

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Leitrim County

Planning Register Reference Number: P.15/208

An Bord Pleanála Reference Number: PL 12.246575

APPEAL by Ciaran McGarry of 1 Circular Road, Carrick-on-Shannon, County Leitrim and by others and by Avant Ireland Property S.A.R.L. care of Tony Bamford Planning of 127 Lower Baggot Street, Dublin against the decision made on the 19th day of April, 2016 by Leitrim County Council to grant subject to conditions a permission to the said Avant Ireland Property S.A.R.L.

PROPOSED DEVELOPMENT: Development comprising the construction of a two-storey, licensed foodstore with ancillary off-licence sales, measuring 2,893 square metres gross internal area and 1,684 square metres of net sales space; the provision of one free-standing totem sign, one poster display board, five external wall signs and two other external signs; the provision of external car parking and cycle parking; the provision of a vehicular and pedestrian access via the Circular Road; and, the provision of boundary treatments, retaining walls, hard and soft landscaping, lighting, connections to drainage and water services and all other ancillary site and associated development works including the creation of a flood compensation area, as amended by the revised public notice received by the planning authority on the 23rd day of March, 2016 on a site of 1.0 hectare on lands bounded by the N4 and Circular Road, in the townlands of Attifinlay and Attirory, Carrick-on-Shannon, County Leitrim.

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

The Board noted the following:

- The prominent setting of the proposal at a key entrance to the town of Carrick-on-Shannon and adjacent to an important business campus,
- The location of the proposal on lands which partly comprises of flood zones A and B, as defined in the “The Planning System and Flood Risk Management Guidelines for Planning Authorities”, issued by the Department of the Environment, Heritage and Local Government in November 2009,
- The substantial increase in the retail space provision for County Leitrim involved in the proposed development.

Having regard to the justification of the proposed development by the closure of an existing store in Cortober, and in the absence of a comprehensive proposal for an alternative use for the store at Cortober, the Board was not satisfied that the proposed development could be justified in the location proposed, and that the proposed development would not lead to excessive provision of convenience retail space in excess of the retail cap contained in the Leitrim County Retail Strategy 2015-2021. The proposed development would, therefore, have a negative impact on the retail vitality of the town centre of Carrick-on-Shannon in contravention of the “Retail Planning Guidelines for Planning Authorities”, issued by the Department of the Environment, Community and Local Government in April 2012, would consist of an unnecessary development of lands that are partly subject to flooding and would not be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the proposed development had not been justified in terms of retail floor space requirements, given that a comprehensive proposal in respect of the closure of another store used to justify the construction of the proposed store had not been provided. The Board was not satisfied that this matter could be dealt with in a satisfactory manner by condition and considered that a grant of permission could also have led to planning blight at another location. The Board was not satisfied that the proposed development represented a satisfactory outcome from the point of view of proper planning and sustainable development of the town of Carrick-on-Shannon as a whole, taking all relevant factors into account.

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

Dated this day of 2016.