

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

**Limerick City and County**

**Planning Register Reference Number: 16/44**

An Bord Pleanála Reference Number: PL 91.247323

**APPEAL** by Lidl Ireland GmbH care of The Planning Partnership of viaFulcrum Unit 10a, South Ring Business Park, Kinsale Road Roundabout, Kinsale Road, Cork in relation to the inclusion of special contribution condition number 3 by Limerick City and County Council in its decision made on the 29<sup>th</sup> day of August, 2016.

**PROPOSED DEVELOPMENT:** Demolition of one number building and ancillary structures (totalling 3,308.5 square metres gross floor area) comprising the existing Childers Road Lidl Licenced Discount Foodstore unit and disused bulky goods retail unit (former Chadwicks Builders Providers) and the construction of a new mono-pitched Licenced Discount Foodstore with ancillary infrastructure (all totalling 2,947 square metres and ranging in height equivalent from one to two storeys) and associated site development works all at site of approximately 1.28 hectares (comprising Childers Road Lidl Licenced Discount Foodstore and former Childers Road Punch's Cross Chadwicks Builders Providers) at Childers Road and Rosbrien Road, Limerick City. The construction of the proposed new Licence Foodstore comprises a retail sales area with ancillary off-licence use (net retail sales area of 1,288 square metres), segregated bakery, public facilities (including lobby and toilets), entrance pod, entrance lobby, office, lobby, storage (including cold storage), delivery area, stairs and lift to mezzanine floor, all at ground level (totalling 2,580 square metres ground floor gross floor area; staff welfare (including toilets, change rooms and staff area), managers office, IT and communications rooms, internal plant room, roof terrace, stairs and lift from ground floor, all at first floor level (totalling 334 square metres first floor gross floor area); corporate signage consisting of two number building mounted corporate internally illuminated sign, three number free standing internally

illuminated totem pole signs, three number wall mounted externally illuminated poster panel display, one number wall mounted externally illuminated information display board, two number finger post directional signs; one number trolley bay covered structure (33 square metres gross floor area), 162 number car parking spaces (seven number disabled, five number parent and child, 150 number regular); 29 number bicycle spaces; primary vehicular and pedestrian access to the development will be via existing enhanced site entrance from Rosbrien Road and a repositioned enhanced site entrance from Childers Road; pedestrian access to the proposed development will be further enhanced via a dedicated pedestrian entrance from the intersection of Childers and Rosbrien Road and boundary treatments, hard and soft landscaping, services (including one number below ground attenuation tank) and all other ancillary and associated site development works above and below ground level.

## **DECISION**

**The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended by section 30 of the Planning and Development Act, 2010, based on the reasons and considerations under, directs the said Council, under section 48 (13) of the 2000 Act, to REMOVE condition number 3 and the reason therefor.**

## **REASONS AND CONSIDERATIONS**

The Board considered that:

- the requirement to pay such a contribution towards apparatus upgrade at Childers/Greenhill Junction comes within the scope of works identified for this location in the Limerick City Council Development Contribution Scheme (Appendix 3);
- the special contribution sought towards apparatus upgrade at Childers/Greenhill Junction would not be of any particular benefit to the proposed development as no increase in gross floor space is proposed over and above that which already exists on site; and
- the Board was not satisfied that the condition adequately specified works to be carried out.

The Board therefore decided to remove condition number 3 as it does not accord with the provisions of section 48 (2) (c) of the Planning and Development Act, 2000, as amended.

