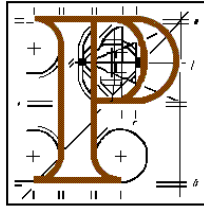


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Louth County

Planning Register Reference Number: 15/419

An Bord Pleanála Reference Number: PL 15.245481

APPEAL by RGDATA care of Tara Buckley of Rock House, Main Street, Blackrock, County Dublin and by others against the decision made on the 25th day of August, 2015 by Louth County Council to grant subject to conditions a permission to Moffett Property Management Ardee Limited.

PROPOSED DEVELOPMENT: Construction of a single storey supermarket (to include off licence use) with a gross floor area of 2,950 square metres (net retail area 2,000 square metres). The proposed development will be served by 146 number car parking spaces and 26 number bicycle spaces. The proposed development includes all landscaping, boundary treatment, internal distributor roads, engineering and site development works. The proposed development includes six number signs in total, comprising of two number illuminated gable signs on the north-east elevation, one number illuminated sign on the south-west elevation, one number illuminated sign on the north-west elevation and two number illuminated signs at roof level on the north-east and south-west elevations. It is proposed to access the site from an existing roundabout on Sean O'Carroll Street (which links with the N33 to the north). All on a 2.14 hectare site at Cappocksgreen, Ardee, County Louth. The site is bordered by the N33 to the north and by Sean O'Carroll Street to the west.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

MATTERS CONSIDERED

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

REASONS AND CONSIDERATIONS

1. The proposed retail development is located in close proximity to an important junction on the N33 'Link' Road between the N2, Ardee town and the M1 Motorway. Having regard to the location, nature and scale of the proposed development, it is considered that the additional traffic-turning movements which would be generated by the proposed development would interfere with the safety and free flow of traffic on the national road network, in contravention of the Spatial Planning and National Roads – Guidelines for Planning Authorities issued by the Department of the Environment, Community and Local Government in January, 2012 and in contravention of Section 7.3.3 in the 2015-2021 Louth County Development Plan where it is stated policy 'to safeguard the capacity and safety of the national routes' including the N33. Furthermore, to grant permission for this development in those circumstances would create an undesirable precedent for similar types of development adjacent to junctions/interchanges on the national road network, which would conflict with national policy. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed retail development is located on the outskirts of Ardee. Under the Retail Planning Guidelines for Planning Authorities issued by the Department of the Environment, Community and Local Government in April, 2012, and under the provisions of the Ardee Local Area Plan 2010-2016 and in particular Section 7.4 of this Plan wherein it is a “key strategic objective to consolidate and protect the role of the town centre as the principal retail and commercial centre of the town”, sites in such locations may only be developed for large scale retail development where it has been demonstrated that the existing town centre would not be adversely affected. It is considered that the applicant has failed to adequately demonstrate under the sequential test, in accordance with the provisions of these Guidelines, that there are no alternative or sequentially preferable sites available that could accommodate the proposed development, within the town centre. Accordingly, having regard to the large scale of the proposed retail development and its location in relation to Ardee and the M1 Motorway, it is considered that the proposed retail development would adversely impact on the vitality and viability of the town centre of Ardee to an unacceptable degree, and would materially contravene an objective indicated in the local area plan for the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2016.