



Planning and Development Acts 2000 to 2021

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 21/173

APPEAL by Centz Stores 3 Limited care of Peter Thomson Planning Solutions of 4 Priory Grove, Kells, County Kilkenny against the decision made on the 10th day of June, 2021 by Waterford City and County Council to refuse permission.

Proposed Development: To permit the retail offer from the retail store permitted under planning permission register reference number 99/515 to include the sale of convenience goods from up to 17% of the permitted floor area and non-fashion clothing, including, pyjamas, novelty socks, winter hats and gloves, from up to 3% of the permitted floor area at Kingsmeadow Retail Park, Inner Ring Road, Waterford. Further public notices were received by the planning authority on the 18th day of May, 2021.

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

Having regard to the planning history of the site, including planning permission register reference number: PD99/515, and to the nature and extent of the proposed development, it is considered that the proposed change in the nature of goods sold would not be in accordance with Policy POL 4.7.1 of the Waterford City Development Plan 2013-2019 (as varied and extended) or Section 4.11.2 of the 'Retail Planning Guidelines for Planning Authorities' published by the Department of the Environment, Community and Local Government, April 2012, relative to the type of goods for sale from retail warehousing, and the proposed goods for sale would not fall within the range of bulky goods as specified in Annex 1 of the Ministerial Guidelines as issued. In this regard, the Board is not satisfied, notwithstanding the location and zoning of the site, and the information submitted with the application and the appeal, that the proposed development by itself and by the precedent it would set, would not have a detrimental impact on the vitality and viability of Waterford town centre and would not create a counter attraction to the town centre in terms of retail shopping. The proposed development would be contrary to the relevant provisions of the Ministerial Guidelines and to the relevant provisions of the Waterford City Development Plan 2013-2019, would set an undesirable precedent for similar types of development and 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 5th day of April 2022

