



An
Bord
Pleanála

Inspector's Report

ABP-306921-20

Development	Alterations & extensions to hotel, including, conversion and extension of the ground floor conference/ function rooms and ancillary areas to provide 12 new hotel rooms.
Location	The Menlo Park Hotel, Ballinfoyle, Headford Road, Galway
Planning Authority	Galway City Council
Planning Authority Reg. Ref.	19362
Applicant(s)	J. Francis
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Brian Conway
Observer(s)	None
Date of Site Inspection	8 th June 2020
Inspector	Irené McCormack

1.0 Site Location and Description

- 1.1. The Menlo Park Hotel is located on a site to the northwest of the Kirwin roundabout to the west of the junction with the Headford Road (N84). Access to the hotel and adjacent apartment complex grounds is from the Coolough Road.
- 1.2. The Hotel is three stories which includes a third-floor dormer element. It consists of 68no. bedrooms together with ancillary bar, restaurant, and conference facilities. There is a service yard area and external fire escape at the rear. The north western part of the site is occupied by 35no. self-catering apartments. The grounds of the hotel include a communal open space area adjacent to the Kirwan junction.
- 1.3. There is a wall and footpath on both sides of the Coolough Road and the housing estate Castledawn Heights is on the opposite side to the south of this. Tirellan Heights estate is to the north of the hotel complex. There is a bank planted with leylandi cypress to the north of the hotel building which provides some screening for these properties which are located at a higher level. The roadside boundary consists of a low-level stone walls with internal screening planting.
- 1.4. Hotel carparking is located to the south, east and west of the hotel and further to the west adjacent to the hotel complex self - catering apartments.
- 1.5. The Coolough Road is on a bus route into Galway and there are bus stops in front of the hotel. There is also a Medical Centre on the opposite side of the road.

2.0 Proposed Development

- 2.1. The development comprises alterations & extensions to existing hotel, including :
 - a) the conversion and extension of the ground floor conference/ function rooms and ancillary areas to provide 12 no. new hotel rooms with ancillary gym and spa/ treatment therapy rooms,
 - b) demolition of the existing entrance foyer to the southwest,
 - 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 4 no. existing hotel bedrooms, and
 - e) all associated elevational changes and external works

3.0 Planning Authority Decision

3.1. Decision

The decision to grant permission was subject to seven conditions. The following conditions are of note.

Condition no. 2 refers to construction hours and submission of a Construction and Demolition Waste Management Plan

Condition no. 7 relates to Development Contributions

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planning report sets out the planning history for the site and notes the submissions on file. The site zoning and design are discussed. It was concluded that the proposed development is in keeping with the character of the existing hotel and there was adequate car parking on site.

3.2.2. Other Technical Reports

None

3.3. Prescribed Bodies

None

3.4. Third Party Observations

1. Mr. Brian Conway, 372 Tirellan Heights, Galway– The following is a summary of the issues raised:
 - It is set out that development is overdevelopment and is excessive and will negatively impact of the surrounding area.
2. Galway Cycling Campaign, C/o Martina Callanan, 9 Illaunree Drive, Coolough Road, Galway. The following is a summary of the issues raised:
 - Provision of well-designed convenient cycle parking should be incorporated into the development and enhanced pedestrian permeability to adjoining residential developments.

4.0 Planning History

GCC 16/246 - Permission granted in 2016 for revision to previously granted hotel extension (GCC15/184/ ABP 245993)

GCC15/184/ ABP 245993– Permission granted in 2015 for hotel extensions providing 12 hotel rooms and enlarged bar and restaurant, alterations to front façade and roof, new canopy, signage, new road access onto the Coolough Road and all associated external works including additional car parking and flagpoles.

GCC 06/954 – Permission granted for the construction of (a) two storey underground structure providing a leisure / spa centre and swimming pool at the upper level and car parking and plant rooms at the lower level (b) single lane entrance/exit ramp to the lower level car park (c) enclosed stairwell and lift shaft to side elevation of existing hotel incorporating access to the underground development (d) revised landscaping incorporating a fountain feature; (e) all associated site services works

5.0 Policy Context

5.1. Development Plan

The site is governed by the policies and provisions contained in the Galway City Development Plan 2017-2023

- 5.1.1. The north western section of the site which accommodates the hotel building is zoned R for residential and the landscaped area to the south of the site is zoned RA, recreation, and amenity.

Section 11.2.8 provides Residential R and LDR (low density residential) Land Use Zoning Objectives, R: To provide for residential development and for associated support development, which will ensure the protection of existing residential amenity and will contribute to sustainable residential neighbourhoods. This includes *Hotels* in the uses which may contribute to the zoning objective, dependent on the R and LDR location and scale of development.

- 5.1.2. Specific Objective Fig. 11.2 Menlo Park Hotel sets out the following: RA lands in front of the Menlo Park Hotel adjacent to the Kirwan Roundabout. The Council will consider the development of a leisure centre and swimming pool, both located underground with minimal effect overground, as part of the overall hotel development.

5.1.3. Relevant policies and standards of the Galway City Development Plan 2017-2023 include:

- Section 8.7 Urban Design – Good architecture is essential in creating a good image of the city with a strong identity. The detailed design of a building and use of materials are important considerations. High quality architectural design is also important in the context of urban design having regard to the layout and intensity of blocks, plots and buildings. The density of development and the mix, type and location of uses are also key considerations.
- Building height -The scale of development in terms of height and massing can have a considerable impact on other buildings and spaces as well as views and skylines. Additional building height over and above the prevailing height can usefully mark points of major activity such as business districts, civic functions and transport interchanges. They can also however, have a considerable impact in the context of historic buildings, conservation areas, areas of natural heritage importance and can detract from a city's skyline and impinge upon strategic views
- Policy 8.7 Urban Design
- Encourage high quality urban design in all developments.
- Encourage innovation in architecture and promote energy efficiency and green design.
- Section 11.6 refers to Advertisements.
- Section 11.10.1/ Table 11.5 provides the Parking Standards/Requirements for developments including hotels.
- Section 11.10.2 refers to Cycle Parking.
- S.11.11 refers to Waste Management.

5.2. Natural Heritage Designations

The site is not located within or directly adjacent to any Natura 2000 sites. The site is located 0.5km southeast of Lough Corrib SAC (site code 000297) and 1.1km northwest of the Inner Galway Bay SPA (site code 004031).

5.3. EIA Screening

Having regard to the nature and scale of the proposed development, the receiving environment, and to the nature, extent, characteristics and likely duration of potential impacts, I conclude that the proposed development is not likely to have significant effects on the environment and that the submission of an Environmental Impact Statement is not required. The need for environmental impact assessment can, therefore, be excluded at preliminary examination. An EIA - Preliminary Examination form has been completed and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

- It is set out that the justification for the development is flawed as the new road works (currently underway) will have a positive impact on the hotel business.
- It is set out that no additional car parking is proposed, however, the site has been subject to unauthorised development in relation to car parking on site in the form of 17 additional car parking spaces to the southeast of the site fronting the Coolough Road.
- It is set out that the revised layout is more hazardous resulting in forward and reversing manoeuvres.
- It is set out that the grant of planning permission for the development would effectively regularise these unauthorised car parking spaces.
- It is set out that the drawings submitted do not indicate any measurements noting that the planner had to calculate the floor areas to determine car parking requirements.
- It is set out that the planner made a mistake and overestimated the floor area of the function room and the 67 car parking spaces credited to the function room is excessive.
- It is set out that the site cannot adequately accommodate coach parking and no provision has been made to provide same.
- Reference is made to the planning history on the site, in particular, condition no. 2 of ABP 245993 which stipulated that in the event the applicant

implements planning register ABP 245993, planning permission GCC 06/954 shall not be implemented. It is set out that the current application which includes a gym and spa/treatment room is a strategy to secure a leisure/spa centre.

- It is set out that the removal of the car parking within the R/A zoned lands to the front of the site will go some way to negating the unavoidable reduction in the size of the R/A zoned lands due to the road improvement works.

6.2. Applicant Response

- It is set out that the development arises from a commercial decision informed by financial planning and long-term sustainability.
- It is set out that the car parking layout was reconfigured for better traffic circulations and to facilitate smaller green areas dispersed throughout the car park. The total car parking spaces (184) as constructed is comparable to the grant of planning permission under 15/184 /ABP 245993 and the drawings accurately reflect the correct situation.
- It is set out that the proposed development requires reduced car parking requirements and will have a positive impact on the car parking in respect of the premises.
- The submission sets out that the reduction is calculated as follows:
 - Function room being omitted 342sqm @ 1 space per 10sqm = 34 spaces
 - Bedrooms being added 12 no. @ 1 space per bedroom =12 spaces
 - Additional Bar area 36sqm @ 1 space per 8 sqm = 4
 - Net balance 18 spaces
- It is set out that the drawings were to scale as indicated on each drawing.
- It is noted that the planners erred in the calculation of the function room area however with the correct area there is still in excess of car parking.

- It is set out that the apartment complex facilitates bus tours outside of student times and provide bus parking on the adjoining site. It is set out that there is no overflow bus parking on the public road, as this does not occur.
- It is set out that 06/054,15/184 and the current application are mutually exclusive planning applications and 06/954 has not been developed. The proposed gym and spa/treatment rooms are ancillary to the hotel use and are of a scale only suitable for guests and no separate public use is intended.
- It is set out that the development relates to the use of space within the built premises. Any error in calculations of floor area is not material to the decision as either way there is a reduction in demand for car parking.

6.3. **Planning Authority Response**

- The planning authority is satisfied that the development will result in a car parking credit range of approx. 44 to 67 car parking spaces, which adequately addresses the car parking requirements generated by the development.
- It is further stated that where any unauthorised car parking has occurred that this is a matter for enforcement.

7.0 **Assessment**

7.1. **Introduction**

The assessment covers the points made in the appeal submissions, and also encapsulates my de novo consideration of the application. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Principle of Development including Design
- Car Parking
- Other Matters
- Appropriate Assessment

7.2. **Principle of Development including Design**

- 7.2.1. The proposed development relates to alterations and extensions to the existing Menlo hotel, including, conversion and extension of the ground floor conference/

function rooms and ancillary areas to provide 12 new hotel rooms with ancillary gym and spa/ treatment therapy rooms, demolition of the existing entrance foyer to the southwest and the extension of the existing bar/ lounge area at ground floor, including a new sheltered external seating area.

- 7.2.2. The north western section of the site which accommodates the hotel building is zoned R for residential and the landscaped area to the southeast of the site is zoned RA recreation and amenity, a portion of this area is currently the subject of ongoing road improvements works. Section 11.2.8 of the development plan provides that lands zoned Residential R and LDR (low density residential) for residential development and for associated support development includes *Hotels* in the uses which may contribute to the **zoning** objective. Specific Objective Fig. 11.2 Menlo Park Hotel sets out the following: “RA lands in front of the Menlo Park Hotel adjacent to the Kirwan Roundabout. The Council will consider the development of a leisure centre and swimming pool, both located underground with minimal effect overground, as part of the overall hotel development.”
- 7.2.3. The primary use of the site is as a hotel and the conversion of the function room to 12 additional hotel rooms and the ancillary provision of hotel amenities, in addition to the extension of the bar/lounge area are compatible with the permitted use on the site. I consider that in terms of the principle of development, there is policy support for this development.
- 7.2.4. In terms of the remodelled southwestern façade including bar extension and alterations to the north-western facade **design** and the rear extension works at ground floor level, the works reflect a modern design intervention in keeping with the primary south-eastern facade addressing the Kirwin roundabout. The existing façade treatment is outdated and out of keeping with the modern south-eastern section of the hotel. The works reflect a uniform approach to the design and will, in my opinion, enhance the visual appeal of the hotel and are acceptable in accordance with proper planning and orderly development. I further note that no works are proposed to the rear of the site above ground floor level, and therefore there will be no impact on the adjoining residential properties to the northeast of the site.

7.3. Car Parking

- 7.3.1. The appellant has raised a particular concern regarding car parking on site and argues that no additional car parking is proposed, and the revised car parking layout represents a traffic hazard.
- 7.3.2. In relation to the quantum of car parking spaces provided on site, the appellant contends that the drawings submitted do not indicate any measurements noting that the planner had to calculate the floor areas to determine car parking requirements. It is set out that the planner made a mistake and overestimated the floor area of the function room and the 67 car parking spaces credited to the function room is excessive. In this regard whilst I note the individual room floor areas were not highlighted each drawing was drawn to scale as indicated on the drawings.
- 7.3.3. In relation to car parking requirements the applicant argues that the development requires reduced car parking requirements and will have a positive impact on the car parking in respect of the premises. In response to the appeal the applicant sets out that based on calculated floor area the car parking calculation are as follows:
- Function room being omitted 342sqm @ 1 space per 10sqm = 34 spaces
 - Bedrooms being added 12 no. @ 1 space per bedroom =12 spaces
 - Additional Bar area 36sqm @ 1 space per 8 sqm = 4

There will be a net balance of 18 spaces. Therefore, I am satisfied that there is no issue with the quantum of car parking on site. The development will not generate additional car parking demand over and above the existing car parking already provide for on site in accordance with table 11.5 of the development plan.

- 7.3.4. It is the appellants contention that the site has been subject to unauthorised development in relation to car parking in the form of 17 additional car parking spaces to the southeast of the site fronting the Coolough Road, and, that the revised layout is more hazardous resulting in forward and reversing manoeuvres. I note that planning authority raised no concerns in this regard and I further note that site inspection indicated that there is ample space for a vehicle to manoeuvre at this location. I have reviewed the previous planning application and I note that this area was identified for car parking and whilst the layout has been revised, I am satisfied that no material change has occurred.

- 7.3.5. The appellant further argues that the site cannot adequately accommodate coach parking and no provision has been made to provide same. I agree, the site layout does not provide for coach parking and in the context of the nature of the development and noting the oversupply of car parking as identified, I consider a suitable condition should be attached to any grant of planning permission requiring the applicant to provide a minimum of two bus parking bays on site, should the Board be minded to grant planning permission. This will ensure appropriate designated parking facilities are provided on site to accommodate the development and encourage sustainable transport modes.
- 7.3.6. The issue of bus parking along the public road associated with the adjoining student apartment complex facilitating bus tours outside of student times is not relevant to the current appeal and not a matter for the Board.

7.4. **Other Matters**

- 7.4.1. The appellant has raised concerns regarding the **justification** for the development. In this regard, I note that the applicant states that justification for the development arises from a commercial decision informed by financial planning and long-term sustainability. I am satisfied that the financial viability of the hotel is essential to ensure the longevity of the site and the adequate upkeep and maintenance of this substantial property.
- 7.4.2. Reference is made to the planning history on the site, in particular, condition no. 2 of ABP 245993 which stipulated that in the event the applicant implements planning register ABP 245993, planning permission GCC 06/954 shall not be implemented. It is set out that the current application which includes a gym and spa/treatment room is a strategy to secure a leisure/spa centre.
- 7.4.3. In response the applicant states that 06/054, ABP 245993 (15/184) and the current application are mutually exclusive planning applications and 06/954 which included a leisure / spa centre and swimming pool has not been developed. The proposed **gym and spa/treatment rooms** are ancillary to the hotel use and are of a scale only suitable for guests and no separate public use is intended. The proposed gym is approx. 77sqm and the adjoining treatment room is approx. 35sqm, both rooms are embedded in the ground floor bedroom block. I am satisfied that due to their internal location and size both that these amenities are for guest only, and, I am further

satisfied that the use of same can be controlled by way of an appropriately worded planning condition restricting the use to hotel guest only, should the Board be minded to grant permission.

7.5. **Appropriate Assessment**

- 7.5.1. Having regard to the nature of the development, its location in a serviced urban area, and the separation distance to any European site, 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.

7.6. **Recommendation**

I recommend that planning permission be **GRANTED** for the proposed development having regard to the reasons and considerations and subject to conditions as set out below.

7.7. **Reasons and Considerations**

Having regard to the design, appearance of the proposed development, and the pattern of development in the vicinity, it is considered that, subject to compliance with conditions 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, therefore, would be in accordance with the proper planning and sustainable development of the area.

7.8. **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.
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 the commencement of development, the developer shall submit for the written agreement of the Planning Authority an appropriately scaled site layout plan providing for a minimum of two bus parking bays on site to accommodate the development.

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 provision 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. The contribution shall be paid prior to the 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 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.

Irené McCormack
Planning Inspector

22nd July 2020