



Planning and Development Acts 2000 to 2020

Planning Authority: Westmeath County Council

Planning Register Reference Number: 20/7039

APPEAL by Donal Kenny of Carrickobrien, Athlone, County Westmeath, by Akil Hotl and Adonis Morina and others care of Braniff Associates of 5 Windsor Avenue North, Malone Road, Belfast and by other against the decision made on the 2nd day of July, 2020 by Westmeath County Council to grant subject to conditions a permission to Lidl Ireland GmbH care of Tony Bamford Planning of Airport Hub, Furry Park, Swords Road, Santry, Dublin.

Proposed Development: The construction of a single storey, discount foodstore (with ancillary off-licence sales), 2,172 square metres gross floor space and a restaurant/coffee shop (248 square metres); demolition of existing structures including three number dwelling units; associated building mounted and freestanding advertisement and informational signage, relocated existing billboard signage to western boundary. Provision of a surface car park spaces (including two electrical vehicle charging spaces); a vehicular access point off Galway Road, pedestrian access, boundary treatments; cycle parking spaces; integrated trolley bay enclosure next to the store entrance; hard and soft landscaping, lighting, connections to drainage and water services including storm water drain and foul drain, roof plant to incorporate photovoltaic panels and all other ancillary and associated works including ESB substation building. The development also includes setting aside an area of land to the north west of the site, at a lower ground level for future

residential. This area will be levelled and temporarily treated with hard core or grass or a combination of both. There will also be a retaining structure along the northern boundary of the foodstore site, extending around the east and southern boundaries of the residual residential lands at O'Meara's Garage, Galway Road, Ballylough (Bellaugh)/Bogganfin, Athlone, County Westmeath.

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

The proposed development, by reason of its scale and extent, and its location outside any of the retail tiers identified in the retail hierarchy set out in the Athlone Joint Retail Strategy 2019-2026 (Variation No. 4 of the Athlone Town Development Plan 2014-2020), would be contrary to the overall objectives of the Retail Strategy for the town, including Policy SRP3: Sequential Approach. In this regard, it is considered that the sequential assessment submitted with the planning application and the appeal did not satisfy the provisions of SRP3, as it did not establish that there were not more suitable sites within the retail hierarchy available for additional retail development of the type proposed. Furthermore, it is considered that the sequential assessment submitted with the planning application and appeal would not accord with the principles of the

Sequential Development Approach as set out in the Retail Planning Guidelines for Planning authorities, published by the Department of the Environment, Community and Local Government in April, 2012.

In this regard it is considered that, on the basis of the information submitted with the planning application and appeal, the proposed development would be contrary to the relevant provisions of the Development Plan and contrary to the relevant provisions of the Ministerial Guidelines and that the proposed development at this location would have an adverse impact on the vitality and viability of existing retailing within the Athlone Joint Retail Strategy area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Chris McGarry

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

Dated this day of 2021.