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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Galway City Council**

**Planning Register Reference Number: 19/362**

**Appeal** by Brian Conway of 372 Tirellan Heights, Headford Road, Galway against the decision made on the 20<sup>th</sup> day of February, 2020 by Galway City Council to grant subject to conditions a permission to John Francis care of Seán Dockry and Associates of 24 Middle Street, Galway in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Alterations and extensions to existing hotel, including (a) conversion and extension of ground floor conference/function rooms and ancillary areas to provide 12 number new hotel rooms with ancillary gym and spa/treatment therapy rooms, (b) demolition of the existing entrance foyer to the south-west, (c) extension of the existing bar/lounge area at ground floor, including a new sheltered external seating area, (d) extension of floor areas of each of four number existing hotel bedrooms, and (e) all associated elevational changes and external works at The Menlo Park Hotel, 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 design and appearance of the proposed development, and to the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area and would not represent a traffic hazard at this location. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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. Details, including samples, of the materials, colours and textures of all the external finishes to the building, including the new access ramp and windows shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

3. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority, an appropriately scaled site layout plan providing for a minimum of two bus parking bays on site to accommodate the development. These bays shall be provided before the proposed bedrooms are opened for use.

**Reason:** In the interest of orderly development and to support sustainable travel.

4. The gym area and treatment rooms proposed shall be for the use of the residents of the hotel only.

**Reason:** In the interest of proper planning and sustainable development.

5. 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

6. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity

7. The construction and demolition waste shall be managed in accordance with a Construction Waste and Demolition Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with

the provisions of the Waste Management Plan for the region in which the site is situated

**Reason:** In the interest of sustainable waste management.

8. 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 the Board 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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**Michelle Fagan**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this                      day of                      2020.**