



An
Bord
Pleanála

Inspector's Report PL15.248148

Development

Demolition of foodstore and construction of new foodstore with part first floor increasing Gross Floor Area of building from 1,633 square metres to 2,906 square metres and associated works including car parking trolley bays and signage.

Location

M1 Retail Park, Drogheda, County Louth.

Planning Authority

Louth County Council.

Planning Authority Reg. Ref.

16/935.

Applicant

Lidl Ireland GmbH.

Type of Application

Permission.

Planning Authority Decision

Grant.

Type of Appeal

Third Party v. Grant.

Appellant

RGDATA.

Observers

None.

Date of Site Inspection

9th May, 2017.

Inspector

Paul Caprani.

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1.0 Introduction

PL15.248148 concerns a third party appeal lodged by RGDATA against the decision of Louth County Council to issue notification to grant planning permission for the demolition of an existing foodstore and the construction of a two-storey foodstore together with car parking and ancillary plant at the M1 Retail Park, Drogheda, County Louth. The grounds of appeal argue that the proposal would not contribute to enhancing the vitality and viability of Drogheda town centre due to its size and scale and will exacerbate increased vacancy rates on the physical fabric of the town centre.

2.0 Site Location and Description

- 2.1. The existing Lidl store comprises of a single-storey retail supermarket within the M1 Retail Park in the north-western environs of Drogheda Town. The existing Lidl is located adjacent to the R168 which links directly with the N51 and Drogheda Town Centre to the south-east. The supermarket is located approximately 2.6 kilometres by roadway from Drogheda Town Centre. The retail park is also accessible off Junction 10 on the M1 Motorway which is located approximately 1 kilometre to the north-east of the subject site.
- 2.2. The retail park is a recently established development and some vacant and partially developed sites are still located within the retail park. The retail park accommodates a large number of household retail chains including Woodies, Powercity, Mothercare, Subway, Tile Market, Smyths Toy Store, Advance Pitstop etc. Most of the above outlets are located in a central square accommodating car parking located to the immediate north-west of the subject site.
- 2.3. The appeal site faces eastwards towards the R168 and the car park surrounding the site is accessed via a number of roundabouts. The existing Lidl store is located on the western boundary of site and 149 car parking spaces are located in the vicinity particularly to the east and south of the building. The site has a stated area of 0.93 hectares. The existing supermarket has a gross floor area of 1,633 square metres. The existing supermarket comprises of the main sales area and circulation area, a

smaller storage area and loading bay. The building accommodates a nap plaster finish on the external elevation and a metal clad shallow monopitch roof ranging in height from 4.57 metres and the loading bay area to 7.15 metres at the entrance on the north-eastern corner of the building.

3.0 Proposed Development

- 3.1. Planning permission is sought for the demolition of the existing building and the construction of a larger two-storey retail store located adjacent to the eastern boundary of the site but relocated slightly further south which results in most of the car parking being relocated to the north of the site. The overall site boundary has been increased, incorporating an additional strip of land along the southern boundary. The building will incorporate a larger gross floor area of 2,906 square metres with a proposed retail sales floor area of 1,690 square metres. The ground floor of the building will comprise in the main of the sales area. Offices will be located adjacent to the entrance which is to be retained at the north-eastern corner of the building. The storage area will be located adjacent to the eastern elevation and southern elevation of the building and the delivery and loading bay will be located to the rear of the building adjacent to the southern boundary of the site. A bakery preparation area and a large refrigeration room is to be located between the sales area and the storage area along the east elevation.
- 3.2. It is also proposed to provide an additional first floor element along the eastern elevation of the building. It is to accommodate a plant deck and hallway, staff changing rooms, a meeting room, a canteen and a small IT room. The net retail sales area will increase from 1,159 square metres to 1,690 square metres. The building will incorporate a flat roof rising to 7.575 metres in height. The upper floor on the eastern elevation will comprise of grey “alucobond sheeting”. Windows will also be installed approximately 4.7 metres above ground level along the first floor. The ground floor will comprise of white rendered plasterwork. A Lidl logo will be displayed prominently above the entrance to the building. The rear and side elevation will comprise of a white render plasterwork finish at ground floor level and metal roof sheeting in grey at roof level.

3.3. Car parking spaces will be provided to the north and east of the main building. A glass covered trolley bay is also to be located within the car parking area to the immediate north of the entrance. A totem pole sign is also proposed at the north-eastern corner of the site facing onto the internal roundabout leading to the store.

4.0 Planning Authority Decision

4.1. Documentation submitted with application

The planning application was lodged with Louth County Council on 23rd December, 2016. A planning report was submitted with the application setting out:

- The proposed development.
- The rationale for the proposed development.
- A Retail Impact Study and a Transportation and Traffic Analysis of the Proposed Development.
- A number of photomontages are also submitted with the planning application.

The Planning Report states that the proposal involves the demolition and reconstruction of a discount foodstore with an increase in net sales area of approximately 45%. It stated that the existing store on site commenced trading in 2007 and there has been no expansion in the net retail sales area in the intervening years. It is stated that overall, the nature of trade within the proposed development will not change from the existing established development on site - rather the redevelopment will allow better staff and warehousing facilities and a limited expansion in the product range. It is stated that Drogheda and its hinterland has grown significantly in recent years and by the design year of 2018, the catchment area available for expenditure will have grown by approximately 32%. The subject development therefore represents a timely and proportionate expansion of the discount foodstore sector. Details of the estimated population growth within the catchment area (indicated in Figure 1 of the submission) estimates the population growth in 2018 to be 18.5% since 2007.

The submission also forecasts a per capita expenditure arising in 2007 from €3,648 to €4,073 by 2018. The turnover ratio per square metre of convenience floorspace

based on figures set out in the Louth Retail Strategy estimates an increase of €11,186 per square metre in 2013 to €11,468 in 2018. Based on the above figures it is indicated that an additional €26.7 million will be available in terms of expenditure and the proposed development will attract only c.€5.5 million of that available expenditure or 20% of the available turnover. It is concluded therefore that the proposal is not likely to have any noticeable effect on the convenience retail sector in Drogheda.

In terms of traffic and transportation, it is concluded that the proposed development complies with the parking requirement set out in the development plan for retail development and the proposed development would not result in any significant traffic impacts on the road network.

The report goes on to outline the economic benefits of the proposed development and details of the design of the structure, landscaping and public realm surrounding the site.

Finally, the planning report screens out the requirement for a stage 2 AA and sets out the policy context in relation to the proposal making specific reference to:

- The Retail Planning Guidelines 2012.
- The Drogheda Borough Council Development Plan 2011-2017.
- The Louth County Retail Strategy 2015-2021.

4.2. Louth County Council Assessment

- 4.2.1. A report from Irish Water stated that there is no objection to the proposed development subject to conditions.
- 4.2.2. An objection from the current appellants RGDATA was submitted in respect of the application the contents of which has been read and noted.
- 4.2.3. An Infrastructure Planning Report states that the proposal has been considered from the point of view roads, traffic, surface water and flooding. CFRAM mapping indicates that there is no flooding in this area. The traffic assessment demonstrates the traffic volume on the link road from the R168 will increase by less than 10% and therefore no further assessment is required. Car parking is deemed to be sufficient

and the applicant has provided calculations for a 1:30 storm and 1:100-year storm and the information is deemed to be sufficient. It is therefore recommended that planning permission be granted subject to conditions.

- 4.2.4. The Planner's Report notes that the existing Lidl store is located within lands which are zoned 'Retail Park'. Major shopping facilities are not a permitted use within this zone. The development however is an upgrade to an existing Lidl store which has the benefit of planning permission. The figures presented suggest that the expansion proposed represents less than half the increase in the market share. It is noted that the Louth Retail Strategy has estimated that there is 17,441 square metres of convenience floorspace in Drogheda. Taking account of the extension together with the adjacent car parking, the limited area designated for comparison goods and the established use on site, the proposed development is acceptable. Based on the figures presented, it is not considered that the extension is excessive. In terms of car parking design and appropriate assessment the proposed development is likewise deemed to be acceptable. In its decision dated 17th February, 2017 Louth County Council issued notification to grant planning permission subject to 22 conditions.

5.0 Planning History

- 5.1.1. According to the information contained on file, planning permission was granted for the original retail store in 2007 (Reg. Ref. 06/510136). However, details of this application are not contained on file.
- 5.1.2. Under Reg. Ref. 10/111 planning permission was granted for a single-storey extension to the front of the existing storage measuring approximately 133 square metres. This decision was granted on 23rd February, 2011.

6.0 Grounds of Appeal

The decision of Louth County Council to issue notification to grant planning permission was appealed by RGDATA. The grounds of appeal are set out below.

- It is stated that RGDATA supports sustainable and strategic retail development in the best interests of local communities, local consumers and vibrant and vital local towns, suburbs and villages.

- In terms of planning history, it is stated that the existing store opened following an adopted variation to the Drogheda Borough Council Development Plan (2005-2011) which permitted the proposal under the district/neighbourhood centre zoning. It is stated that the proposal will not act as a complimentary hub but will draw trade from a wider catchment area and have a significant impact on the vitality and viability of Drogheda Town Centre.
- The proposal is contrary to the Louth Retail Strategy which, as one of its key objectives, seeks to ensure that Drogheda retains and develops a strong retail sector of regional importance.
- Drogheda Town Centre has suffered loss of business and footfall over the last number of years and there are currently four discount foodstores in the immediate vicinity of Drogheda Town. There are also policies in the development plan which seek to address the increase in vacant floorspace in the town centre. It is argued that no new large convenience stores should be permitted in the absence of a proper town centre health check. Any future retail development should be 'plan-led'. The submission goes on to outline some of the negative impacts that can arise as a result of vacant properties and shops in the town centre.
- Reference is made to the Retail Planning Guidelines which seek to ensure a sequential approach in order to promote the city/town centre.
- The proposal is contrary to many of the town centre and urban renewal policies set out in the development plan which seek to regenerate the town.
- Finally, the grounds of appeal state that the proposed development is contrary to national transport objectives in that trips to and from the retail development will be almost exclusively made by private car.

7.0 Appeal Responses

7.1. Applicants Response to the Grounds of Appeal

- Firstly, it is argued that the appellant in this instance could be considered to be “a serial objector” and the appeal is merely an attempt to delay the planning process.
- The response goes on to outline the rationale for the proposed development and reference is made to a recent An Bord Pleanála decision PL15.246710 which permitted the redevelopment of the Donore Road Lidl store (south east of Drogheda). It is argued that the proposed development is proportionate to an identified need and will bring a considerable improvement to the design, layout and landscaping. Details of the retail impact analysis carried out in the original planning report submitted with the application are reiterated for the purposes of the response to the grounds of appeal.
- It is argued that the town centre is not the most appropriate location for retail development particularly in the case of redevelopment. The subject site adjoins and overlaps a designated district centre and can, in time, integrate with this centre as it develops.
- It is suggested that challenges within the town centre such as issues of vacancy can be linked to internal issues within the town core rather than the operation of other convenience outlets.
- With regard to the requirement of a town centre health check, it is stated that a health check has been undertaken in recent times as part of the retail strategy.
- With regard to the issue of a sequential approach for location the store, the appellant does not appear to acknowledge the presence of a layered retail hierarchy in Drogheda and the existence of an existing store on site.
- In terms of national transport objectives, it is stated that the level of parking increases associated with the store is negligible (less than 2% increase).
- When considering the likelihood of adverse impacts on the vitality and viability of the town centre as a whole, it is argued that the impact in this instance will be modest and would not have any adverse impacts.

7.2. Planning Authority's Response to the Grounds of Appeal

It appears that the Planning Authority have not submitted a response to the grounds of appeal.

8.0 Planning Policy Context

8.1. Retail Planning Guidelines 2012

- In terms of retailing and development management, one of the key messages is that the development management process must support applications for retail development which are in line with the role and function of the city and town in a settlement hierarchy and accord with the scale and type of retailing identified for that location in the development plan and relevant retail strategy.
- Development proposals not according with the fundamental objective to support the vitality and viability of city and town centre sites must demonstrate compliance with the sequential approach before they can be approved.
- There should be a general presumption against large out of town retail centres in particular those located adjacent or close to existing new or planned national road and motorways.
- In the case of edge of centre sites, it is stated that where retail development in an edge of centre site is being proposed, it can only be granted where the applicant can demonstrate and the planning authority is satisfied that no sites or potential sites including vacant units or city or town centre sites are suitable, available or viable. The new guidelines state that distinction between discount stores and other convenience goods stores which is contained in the 2005 Retail Planning Guidelines will no longer apply.

8.2. Louth Retail Strategy

The Louth Retail Strategy is contained as Appendix 12 of the Louth County Development Plan adopted in 2015. Dundalk and Drogheda are designated as Level 1 settlements in the strategy.

Table 7 of the Retail Strategy notes that Drogheda currently has 17,614 square metres of convenience space. In terms of vacant properties, the retail strategy notes that there is a proliferation of vacant properties evident along narrow West Street. The footprints of many of these buildings thereon may not lend themselves to modern retail requirement and it is therefore necessary to consider alternative uses for this part of the town such as an artisan quarter. It does note however that the proliferation of vacant properties has impacted upon the vitality and viability and is a method that should be addressed with some urgency. In terms of floorspace potential Table 64 of the Retail Strategy indicates that by 2021 the additional floorspace potential will be 9,471 square metres rising to 13,135 square metres by 2024 in the case of convenience shopping.

Drogheda has an indicative convenience floorspace potential (Table 67) of 2,235 square metres in 2021 and 3,774 square metres in 2024 (Table 67).

8.3. Drogheda Borough Development Plan 2011 – 2017

The subject site falls within the “Retail Park” land use zone, the zoning objective for which is to provide for the development of a retail warehouse park in accordance with the approved framework plan and subject to the necessary physical infrastructure.

A strip of approximately 15 metres running along the southern boundary of the site (which forms the site extension under the current application, is also zoned for district centre uses).

Section 4.3.1 of the Plan sets out the general principles in relation to retailing.

Policy TC7 seeks to limit, except where specifically permitted by other policies in the Plan, retail developments outside the core retail area the sequential approach detailing the retail planning guidelines should be adopted where it is demonstrated that no town centre site is available.

9.0 Planning Assessment

9.1. Introduction

I have read the entire contents of the file, visited the site in question and have had particular regard to the issues raised in the third party appeal. In determining the application before the Board I consider a key consideration is that the proposal in this instance represents an extension to an existing established convenience out of town retail store. Thus, the Board in this instance are not assessing the development from first principles in terms of whether or not the principle of retail development is acceptable on the site in question. The kernel issue is whether or not the extension to the existing retail premises which amounts to a net increase of 531 square metres would be in accordance with the proper planning and sustainable development of the area and would be in accordance with the county retail strategy.

9.2. Preliminary Matters

I do not consider that the appeal submitted to the Board can be considered vexatious as suggested by the applicant in the response to the grounds of appeal. The response suggests that the lodgement of an appeal involves a tactic merely to seek the delay of the expansion of the retail facility. The bona fides of the appellant in my view cannot be questioned as valid issues have been raised with regard to the impact of the proposed development on the vitality and viability of Drogheda Town Centre commercial area and whether or not the proposed development is in accordance with the Retail Planning Guidelines, the Louth Retail Strategy and the County Development Plan. These are issues of relevance and substance and the appeal therefore should be determined in the context of these issues. The appeal therefore in my view should not be deemed frivolous or vexatious.

9.3. Conformance with the Louth Retail Strategy

A key aim of the county strategy, which is in accordance with the national retail planning guidelines, seeks to concentrate and maintain the primacy of retailing in the town centre. The grounds of appeal argue that the proposed extension to the existing out of town or edge of town facility is contrary to this principle.

Referring back to the key consideration above, the Board have to have regard to the fact that there is an established convenience retail use within the M1 Retail Park and this discount convenience store currently attracts trips from the surrounding area. Thus the store already has an established catchment area within north-west Drogheda and its environs. There are already existing and established travel patterns to the existing store. In this respect it is unlikely that the extension to an existing store will have the same impact on the town centre as would be the case if a brand new convenience store were to be established at this out of town location. It is likely therefore that any extension to the existing store would have a lesser impact in terms of altering the primacy of the town centre.

Furthermore, while it is objective and indeed laudable in land use terms to develop further convenience retailing within the town centre according to the existing retail strategy, there currently is modest scope to provide any large scale convenience supermarkets within Drogheda Town Centre. The retail strategy identifies a mere 362 square metres of vacant buildings which could accommodate convenience retail space within the town centre and this gross floor area is scattered between various sites within the town centre thus making it difficult if not impossible to provide a large scale discount foodstore or supermarket within the town centre. (See Table 65 of Retail Strategy for details of vacant units within the town centre).

With regard to the demand for additional convenience floorspace within the town of Drogheda, the retail strategy carried out an exercise to ascertain the indicative convenience floorspace potential within the town. In the case of Drogheda, it estimates that the town could absorb an additional 2,235 square metres by 2021 and this would increase by a further 1,500 square metres by 2024.

However, the Board should also bear in mind that Table 70 of the retail strategy indicates that in terms of extant planning permissions it is estimated that their currently exists approximately 2,170 square metres of convenience retailing. I would

suggest however that the Board would use the above figures with some caution. The strategy notes that many of the live retail applications approved by the Planning Authority do not specify the floorspace in terms of convenience and comparison retailing.

The applicant has set out details of the population projection and the per capita expenditure between 2007 and 2018. It estimates that by 2018 there will be an additional available convenience expenditure of approximately €26.7 million compared to 2007. The retail strategy suggests that the residual surplus for the year 2015 amounts to almost €30 million for the entire Louth area. And this rises to €106 million for the year 2021. If one were take a mid-figure between 2015 and 2021 it is estimated that there would be a residual surplus for the county of approximately €68 million in 2018. It would appear therefore that there is sufficient potential available expenditure within Drogheda and environs to cater for an increase in convenience floor area over the next one to four years. The applicant has provided details to suggest that the market share resulting from the increase in size of the retail floor area would amount to 2.25%. I have no reason to dispute the above figures. And I would agree that based on the figures presented that the expansion is not of a scale that would likely to have a material effect on shopping patterns or on the retail impact of the area. The proposed increase in floorspace can be absorbed within the forecasted additional expenditure that would be available in the area. The appellant in this instance has not provided any alternative figures which would suggest that the retail impact or proportion of market share has been underestimated in this instance.

The applicant also suggests that the lands to the immediate south are zoned for district centre and as such in time when the district centre is developed the discount store can play an important convenience retail function within the district centre.

9.4. Requirement for a Town Centre Health Check

The grounds of appeal argue that no new large convenience stores should be permitted outside the town centre in the absence of a town centre health check. The Louth Retail Strategy offers a comprehensive and objective assessment of the existing retailing profile of the county and assesses and attempts to quantify future needs going forward. Critically, this retail strategy is only two years old and therefore it can be reasonably argued that a recent town centre health check has been

undertaken as part of the retail strategy which forms an integral part of the development plan. I therefore do not consider that the Board should refuse permission for the proposed on the grounds that it is premature pending a town centre health check.

9.5. Exacerbation of Vacancy Levels within Drogheda Town Centre

The grounds of appeal argue that the proposed development is contrary to many of the policy statements contained in the Drogheda Borough Development Plan in terms of urban renewal in the town centre. As stated previously in my assessment, I do not consider that any evidence exists to suggest that the extension of convenience shopping land use at the M1 Retail Park will exacerbate or accentuate the vacancy levels in the town centre. The retail strategy indicates that vacancy levels within the town centre relate to individual sites amounting to some 362 square metres. These sites would not in any way lend themselves to larger scale convenience type shopping such as that proposed in the current application. There is a requirement for economies of scale in relation to discount convenience foodstores. Therefore, with the extension of an established use on the subject site cannot reasonably be expected to be incorporated within individual plots for convenience type shopping within the town centre. The vacant sites identified in the Louth Retail Strategy for Drogheda would in my view be better suited for comparison type retailing or smaller/local type convenience retailing.

9.6. Impact on National Transport Policy

The M1 Retail Park is located adjacent to the M1 Motorway and is easily accessible by car along the motorway alignment. The retail park already exists and currently accommodates an array of retail land uses and retail warehouse type brands. The site is zoned for retail development and lands to the immediate south of the site are zoned as a district centre. This land uses inevitably give rise to significant car based trip generation. As the subject site and surrounding lands are zoned for such uses, it would seem unreasonable in my view to refuse planning permission for an extension of an established use on the grounds that it is contrary to national transport policy.

Furthermore, I consider that in terms of overall trip generation, the proposed development will give rise to a negligible increase in traffic. The use has already been established on site and a customer base catchment area as likewise been established in the context of the established Lidl store on site. The expansion of the convenience store is more likely to expand the retail offer available at the store for existing customers rather than significantly expand the customer base thereby increasing trip generation. This conclusion is supported by the fact that the proposal has resulted in a very limited increase in car parking provision at the site. Currently, there are 156 car parking spaces on the subject site. The overall number of car parking spaces are to be increased by 3, thus the impact in terms of trip generation is not expected to be significant.

Finally, I note that a transportation impact assessment was submitted with the application. This assessment was based on a worst case scenario using network peak hour traffic flows. Under the worst case scenario, it is estimated that the development will give rise to an increase in traffic of between 5 and 10%. The existing road layout can adequately cater for such an increase.

9.7. Precedent Decisions

I refer the Board to the previous decision made in respect of the demolition and expansion of the Lidl store at Donore Road in the south-eastern environs of Drogheda. This development involved the demolition of an existing single-storey licenced discount foodstore measuring a gross floor area of 1,778 square metres with a net retail sale of 1,286 square metres. In its replacement it was proposed to build a larger discount foodstore measuring 2,834 square metres with a net sales area of 1,6,85 square metres. The development also involved the reconfiguration of the existing car park to provide 158 parking spaces. In terms of the nature of the development and the size and scale of the development it is very comparable with the current application before the Board. In terms of its location it is a similar distance, c.2.1 kilometres to the south-west of the commercial core of Drogheda. The Board granted planning permission for this development having particular regard to the planning history of the site and the provisions of the Retail Planning

Guidelines. This decision was dated 12th October, 2016. I consider that the Board could reach a similar conclusion in respect of the development currently before it.

10.0 Appropriate Assessment

Having regard to the nature and scale of the proposed development, the nature of the receiving environment, with the site being located a considerable distance to the nearest European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

11.0 Conclusion and Recommendation

Arising from my assessment above, I consider the proposed development which involves a relatively modest increase in the net retail floor area of a convenience store already established on site to be appropriate in this instance and I therefore recommend that planning permission be granted for the proposed development.

12.0 Decision

Grant planning permission for the proposed development in accordance with the plans and particulars lodged, based on the reasons and considerations set out below.

13.0 Reasons and Considerations

It is considered that the proposed development, having regard to the pattern of development in the area, the Retail Planning Guidelines for Planning Authorities issued by the Department of Environment, the established convenience retail use on site and the Louth County Retail Strategy 2015 to 2021 that, subject to compliance with conditions set out below, the proposed development would be an appropriate form of development at this location, would not seriously injure the amenities of the area or of property in the vicinity and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

14.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 23rd day of December 2016, 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 prior to the commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The external wall finishes of the development shall be in accordance with plans and elevation drawings submitted, unless as otherwise agreed in writing with the planning authority. Roofs shall be blue black/dark grey in colour.

Reason: In the interest of visual amenity and in the interest of the proper planning and sustainable development of the area.

3. Comprehensive details of the proposed lighting system to serve the development shall be submitted to, and agreed in writing with, the planning authority, prior to the commencement of development. The agreed lighting system shall be fully implemented and operational, prior to the opening of the commercial development.

Reason: In the interest of public safety and visual amenity.

4. No advertisement or advertisement structure, other than those shown on the drawings submitted with the application, shall be erected or displayed on the building, or within the curtilage of the site, in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

5. (a) Landscaping shall be carried out in accordance with the landscape plan indicated in Drawing 036716-LP-01 Revision B submitted to the planning authority on 23rd December, 2016. The soft landscaping shall be completed prior to the opening of the commercial development.
- (b) All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

6. The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths and kerbs shall comply with the detailed standards of the planning authority for such road works.

Reason: In the interest of amenity and of traffic and pedestrian safety.

7. Details of all cycle parking to be provided on site shall be agreed in writing with the planning authority prior to the commencement of development and shall be incorporated in the form of a “Sheffield stand” cycle parking bay as indicated on Drawing No. 1400PL1 submitted to the planning authority on the 23rd December, 2016.

Reason: To ensure that adequate bicycle parking provision is available to serve the development in the interest of sustainable transportation.

8. Site development and construction works shall be carried out only between the hours of 0800 hours to 2000 hours Monday to Friday and 0800 to 1600 hours on Saturday and not at all on Sundays or Bank Holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

9. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

10. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and

locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interests of sustainable waste management.

11. Water supply and drainage arrangements including the disposal of surface water shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

12. Security roller shutters, if installed, shall be recessed behind the perimeter glazing and shall be factory finished in a single colour to match the colour scheme of the building. Such shutters shall be of the 'open lattice' type and shall not be used for any form of advertising, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

13. The proposed store shall not operate outside the hours of 08.00 and 22.00 Monday to Saturday inclusive and 09.00 and 21.00 hours on Sundays.

Reason: In the interest of residential amenity.

14. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and traffic management measures.

Reason: In the interests of public safety and residential amenity.

15. Adequate provision shall be made to facilitate access to and use of the proposed development by people with disabilities. The access and use requirement shall be in accordance with the latest available guidelines from the National Rehabilitation Board at the time of commencement of development.

Reason: To ensure that all reasonable facilities are provided for the convenience of people with disabilities.

16. Details of all boundary treatment along the perimeter of the site and along all boundaries shall be submitted to and agreed with the planning authority in writing prior to the commencement of development.

Reason: In the interest of orderly development.

17. No outdoor storage whether temporary or permanent shall take place without a further grant of planning permission.

Reason: In the interest of orderly development and to prevent unauthorised development.

18. No dust, mud or debris from the site shall be carried onto or deposited on the public roads. The public roads and footpaths in the vicinity of the site shall be maintained in a tidy condition by the developer during the construction phase.

Reason: In the interest of the amenity of the area and in the interest of orderly development.

19. The developer shall pay to the planning authority a financial contribution of €76,380 (seventy-six thousand three hundred and eighty euro) 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. The contribution shall be paid prior to the commencement of development 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. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine.

Reason: It is a requirement of the Planning and Development Act 2000 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.

Paul Caprani,
Senior Planning Inspector.

12 June, 2017.