

MEMO

To: An Bord Pleanála
From: Tom Rabbette SPI
Date: 15th November 2016
Re: Addendum Report PL 12.246575

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BACKGROUND

The undersigned submitted a report and recommendation dated 17th August 2016 on file reference no. PL 12.246575. The file and Inspector's report was considered by the Board on the 21st September 2016. In a Direction dated 22nd September 2016 the Board sought an addendum report from the Inspector under Item 1 of that Direction. This Memo constitutes the addendum report sought. It shall address in order the three issues (a-c inclusive) raised under Item 1.

Item 1(a):

"A map indicating where other retail developments mentioned in the report, including the facility in Co. Roscommon proposed to be closed by the applicant under a Section 47 agreement, are located relative to the site of the proposal."

Response:

I refer the Board to the attached appendix which includes a map indicating the following:

- The application site
- The location of the existing Tesco store in the Rosebank Retail Park
- The location of the existing Aldi store granted under PL 12.237890
- The location of the existing Lidl store proposed to be closed in Cortober, Carrick-on-Shannon in Co. Roscommon
- The location of the Supervalu store in Carrick Retail Park in Cortober, Carrick-on-Shannon, Co. Roscommon

Item 1(b)

"A summary of the documented position with respect to retail vacancy in the town centre of Carrick on Shannon, and confirmation of whether an adequate sequential test was carried out and the main findings of same."

Response:

Leitrim County Retail Strategy 2015-2021

At section 5.4.6 'Vacancy & Occupancy Rates' of the Leitrim County Retail Strategy 2015-2021 it states that Carrick on Shannon has a retail vacancy rate of 22.6%. It states that much of this vacancy rate is founded upon vacant retail warehouses. At section 6.1.1 it is stated that there is a strong emphasis on tourism-related shops and *bijou* shopping in the town centre of Carrick on Shannon. It goes on to state that vacancy within the town is very much concentrated in backstreet locations where footfall is quite low, whilst premises along Bridge Street and Main street in the town core are reasonably well occupied. The 'actions' proposed for Carrick on Shannon as indicated in section 6.1.1 of the strategy, include the avoidance of out-of-town retail where this can lead to weakening of the viability and vitality of the town centre. It also contains an action to encourage further development of *niche* retail markets particularly in Carrick on Shannon town centre.

Applicant's Submission

As originally submitted with the application, at page 34 of the applicant's 'Planning Report' (TBP Planning & Development Consultants received by the p.a. on the 27/11/2015), it states, *inter alia*, the following:

"... The town centre of Carrick on Shannon is relatively compact and niche with larger retail offerings located outside the central area (Rosebank Retail Park and Carrick Retail Park). However, this has been a reaction to the geography of the area and the confined and constrained nature of the town centre as well as flood risks and urban design requirements. The ALDI store permitted by the Council and An Bord Pleanala reflects the difficulties of developing in the town core and wider town centre or zoned 'Mixed Use' areas.

Vacancy rates in the town area were 22% when the Council conducted its survey as part of the Retail Strategy. However, the Development Plan and Retail Strategy both note that this is largely made up by vacant retail warehouse space and that much of the vacancy has resulted from the recession. Likewise our own review of land uses in the retail core points to few vacancies in Bridge and Main Street (the Core Retail Area). Where they exist the vacant units are generally older building stock.

Our own survey of the Core Retail Area (as defined in Appendix 3 of the County Retail Strategy) conducted on Monday 16 November 2015 indicated that there were four vacant units on Bridge Street. One of these was a house and another an office. The other two were small former shops. Main Street had 5 vacant units which again were all older premises. One of these was a former public house and the other former retail shops.

More peripheral areas towards the north of Main Street have the highest levels of vacancy. Vacancy tends to congregate in discrete pockets, most notably 'The Courtyard' which arguably suffers from a lack of 'pass-by' trade given its location and layout. One retailer, "Ravel" (ladies clothes) has since moved to a much more prominent (retailer friendly) location, on the water front, where their business is highly visible and benefits from pass-by trade.

Many of the units that are vacant on Bridge and Main Street are older stock with poor footprints and in need of substantial renovation. However, we noted one retailer on Main Street is in the process of updating the interior of their store (Unna Donna ladies shoes). This is one of a number of specialist, ladies boutique shops which are most prevalent along Main Street.

One of the main aims is to develop the niche retail market in the town centre. The proposed development will not prejudice those objectives. As a relocation proposal, it already has an established trading pattern. Reasonably, we do not expect there to be any major dynamic changes in the area. Quite the opposite, the new location will better serve the town's resident population, being easier to access by foot, cycle and car than in its present location for a much larger pool of residents and rural population that depend on the town for their food shopping....

...The preferred location for new retail development is the town centre but following that, edge and then out of centre sites would be appropriate. Policy recognises the difficulties of locating larger retail formats in the town centre. It also recognises the benefits of established retail at Rosebank and Cortober for attracting and retaining spending in the town and points to the need to draw from this area to the benefit of the town centre....

...Within the context of the proposed development the proposed store is not a new addition to the local convenience market place but rather a relocation of an existing retail operation from Cortober to Carrick on Shannon. As the retail impact assessment shows this will lead to the following:

- No impact arises on the town centre as all major convenience retail space is located outside the town centre.*
- The relocation of the convenience business from Cortober to the subject site, will better balance food retail provision between the two settlements. Cortober simply has too much floorspace. However, the relocation of the existing LIDL store will not deprive Cortober of a good convenience retail offer. The existing Supervalu will remain and provide a good service for the area."*

That report went on in section 7.0 to provide a quantitative and locational assessment in the context of retail impact. The retail impact assessment (RIA) prepared was done so in the recognition that the proposal is somewhat different to

normal retail applications. The proposal is not a new addition as such to the retail market, but rather a relocation of the established Lidl foodstore from Cortober to the application site. The catchment or study area used in the RIA had regard to that catchment area used for the Aldi store application which was granted permission by the Board (ref: PL12.237890), it is centered around Carrick on Shannon and takes in areas within the administrative areas of both Leitrim County Council and Roscommon County Council. The RIA sought to demonstrate the reason for relocating from Cortober to the application site, in terms of population distribution. I note that Item 2 of the Board's Direction of the 22nd of September 2016 sought to invite Roscommon County Council to comment on the proposal. Subsequently, Roscommon County Council were afforded an opportunity to comment on the appeal (ref: An Bord Pleanála letter dated 26th September 2016), however, there has been no response from that authority to date.

The applicant's report goes on to address the sequential approach at page 49. Some 7 locations were mapped and considered. It drew upon the sequential test as contained in the application for the Aldi store granted under PL 12.237890. It concluded that there are no other sites in or closer to the town centre that would be suitable for the proposed development.

The applicant returned to the matter of the sequential approach in the response to the grounds of appeal received by the Board on the 08/06/2016 (at section 5.0). It referred to the Inspector's Report on PL 12.237890 in which the current application site was considered in the context of the sequential test on that previous application for an Aldi store on another site further out the N4. The Inspector commented that the current application site is 'of high visual amenity' and a prestige site, and not appropriate location for the store subject of that previous application. The applicant in the current appeal notes the change of land use zoning on the site since that previous decision and also notes the Inspector was not reviewing a foodstore design comparable to that now before the Board. The response to the grounds of appeal also returns to one of the sites assessed in the RIA submitted with the application i.e. 'Flynn's Field'. It notes that the Board dismissed this site on two previous occasions: first in respect of the trading Tesco store and more recently in respect of the Aldi store. It repeats that the Flynn's Field site is currently the subject of an application for a mixed use development.

Planner's Report

Having considered the applicant's submission, the p.a. Planner's Report of the 25/01/2016 held that, in relation to retail assessment, there is no existing vacant retail unit of sufficient scale to accommodate the development, and that there is no suitable, available or viable site located within the town centre to accommodate this form of convenience retail development. The Planner's Report concluded that the application site is appropriately zoned to accommodate the proposed retail use and the form of retail proposed at this edge of town centre site will not adversely impact

upon the viability or vitality of the town centre. The Planner's Report noted that both the Tesco and the Aldi stores, as granted and now constructed, are located further from the defined retail core of the town centre than the proposed development.

Comment on Sequential Test

In the context of the specifics of this retail application, that being a proposal to relocate a foodstore from one part of Carrick on Shannon to another with a net additional floorspace of c. 400 sq.m. of convenience retailing, and having regard to the submissions on file, I am of the opinion that the sequential test carried out is adequate.

Item 1(c)

“Further reference to the planning history and design of the MBNA building and associated car park building would be of benefit to the Board. Third parties refer to conflict between the proposed development and the MBNA permissions. Further comment on this general subject would be useful.”

Response:

The Board requested the p.a. to identify all planning histories pertaining to the (former) MBNA building located across the road from the site (ref: EO email dated 12/10/2016). The p.a. identified three relevant permissions: P00/327; P01/1024, and P02/73 providing a brief description of each development (ref: Senior Planner email dated 12/10/2016). The Board subsequently requested plans and particulars in relation to those three applications identified and the p.a. duly submitted the requested information. The plans and particulars are on file for the Board's attention as are the emails referred to.

Reg. Ref. P00/327 refers to the parent permission pertaining to the two storey office building on the opposite side of the road. The Board may wish to note that the location map for that application indicates the current application site within the blue line but outside of the red line. The site containing the (former) MBNA building and the site to the north-west containing the public landscaped park, are both within the application site boundary of that parent permission. Part of the current application site was identified as containing 'possible future two storey office building' on the 'Location Plan' (drwg. No. A101 RKD Architects) on that application. On that application's submitted 'Site Plan' (drwg. No. A102 RKD Architects) part of the current application site was identified as a later phase development that would accommodate 474 car parking spaces and a two-storey office building accommodating 4645 sq.m. for MBNA. The landscaped public park that formed part of that parent permission did not include the area that forms the current application site. That parent permission proposed surface car parking adjacent the MBNA building on the opposite side of the road from the current application site.

Under P01/1024 permission was granted for, *inter alia*, an extension to the office building granted under P00/327. It also granted permission for the two-storey decked car park adjoining the current application site to the north-west. The application site in P01/1024 did include the area that forms the current application site. In that previous application the current application site was indicated as open green area/field, based on the drawings on file there does not appear to be any structures or specific development proposed on it in that application. It did not form part of the public park, the proposed decked car park now separated the current site from the landscaped public park to the north-west. The grant of permission for the development entailed a material contravention of the statutory plan for the area as the decked car park was located within an area that was then zoned 'amenity and recreational open space'.

P02/73 related to (relatively) minor changes and extensions to the two-storey (former) MBNA office building. The current application site was included within the blue line area of that application but was not subject of any proposed specific works it would appear.

The design of the MBNA building is evident from the drawings on file relating to the above applications. I also refer the Board to photographs of the subject building in the attached appendix.

It does not appear, based on drawings on file relating to the above history files, that the current application site was ever intended to form part of the public landscaped park to the north-west. It also appears that the intended use of the current application site changed over those previous applications. In the parent permission the current application site formed part of the Phase III possible development/expansion of the MBNA operations. It was envisaged at that early stage that the site would part-accommodate car parking and another two-storey office building for MBNA at some stage in the future. In the second application it would appear that the site was indicated as open area/field, based on the submitted history drawings it does not appear that it formed part of any formal landscaped area as such. There is no indication, in that second application, of any two-storey office development on the current application site either.

Conclusion

Having regard to the matters raised in Item 1(a-c inclusive) of the Board's Direction dated 22nd September 2016, and the responses as indicated above, I do not propose any changes to my recommendation to the Board on the appeal as contained in my report of the 17th August 2016.

Tom Rabbette
Senior Planning Inspector
15th November 2016