

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Wicklow County

Planning Register Reference Number: 16/177

An Bord Pleanála Reference Number: PL 27.247126

APPEAL by Derek Mitchell care of Koorish Manor Avenue, Greystones, County Wicklow, the Board of Management of Temple Carrig School, Blacklion, Greystones, County Wicklow, and by RGDATA of Rock House, Main Street, Blackrock, County Dublin against the decision made on the 5th day of August, 2016 by Wicklow County Council to grant subject to conditions a permission to Lidl Ireland GmbH care of Tony Bamford Planning of 127 Lower Baggot Street, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Demolition of the existing permitted licensed discount foodstore and the construction of a new mono-pitched two-storey licensed discount foodstore with a gross floor area of 2,752 square metres and a new retail sales area of 1,685 square metres including ancillary off-licence use; relocation of vehicular entrance, removal of all existing signs and replacement with free standing and building mounted signage; re-refrigeration and air conditioning plant and equipment; reconfiguration of existing car park to provide a total of 181 parking spaces, bicycle parking; trolley bay, external bin storage, hard and soft landscaping, with services to connect to existing connections and all other ancillary and associated site development works above and below ground level to complete the development at Blacklion, Centre, Blacklion, Coolagad, Greystones, County Wicklow. The proposed development was revised by further public notices referring to further information received by the planning authority on the 8th day of July, 2016.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions 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

Having regard to the nature and scale of the proposed expansion to an existing retail development and to the zoning of the site for Neighbourhood Centre uses in the Greystones/Delgany and Kilcoole Local Area Plan 2013-2019 and to the mix of retail, office and residential uses close to the proposed development, and to the access and parking provision set out in the application, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the amenity of the area, would be acceptable in terms of traffic safety and convenience to road users, and would accord with the provisions of the Greystones/Delgany and Kilcoole Local Area Plan 2013-2019. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

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 submitted on the 8th day of July 2016, 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 lands delineated for future road widening on the R761 including the Left Turn into Blacklion, future cycle lanes and bus bay as indicated on drawing number SRC-054-101 submitted to the planning authority on the 8th of July 2016, shall be kept free from any development.

Reason: In order to ensure a satisfactory standard of development in the interest of road safety.

3. A footpath with a minimum width of 1.8 metres shall be provided to facilitate pedestrian movement between the parking spaces on the northern and western sides of the foodstore. Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of traffic and pedestrian safety.

4. No deliveries shall be taken at or dispatched from the premises outside of 0600 hours to 2200 hours daily, excluding between the 0800 hours to 0930 hours and between 1300 hours to 1530 hours.

Reason: In the interest of traffic safety and to protect the residential amenities of the area.

5. Details of all signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

6. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:

- (a) Location of the site and materials compound including an area identified for the storage of construction refuse.
- (b) Location of areas for construction site offices and staff facilities.
- (c) Details of site security fencing and hoardings.
- (d) Details of on-site car parking facilities for site workers during the course of construction.
- (e) Measures to obviate queuing of construction traffic on the adjoining road network.
- (f) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network.
- (g) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works.
- (h) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels.
- (i) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater.
- (j) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil.

- (k) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

Reason: In the interest of amenities, public health and safety.

7. Prior to commencement of development, details of the materials, colours and textures of all the external finishes to the proposed development, including samples, shall be submitted to and agreed in writing with the planning authority. In this regard, a panel of the proposed finishes shall be placed on site to enable the planning authority adjudicate on the proposals. Construction materials and detailing shall adhere to the principles of sustainability and energy efficiency, and high maintenance detailing shall be avoided.

Reason: In the interest of orderly development and the visual amenity of the area.

8. Bicycle parking, with a minimum of 20 spaces, shall be provided at the site. Prior to commencement of development revised plans in this regard shall be submitted to and agreed in writing with the planning authority.

Reason: in the interest of public safety.

9. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

10. 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 Bord 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.

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

Dated this day of 2016.