. and provides for machinery and equipment storage as well as staff facilities on the ground floor with a mezzanine level providing additional storage above the staff facilities at Moyvalley Hotel & Golf Resort.

12/12 – Extension of Duration granted for mixed use development to consist of: the demolition of existing structures (comprising 3 no dwellings and 4 no agricultural barns); conservation and refurbishment works to Balyna Estate Chapel and features within its curtilage etc. at Balyna Estate, Moyvalley.

07/1195 – Permission granted for a single storey extension to an existing golf clubhouse and all associated site works within the curtilage of a protected structure at Ballina House Estate, Moyvalley.

03/5: Extension of Duration granted for mixed use development to consist of: the demolition of existing structures (comprising 3 no dwellings and 4 no agricultural barns); conservation and refurbishment works to Balyna Estate Chapel and features within its curtilage etc. at Balyna Estate, Moyvalley

Relevant Legislative Background

Planning and Development Act 2000 (as amended)

Section 2(1)

'works' includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

Section 3(1)

In this Act, 'development' means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.

Section 4(1)

The following shall be exempted development for the purposes of the Act-

(h) development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;

Section 5(7) EIA Screening

The proposed development is not specified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001(as amended). In any event, it is considered, having regard to nature, size and location, the proposed development would not be likely to have significant effects on the environment. Therefore, EIA is not required.

Planning and Development Regulations 2001 (as amended)

Article 6(1)

Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

Restrictions on exemption.

9. (1) Development to which article 6 relates shall not be exempted development for the purposes of the Act—

(a) if the carrying out of such development would—.....(15 items)

Schedule 2 Part 1 Exempted Development

CLASS 20F

Temporary use by or on behalf of the Minister for Children, Equality, Disability, Integration and Youth to accommodate or support displaced persons or persons seeking international protection of any structure or part of a structure used as a school, college, university, training centre, social centre, community centre, non-residential club, art gallery, museum, library, reading room, sports club or stadium, gymnasium, hotel, convention centre, conference centre, shop, office, Defence Forces barracks, light industrial building, airport operational building, wholesale warehouse or repository, local authority administrative office, play centre, medical and other health and social care accommodation, event and exhibition space or any structure or part of structure normally used for public worship or religious instruction.

1. The temporary use shall only be for the purposes of accommodating displaced persons or for the purposes of accommodating persons seeking international protection.

2. Subject to paragraph 4 of this class, the use for the purposes of accommodating displaced persons shall be discontinued when the temporary protection introduced by the Council Implementing Decision (EU) 2022/382 of 4 March 2022¹ comes to an end in accordance with Article 6 of the Council Directive 2001/55/EC of 20 July 2001².

3. The use for the purposes of accommodating persons seeking international protection shall be discontinued not later than 31 December 2028.

4. Where the obligation to provide temporary protection is discontinued in accordance with paragraph 2 of this class, on a date that is earlier than 31 December 2028, the temporary use of any structure which has been used for the accommodation of displaced persons shall continue for the purposes of accommodating persons seeking international protection in accordance with paragraph 3 of this class.

5. The relevant local authority must be notified of locations where change of use is taking place prior the commencement of development. 6. 'displaced persons', for the purpose of this class, means persons to whom temporary protection applies in accordance with Article 2 of Council Implementing Decision (EU) 2022/382 of 4 March 2022.

	<p>6. 'displaced persons', for the purpose of this class, means persons to whom temporary protection applies in accordance with Article 2 of Council Implementing Decision (EU) 2022/382 of 4 March 2022.</p> <p>7. 'international protection', for the purpose of this class, has the meaning given to it in section 2(1) of the International Protection Act 2015 (No. 66 of 2015).</p> <p>8. 'temporary protection', for the purpose of this class, has the meaning given to it in Article 2 of Council Directive 2001/55/EC of 20 July 2001.</p>
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Assessment

The Applicant is seeking an exemption under S.I No. 376 of 2023 Planning and Development (Exempted Development) (No. 4) Regulations 2023 for the change of use of the hotel for accommodation for those seeking international protection.

The change of use of the hotel is considered to exempt under Schedule 2 Part 1, Class 20F as a hotel use is included in the list of structures suitable to accommodate or support displaced persons or persons seeking international protection.

With respect to the 15 no. Townhouse apartments (permitted at short stay self-catering accommodation) is considered that these units are ancillary to the hotel function and under Schedule 2 Part 1, Class 20F a hotel use is included in the list of structures suitable to accommodate or support displaced persons or persons seeking international protection.

As outlined under Class 20F, the temporary use shall only be for the purposes of accommodating displaced persons or for the purposes of accommodating persons seeking international protection and the use for the purposes of accommodating persons seeking international protection shall be discontinued not later than 31 December 2028.

Conclusion

Having regard to:

- Section 2, 3, and 4, of the Planning and Development Act 2000 (as amended);
- Article 6 and 9 of the Planning and Development Regulations 2001 (as amended); and
- Schedule 2, Part 1, Class 20F of the Planning and Development Regulations 2001 (as amended)
- The nature, extent and purpose of the works,

It is considered that the proposed works constitutes development as defined in Section 3(1) of the Planning and Development Act 2000 (as amended) and is exempted development as defined by the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended).

Recommendation

It is recommended that the applicant be advised that the development as described in the application is development and is exempted development.

Signed 

Daniel Waldron Assistant Planner 24/04/2025

Signed: 

Carroll Melia Senior Executive Planner 29/04/2025

Declaration of Development & Exempted Development under

Section 5 of the Planning and Development Act 2000 (as amended)

WHEREAS a question has arisen as to whether the change of use of main hotel building and 15 no. short stay self-catering apartments to accommodation for persons seeking International Protection.

AS INDICATED on the plans and particulars received by the Planning Authority on 21/04/2025

AND WHEREAS Marble Dale Limited requested a declaration on the said question from Kildare County Council,

AND WHEREAS Kildare County Council as the Planning Authority, in considering this application for a declaration under Section 5 of the Planning and Development Act 2000 (as amended), had regard to;

- (a) Planning and Development Act 2000 (as amended); and
- (b) Planning and Development Regulations 2001 (as amended);

AND WHEREAS Kildare County Council has concluded that the proposal comprises of development to which the provisions of the following applies:

- (a) Section 2, 3, and 4, of the Planning and Development Act 2000 (as amended);
- (b) Article 6 and 9 of the Planning and Development Regulations 2001 (as amended); and
- (c) Schedule 2, Part 1, Class 20F of the Planning and Development Regulations 2001 (as amended)

NOW THEREFORE Kildare County Council, in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000 (as amended), hereby decides that -

the change of use of main hotel building and 15 no. short stay self-catering apartments to accommodation for persons seeking International Protection

IS development and IS EXEMPTED development pursuant to Sections 2,3 and 4 of the Planning and Development Act as amended and Article 6, Article 9 of the Planning and Development Regulations as amended.

Please note that any person issued with a declaration under Section 5 of the Planning and Development Act 2000 (as amended) may on payment to the Board of the prescribed fee, refer a declaration to An Bord Pleanála within 4 weeks of the issuing of the decision.

Signed 
Daniel Waldron Assistant Planner 24/04/2025

Appendix 1: Appropriate Assessment Screening

**APPROPRIATE ASSESSMENT SCREENING REPORT
AND**



DETERMINATION

(A) Project Details

Planning File Ref	ED1217
Applicant name	Marble Dale Limited
Development Location	Moyvalley Hotel & Golf Resort, Ballina, Moyvalley Co. Kildare
Site size	N/A
Application accompanied by an EIAR (Yes/NO)	No
Distance from Natura 2000 site in km	Approx 15km from Ballynafagh Lake SAC

Description of the project/proposed development –

Change of use of main hotel building and 15 no. short stay self-catering apartments to accommodation for persons seeking International Protection.

(B) Identification of Natura 2000 sites which may be impacted by the proposed development

			Yes/No If answer is yes, identify list name of Natura 2000 site likely to be impacted.
1	Impacts on sites designated for freshwater habitats or species. <u>Sites to consider:</u> River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Ballynafagh lake	<i>Is the development within a Special Area of Conservation whose qualifying interests include freshwater habitats and/or species, or in the catchment (upstream or downstream) of same?</i>	No
2	Impacts on sites designated for wetland habitats - bogs, fens, marshes and heath.	<i>Is the development within a Special Area of Conservation whose qualifying interests include wetland habitats</i>	No

	<u>Sites to consider:</u> River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Mouds Bog, Ballynafagh Bog, Red Bog, Ballynafagh Lake	<i>(bog, marsh, fen or heath), or within 1 km of same?</i>	
3	Impacts on designated terrestrial habitats. <u>Sites to consider:</u> River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Ballynafagh Lake	<i>Is the development within a Special Area of Conservation whose qualifying interests include woodlands, dunes or grasslands, or within 100m of same?</i>	No
4	Impacts on birds in SPAs <u>Sites to consider:</u> Poulaphouca Reservoir	<i>Is the development within a Special Protection Area, or within 5 km of same?</i>	No

Conclusion:

If the answer to all of the above is **No**, significant impacts can be ruled out for habitats and bird species.

No further assessment in relation to habitats or birds is required.

If the answer is **Yes** refer to the relevant sections of **C**.

(G) SCREENING CONCLUSION STATEMENT		
<i>Selected relevant category for project assessed by ticking box.</i>		
1	AA is not required because the project is directly connected with/necessary to the conservation management of the site	
2	No potential significant affects/AA is not required	
3	Significant effects are certain, likely or uncertain. Seek a Natura Impact Statement Reject proposal. (Reject if potentially damaging/inappropriate)	
Justify why it falls into relevant category above (based on information in above tables)		
Having regard to the proximity of the nearest SACs and given the location, nature and extent of the proposed development it is not considered there would be potential for significant effects on the European sites network.		
Name:	Daniel Waldron	
Position:	Assistant Planner	
Date:	24/04/2025	

COMHAIRLE CONTAE CHILL DARA

KILDARE COUNTY COUNCIL

Director of Services Order



I, Alan Dunney, Director of Services, am duly authorised and delegated by Chief Executive's Order number: CE48043 to make the following Order in accordance with Section 154 of the Local Government Act, 2001, as amended.

ORDER NO: DO58238 **Section:** Planning

SUBJECT: ED1217 Marble Dale Ltd, c/o Mark Bannon, P.B.A. Architects, Stoneyford, Kilkenny. Exempt Development Application for the change of use of a hotel building and 15 no. short stay self-catering apartments to accommodation for persons seeking International Protection at Moyvalley Hotel & Golf Resort, Ballina, Moyvalley, Co. Kildare

SUBMITTED: ED1217 with recommendation from the Senior Executive Planner and reports from the Council's Technical Officers.

ORDER: I hereby order the following Kildare County Council, in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000 (as amended) hereby decides that the proposed development is development and is exempted development.

MADE THIS 29th DAY
OF APRIL YEAR 2025

SIGNED: 
DIRECTOR OF SERVICES

Kildare County Council

Declaration of Exempt Development under Section 5, of the Planning and Development Act 2000

ED1217
rec'd 31/3/2025 &

Incomplete application forms will
be deemed invalid and returned



All responses must be in block
letters

Section 1

Details of Applicants

1. Name of Applicant(s) A. Surname... MARK Forenames... BANNON
Phone No... 087 6196527 Fax No... NA
2. Address... ON BEHLAF OF MARBLE DALE LIMITED, c/o P.B.A. ARCHITECTS, STONEYFORD,
KILKENNY

Section 2

Person/Agent acting on behalf of applicant (if applicable)

1. Name of Person/Agent: Surname... BANNON Forenames... MARK
Phone No... 087 6196527 Fax No...
2. Address... P.B.A. Architects, Stoneyford, Kilkenny

Section 3

Company Details (if applicable)

1. Name of Company... Marble Dale Limited.
Phone No... Fax No...
2. Company Reg. No... 771562
3. Address... 20 Linnetfields Rise, Clonee, Dublin 15, D15 H3K2 Co Dublin

Section 4

Details of Site

1. Planning History of Site... ED/1159 + 13/259 + 03/5
2. Location of Proposed Development... Moyvalley Hotel & Golf Resort, Ballina, Moyvalley, Co. Kildare
3. Ordnance Survey Sheet No... 3052-D
4. Please state the Applicants interest in the site
...The applicant is the prospective purchaser of the property.
5. Please state the extent of the proposed development...
No material alterations envisaged (no physical alterations to the existing structure)
Change of use -the housing of persons seeking international protection

Kildare County Council
Planning Department

31 MAR 2025

RECEIVED

6. Under what Section of the Planning and Development 2000 and/or what provision of the Planning and Development Regulations 2001 is exemption sought (*specific details required*).....
 S.I No. 376 of 2023 Planning and Development (Exempted Development) (No. 4) Regulations 2023

7. Please give a detailed description of the Proposed Development (*Use separate page if necessary*).....

Can the planning Authority confirm that the change of use of the main Hotel Building as permitted under planning reference 13/259 + 03/5 at Moyvalley Hotel Complex) plus change of use of buildings (15 townhouse apartments) which have a permitted use for/as 'short stay self-catering accommodation' (associated Hotel accommodation at Moyvalley Hotel Complex) to a use for the purpose of accommodating persons seeking international protection (S.I No. 376 of 2023 Planning and Development (Exempted Development) (No. 4) Regulations 2023), is considered development which is exempt development.

.....

Section 5	The following must be submitted for a valid application
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		(Please Tick)
1.	Site Location Map (1:2500 Rural Areas) (1:1000 Urban Areas)	<input checked="" type="checkbox"/>
2.	A Site Layout Plan (Scale 1:500) in full compliance with Article 23 of Planning and Development Regulations 2001	<input checked="" type="checkbox"/>
3.	Drawings of the development (Scale 1:50) in full compliance with Article 23 of Planning and Development Regulations 2001	<input checked="" type="checkbox"/>
4.	All drawings to differentiate between the original building, all extensions and proposed development	<input checked="" type="checkbox"/>
5.	Fee of 80 Euro	<input checked="" type="checkbox"/>

Section 6	Declaration
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Kildare County Council
 Planning Department
 31 MAR 2025
 RECEIVED

I, Mark Bannon certify that all of the above information is correct and I have submitted all the required documents as outlined at Section 6 above.

Signature:  Date: 28/03/2025

Mr. Stephen Cunningham
Staff Officer
Planning Department
Kildare County Council
Devoy Park
Naas
Co. Kildare
W91 X77F

ED1217
rec'd 31/3/25
6

28/03/2025

RE: Declaration seeking the change of use of a hotel building , plus change of use of buildings (15 townhouse apartments) which have a permitted use for/as 'short stay self-catering accommodation' (associated Hotel accommodation at Moyvalley Hotel Complex), and as permitted under planning reference 13/259 + 03/5 at Moyvalley Hotel Complex), to a use for the purposes of accommodating persons seeking international protection (S.I No. 376 of 2023 Planning and Development (Exempted Development) (No. 4) Regulations 2023), is considered development which is exempt development.

Dear Mr Cunningham.

On behalf of our clients Marble Dale Limited and further to our previous correspondence regarding the Moyvalley Hotel complex at Enfield, Co. Kildare, plus the issuing of an ED/1159 dated 19/12/2024 pertaining to the hotel short stay apartments.

Please find the accompanying application for a declaration of exempt development under Section 5 with regards to a change of use of the main Hotel Building as permitted under planning reference 13/259 + 03/5 at Moyvalley Hotel Complex) plus change of use of buildings (15 townhouse apartments) which have a permitted use for/as 'short stay self-catering accommodation' (associated Hotel accommodation at Moyvalley Hotel Complex) to a use for the purposes of accommodating persons seeking international protection (S.I No. 376 of 2023 Planning and Development (Exempted Development) (No. 4) Regulations 2023), is considered development which is exempt development.

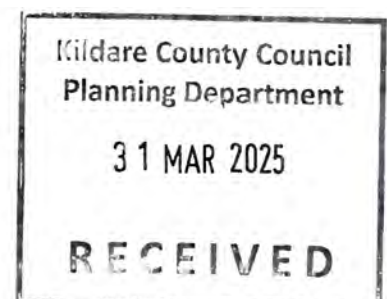
Site description.

The site comprises the demesne lands of Balyna House, a country estate dating back to the 16th century, when the lands were originally granted to the O'More family by Queen Elizabeth I. The site comprises c.83 ha and is c.6km west of Enfield, Co. Kildare.

The estate lands now comprise an 18-hole golf course with golf clubhouse and maintenance building. The original Balyna House has been redeveloped to accommodate a Boutique hotel / wedding venue, with basement bar, along with a new 52 bed hotel building with associated wedding/conference, restaurant and car facilities (the subject property), plus 32 no. self-catering apartments in the courtyard block to the west of the hotel building, which are operated by the hotel. (these apartments were the subject of ED/1159

The original stables have been converted into 13 self-catering apartments, which are also operated by the hotel. One of the blocks permitted for another apartment is used for administration. An adjoining stand along barn building is used for civil marriage ceremonies. The original Balyna chapel next to the house is also used for small wedding ceremonies.

A golf club house stands to the South of Balyna House and driving range is located to the south of Balyna House. There is also a stand alone 2 storey golf course house, which remains unoccupied.



P.B.A. Architects

Planning History.

ED/1159 – Confirmation that the change of use of a buildings (32 apartments) which have a permitted use for/as 'short stay self-catering accommodation' (associated Hotel accommodation at Moyvalley Hotel Complex), to a use for the purposes of accommodating persons seeking international protection (S.I No. 376 of 2023 Planning and Development act) issued by Kildare County Council on 19/12/2024.

All structures as currently stand on site were granted Retention Permission under the following two planning references:

P13.259 (THE MAIN BODY OF THE ESTATE AND LEISURE COMPLEX)

Grant date: 02/09/2013

Retention of alterations and completion of works to previously permitted development granted under planning ref 03/5. The development to be retained and completed comprises i) Retention of alterations and additional floor area (706 sq.m additional floor area) to a two-storey hotel building with redesigned foyer, reception, bar, restaurant, function room, service/ancillary areas, terraces, bedroom block, omission of previously permitted basement area and associated changes to the elevations. ii) Retention of internal revisions to Ballina (Ballyna) House (Protected Structure) including redesigned basement area to provide bar/lounge/toilets, extension of basement storage area to accommodate services and redesign of permitted Guest Lounges at 1st floor upper and lower levels to provide 2 no. additional guest bedrooms with ensuite; iii) Retention of internal and external revisions to 8 no. previously approved townhouses in blocks A, B, C & D (Protected Structures) to be used as self-catering tourist accommodation, v) Retention of change of use of Block G (Protected Structure) from previously permitted self catering apartment to use as hotel administration/office area, internal alterations to same and extension of original building to provide toilet facilities for this office space; vi) Retention of extension to the Function Room (Protected Structure) to provide toilet facilities; vii) Retention of alterations to permitted self-catering Courtyard Apartment Block (32 no. units) including alterations to permitted siting, relocation of car parking and landscaping of courtyard; viii) Retention of 2 no. bin storage areas adjacent to Courtyard Apartment Block; ix) Retention of woodchip storage building, bin storage areas and associated site works; x) Retention of revised entrance area/gates including a Gate Keepers Hut; xi) Retention and completion of modifications to previously approved on-site wastewater treatment system (extension of reed bed and percolation areas and new pump chamber) new access road to same from main access route on site and for additional upgrades to on-site services as well as all associated site development works on a 10.4 hectare site.

P13.396 (THE GOLG CLUB HOUSE AND ASSOCIATED DEVELOPMENT)

Grant date: 02/09/2013

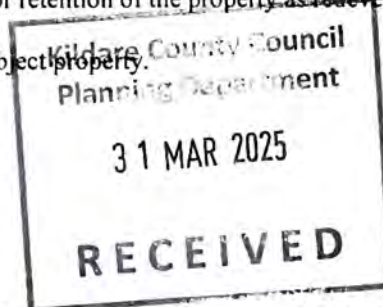
Completion of an 817 sq.m. service yard and revised car parking layout to previously approved Golf Club house (previously granted planning permission under planning ref: 03/5 and 07/1195); Retention of a three sided, three-bay driving range shelter, clad with shiplap timber sheeting; and retention of a green – keepers building, vehicular access and associated site work. The green-keepers building has a total internal floor area of 695sq.m. and provides for machinery and equipment storage as well as staff facilities on the ground floor with a mezzanine level providing additional storage above the staff facilities

We can confirm that we were the project architects for the design and construction of the entire property as constructed under the development programme by EASSDA Properties and the subject of the 13.396 plus the 13.259 retention applications.

We were retained by the receivers – KPMG for the purposed of planning regularisation in addition to being retained by the former owner and developer Alistair Jackson for the design and construction phase.

We have carried out a recent inspection and are satisfied that no works or alterations, which require permission, have taken place within the curtilage of the property since the date of grant of permission for retention of the property as redeveloped.

We are not aware of any enforcement actions currently registered against the subject property.



P.B.A. Architects

Historic Planning History.

Reg. Ref. 03/5: Mixed use development to consist of: the demolition of existing structures; conservation and refurbishment works to Balya Estate House and Chapel and features within its curtilage, development of an 18 hole championship golf course, golf club house, maintenance buildings, change of use of Balya House to a 10 bed hotel, development of a new 52 bed hotel with associated facilities, change of use of stables/residences to 14 no. self-catering hotel apartment suites, development of a courtyard scheme containing 96 self catering apartments, development of an enterprise centre (revised to equestrian campus following A1 response), development of 20 no. corporate apartments with associated recreational facilities, development of a 10-bed Respite Centre, change of use of existing barn to conference/meeting room, development of a conference centre with restaurant, bar and 2 retail units, development of 33 no. detached 4-bed residences and 26 no. semi detached/terraced residences, development of a detached 5 bed dwelling (proposed as private residence for the applicant), creation of new entrances, roadways, landscaping, car paring, and associated services.

Permission Granted: 16/01/04

Extension Granted: 29/01/09

Permission Expires: 15/01/12

Reg. Ref. 05/1368: A new two storey dwelling, septic tank and associated works.

Permission Granted: 30/11/05

Permission Expired: 30/11/10

Reg. Ref. 05/3039: Change in House Type from 33 no. 2 storey 4-bed detached houses to 24 no. 2-storey 5-bed detached houses and 9 no. 2-storey five bed detached houses.

Permission Granted: 09/06/06

Permission Expired: 09/06/11

Reg. Ref. 07/1195: Single storey extension to golf clubhouse and associated works

Permission Granted: 31/03/08

Permission Expires: 31/03/13



A number of other planning applications either refused or withdrawn are also noted below:

Reg. Ref. 05/1424: Amendments to original granted permission ref.no.03/05 from 9 no. hotel apartment suites to 6 no. three bedroom, 2 no. two bedrooms. - **Deemed Withdrawn**

Reg. Ref. 05/1419: Extend existing stables and the change of use of same, to accommodate 7 no. courtyard style, two bedroom residential units, as part of a mixed use development. - **Deemed Withdrawn**

Reg. Ref. 05/2242: Convert existing smoke shed, to accommodate 2 no. two storey, two bedroom residential units, as part of a mixed use development. - **Deemed Withdrawn**

Reg. Ref. 08/1088: 3 no 2 storey apartment blocks consisting of: 24 no. 2 bedroom and 8 no. 3 bedroom apartments in block 4, 8 no. 2 bedroom and 8 no 3 bedroom apartments in block 5, 8 no. 2 bedroom and 8 no. 3 bedroom apartments in block 6, together with a 2 storey leisure centre and spa. - **Deemed Withdrawn**

The following documents accompany this application:

- Plans, section and elevations of the relevant structures.
- Site location map.
- Site layout plan.
- Letter of consent from the owners of the Moyvalley Estate.
- Cheque for appropriate fee of €80.00

(No cheque submitted)
6/3/3

Kind Regards,

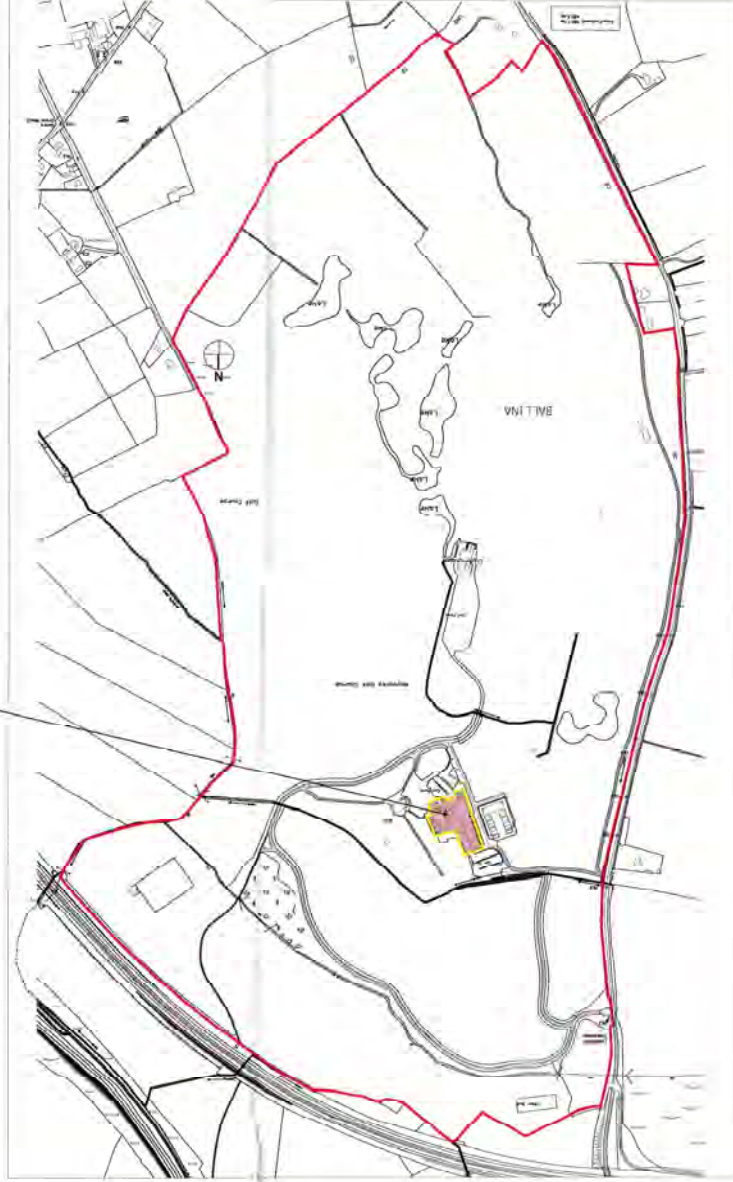


Mark Bannon
P B A architects.
R.I.A.I. 98013
Stoneyford, Kilkenny.
087 6196527



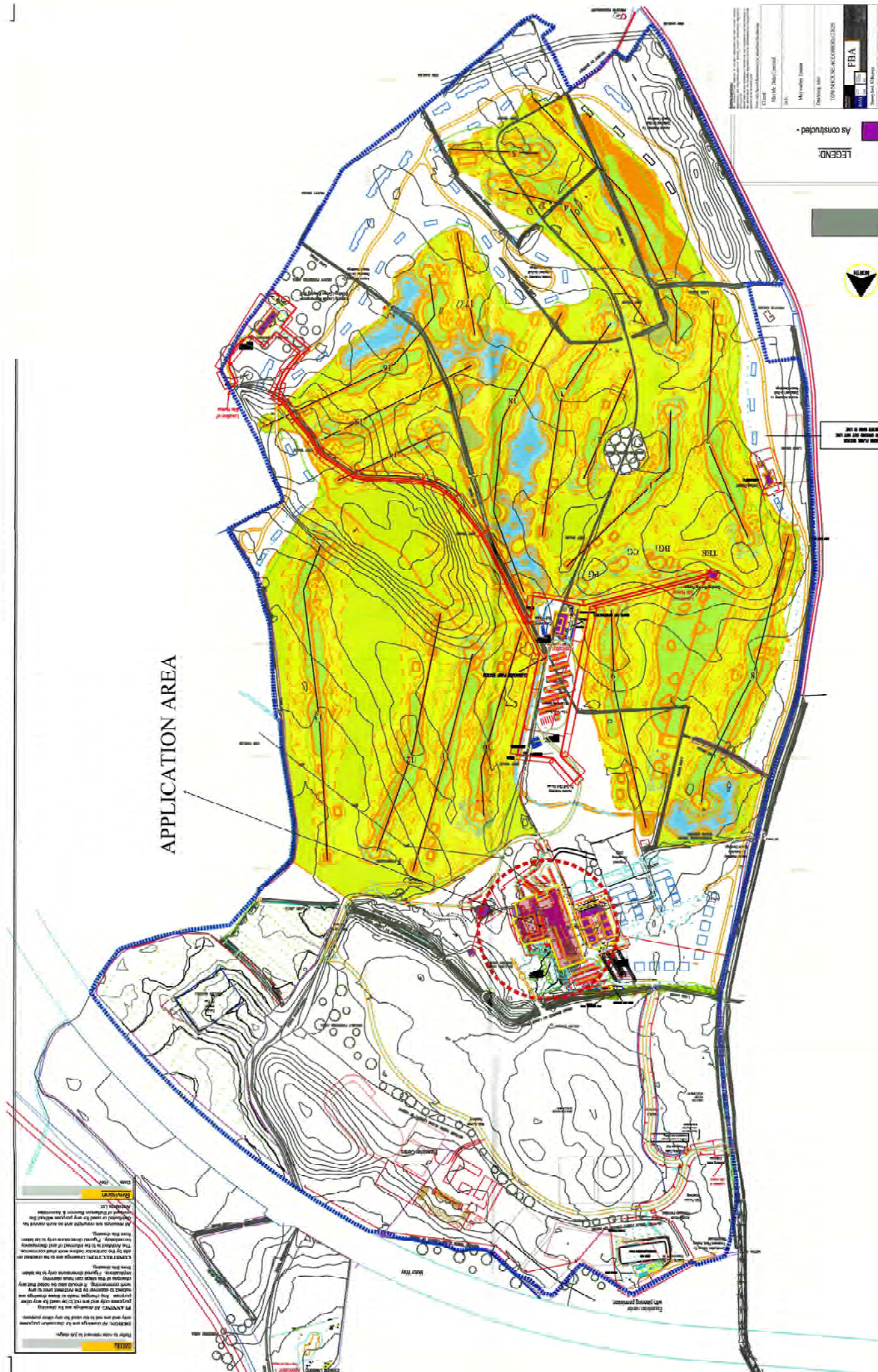
APPLICATION AREA

1. The application area is located within the Ballinacorney Estate, which is a designated Special Area of Conservation (SAC) under the European Communities (Natural Habitats) Regulations 1992. The application area is situated to the north of the Ballinacorney Estate, which is a designated SAC under the European Communities (Natural Habitats) Regulations 1992. The application area is situated to the north of the Ballinacorney Estate, which is a designated SAC under the European Communities (Natural Habitats) Regulations 1992.



Adair County Council
Planning Department
31 MAR 2025
RECEIVED

<p>Client: Marka (UK) Limited</p> <p>Job:</p> <p>Project Name:</p> <p>Drawing Code:</p> <p>Site Location:</p>		<p>PBA</p> <p>Project Name:</p> <p>Project Number:</p> <p>Project Date:</p> <p>Project Status:</p> <p>Project Manager:</p> <p>Project Engineer:</p> <p>Project Designer:</p> <p>Project Checker:</p> <p>Project Approver:</p>
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APPLICATION AREA

As constructed -

LEGEND



NOT A SCALE DRAWING
FOR USE IN CONSTRUCTION OF ROAD
OR OTHER INFRASTRUCTURE

FBA FIDELITY & BOND ASSURANCE 1000 N. GARDEN AVENUE SUITE 100 DENVER, CO 80202 TEL: 303.733.1100 FAX: 303.733.1101 WWW.FBA.COM	
Project Name: Drawing No.: Revision: Date:	Client: Designer: Checker: Approver:

RECEIVED
31 MAR 2025
Planning Department
City of Denver

NOTES:

1. All dimensions are given in feet and inches.
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MOYVALLEY

HOTEL & GOLF RESORT

25th March 2025

Planning Section
Kildare County Council
Devoy Park
Naas
Co. Kildare
W91 X77F



Dear Sir

I wish to confirm that we are the legal owner of the Moyvalley Hotel, estate and complex at Moyvalley, Broadford Co. Kildare. W91Y803

We hereby give our consent to Marble Dale Limited, 20 Linnetfields Rise, Clonree, Dublin 15, D15 H3K2 Co Dublin and their agents, Mark Bannon of P.B.A. Architects to apply for permission or Section 5 declarations on our property at the Moyvalley Hotel, estate and complex at Moyvalley, Broadford Co. Kildare. W91Y803

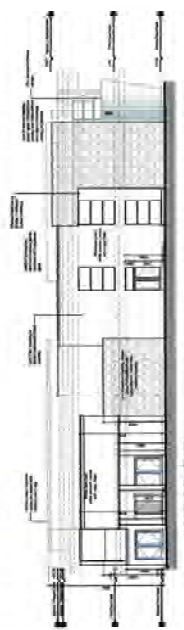
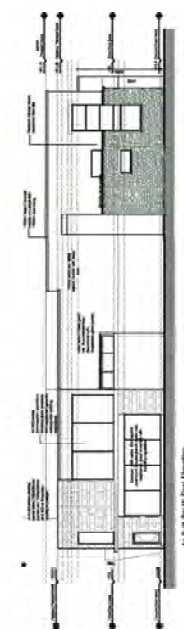
Yours faithfully

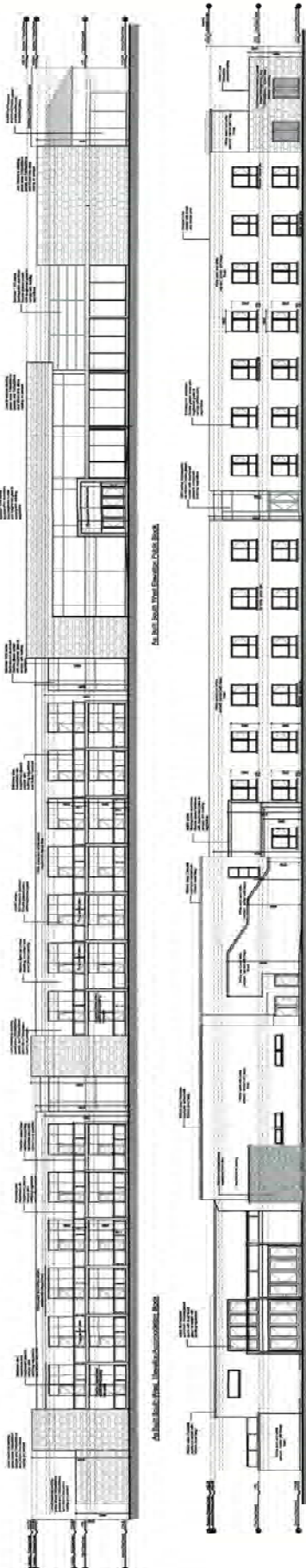
Achara Tripipatkul
Director
For and on behalf of Balyna Hotel Limited

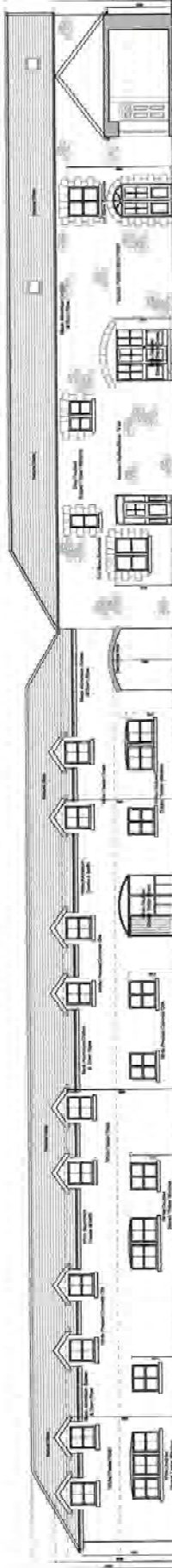
PSA
 Refer to site plan for job map.
REVISION
 1.0
 Date: 10/1/2010
 Drawn by: [Signature]

RECEIVED
 31 MAR 2010
 Planning Department
 1000 1st Avenue, Suite 100
 Seattle, WA 98101

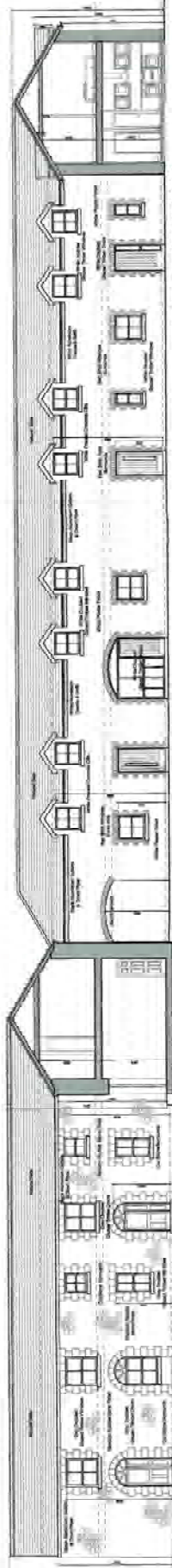
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 Project Status: [Blank]
 Project Manager: [Blank]
 Project Engineer: [Blank]
 Project Designer: [Blank]
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 Project Approver: [Blank]
 Project Date: [Blank]



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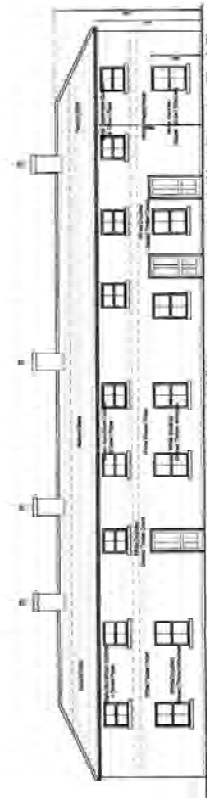
South West Elevation Block B



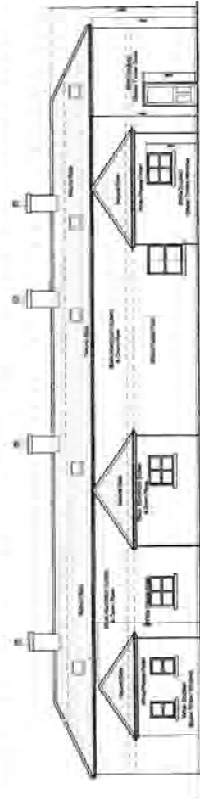
North: East Elevation Block E & F



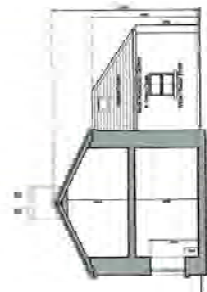
South East Elevation Black E & F



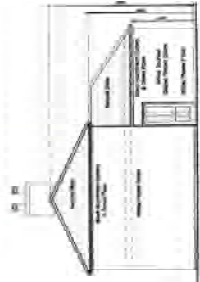
South West Elevation Block D



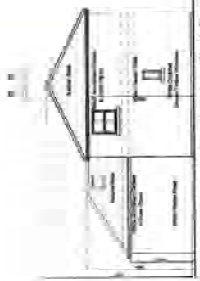
North East Elevation Block D



Section D.D Block D



South East Elevation Block D



North West Elevation Block D

Blaine County Council
Planning Department
31 MAR 2023
RECEIVED

Customer Information

Client: _____
 Name: _____
 Address: _____
 City: _____
 State: _____
 Zip: _____

Product Information

Product: _____
 Quantity: _____
 Price: _____
 Total: _____

Payment Information

Payment Method: _____
 Payment Amount: _____
 Payment Date: _____

Signature

Signature: _____
 Date: _____

10

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100	Model 100



Section BB



South East Elevation Block C



North East Elevation Block A



North West Elevation Block C



Section B, B



South West Elevation Block B



North West Elevation Block G



South West Elevation Block G



Section C, C Block G



South East Elevation Block G

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Middle Eastern Journal
Publishing Co. Inc.

[illegible]





FINANCE CASH OFFICE
Kildare County Council
Áras Chill Dara
Devoy Park
Naas
Co. Kildare
31/03/2025 12:43:31

Receipt No. : FIN1/0/510489
***** REPRINT *****

RE: MARBLE DALE LTD

PLANNING EXEMPT DEVELOP FEES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total	80.00 EUR
-------	-----------

Tendered	
Cheque	80.00

Change	0.00
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Issued By : Maeve Timmons Finance
From : Financial Lodgement Area
Vat reg No. 0440571C