



An
Coimisiún
Pleanála

Commission Order
ACP-323010-25

Planning and Development Act 2000, as amended

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 24/60416

Appeal by Lidl Ireland GmbH care of The Planning Partnership of Chapel Street, Castlebar, County Mayo against the decision made on the 16th day of June, 2025 by Waterford City and County Council to refuse permission.

Proposed Development: Construction of a part single part two-storey discount foodstore (with ancillary off-licence use) with mono-pitch roof measuring circa 2,601 square metres gross floor space with a net retail sales area of circa 1,499 square metres. Construction of an access road from Carrickphierish Road serving the proposed development and facilitating the future development of adjoining lands and associated and ancillary works, and pedestrian access to the foodstore site from Carrickphierish Road and provision of associated car parking (including electric car charging facilities), cycle parking, free standing and building mounted signage, trolley bay cover/enclosure, refrigeration and air conditioning plant and equipment, roof mounted solar panels, hard and soft landscaping, boundary treatments, electricity sub-station building, works and connections to water supply, wastewater and surface water infrastructure and utilities, and all other associated and ancillary development and works above and below ground level, all at Carrickphierish Road (Bawndaw Townland), Gracedieu, Waterford,

as revised by the further public notices received by the planning authority on the 20th day of May, 2025.

Decision

REFUSE permission for the above proposed development for the reasons and considerations set out below.

Reasons and Considerations

1. The proposed development is proposed to be located on a site identified in Table 3.2 and Appendix 21 as a potential regeneration site 'OPS24 Neighbour Centre Carrickphierish' in the Waterford City and County Development Plan 2022-2028, which sets out specific objectives for development on the subject lands, including, inter alia, providing strong architectural design as a key landmark development for the Carrickphierish Neighbourhood, creating a mixed use medium/high-density development, providing a strong architectural response designed to an exceptional standard with a desirable street edge addressing the Carrickphierish Road with the potential to accommodate taller buildings. Having regard to the emerging pattern of development in the vicinity, it is considered that, by reason of its design and footprint and, in particular, the overall elevational treatment which lacks articulation and carries no reference to the emerging streetscape creating a poor urban edge, the proposed development would be of insufficient architectural quality on a prominent site in this area, would seriously injure the visual amenities of the area, would militate against an attractive pedestrian environment and would be contrary to Policy Objective Place 02 and Policy Objective Place 05 which seek to ensure that all developments are of a high-quality design with a focus on placemaking, cognisant of their context and need for variety, distinctiveness, focus on public realm and design. The proposed development would conflict with the objectives of the

development plan, and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development is partially located on lands zoned for 'Existing Residential' use, as set out in the Waterford City and County Development Plan 2022-2028. The proposed development of a food store/supermarket would conflict with Table 11.1 (Land use Zoning Objectives) and Table 11.2 (Zoning Matrix) of the Waterford City and County Development Plan 2022-2028. The proposed development would contravene the zoning objectives of the development plan, and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Commission considered the totality of the documentation submitted with the planning application and the appeal. As outlined in Section 5.1.1 of the Inspector's report, the proposed development is on lands zoned 'RE Regeneration' with the zoning objective to provide for enterprise and/or residential led regeneration and 'Existing Residential' where a food store/supermarket use is not permitted. The existing residential zoned portion of the site is approximately 19.5% of the overall site area. As the majority of the proposed carparking (circa 80%) serving the proposed development is located in the 'Existing Residential' zoned area of the site, the Commission did not consider the proposed encroachment on the existing residential portion of land as minor or insignificant. In the absence of a wider mixed development proposal incorporating residential units as part of the proposed development, the Commission considered that the encroachment would contravene the policies and zoning objectives of the Waterford City and County Development Plan 2022-2028. The Commission considered Development Plan Policy Objective H05 which sets out the criteria for applying flexibility which allows proposals to be considered on their merits where they are not fully consistent with their land zoning provisions as set out in the development plan. The Commission however concluded that Policy Objective H05 has not been met

as the proposed development is not consistent with the clearly defined vision for the site as defined in Table 3.2 and Appendix 21 wherein the site is identified as a potential regeneration site 'OPS24 Neighbour Centre Carrickphierish'. The Commission agreed with the Inspector that the proposed development has not been designed to an exceptional standard and determined that the subject proposal, for a large single storey generic food store building with a predominately blank windowless façade at ground level facing Carrickphierish Road, does not represent a strong architectural landmark development, nor does it align with the clearly stated vision set out in OPS24, and, therefore, fails to meet the criteria set out in Policy Objective H05 in terms of applying flexibility for inconsistency in zoning provisions.

A circular stamp of An Coimisiún Pleanála is visible in the background. It features a stylized 'S' logo in the center and the text 'AN COIMISIÚN PLEANÁLA' around the perimeter. Overlaid on the stamp is a handwritten signature in dark ink.

Emer Maughan

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 30th day of October 2025.