

Planning and Development Acts 2000 to 2022

Planning Authority: Westmeath County Council

Planning Register Reference Number: 22/103.

Appeal by Corajio Trading as Mr Price care of HRA Planning, Chartered Town Planning Consultants of 3 Hartstonge Street, Limerick against the decision made on the 28th day of April, 2022 by Westmeath County Council to refuse permission for the proposed development.

Proposed Development: Retention of the change of use of a former wholesalers/warehouse building to the use as a shop including ancillary staff offices and canteen, changes to the external finish of the building including new door openings to the North, South and East elevations, car parking and associated site works, all at Cornamaddy, Athlone, County Westmeath.

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.

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Reasons and Considerations

Having regard to:

- (a) Objective 6 and Objective 11 of the National Planning Framework - Ireland 2040,
- (b) the Westmeath County Development Plan 2021-2027,
- (c) the Westmeath County Retail Strategy 2019-2026,
- (d) the Athlone Town Development Plan 2014-2020,
- (e) the Athlone Joint Retail Strategy 2019-2026,
- (f) the planning history of the site,
- (g) the mixed-use zoning objective governing the site,
- (h) the applicants' wider use of the site as a national distribution and logistics centre, and
- (i) the nature and scale of the development,

it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would be acceptable in terms of zoning, layout, and design, and would not seriously injure the amenities of the area and is ancillary to the primary use on the site. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, 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 and the development shall be carried retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The full extent of this permission relates only to the floor area indicated in yellow on the site layout drawing number 2019-122-02, received by the planning authority with the application.

Reason: In the interest of clarity.

3. Details of all signage shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this Order.

Reason: In the interest of the visual amenity of the area.

4. Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this Order.

Reason: In the interests of amenity and public safety.

5. A minimum of 10% of all car parking spaces shall be provided with functioning electric vehicle (EV) charging stations/points and ducting shall be provided for all remaining car parking spaces to facilitate the installation of electric vehicle charging points/stations at a later date. Where proposals relating to the installation of EV ducting and charging stations/points have not been submitted with the application, in accordance with the above requirements, such proposals shall be submitted to, and agreed in writing with, the planning authority within three months from the date of this order, and the agreed provisions shall be carried out and completed within three months of the date of agreement.

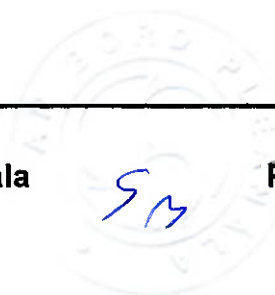
Reason: In the interest of sustainable transport.

6. The developer shall identify a suitable area within the development for the provision of bring banks. This bring bank area shall comply with the following requirements:
- (a) a concrete plinth for 12 recycling receptacles shall be provided,
 - (b) a setdown parking area, fencing and any other suitable hard and soft landscaping required and associated signage shall be provided,
 - (c) the area shall be sited away from residential areas,
 - (d) consideration shall be given to turning requirements of HGVs used to service such banks and the potential noise generated by the banks from their usage, and
 - (e) within three months from the date of this Order, a design drawing for the bring bank area shall be submitted to the planning authority for written agreement.

Reason: In the interest of sustainable waste management.

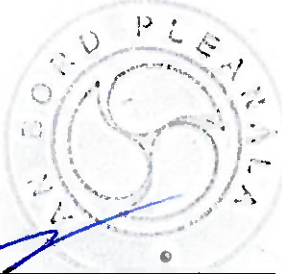
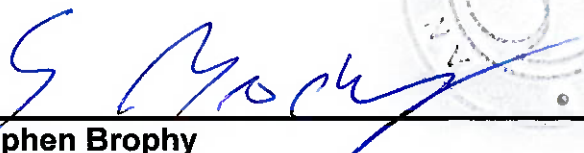
7. The pedestrian walkway as indicated on site layout drawing number 2019-122-02 shall be provided within three months of the date of this Order.

Reason: In the interests of connectivity with the residential developments and of the proper planning and sustainable development of the area.



8. 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 within three months from the date of this Order 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.



Stephen Brophy

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this *11th* day of *December* 2023.