

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Galway City**

**Planning Register Reference Number: 15/184**

An Bord Pleanála Reference Number: PL 61.245993

**APPEAL** by Brian Conway of 372 Tirellan Heights, Headford Road, Galway against the decision made on the 2<sup>nd</sup> day of December, 2015 by Galway City Council to grant subject to conditions a permission to John Francis care of Sean Dockry and Associates of First Floor, Hynes Building, Saint Augustine Street, Galway in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** (a) Construction of a three-storey extension to the north, east and south corners to existing hotel including associated elevational changes, providing 12 hotel rooms and an enlarged bar/restaurant area, (b) alterations to the front façade of hotel and existing roof, including new canopy over hotel entrance, (c) signage to the front, side and entrance of hotel, and (d) new road access onto the Coolough Rd and all associated external works including additional car parking and flag poles at Menlo Park Hotel and Conference Centre, Ballinfoyle, Headford Road, Galway.

## DECISION

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **REASONS AND CONSIDERATIONS**

Having regard to the nature and scale of the proposed development, the planning history of the site, the provisions of the Galway City Development Plan 2011-2017 and the established use on the site, the Board considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the visual or residential amenities of the area, would not represent a traffic hazard and would therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the concerns of the inspector could be addressed by means of condition as set out below.

## **CONDITIONS**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars lodged with the planning authority on the 6<sup>th</sup> day of November, 2015, 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. In the event that the proposed development is implemented, planning register reference number 06/954 shall not be implemented and in the

event that planning register reference number 06/954 is implemented then the permission hereby granted shall not be implemented.

**Reason:** In the interest of clarity and orderly development and as the car parking arrangements for the two developments are mutually contradictory.

3. Prior to commencement of development, a revised floor plan and elevations omitting the second floor north-eastern element containing room 205 and the stairwell shall be submitted to and agreed in writing with the planning authority.

**Reason:** In the interest of protecting the residential amenity of the area.

4. The proposed vehicular access onto the Coolough Road shall be omitted. A revised site plan showing compliance with this condition shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

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

5. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:

- (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
- (b) Location of areas for construction site offices and staff facilities;
- (c) Details of site security fencing and hoardings;
- (d) Details of on-site car parking facilities for site workers during the course of construction;
- (e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- (f) Measures to obviate queuing of construction traffic on the adjoining road network;

- (g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- (i) Provision of parking for existing properties at during the construction period;
- (j) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (k) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- (l) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- (m) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

**Reason:** In the interest of amenities, public health and safety

- 6. (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.
- (b) The access driveway to the proposed development shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage.

**Reason:** In the interest of traffic safety and to prevent pollution.

- 7. 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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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2016.**