



To: The Board

From: Planning Inspector – Barry O'Donnell

Re: Board Direction – BD-014089-23

Date: 5th December 2023

Development Construction of an eight storey over basement, 186-bedroom hotel.

Location Site 4, Briarhill Business Park, Bothar na dTreabh in the townlands of Ballybrit and Doughiska, Galway.

1.0 Background

- 1.1. This report is an addendum report to an original report dated 25th November 2022, in respect of a first party appeal and 2 No. third-party appeals against a decision by Galway City Council to grant permission for the construction of an eight storey over basement, 186-bedroom hotel subject to planning conditions.
- 1.2. The report dated 25th November 2022 recommended that permission be granted, subject to 14 No. recommended conditions.
- 1.3. The submissions on the file and the Inspector's report were considered at a Board meeting held on 11th October 2023. The Board decided to defer consideration of this case and to request an addendum report, which should consider the Galway City

Development Plan 2023-2029, which is now in force. The Board Direction, in particular, advises that the assessment should focus on relevant policies and objectives related to car parking and building heights in the current Galway Development Plan and related documents, including the Galway Urban Density and Building Heights Strategy.

1.4. This Addendum Inspector's Report addresses the requirements of the Board's Direction dated 12th October 2023 and should be read in conjunction with the Inspector's Report dated 25th November 2022.

1.5. Galway City Development Plan 2023-2029

1.5.1. The Galway Development Plan 2023-2029 took effect on 4th January 2023 and it provides the regulatory framework to guide and control development in the administrative area of Galway City.

1.5.2. The site remains zoned for Enterprise, Light Industry and Commercial (CI), with an objective '*To provide for enterprise, light industry and commercial uses other than those reserved to the CC zone.*'

1.5.3. Section 11.2.6 contains a range of '*uses which are compatible with and contribute to the zoning objective*' and '*uses which may contribute to the zoning objectives, dependent on the CI location and scale of development*'. The individual use lists are stated to be intended as a guideline and are not exhaustive... Uses not cited as examples of uses but which fulfil the land use objective shall be considered in relation to general policy and to the zoning objectives for the area in question. (Section 11.2). Hotels are again not mentioned under either use list (hotels are mentioned under other zonings). Residential development is again identified as a use which may contribute to the zoning objective, subject to the following qualification: -

'Residential content of a scale that would not unduly interfere with the primary use of the land for CI purposes and would accord with the principles of sustainable neighbourhoods outlined in Chapter 3.'

1.5.4. An Urban Density and Building Height Study was prepared as part of the development plan, prepared by Allies and Morrison Limited and dated September 2021. In respect of this Study, Section 1.8.5 of the CDP states: -

'... The study provides a coherent analysis of the existing spatial structure. It reviewed where the potential for intensification through increased densities and/or height could achieve the most efficient and effective use of land and make a positive contribution to the character of and liveability of the city and the need to accommodate the target increase in population sustainably. It gave consideration to the suitability and sensitivity of areas to change and the need to respect the unique built and natural heritage and character of the city. It focused on the opportunities afforded by investment in sustainable transport and the distribution of services and amenities as well as reviewing the emerging potential of the Regeneration and Opportunity Sites for mix of uses. Critically it emphasised the need for any increase in densities to be framed in quality architecture and adherence to good urban design principles.'

1.5.5. Section 8.8 further states: -

'The study following analyses, includes for densities and building height ranges open for consideration as part of the overall assessment of proposed developments. These suggested ranges of scale and intensity are a guide and are not absolute measures to be pursued or achieved and each site should be considered on its merits. Densities and heights lower or higher than those outlined in the study may be appropriate when assessed against other relevant policy and guidance.'

1.5.6. The section further advises a specific contextual assessment will be undertaken as part of the assessment process, with applicants required to address the following: heritage, design quality, townscape rationale, tall building statement, impact assessment, sustainability and climate benefits and public realm.

1.5.7. Relevant policies include: -

Policy 6.1(5): Provide for opportunities for growth, innovation and investment across all sectors in order to create a resilient and diverse city economy that will maximise high value employment opportunities for the entire workforce and facilitate measures for a just transition in society.

Policy 6.2(3): Encourage and facilitate the development of other designated regeneration sites in the city for mixed use development appropriate to the scale and context of each site.

Policy 6.8(1): Recognise the significant contribution that national and international tourism makes to the local economy and the vitality of the city and facilitate, in partnership with Fáilte Ireland and key stakeholders, the sustainable development of associated infrastructure, attractions, including a destination attraction of scale and events particularly where they reflect the distinctive history, culture and environment of Galway and highlight the significance of Galway as the only city on the “Wild Atlantic Way “ and as a gateway to the Northern and Western Region.

Policy 6.8(4): Work in partnership with Fáilte Ireland and key stakeholders to support the hospitality sector and promote tourism related facilities including a sustainable range of tourism accommodation.

Policy 8.7(8): Adhere to the Galway City Urban Density and Building Height Study (2021) and promote development which incorporates high quality sustainable and inclusive urban design, urban form and architecture that positively contributes to the city’s character, heritage and neighbourhood areas.

Policy 8.7(9): Proposals for buildings which are taller than the prevailing benchmark heights will only be considered where they do not have an adverse impact on the context of historic buildings, ACA’s, residential amenity or impinge upon strategic views, in accordance with the Urban Density and Building Height Study for the city.

1.5.8. Section 11.9 contains development control standards pertaining to commercial and industrial development, including in the ‘CI’ zones, where the subject site is located. Of relevance to the proposal are the following: -

- Developments shall be required to provide an element of open space which would include a landscaping scheme for the site having regard to screening of boundaries and vehicle parking areas and to the visual appearance of the site, in particular the area between the front building line and the front boundaries.
- Open space shall be provided in a manner in which it can function as an effective amenity area taking into account its location on the site, physical size, aspect to avail of sunlight and accessibility. In this regard open space inappropriately sited or sized or open space incidental to roads, boundaries or pathways, shall not be accepted by the Council, as fulfilling this requirement. Such landscaping schemes shall encourage habitat biodiversity and incorporate SuDS where feasible.

Urban Density and Building Height Study

- 1.5.9. The Study identifies 4 broad neighbourhood areas within the city: the City Centre; Inner Residential Areas; Established Suburbs; and Outer Suburbs (these are reflective of the neighbourhoods identified in the 2017-2023 City Development Plan). The subject site does not lie within any of the identified neighbourhood areas, as identified in Figure 29, but is most closely aligned with the Outer Suburbs, which encroaches to the south side of Bothar na dTreabh.
- 1.5.10. Section 10 of the Study contains a suitability analysis, which analyses areas of the city that may be suitable for higher density/taller development. It considers factors such as access to public transport; proximity to a designated centre; open space proximity and community infrastructure and provides a composite suitability map, Figure 42, that combines this data and provides an indication of the areas considered to be most suitable for higher density forms of development. The map identifies that the site is proximate to high frequency bus stops, is proximate to a cycleway/greenway, is proximate to a designated centre, is proximate to open space and is proximate to community facilities.
- 1.5.11. Section 12 builds on the sensitivity analysis by incorporating sensitivity constraints such as designated areas; protected structures; views; topography; historic settings; and low-density residential zones and provides a further composite map, Figure 49, that combines all of this additional data. The map identifies that the site is in an elevated location.
- 1.5.12. Section 19 contains the Spatial Strategy for the Outer Suburbs neighbourhood and it states that the prevailing 2-3 storey building height pattern should continue. It further states that there are few sensitivities in relation to the scale of development in the neighbourhood and that opportunities to push for marginally increased height should be taken, where appropriate to do so.

Parking Standards

- 1.5.13. Section 11.11.1 contains parking standards for non-residential development. It states that parking standards will be applied using performance-based criteria appropriate to the location, in accordance with the requirements of the NPF, and that the standards represent maximum requirements. The table below summarises the

relevant parts of Table 11.6 (parking space requirements), as pertain to hotel developments.

Bars and Lounges (including Hotel Bars)	1 space per 8m ² gross floor area
Function Rooms (including Hotel function rooms)	1 space per 10 m ²
Hotels (in addition to the above)	1 space per bedroom

2.0 Assessment

2.1. As I have set out, the Board's Direction relating to the Addendum Report requests that consideration be given to the Galway City Development Plan 2023-2029, with particular focus on relevant policies and objectives related to car parking and building heights, including the Galway Urban Density and Building Heights Strategy.

2.2. Zoning under the Galway City Development Plan 2023-2029

2.2.1. The site remains zoned Enterprise, Light Industry and Commercial (CI) under the new development plan, with an objective '*To provide for enterprise, light industry and commercial uses other than those reserved to the CC zone.*'

2.2.2. Hotel uses are again not cited under the example uses, with consideration to be given to other factors in the assessment of overarching compliance. My report dated 25th November 2022 contained a detailed analysis of other relevant factors, including national planning policies and the site's locational context, in particular it outlined that: -

- The site lies within the Metropolitan Area for Galway City, where the thrust of National and Regional planning policy seeks to support compact growth within urban areas and to provide people-intensive employment uses within existing urban centres and at high-capacity public transport corridors.
- The site is located in an established Business Park, which contains a mix of commercial and business uses, and has a pedestrian connection to Briarhill Shopping Centre, a designated District Centre that contains a mix of commercial, retail, office and residential uses. The Clayton Hotel also lies adjacent to the Shopping Centre, on the north side of Monivea Road.

2.2.3. Having given consideration to the updated zoning context, I remain satisfied that the proposed development is consistent with the zoning objective and would not result in an incompatible form of development.

2.3. **Proposed Building Height**

2.3.1. The proposed development comprises an 8-storey over basement, 186 No. bedroom hotel with a gross floor area of 12,478sqm, which includes below ground pool, plant equipment, tank room, standby generator and pumping station. The proposed design comprises two linked eight storey blocks, each of which has a contemporary monopitch roof. The linking section also has an eight-storey height and is heavily glazed, incorporating a flat roof. At the AI stage the applicant proposed minor revisions to the design, including in respect of elevational design and treatments and materials.

2.3.2. My report dated 25th November 2022 analysed the proposed building height in the context of the *Urban Development and Building Heights Guidelines for Planning Authorities* (2018) and concluded that the proposed building height is acceptable.

2.3.3. In the period since that report was discharged, the new Galway City Development Plan 2023 – 2029 (CDP) has been adopted, as part of which an Urban Density and Building Height Study was prepared. The Study identifies 4 broad neighbourhoods within Galway City, which reflects those neighbourhoods identified in the 2017-2023 City Development Plan. The Board will note that the identified neighbourhoods do not encompass all of the administrative boundary of Galway City, as can be seen in Figure 29 of the Study.

2.3.4. The subject site does not fall within any of these designated neighbourhoods and is most closely aligned to the Outer Suburbs designation, which encroaches to the south side of Bothar na dTreabh. In the Outer Suburbs, the Study guides that the prevailing 2-3 storey building should prevail and that opportunities should be taken to push for marginal height increases in appropriate locations.

2.3.5. Section 8.8 of the CDP states that suggested ranges of scale and intensity outlined within the Urban Density and Building Heights Study are a guide and are not absolute measures to be pursued or achieved and each site should be considered on its merits. The proposed 8-storey over basement building height clearly exceeds the envisaged prevailing height for lands to the south, but I consider there are other factors to be considered.

- 2.3.6. Applying the various analyses of Urban Density and Building Heights Study, the site is in proximity to public transport, a designated District Centre, open space and community infrastructure. The only identified sensitivity constraint relates to its elevated topographical location. I am satisfied, based on the Urban Density and Building Heights Study that the site is suitable for a taller building.
- 2.3.7. Section 8.8 of the CDP provides a range of criteria that are required to be addressed as part of proposed developments for taller buildings. My assessment of the proposal in the context of these criteria is set out below: -

Heritage Assets and their Setting: The site is not in proximity to a Protected Structure or structure contained on the National Inventory of Architectural Heritage and is also not in proximity to a designated Architectural Conservation Area.

Design Quality: The building has a contemporary design and comprises of two effective wings, which are separated by a break in the building that allows for natural light to each room. I am satisfied that the proposed design incorporates sufficient architectural and visual interest to make a positive contribution to the urban neighbourhood and streetscape.

The proposed hotel will be a prominent addition to surrounding views, but I consider this is related to the low-rise character of Briarhill Business Park and other development north of Bothar na dTreabh and is, in my view, an inevitability of the development of a taller building on the site.

Townscape Rationale: The site is located within Briarhill Business Park, it is accessed from Parkmore Road and it benefits from a direct pedestrian connection to Briarhill Shopping Centre, via a pedestrian underpass that routes under Bothar na dTreabh. Briarhill Shopping Centre contains a mix of commercial, retail, office and residential uses.

The site served is served by public transport, via bus stops on the R339 and Parkmore Road. The applicant identifies there are 6 bus-stops within 270m of the site and that it is served by 2 bus routes (Nos. 401 and 409) which provide city bus services every 10-20 minutes. Eyre Square is also identified as being a 19-minute cycle from the site.

In terms of access, Bothar na dTreabh is a National Primary Route, which connects to the M6 to the east and which routes around the northern side of Galway City

Tall Building Statement: Whilst a tall building statement was not provided with the application, a number of supporting assessments were provided with the application, including a Design Report and an Urban Response Summary report, which was provided at the AI stage. In my view, these supporting assessments provide justification for the proposed development and receiving environment, in the context of the CDP requirement.

Impact Assessment: My report dated 25th November 2022 detailed assessment of visual, daylight and sunlight, overlooking and overshadowing and ecological impacts associated with the development. In summary: -

Regarding visual impact, the proposal is likely to be a dominant feature in views from the east and west, along Bothar na dTreabh. But as I have set out elsewhere, the site is not located within a sensitive or protected landscape or conservation area and is proximate to other taller buildings including the Clayton Hotel and an approved development of up to 7 storeys adjacent to the junction of Bothar na dTreabh and the Eastern Approach Dual Carriageway (Reg. Ref. 18/25 refers).

I do not consider significant or unacceptable overlooking or overshadowing issues arise, given the urban location and the commercial/business uses in the vicinity of the use. Bedrooms will overlook to the east, west and north but none of the adjacent sites contain uses that are sensitive to overlooking. Shadow cast onto the west-adjointing site/building is likely to be significant in the mornings, but there are limited window openings on the east elevation of that commercial building and the external area of the site is used for car parking, so any such effect is likely to be limited.

Regarding ecology, the subject site is an undeveloped, overgrown site that contains a hardcore surface. In view of its condition and location within a noisy and built environment, I consider the site provides limited ecological value and the development is unlikely to have a significant or unacceptable impact on local flora or fauna.

Sustainability and Climate Benefits: An Energy & Sustainability Statement was submitted with the application, which states that the building will target a Net Zero Carbon strategy and that it will meet or exceed Nearly Zero Energy Buildings (NZEB) requirements. It further states that 40% of operational energy will be provided by renewable means, together with other building design measures.

The Engineering Services Report provides further detail of climate adaptation measures, in the form of surface water drainage proposals, and I note that a green roof is proposed and that drainage via infiltration is provided for under permeable and bio-retention/landscaped areas.

I am satisfied that adequate consideration has been given to sustainability measures as part of the development.

Public Realm: Landscape plan drawing No. BHH-BDP-L-PL-20-00-1100, provided as part of the AI response, identifies landscaping principles for the site (detailed species proposals are not provided). It identifies a public realm corridor on the eastern flank of the hotel, with planted areas to the front, centre and rear of the building. A community play space is also proposed, adjacent to the south-east corner of the hotel. I am satisfied that appropriate public realm, amenity, landscaping, rest and play spaces are incorporated into the development. My report dated 25th November 2022 recommended that a condition be attached requiring the applicant to submit and agree detailed landscaping proposals with the Planning Authority, prior to the commencement of development.

2.4. Car Parking

- 2.4.1. The development includes 193 No. car parking spaces, together with bicycle parking spaces. A shuttle bus service was also proposed as part of the AI response submission. A Transportation Assessment Report and Preliminary Mobility Management Plan was submitted with the application.
- 2.4.2. The new CDP requires that parking be provided at the following rates, for hotel developments: -

Bars and Lounges (including Hotel Bars)	1 space per 8m ² gross floor area
Function Rooms (including Hotel function rooms)	1 space per 10 m ²
Hotels (in addition to the above)	1 space per bedroom

- 2.4.3. These parking standards are as per those contained in the 2017-2023 development plan and the Board will note that Section 11.11.1 of the CDP states that they

represent maximum standards, to be applied using performance-based criteria appropriate to the location.

- 2.4.4. The development includes a bar and lounge at lower ground floor level, with a combined stated area of 438sqm. The hotel contains 186 No. bedrooms. Taken together, they generate a requirement 241 No. parking spaces based on the CDP table.
- 2.4.5. From a review of floor plan drawing No. BHH-BDP-A-PL-20-1201, I note that meeting rooms 1-4 and 8 are small, self-contained spaces that are unlikely to be suitable for any largescale function use. Meeting rooms 5 and 6 are shown to incorporate bi-folding doors and together with meeting room 7, I consider they have the potential to be used for function use. In such circumstances, they would generate a requirement for an additional 19 No. spaces.
- 2.4.6. Having considered Planning Authority's Reports on the application, it appears to me that the Planning Officer is of the view that the meeting room element of the hotel generates its own requirement for parking, at the rate of 1 space per 10m². However, having considered Table 11.5, I do not share this view. The Board will note that the CDP makes a specific provision for 'Hotel Bars' and 'Hotel Function Rooms' (Table 11.5 of the CDP refers) but it does not make specific provision for hotel meeting rooms and, in view of this, this element of the hotel use appears to me to fall under the general 'Hotel' parking requirement.
- 2.4.7. In my report dated 25th November 2022 I outlined that the National Planning Framework requires that in urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. I further outlined that the Galway Transport Strategy also promotes modal shift towards sustainable travel forms and reducing dependency on the private car, by controlling access to car parking in the city.
- 2.4.8. Section 2.13 of the Preliminary Travel Plan states that Parkmore Road is very well served by Bus Services (Bus Eireann service Nos. 401 and 409) with both routes operating on an approximate 20-minute peak frequency, linking the site to Eyre Square, the City Centre and Salthill. Having reviewed available Bus Eireann timetables for these routes, I note that the 401 route runs every 20 minutes between

06.05-23.45hrs, when the service finishes, and the 409 route runs every 10 minutes between 05.50-19.00hrs, reducing to every 15 minutes thereafter until 00.00hrs when the service finishes. Each of these services provides multiple stops across the city, including connections to other public transport modes. In my view, this provides the site with a reasonable level of public transport service across the day.

- 2.4.9. As I have outlined, the CDP parking standard is a maximum requirement and the CDP Section 11.11.1 states that they will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes. Given the urban, accessible location of the site, which is served by regular public transport, and where the applicant proposes additional connectivity to public transport nodes in the City Centre, it is my view that the proposed car parking facilities accord with the provisions of the National Planning Framework and are acceptable.

3.0 Recommendation

- 3.1. Having regard to the above assessment, I recommend that planning permission should be granted, for the reasons and considerations set out in my report dated 25th November 2022 and subject to the recommended conditions contained within that report.

Barry O'Donnell

Planning Inspector

5th December 2023.