



Development	Retention permission for a single storey glazed conservatory for use as an extension to existing restaurant, a flat roof extension to provide separate entrance to spa area and all associated works
Location	Salthill Hotel, The Promenade, Salthill Co. Galway
Planning Authority	Galway City Council
Planning Authority Reg. Ref.	2560347
Applicant(s)	Richard Bryne
Type of Application	Retention
Planning Authority Decision	Split Decision
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	Gerard Barry & Yvonne Barry Richard Bryne
Observer(s)	Mary O'Connor Averil Staunton
Date of Site Inspection	18 th May 2026
Inspector	Ciara McGuinness

1.0 Site Location and Description

- 1.1. The existing hotel is located close to the Promenade at Salthill Co. Galway. The site is accessed for vehicles off the Rockbarton Road which is connected to the R336 – (Salthill Road Upper). Pedestrian access is directly onto a footpath on the R336. The hotel is set back on site with surface level car park and access to an underground car park to the front of the hotel.
- 1.2. The hotel building is a four storey building with penthouse, five storeys in total with a three storey extension to the rear. The area surrounding the site consists of residential development of varying densities. The closest residential development is to the immediate southwest of the site, consisting of an apartment complex, which was constructed in the 1990's. Further west abutting the grounds of the hotel is a large dwelling within its own grounds and the residential estate known as Seamount.
- 1.3. There are further residential dwellings located to the north of the site accessed off the Rockbarton Road and to the east of the site is the Circle of Life Commemorative Garden. The Galway Bay Hotel is located further east of the site.

2.0 Proposed Development

- 2.1. Retention permission is sought for;
- a single storey glazed conservatory at 4.8m height for use as an extension to the existing Prom Restaurant (132 sqm), and safety drain at the south elevation of the conservatory,
 - a 16sq.m flat roof extension to provide separate entrance to spa area,
 - new mechanical plant area,
 - internal alterations to include new doors and glazing and cocktail bar area,
 - alterations to basement access, fire exit doors and new fire escape stairway at ground and first floor level,
 - landscaping and all ancillary development.
- 2.2. The applicant has outlined that the current proposal addresses a previous refusal for the development by retaining the conservatory as an integral part of the hotel

restaurant. It is considered that by ensuring the use of the conservatory is no longer possible as an extension of the function room and removing the external doors to the terrace, the proposed development to be retained will no longer be injurious to the residential amenity of the surrounding area.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority made a split decision with a decision to grant permission for retention of certain works while refusing permission for retention of other works.

The decision to **grant** covers the following works: retention of 16sq.m flat roof extension to provide separate entrance to spa area, retention of new mechanical plant area, retention of alterations to basement access, retention of fire exit doors and permission for new fire escape stairway at ground and first floor level, landscaping and all ancillary development.

The decision to **refuse** planning permission covers the following works: for a single storey glazed conservatory at 4.8m height for use as an extension to the existing Prom Restaurant, internal alterations to include new doors and glazing and cocktail bar area, including a 132 sq.m, safety drain at the south elevation of the conservatory.

The decision to refuse permission is based on 2 no. refusal reasons.

1. The retention of the single storey glazed conservatory and cocktail bar would undermine and be injurious to the residential amenities of the surrounding area, as the conservatory and cocktail bar continue to be directly linked by a doorway to the function room, this would continue to extend the operation of the function room closer to existing residential properties. In addition, the conservatory and cocktail bar area is capable to host activities/functions associated either with the function room or independent of the function room, and such activities when confined within the conservatory and cocktail bar area, due to the glazed nature of the conservatory, would easily transmit noise and adversely impact upon the residential amenity of the surrounding area. Notwithstanding the above, due to the layout and connectivity of the function room and the conservatory cocktail bar area, used

together or independently - in the case of the conservatory/cocktail area, would actively encourage patrons to exit the function room or the cocktail bar and conservatory area through the existing multiple conservatory doors onto the terraced area, generating and transmitting noise and have adverse impacts on the residential amenity of the surrounding area.

Therefore, the retention of the conservatory and cocktail bar, if permitted to be retained, would be contrary to Section 9.8 of the Galway City Development Plan 2023-2029, as it would generate significant adverse noise impacts, in conjunction with or independent of the function room, or when used internally, or, externally when the terrace is used, and would facilitate access from the conservatory to the terraced area, thereby, seriously injuring the residential amenities of the surrounding area. Furthermore, it would generate adverse impact on adjacent rear communal gardens and bedrooms of residences by noise generated and hours of such activities, and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development is located in close proximity to the Galway Bay Complex SAC and SPA, therefore having regards to the scale, extent and specifications of the development, directly adjacent to a protected European Site, it is considered that based on the information submitted with the application, that the applicant has not demonstrated and satisfied the Planning Authority that likely significant effects of the development alone or in combination with other plans or projects can be excluded and therefore would be contrary to the Policy 5.2(2) of the Galway City Development Plan 2023-2029.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planner's Report (dated 20/01/2026) noted that the doors to the southern and western sides of the conservatory remain and have not been removed, in addition it was noted that keys were located in the locks of most of the doors which would allow them to be easily opened and allow direct access to the terraced areas. A door connecting the conservatory to the Aran Suite also remained. On the day of the site visit the conservatory room was being set up to accommodate the reception of a wedding. While there is a connection to the Prom restaurant, the conservatory was

not being used as part of the restaurant on that day. It is considered that the structure and the materials which have been used provide no mitigating factor with regards to the minimisation of noise disturbance from the function room and conservatory cocktail bar, and by its layout and connectivity actively encourages patrons to exit the function room or conservatory to use the terraced area, which has significant impacts upon the residential amenity of the surrounding area. The planning authority has no issues with regards to the other elements of the development proposed for retention. A split decision is recommended.

3.2.2. Other Technical Reports

Transport/Drainage – No objections subject to standard condition.

Architectural Conservation – No comments.

3.3. Prescribed Bodies

HSE – No observations to make.

3.4. Third Party Observations

A total of 5 no. third party observations were received. The observations noted the previous refusal in relation to the retention of the conservatory, its continued use for functions and the adverse impact on residential amenity from noise, odours and light pollution.

4.0 Planning History

PA reg ref 24/60191/ ABP-320751-24: Split decision with a decision to grant permission for retention of certain works while refusing permission for retention of other works.

The decision to grant covers the following works:

Retention of new fire escape stairs to facilitate escape from first floor bedrooms to place of safety and existing 1.8 metres high palisade fence to be fitted with painted timber privacy screen to be fixed on top of existing R.C. retaining wall to prevent overlooking from escape route.

The decision to refuse planning permission covers the following works:

Retention of new single storey glazed conservatory at 4.8 metres height and 132 square metres safety drain at the south elevation of the new conservatory.

The refusal reason is outlined below;

The retention of the single storey glazed conservatory would undermine and be injurious to the residential amenities of the surrounding area, as the location of the structure, in close proximity to existing residential development, which extends the operation of the function room closer to existing residential properties, in addition to its layout and connectivity, actively encourages patrons to exit the function room through the conservatory to use the terraced area. Therefore, the retention of the conservatory, if permitted, would be contrary to Section 9.8 of the Galway City Development Plan 2023-2029, as it would generate significant adverse noise impacts, and would, therefore, seriously injure the residential amenities of the surrounding area, would generate adverse impact on adjacent rear communal gardens and bedrooms of residences by noise generated and hours of such activities, and would, therefore, be contrary to the proper planning and sustainable development of the area.

PA reg ref 15/176: Granted permission for alterations to front elevation to include removal and replacement of revolving door with a glazed screen and two additional escape doors

PA reg ref 13/316 /ABP-242938 Granted permission for 1) Retain alterations and additional parking spaces to parking provisions at the hotel to omit the use of 'double stacked parking' (being an alteration of condition No.3 of planning permission 10/219). (2) Retain raised deck on front terrace as a landscaped area (being an alteration of condition No. 5 of planning permission 10/219). (3) Retain patio area to front of hotel for usage of tables and chairs (being an alteration of condition No. 7 of planning permission 10/219).

PA reg ref 13/177: Refused Permission to 1) retain alterations and additional parking spaces to parking provisions at the hotel to omit the use of 'double stacked parking' (being an alteration to condition 3 of planning permission 10/219). 2) Retention of a raised deck on terrace/patio area to front of hotel (being an alteration of condition no. 5 of planning permission 10/219). Retention of patio area at front of hotel for tables and chairs (being an alteration of condition 7 of planning permission 10/219).

PA reg ref 13/28: Granted permission to retain signage.

PA reg ref 10/219: Granted Permission to retain the following works: 1. Fire Escape stairs from first floor level to ground level at service yard area to comply with fire regulations, 2. First floor amenity / aerobics / gym area over changing rooms in leisure centre, 3. Revision of site boundaries to include additional site area to service yard area, 4. Alterations to previously approved elevations, 5. Extension to ground floor restaurant area, 6. Alterations to layout of basement car park & plant/storage area, 7. Alterations to internal layout to ground floor plan to include modifications to reception, bar, restaurant and kitchen areas, and permission for the following: 8. Relocated pedestrian access / exit between Lower Salthill Road and existing car park (previously granted under Pl. Ref. 05/418), 9. Revised landscape / parking arrangement to front of hotel.

There are older planning files relating to alterations and extensions to the development, however these are not considered relevant to the appeal.

5.0 Policy Context

5.1. Galway City Development Plan 2023-2029

Section 9.8 Noise

Galway City Council, through the planning system, will aim to minimise the adverse impacts of noise by controlling and segregating noise intensive developments away from sensitive areas and requiring appropriate mitigation. Where it is considered that a proposed development is likely to create disturbance due to noise, conditions will be placed on new developments and uses to mitigate noise impact, to limit the hours of operation and to control the level of noise generated. Within the busy city environment, there are areas which can provide respite from the high level of urban noise. Quiet areas, which are areas which have lower sound levels, can be important places for rest and quiet contemplation in the city's environment and can have a positive impact on quality of life and wellbeing. Within green spaces, it can allow for enjoyment of surrounding nature and offer a sense of tranquillity. In this regard the Council will consider initiatives to provide for quiet areas in the city.

Policy 9.6 Air Quality and Noise

1. Maintain air quality to a satisfactory standard by regulating and monitoring atmospheric emissions in accordance with EU policy directives on air quality and Ambient Air Quality and Cleaner Air for Europe (CAFÉ) Directive (2008/50/EC) by promoting and supporting initiatives to reduce air pollution and by increasing the use of sustainable transport modes and developing urban woodlands, encouraging tree planting, conserving and creating green open space.
2. Ensure the design of development incorporates measures to minimise noise levels in their design and reduce the emission and intrusion of any noise or vibration which might adversely impact on amenities, in particular residential amenities where appropriate.
3. Consider the details of Galway City Council Noise Action Plan 2019-2023 in the assessment and design of relevant development applications in the interests of protecting future amenity. 4. Implement environmental noise mitigation measures as outlined in Galway City Council Noise Action Plan 2019-2023.

5.2. Natural Heritage Designations

Galway Bay Complex SAC – 35m south of subject site

Inner Galway Bay SPA – 35m south of subject site

6.0 EIA Screening

- 6.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads).

7.0 The Appeal

7.1. Grounds of Appeal

The decision of Galway City Council to issue notification of a split decision for the proposed development for retention was the subject of a third party appeal by Gerard

Barry and Yvonne Barry and a first party appeal. The grounds of appeal are outlined below.

7.1.1. First Party Appeal

Refusal Reason One

The appeal notes that there was a misunderstanding of the nature of the planning application between the agent and the applicant. The applicant was of the understanding that the description in the planning report referred to a future situation for which application was being applied for, the actual situation as described by the agent was based on a planning application for retention where the restrictions in the use and connections to the terrace and function room were already in place. The following changes have since been made and describe the current situation on site;

Removal of link to the function room

The link doors have not been removed and have been replaced with a fixed glazing. There is therefore no longer a possibility to use the conservatory as an extension or part of the adjoining function room.

Rather than extending the operation of the function room, the conservatory acts as a buffer to reduce any noise impacts from the function room.

Removal of doors leading to the terrace outside the conservatory

While there are still doors from the conservatory to the terrace these are now only used as fire exit doors. The fire exit doors are clearly marked for use in emergency only and have been fitted with one way door closers.

Use of the conservatory as a standalone area

The planner's report noted that this area was being set up to accommodate a wedding reception on the day of site inspection, and while there was a connection to the Prom restaurant, the conservatory area was not being used as part of the restaurant.

In order to avoid any misunderstanding about the future use of the conservatory, the bar that was shown on the floor plan drawing has been removed and revised drawings submitted to show same. In place of the bar is a coffee dock that is to serve patrons in the restaurant during mealtimes. The commission is invited to attach a

condition which makes clear that the bar is excluded from the conservatory and that the conservatory shall be confined to restaurant use only.

The applicant considers that by preventing the possibility of opening the doors without the fire alarm going off, and by removing the bar and access from the adjoining function room, no noise impacts should occur. The conservatory would act as a buffer between the function room (which previously directly adjoined the outside terrace) and the terrace.

A note has been prepared by ICAN Acoustics which concludes that based on the use of the space as a restaurant, predictions indicated that the likely noise contribution at the nearest receptor to the conservatory will be so low as not to result in any adverse impact on residential amenities. In addition, the retention of the conservatory structure will continue to attenuate noise from the function room. Although not connected to the function room, it will act as an effective buffer reducing entertainment noise, which will be an acoustic enhancement to the existing function room.

Refusal Reason Two

An Appropriate Assessment Screening Report has been submitted and concludes that AA of the proposed development can be excluded, on the basis of objective information provided in the report, the proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European Sites.

7.1.2. Third Party Appeal

The third-party appeal can be summarised as follows;

- The Planning Authority has examined each component in isolation rather than assessing the combined operational impact on residential amenity. The approach is inconsistent with the Inspectors Report for the previous appeal which clearly recognised that layout and connectivity materially influence activity levels and noise propagation.
- The revised basement arrangement alters internal circulation, increases flexibility of movement between leisure centre, function areas and external areas, and facilitates intensified footfall adjacent residential boundaries.

- The Planner's Report does not provide any detailed assessment of how this reconfiguration impacts patron flow, noise breakout, congregation points.
- With regards to the fire escape stairway and walkway, the Planning Authority's assessment does not adequately address the scale and projection of the stair structure along the western boundary, the elevated walkways visual and physical impact, the proximity to neighbouring properties, or the cumulative effect when combined with basement and entrance alterations.
- The condition that limits the stairs use to emergency purposes does not alter the fact that the structure intensified the built form along the boundary, facilitates circulation along the western side, and alters the character of the boundary interface.
- The separate spa entrance formalises an independent access and increases external patron movement. The Planning Authority has not analysed whether the creation of a dedicated spa entrance increases frequency of access, extends hours of independent operation and intensified activity adjacent to residential boundaries.
- Section 9.8 of the Development Plan also apply to the proposals for increased circulation, intensified discharge points, increased flexibility of use and cumulative structural intensification near residential property.
- Under the Board's previous grant of approval, the retention of the fire escape stair was subject to the condition (condition 2) of the erection of a privacy screen within the applicant's boundary to be agreed with the Planning Authority. The fence has been erected on the shared boundary and not within the applicants own red line. No details appear to have been agreed with the Planning Authority. This represents a failure to comply with an express condition of planning.
- It is requested that the Commission examine compliance with Condition 2, direct the privacy screen to be relocated and require submission and agreement of full details as originally requested.
- The 'fire exit doors' created within the 16sqm extension, function as general access doors forming part of a new entrance/exit between the hotel and the

western pedestrian access to the leisure centre. The creation of a new passageway connecting function areas to the western pedestrian route materially increases the likelihood of congregation, noise and external activity.

- PL61.242938 imposes strict conditions governing the western terrace and pedestrian route. Condition 2c and d were imposed to prevent the type of external congregation and amenity use now facilitated by the retained works.
- Allowing incremental structural changes which facilitates increased use of the western side of the site materially weakens the protective framework previously established by the Board.

7.2. Applicant's Response

The applicant's response to the third-party appeal is summarised as follows;

- The alleged failure to consider cumulative impacts of the elements for which planning has been granted does not arise because of the minor nature of the development works.
- The retention of the revised basement access does not alter internal circulation or facilitate intensified football as the access is already existing.
- The alterations of the fire escape stairs for which permission was granted are of a minor nature and below the height of the wall. No additional impact on residential amenity by itself or in cumulation with other elements, could result from the permitted development.
- The permitted development does not create an independent access to the leisure centre where this previously did not exist.
- Alleged non-compliance in relation to the privacy screen design and construction, are matters for enforcement and have no bearing on the extension of the fire escape for which permission for retention is sought.
- While the retention of the conservatory is subject of a first party appeal, the elements for which planning permission has been granted have no impact on residential amenity because they do not lead to an increase in pedestrian movements or a change in pedestrian circulation.

7.3. Planning Authority Response

None.

7.4. Observations

Two observations were received from Mary O'Connor and Averil Staunton, both residents of the adjoining apartment development. The observations raise a number of similar points to those raised in the appeal which I do not intend to repeat. The key points of the observations are summarised below;

Mary O'Connor

- The miscommunication between the applicant and agent undermines the credibility of the applicant's assurances.
- It is considered that the only way to ensure the conservatory does not revert to its intended use is to refuse the appeal and insist on its removal.
- It is noted that the "coffee dock" which replaces the bar is not in active use as a coffee dock and appears to be short term measure rather than a change of use.
- The description of the conservatory as a noise buffer is unconvincing.
- Light pollution from the glazed conservatory impacts on residential amenity.
- The applicant has a history of noncompliance and warning letters.

Averil Staunton.

- The long-standing history of unauthorised development is noted.
- It is considered that the first party appeals claims are contradicted by evidence and photographs from residents.
- The planning drawings are inaccurate.
- Cumulative impacts from noise, congregations of patrons, misuse of fire exit doors, increased circulation, light pollution, overlooking and intensification of hotel residents have impacts residential amenity.

7.5. Further Responses

A further response from Gerard Barry and Yvonne Barry was received by the Commission. The response can be summarised as follows;

- The conditions attached to ABP PL61.242938 have the clear intention of preventing the western boundary from becoming an active hospitality space, adjoining residential property.
- The appeal does not address the fundamental planning concerns and instead relies on assertions that doors have been altered, connections removed and operational changes made. This does not alter the fact that the conservatory introduces a significant hospitality space immediately adjacent residential property.
- The miscommunication between the applicant and their agent cannot constitute a planning justification for overturning a refusal reason.
- The alterations may impact on the validity of the existing Fire Safety Certificate.
- Prior to the construction of the conservatory the western façade of the Aran Suite consisted largely of solid blockwork with limited openings comprising windows and the original fire escape doors. The conservatory represents a fundamental change in the acoustic characteristics.
- No detailed assessment has been provided regarding the sound insulation performance of the glazing separating the Aran Suite and the conservatory or the overall noise breakout from the enlarged glazed façade.
- The glazing specifications have not been independently verified.
- No acoustic monitoring appears to have been undertaken during actual hospitality events.
- The conservatory contains multiple doors and operable openings which allow noise breakout and external congregation.
- The history of development at the site raised concerns regarding compliance with planning decisions and effectiveness of enforcement measures.
- The changes on site have progressively increased the scale and intensity of hospitality activity at this sensitive interface with residential properties.

8.0 Assessment

Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the report/s of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Use of the Conservatory
- Extension to provide Separate Entrance to Spa
- New Mechanical Plant Area
- Alterations to Basement Access
- New fire escape stairway at ground and first floor
- Landscaping and all ancillary development
- Cumulative Impacts
- Other Issues

8.1. Use of the Conservatory

The primary element the subject of this appeal and the main concern raised in the third-party submission relates to the retention of the single storey glazed conservatory. The development description also includes 'internal alterations to include new doors and glazing and cocktail bar area' which I have also considered under this section.

I note the discrepancy between the details of the planning application submitted versus the on-the-ground scenario evidenced by the Planner during their site visit. The appeal notes that there was a misunderstanding of the nature of the planning application between the agent and the applicant. The applicant was of the understanding that the description in the planning report referred to a future situation for which application was being applied for, whereas the agents understanding was based on a planning application for retention where the alterations and restrictions in the use were already in place.

The appeal confirms that the following changes are now in place;

- The removal of the link between the Aran Suite and the conservatory
- Removal of doors leading from the conservatory to the terrace. The remaining doors are only used as fire exit doors.
- The conservatory is confined to restaurant use only.

From my site visit I can confirm that the changes outlined in the grounds of appeal have been implemented. I confirm that the link doors have been removed and have been replaced with a fixed glazing. There is therefore no longer a possibility to use the conservatory as an extension or part of the adjoining function room. While there are still doors from the conservatory to the terrace these are now only used as fire exit doors. The fire exit doors are clearly marked for use in emergency only and have been fitted with one way door closers. On the day of my site visit I can confirm that the conservatory was operating as extension to the restaurant with many patrons seated in the conservatory and enjoying refreshments. The flow of patrons and staff between the restaurant and conservatory was evident. The nature and use of the conservatory during my site visit is distinctly different from what was recorded by the Planning Authority.

The applicants have submitted revised drawings with the grounds of appeal which I consider give an accurate depiction of the conservatory and its use. I note the cocktail bar referred to in the development description has been replaced with a coffee dock. A third-party has noted that the coffee dock is not in active use and appears to be short term measure rather than a change of use. From my site visit, I can confirm that the bar use had ceased and while not in use at the time, the area did contain a coffee machine that could be brought into use during busy periods in the restaurant.

In terms of noise impacts from the conservatory, I consider that that removal of direct access to the terrace from the conservatory is a significant factor in terms of protecting residential amenity. The applicant has also submitted a letter from ICAN Acoustics Noise and Vibration Consultants who have reviewed the conservatory's sound insulation properties. Test reporting data of the glazing used is included and demonstrates that the glazing system achieves a weighted sound reduction index of Rw 47 dB. The noise consultants consider that based on the use of space as a restaurant, predictions indicate that the likely noise contribution at the nearest

receptor to the conservatory will be so low as to not result in adverse impacts on residential amenities. It is also considered that the conservatory will attenuate noise from the function room, further reducing entertainment noise.

Third parties have also raised concerns in relation to lighting impacts. In my opinion, given the long-established use of the site as a hotel and the relatively minor one storey extension, I do not consider that the impacts of lighting from the subject development would cause a significant impact on residential amenity.

I note a further response from the third party considers that despite the removal of connections and operational changes made, this does not alter the fact that the conservatory introduces a significant hospitality space immediately adjacent to residential properties. I consider the use of the conservatory as an extension to the restaurant, with no direct access to the terrace, should not cause any residential amenity issues and I therefore have no objection to its retention. I recommend that a condition be attached to the grant of permission which restricts the use of the conservatory to an extension of the restaurant.

8.2. Extension to provide Separate Entrance to Spa

Notably, under ABP Ref: 61.242938, An Bord Pleanála and the Inspector determined that the area west of the main entrance should be used solely as a walkway to the leisure centre, excluding any outdoor seating or gathering activity. A condition was imposed requiring the western section of the terrace to be landscaped with robust planting, ensuring restricted pedestrian access to the leisure centre.

Condition 2

(c) the western section of the terrace, including the hard standing area in front of the leisure centre shall be redesigned as a pedestrian pathway leading to the leisure centre, with extensive and robust areas of planting on either side of the path, in place of the existing extensive hard surfaced areas,

(d) access to the western section of the paved area at the front of the hotel shall be restricted to use as pedestrian access to the leisure centre only and shall not be used as an outdoor amenity area associated with the bar, restaurant or function room,

I note the development description has specifically included the *“flat roof extension to provide separate entrance to spa area”*. While the submitted drawings identify these doors as fire escape doors, the doors operate as general access points to the leisure centre, with patrons and staff moving freely in and out. I consider based on the development permission, that permission has been sought for the retention of a separate entrance to the spa despite the discrepancy on the drawings. I note the principle of a pedestrian access to the leisure centre at this location has been established under ABP Ref: 61.242938. I do not have any concerns in relation to the operation of this separate access as I consider users of the leisure centre would not loiter, congregate or cause amenity issues for adjoining residents.

However, the flat roof extension also provides for a separate entrance to the hotel lobby. The applicant has not specifically applied for a separate entrance to the hotel from this location in the development description. The submitted plans indicate that this access is a fire escape access from the hotel lobby. The development description has referenced ‘internal alterations to include new doors’ and ‘fire exit doors’ however no further details are provided, and it is not clear to me if permission has explicitly been sought for this element. During my site visit, I observed that this access is a general access serving patrons and staff of the hotel, and not a fire exit as indicated on the plans. Given the location of this access in such close proximity to the Aran Suite, with convenient access from the Aran Suite via the lobby I believe the amenity issues previously referenced would again arise. The use of these doors as general access doors would encourage patrons to exit the function room onto the terraced area, generating and transmitting noise and having adverse impacts on the residential amenity of the surrounding area. In my view this general access point to the hotel at this location contravenes previous conditions attached to planning permissions and does not address the previous concerns of Galway City Council, An Coimisiún Pleanála or local residents.

Having regard to the above assessment, I recommend that a condition is attached which amends the development to ensure access to the western section of the hotel is restricted to pedestrian access to the leisure centre only and not used as a general access to main hotel.

8.3. New Mechanical Plant Area

The new plant is located at first floor level. The applicant has submitted a Noise Impact Report prepared by IICAN, Noise and Vibration Consultants. The plant item referred to is an Air Source Heat Pump (ASHP), which the Hotel installed as part of a recommended upgrade and a clean energy assessment and update. The report demonstrates that the noise from the ASHP is entirely within an acceptable noise level and that modern, well-designed ASHPs are designed to operate in locations where residential receptors are likely to be present in the general area. I have no concerns in relation to the retention of this element of the proposal.

8.4. Alterations to Basement Access,

The third parties have not raised specific concerns with the basement proposals other than in reference to the general circulation of patrons. The revisions to the basement access are minor and do not alter the circulation of patrons or impact on residential amenity. The Planning Authority has not raised any issues with the alterations to the basement access. I have no concerns in relation to the retention of this element of the proposal.

8.5. New fire escape stairway at ground and first floor level

I note that this element of planning permission was granted by ABP-320751-24. The revisions seek to extend the end of the stairs closer to the fire assembly area. The Planning Authority in their assessment have noted that the extension is not extensive and would be below the height of the adjacent wall. I agree with this assessment. I note the painted privacy screen and the one-way gate at the bottom of the stairs have been erected in accordance with Condition 2 of ACP-320751-24. I have no objection to the retention of this element of the proposal.

I note the applicant contends that the fence has been erected on the shared boundary and not within the applicants own red line. This is, however, a civil matter to be resolved between the parties, having regard to the provisions of s.34(13) of the 2000 Planning and Development Act (see above).

8.6. Landscaping and all ancillary development

No specific landscaping plan has been submitted. I note the raised deck planter which is shown on the site layout drawings was granted under ABP-320751-24. The raised deck planter remains in place and continues to prevent patrons from using this

area in accordance with condition 3 of PL61.242938. No other landscaping proposals are shown on the submitted drawings or are apparent from my site visit.

8.7. Cumulative Assessment

I have reviewed each element of the proposal individually above, and I am satisfied that subject to conditions, no significant adverse impacts on residential amenity would arise. In my opinion, the recent extensions and alterations to the hotel, when considered cumulatively, do not result in any significant changes to the patron flow or use of the facilities. I do not consider that the cumulative changes would result in any significant injury to the residential amenities of the adjoining residents subject to the adherence of the terms and conditions of the permission.

8.8. Other issues

Enforcement

The third parties have raised concerns with regards to the legacy on non-compliance with permissions by the applicant. Having reviewed the history files in relation to the site, it is clear that there is a long history of complaint and objection from the adjoining residents of the apartment block. The matters raised include noise and disturbance and anti-social behaviour. It should be noted that powers of enforcement and compliance with the terms of the Board Order are entirely matters for the Planning Authority.

9.0 AA Screening

Having carried out Screening for Appropriate Assessment of the project in accordance with Section 177U of the Planning and Development Act 2000 (as amended), I conclude that that the project individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Sites within Galway Bay Complex SAC or Inner Galway Bay SPA or any other European site, in view of the sites Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required.

This determination is based on:

- The relative scale of the development within the existing hotel campus and lack of impact mechanisms that could significantly affect a European Site

- Distance from and weak indirect connections to the European sites
- No significant ex-situ impacts on wintering birds

10.0 **Water Framework Directive**

An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive.

Having considered the nature, scale, and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects.

In addition, the proposed development will not adversely affect the achievement of established environmental objectives, including the protection, maintenance, and improvement of water body status, as required under the Directive.

Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

11.0 **Recommendation**

I recommend the planning permission be granted for the reasons and considerations here under.

12.0 **Reasons and Considerations**

Having regard to the existing and well-established use of the subject site, its planning and development history, the previous layout of the hotel on the subject site, the pattern of development in the vicinity, and the established character of the area, it is 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 or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 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 received by the Commission on the 18th day of February 2026, 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. The proposed development shall be amended as follows:
 - (a) Access to the western section of the hotel shall be restricted to pedestrian access to the leisure centre only and shall not be used as a general access to main hotel or as an outdoor amenity area associated with the bar, restaurant or function room.
 - (b) The doors to the main hotel at the western section of the hotel shall be clearly indicated as being for emergency use only and shall be fitted with one way door closers and alarms.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority within one month of the date of this Order and shall be implemented within three months of the date of the Order.

Reason: In the interests of clarity and residential amenity.

3. Apart from the departures authorised in this permission, the development shall otherwise comply with the terms and conditions attached to planning reference number ABP-320751-24 and PL61.242938.

Reason: In the interest of clarity

4. The use of the conservatory shall be restricted to use as an extension of the restaurant.

Reason: To protect the residential amenities of property in the vicinity.

5. No amplified music or other specific entertainment noise emissions shall be permitted within the conservatory.

Reason: To protect the residential amenities of property in the vicinity.

6. Water supply and drainage arrangements, including the attenuation and 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.

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 Coimisiún 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.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Ciara McGuinness
Planning Inspector

25th May 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-500813-GC-26
Proposed Development Summary	Retention permission for a single storey glazed conservatory for use as an extension to existing restaurant, a flat roof extension to provide separate entrance to spa area and all associated works
Development Address	Salthill Hotel, The Promenade, Salthill, Galway
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2.
	<input type="checkbox"/> No, No further action required.
(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here

<input type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
<input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	State the Class and state the relevant threshold

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____

Appendix 2: AA Screening Determination

Screening for Appropriate Assessment Test for likely significant effects	
Case Reference Number:	
Step 1: Description of the project and local site characteristics	
Brief description of project	<p>Retention permission for a single storey glazed conservatory for use as an extension to existing restaurant, a flat roof extension to provide separate entrance to spa area and all associated works.</p> <p>Refer to Section 2 of above report for further details.</p>
Brief description of development site characteristics and potential impact mechanisms	<p>The proposed development site is a brownfield site on zoned land within Galway City. The site is bounded to the north and west by residential development to the east by a public road and memorial public garden and south by public road and Salthill Promenade.</p> <p>All surface water management on site is existing with no changes proposed as a result of the retention application. There are no watercourses on site and the nearest water body is Galway Bay c.35m from the development site to the south. There are no other ecological features of note on site or in the vicinity of the site that would connect it directly to European Sites in the wider area. It is considered the site does not provide significant supporting habitat for any bird species protected under the legislation.</p>
Screening report	Yes – prepared by ORS, submitted with first party appeal

Natura Impact Statement	No
Relevant submissions	N/A

Step 2. Identification of relevant European sites using the Source-pathway-receptor model

The proposed development site is not located within any site designated as a European Site, comprising a Special Area of Conservation (SAC) or Special Protection Area (SPA). Two European sites are located within 35m of the potential development site. Given the limited scale of the proposal, I do not consider it necessary to examine the potential for significant effects on any European Sites beyond those of Galway Bay Complex SAC and Inner Galway Bay SPA.

European Site (code)	Qualifying interests (NPWS, date)	Distance from proposed development (km)	Ecological connections	Consider further in screening Y/N
Galway bay Complex SAC (000268)	Mudflats and sandflats not covered by seawater at low tide [1140] Coastal lagoons [1150] Large shallow inlets and bays [1160] Reefs [1170] Perennial vegetation of stony banks [1220] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]	c. 35m to the south of the site	No direct hydrological or airborne pathways.	No

	<p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330]</p> <p>Mediterranean salt meadows (Juncetalia maritimi) [1410]</p> <p>Turloughs [3180]</p> <p>Juniperus communis formations on heaths or calcareous grasslands [5130]</p> <p>Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210]</p> <p>Calcareous fens with Cladium mariscus and species of the Caricion davallianae [7210]</p> <p>Alkaline fens [7230]</p> <p>Limestone pavements [8240]</p> <p>Lutra lutra (Otter) [1355]</p> <p>Phoca vitulina (Harbour Seal) [1365]</p>			
<p>Inner Galway Bay SPA (004031)</p>	<p>Black-throated Diver (Gavia arctica) [A002]</p> <p>Great Northern Diver (Gavia immer) [A003]</p> <p>Cormorant (Phalacrocorax carbo) [A017]</p> <p>Grey Heron (Ardea cinerea) [A028]</p> <p>Light-bellied Brent Goose (Branta bernicla hrota) [A046]</p>	<p>c. 35m to the south of the site</p>	<p>No direct hydrological or airborne pathways.</p>	<p>No</p>

	<p>Teal (<i>Anas crecca</i>) [A052]</p> <p>Red-breasted Merganser (<i>Mergus serrator</i>) [A069]</p> <p>Ringed Plover (<i>Charadrius hiaticula</i>) [A137]</p> <p>Golden Plover (<i>Pluvialis apricaria</i>) [A140]</p> <p>Lapwing (<i>Vanellus vanellus</i>) [A142]</p> <p>Dunlin (<i>Calidris alpina</i>) [A149]</p> <p>Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]</p> <p>Curlew (<i>Numenius arquata</i>) [A160]</p> <p>Redshank (<i>Tringa totanus</i>) [A162]</p> <p>Turnstone (<i>Arenaria interpres</i>) [A169]</p> <p>Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]</p> <p>Common Gull (<i>Larus canus</i>) [A182]</p> <p>Common Tern (<i>Sterna hirundo</i>) [A193]</p> <p>Wigeon (<i>Mareca penelope</i>) [A855]</p> <p>Sandwich Tern (<i>Thalasseus sandvicensis</i>) [A863]</p> <p>Wetland and Waterbirds [A999]</p>			
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Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

The development for retention would not have direct impacts on any European site. There is no surface water body on site and there are intervening land uses between the site and

European Sites in the form of public road and Salthill promenade.

There will be no direct or ex-situ effects from disturbance on mobile species during operation of the development.

Due to the limited nature of the development proposal on zoned land within Galway City and the relevant scale of construction impacts I consider that the proposed development would not be expected to generate impacts that could affect anything but the immediate area of the development site, thus having a very limited potential zone of influence on any ecological receptors. In my view the development is not likely to have significant negative impacts on any European site.

Step 4: Conclude if the proposed development could result in likely significant effects on a European site

I conclude that the proposed development (alone) would not result in likely significant effects on Galway Bay Complex SAC and Inner Galway Bay SPA. The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project. No mitigation measures are required to come to these conclusions.

Screening Determination

Finding of no likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on Galway Bay Complex SAC or Inner Galway Bay SPA or any other European site in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The relative scale of the development within the existing hotel campus and lack of impact mechanisms that could significantly affect a European Site
- Distance from and weak indirect connections to the European sites
- No significant ex-situ impacts on wintering birds