



An
Bord
Pleanála

**Board Order
PL 03.249250**

Planning and Development Acts 2000 to 2017

Planning Authority: Clare County Council

Planning Register Reference Number: P17/500

Appeal by Aldi Stores (Ireland) Limited care of John Spain Associates of 39 Fitzwilliam Place, Dublin against the decision made on the 18th day of August, 2017 by Clare County Council to refuse permission to the said Aldi Stores (Ireland) Limited.

Proposed Development The construction of a single storey discount food store (to include off-licence use) with a gross floor area of 1,762 square metres (net retail area 1,254 square metres). The development includes the erection of two number free-standing double sided internally illuminated signs, two number internally illuminated gable signs, one number internally illuminated poster sign and one number entrance glass sign. The proposed development will be served by 109 number car parking spaces. Vehicular/pedestrian access to the site will be provided from the R471. The proposed development includes the construction of a single storey ESB substation, distributor and internal road layout, lighting, all landscaping, relocation of bus shelter, boundary treatment and site development and drainage works on a site of circa 1.05 hectares, all located to the north of the Airport Road (R471) Tullyvarraga, Shannon, County Clare.

Decision

REFUSE permission for the above proposed development in accordance with 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. Having regard to the prominent location of the site in the centre of Shannon Town, the layout of the proposed development, the building setback from the street and roadside boundary, the location of surface car parking and in particular the single storey form, design and architectural treatment of the proposed retail building, it is considered that the proposed development fails to provide a satisfactory level of urban design and street frontage, height, presence and definition at this prominent urban street location in Shannon Town centre. The proposed development would, therefore, seriously injure the visual amenities of the area, would be contrary to the proper planning and sustainable development of the area and would not provide a quality urban design outcome consistent with the design principles, as set out in the "Retail Design Manual" issued by the Department of the Arts, Heritage and the Gaeltacht in April 2012 in relation to Design Quality, Public Realm and Built Form.

2. The subject site is located on lands zoned as 'Mixed Use' in the Shannon Town and Environs Local Area Plan and on lands identified to provide a future town centre area. It is considered that the proposed development, by reason of its sole retail use, would not provide for an appropriate mix range and type of uses consistent with the zoning objectives of the site. Furthermore, it is considered that the proposed development, by reason of its layout, setback of building and extent of ground floor single use car parking area, would prejudice the future development of the wider site, as set out in Section 5.4 of the Local Area Plan and would materially contravene Objective 5.7 of the Local Area Plan which seeks to provide a mix of uses within an expanded town centre. The proposed development would, therefore, seriously injure the amenities of the area and would be contrary to the proper planning and sustainable development of the area.

