

An
Bord
Pleanála

Board Order
ABP-314570-22

Planning and Development Acts 2000 to 2022

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 22/696

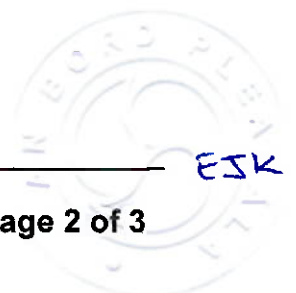
Appeal by Lidl Ireland GmbH care of The Planning Partnership of The Coach House, Dundanion, Blackrock Road, Cork in relation to the application by Limerick City and County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 2 of its decision made on the 12th day of August, 2022.

Proposed Development: Internal reconfiguration of existing Lidl Childers Road Licenced Discount Foodstore (permitted under Limerick City and County Council Register Reference Number 16/44 and An Bord Pleanála PL91.247323) to facilitate storage area for new Deposit Return Scheme facilities and an increased Net Retail Sales Area from 1,002 square metres to 1,672 square metres. Internal reconfiguration of the existing Childers Road Lidl Licenced Foodstore development will consist of: Removal of existing customer lobby, customer toilets, staff meeting room, staff lobby, operations office, and the construction of a new storage area for Deposit Return Scheme facilities, relocated customer lobby and customer toilet; Construction of relocated operations office and staff meeting room (with new external window along eastern elevation) within the existing secure storage area; and Removal of internal partition walls between existing storage areas, training area, and existing Retail Sales Area, and extending the existing Retail Sales Area into the storage areas and training area, resulting in an increase in the Net Retail Sales Area

from 1,002 square metres to 1,672 square metres (increase in 670 square metres from that as permitted) all at a site of approximately 0.2646 hectares at the existing Childers Road Lidl Licensed Foodstore, corner of Childers Road and Rosbrien Road, Limerick City.

Decision

The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had not been properly applied in respect of condition number 2 and directs the said Council to REMOVE condition number 2 and the reason therefor.



Reasons and Considerations

Having regard to the Limerick City and County Council Development Contribution Scheme 2022 adopted on the 24th day of January 2022, the Board noted the adopted Scheme includes, in section 8.0, categories of development which are exempt from the requirement to pay a financial contribution, including, inter alia, 'internal layout changes where no additional floorspace is proposed'. Having considered the proposed development does not incorporate any change of use and no additional floorspace is involved, the Board considered that the terms of the adopted Scheme were not properly applied by the planning authority by the attachment of Condition 2, and that the condition and the associated reason for its inclusion should be removed.

Eamonn James Kelly

Eamonn James Kelly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this *29th* day of *January*, 2024

