



## **Development**

Permission for the demolition of the existing Lid licenced discount foodstore (1,255 sq.m gross floor area with 977 sq.m net retail sales area) and the construction of a new mono-pitched licenced discount foodstore with ancillary infrastructure and associated site development works (all totalling 2,680.5 sq.m gross floor area and ranging in height equivalent from 1 to 2 storeys).

The construction of this new licenced discount foodstore (2,524 sq.m gross floor area) comprises of a retail sales area with ancillary off licence use and bakery (total net retail sales are an of 1,424 sq.m) entrance pod, public facilities (including lobby and toilets), staff facilities, operational office, storage (incl cold storage) stairs and lift to first floor, plant room and delivery area. All at ground floor level staff welfare including toilets change rooms and staff canteen area, Roof terrace, meeting room, IT room, cleaning room, stairs and lift from ground floor all at first floor level, corporate signage consisting of 2 no building mounted corporate internally illuminated signs, 1 no free standing internally illuminated totem pole sign at entrance, 3 no wall mounted externally illuminated poster panel display boards and 1 no free standing externally illuminated poster display boards, 1 no trolley bay covered structure, 142 no surface car parking spaces 20 no motorcycle and 24 bicycle parking spaces, primary vehicular and pedestrian access to the proposed new licenced discount foodstore development will be maintained from the existing vehicular and pedestrian entrance via the northern link (local distributor road from the Tullamore Road; secondary pedestrian access will be provided via a new dedicated pedestrian entrance from the Tullamore Road adjacent to the southern boundary of the site and boundary treatments, hard and soft landscaping services (including 1 no below ground attenuation tank) and all other ancillary and associated site development works.

<b>Location</b>	Tullamore Road, Townparks, Birr, Co Offaly.
<b>Planning Authority</b>	Offaly County Council.
<b>Planning Authority Reg. Ref.</b>	16/354
<b>Applicant(s)</b>	Lidl GmbH.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Refuse Permission.
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Lidl Ireland GmbH
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	22 <sup>nd</sup> October 2017.
<b>Inspector</b>	Bríd Maxwell.

## 1.0 Site Location and Description

- 1.1. The appeal site has a stated area of 1.11 hectares and is occupied by an existing low rise supermarket building of 1,255 sq.m. The site is located on the Tullamore Road (N52 National Secondary Road) on the northern outskirts of Birr Town and approximately 800m north of Birr Town Centre. This approach to Birr is characterised by low density suburban residential development and a caravan park (Woodland Villas). Other uses in the vicinity include a funeral home, an agri DIY store and a petrol filling station. The existing *Lidl* supermarket building is defined by a low pitched roof and gabled entrance and is set back approximately 58m from the public road with car parking to front and eastern side of the building.
- 1.2. Access to the site is from the N52 within the 50kph urban speed limit area, onto a local distributor road (northern link from Tullamore Road N52 to Banagher Road) which has been constructed for approximately 215m from the N52 junction and currently only serves the appeal site. An informal pedestrian route from the southeast corner of the site cutting through the perimeter landscaping is evidenced on the ground. A dedicated off road cycle path and footpath extends along the N52 site frontage and beyond.
- 1.3. Appendix A includes maps and photographs of the appeal site.

## 2.0 Proposed Development

- 2.1. The application seeks permission for the demolition of the existing Lidl licensed foodstore (1,255 sq.m Gross floor area with 997sq.m net retail sales area) and the construction of a new monopitched foodstore 2,680.5 sq.m with ancillary infrastructure and associated site development works all totalling 2,680.5 sq.m gross floor area and ranging in height equivalent from one to two storeys.
- 2.2. The application details indicate that the proposal is intended to upgrade and enhance the quality and availability of welfare facilities for staff and customers alike. The increase in floor areas associated with the proposed development is as follows:

<b>Internal Area</b>	<b>Current</b>	<b>Area Increase</b>	<b>Percentage increase</b>
Gross Floor Area	1,255 sq.m	1,369 sq.m	109.08%
Net Retail Sales Area	997 sq.m	427 sq.m	42.83%
Back of House area	258 sq.m	942 sq.m	265.12%

2.3 The proposed upgrade of the store at Birr is part of an ongoing modernisation drive which will see the replacement of the existing store with what is known as the LOF design format. It is proposed to reposition the replacement structure, which is of generic corporate design, along the southern boundary of the site and closer to the Tullamore Roadside boundary. The orientation of the monopitched roof is in the direction of Birr Town Centre and a modern glazed façade is provided to the eastern Tullamore Road elevation. The proposed layout provides for 132 car parking spaces (120 standard 6 wider parent and child and 6 for disabled persons) and cycle parking for 24 bicycles.

2.4 I note that in response to the request for additional information the proposed site layout was amended providing for a repositioning of the proposed store closer to the Tullamore Road frontage. An alternative layout which repositions the long rear façade of the store parallel to the Tullamore Road was also demonstrated with landscaping proposals and photomontages for each alternative outlined. A 2m high rendered block wall was proposed to southern boundary in lieu of paladin fencing. Further information response also included a traffic and transport assessment. A design option for the traffic signalling of the N52 northern link road was also demonstrated however this does not form part of the application.

### 3.0 **Planning Authority Decision**

#### 3.1. **Decision**

By order dated 22 June 2017 the Planning Authority decided to refuse permission for the following reasons:

1. *It is considered that the ‘applicant’s preferred option’ by reason of its layout, design and orientation, with its standardised long elevation of 75m with 3 no large poster panels and the provision of a large expanse of visually prominent surface car parking facing east as one travels into Birr Town from Tullamore direction, represents a poor quality of urban design at this pivotal location at the entrance into Birr Heritage Town and will be visually incongruous within the landscape, Accordingly it would seriously injure the visual amenities of the area and be contrary to the proper planning and sustainable development of the area.*

*It is also considered that the ‘Planning Authority’s preferred option’ as presented by the applicant by reason of its standardised design fails to provide a satisfactory level of urban street presence which would allow for passive surveillance and enliven the streetscape at this prominent location entering Birr Heritage town, It is considered that the proposed development would seriously injure the visual amenities of the area by reason of its inactive façade facing a national secondary road and would be contrary to the proper planning and sustainable development of the area.*

2. *Having regard to the quantum of advertising signage proposed on site within the heritage town of Birr, it is considered that the proposed 3 no large poster panels would lead to the proliferation of signage in the area and would represent an unacceptable visual intrusion at the entrance to the town. It is considered therefore that the proposed 3 no large poster panels would be visually intrusive and injure the amenities of the area would set an undesirable precedent for future development of this kind and would be contrary to the proper planning and sustainable development of the area.*

## **3.2. Planning Authority Reports**

### **3.2.1. Planning Reports**

3.2.1.1 Planner’s initial report asserts that the increase in net retail floor area by 427 sq.m is not considered large in scale when compared to the floor cap identified in the Retail Planning guidelines. Noting that there is no specific type and or quantum of retail floorspace identified for Birr town, the proposed development is in line with the role

and function of Birr and the scale and type of retailing accords with the policies and objectives of the plan. Opportunity to reinvigorate key entrance location on main approach to Birr town should be taken. The current orientation should be maintained but building sited along the Tullamore Road. Design amendments are required.

3.2.1.2 On the recommendation of the area planner a request for additional information issued seeking

- Revised orientation and design.
- Proposals for the upgrade of the existing junction of the northern link off the N52 to a signalised junction with provision for all modes including pedestrians, cyclists and motorists in consultation with Roads Design.
- Traffic and Transport Assessment and Road Safety Audit.
- Clarification of boundary treatments.

3.2.1.3 Following receipt of further information the Planner expressed dissatisfaction with both layout options and expressed the view that a high quality design solution is required to provide a robust and defined built form at this location. Reference was made to the *Lidl* store in Llandaff North Cardiff as an example of bespoke design to address context. Clarification of further information recommended.

3.2.1.4 Final planning report recommends refusal.

## 3.2.2. Other Technical Reports

3.2.2.1 Irish Water submission indicates no objection.

3.2.2.2 Transport Infrastructure Ireland considers the proposal at variance with official policy in relation to control of development on / affecting national roads. Recommends a Traffic and Transport Assessment to assess impact of the development and a road safety audit. Following receipt of further information, no observations.

3.2.2.3 Environmental Health Department submission indicates no objection and outlines public health requirements.

### 3.3. Third Party Observations

3.3.3.1 Submissions from Bessie Loughnane owner of residence fronting onto the site from southwest and separate submission from Donal Boyd Funeral Director, owner of funeral home property adjacent outlines concerns in regard to proposed Paladin fencing to the rear of the development. Natural stone wall should be extended to this boundary.

### 4.0 Planning History

**BR13003** Permission granted for the construction of a single storey flat roof extension to the front of the existing licensed discount foodstore and amendments to existing licensed discount foodstore elevations. New bin store enclosure, two new pedestrian entrance and new plant to rear and amendments to car parking layout.

**BR1651** Application for single storey extension enclosed plant area, internal modifications and amendment to car parking layout. Withdrawn.

**BR1145** Permission granted by Birr Town Council for single storey pitched roof discount foodstore, new road and site entrance, associated car parking and signage. Condition 2 "The northern link (local distributor) road shall be provided by the developer in conjunction with the developers of the adjoining lands subject to standards and to a timescale acceptable to the Planning Authority."

### 5.0 Policy Context

#### 5.1 National Policy

5.1.1 The **Retail Planning Guidelines 2012** forms the basis of the national planning policy framework for developments of a retail nature. The guidelines have 5 key policy objectives;

- Ensuring that retail development is plan led;
- Promoting city / town centre vitality through a sequential approach to development;
- Securing competitiveness in the retail sector by actively enabling good quality development proposals to come forward in suitable locations;

- Facilitating a shift towards increased access to retailing by public transport, cycling and walking in accordance with the Smarter Travel Strategy; and
- Delivering quality urban design outcomes.

Notably the distinction between discount stores and other convenience goods stores which was contained in the 2005 Retail Planning Guidelines will no longer apply.

5.1.2 At Para 4.9 it is set out that *“where a planning authority considers an application for planning permission to develop a new retail development to be particularly large in scale compared to the existing city/town/district centre, or where a retail strategy or development plan has allocated a specific type and quantum of retail floorspace to a particular settlement and a proposed development absorbs on one site the bulk of that potential retail floorspace, the planning authority may request the applicant, by way of a Retail Impact Assessment (RIA) as set out in Annex 5, to demonstrate compliance with the development plan and that there will not be a material and unacceptable adverse impact on the vitality and viability of any existing centre. This is a matter for careful technical assessment and professional judgement”*

5.1.3 At Para 4.6 in reference to the ‘Sequential Approach and Extension – Change of Use Applications’. It states:

*“The sequential approach should also be used to assess proposals for the extension or material change of use of existing development where they are of a scale which could have a significant impact on the role and function of the city/town centre. Such extensions will of course also have to be assessed in the context of the floorspace requirements of the development plan/relevant retail strategy where appropriate.”*

5.1.4 At Para 4.11.1 it is outlined

*“Large convenience goods stores should be located in city or town centres or in district centres or on the edge of these centres and be of a size which accords with the general floorspace requirements set out in the development plan/retail strategy to support and add variety and vitality to existing shopping areas and also to facilitate access by public transport for shoppers.*



*In certain limited circumstances however, it may not be possible to bring forward suitable sites in or on the edge of a city or town centre because of the site requirements of large convenience goods stores, heritage constraints in historic towns, or because the road network does not have the capacity to accommodate additional traffic and service vehicles. In these cases, the sequential approach should be used to find the most preferable sites.*

5.1.5 Chapter 5 of the RPGs “Retailing and Design Quality” notes that a high quality of design in retail development can make an important contribution to the vitality and attractiveness of city and town centre. Planning Authorities should provide high standards of design and finish. Design briefs should be submitted for major proposals for sensitive sites. Each town will be different but strategy documents addressing specific issues should include devising a vision for the city / town and could include a public realm strategy and consider matters such as access, floor plate size etc. Retail development should recognise the special character of an area. Where a larger footplate is essential historic buildings may be adapted to ensure preservation of the streetscape. Developers should be flexible and adapt or develop formats which are suitable for a smaller floor plate through e.g. disaggregation of comparison and convenience uses into different units or through use of multiple floors.

5.1.6 Section 5.3.3 refers to assessment of retail development under the Retail Design Manual which provides a robust framework to aid systematic analysis. Where the development is acceptable in principle from a development plan viewpoint, every effort should be made to resolve design problems by condition or by revised designs and if it is of such poor quality that it contravenes development plan objectives and gives rise to a sub-standard retail environment permission should be refused.

### **5.1.6 Retail Design Manual 2012**

5.1.6.1 This is the accompanying document to the 2012 RPGs. It sets out a range of questions against which proposals for retail development should be assessed in terms of their design and layout. The form, scale and mass should contribute to character and quality and have regard for integrating the scheme into its urban context.

## 5.1.7 Design Manual for Roads and Streets 2012

5.1.7.1 In relation to retail developments the manual notes that where larger retail / commercial floor plates are proposed at ground floor level an active street edge may be achieved by creating multiple entrances and / or wrapping them with smaller perimeter units that front onto the street. An illustration is provided in Figure 4.12 of how a larger unit can be accommodated within a block whilst promoting an active street edge. It includes examples of best practice from Ireland and the UK in particular.

## 5.2 Development Plan

5.2.1 The Offaly County Development Plan 2014-2020 and Birr Town and Environs Plan 2010-2016 refer. Birr is identified as a Tier 2 settlement within the Retail Hierarchy. It is identified as a key Service Town and is designated as a Georgian Heritage Town because of its unique and largely intact architectural character and setting. Birr town's built environment is characterised by a compact historic core, but also by wide streets, defined squares and tree lined walks. "It contains many fine buildings and terraces dating from the 18th and 19th Centuries. It is essential that any renewal or new development should respect and compliment this character. The overall policy of the Councils will be based on maintaining the character and attractiveness of Birr by carefully controlling development, in particular, in the town centre and within Crinkle village."

"Commercial" Zoning applies to the site. The stated objective is to facilitate "a wide variety of uses that include business uses, offices a hotel public houses and some retailing". Undeveloped lands to the south and west are identified as commercial / business / employment while lands to the south are residential. The lands to the eastern side of the N52 have predominantly business/ employment and commercial zoning.

Chapter 4 Town Centre, Retail and Renewal includes the following policies:

**BTEP 04-06** It is the Councils' policy to implement the retail hierarchy, as set out in the Offaly Retail Strategy. The Councils will seek to locate retail development in the retail core areas of Birr and Crinkle, subject to normal planning and land-use considerations.

**BTEP 04-07** It is the Councils' policy to address leakage of retail expenditure from Birr by providing the means to strengthen the range and quality availability of its retail offer.

**BTEP 04-08** It is the Councils' policy to resist the loss of retail units to non-retail use, at pedestrian level, particularly in the primary shopping frontages of towns.

**BTEP 04-09** It is the Councils' policy to encourage and facilitate the re-use and regeneration of derelict land and buildings for retail uses with due cognisance to the sequential approach.

**BTEP 04-10** It is the Councils' policy to encourage retail development, including new forms of shopping which can assist in the regeneration of Birr and Crinkle's retail core areas. Proposals, which would undermine the vitality and viability of retail core areas, as a whole will not be permitted.

**BTEP 04-11** It is the Councils' policy to encourage and enhance the role of Birr as a retail and commercial centre serving a wide catchment area and to encourage consolidation of commercial development in the town centre area.

**BTEP 04-12** It is the Councils' policy to ensure that commercial development compliments the existing town centre in terms of design, siting and function and does not prejudice the heritage value and environmental character of the town.

The northern link from Tullamore Road to Banagher Road is Objective BTE 08-01.

## 5.1. Natural Heritage Designations

Dovegrove Callows SPA (Site Code 004137) 1.5km

Ridge Road South West of Rapemills SAC (Site Code 000919) 4.5km

Lisduff Fen SAC (Site Code 002147) 5km

Ballyduff / Clonfinane Bog SAC (Site Code 000641) 6km

River Little Brosna Callows SPA (Site Code 004086) 6km

Sharavogue Bog SAC (Site Code 000585) 6km

All Saints Bog and Esker SAC (Site Code 000566) 6km

All Saints Bog SPA (Site Code 004103) 6.5km  
Island Fen SAC (Site Code 002236) 7km  
Kilcarren Firville Bog SAC (Site Code 000647) 7km  
Liskeenan Fen SAC (Site Code 001683) 12km  
Redwood Bog SAC (Site Code 002353) 12km  
Slieve Bloom Mountains SPA (Site Code 004160) 12km  
River Shannon Callows SAC (Site Code 00216) 13km  
River Shannon Callows SPA (Site Code 004096) 13km  
Slieve Bloom Mountains SAC (Site Code 000412) 15km

## 6.0 The Appeal

### 6.1. Grounds of Appeal

6.1.1 The appeal is submitted by The Planning Partnership on behalf of the first party.

- Reasons for refusal are unfounded and should be overturned.
- The rural urban transition setting and context of the site informs the appropriate design approach respecting and enhancing the transition from the natural rural landscaping to the man-made physical environment of the urban core of Birr.
- Whilst the location marks the start of the urban form of Birr the primary basis for understanding this is the introduction of formal landscaping treatments in the form of uniform trees and formal planting which straddle both sides of Tullamore road.
- The applicant's preferred site layout option as presented in response to the request for additional information received by Offaly Co Council on 25<sup>th</sup> April 2017 represents the most appropriate design solution relevant to the application site's rural urban transition setting and context where the principle of a *Lidl* licensed foodstore is established and existing.
- Whilst surface car parking is an element of the site layout such is necessary in order to render the scheme viable servicing a significant rural hinterland. The site has been appropriately landscaped to soften appearance.
- The proposed siting immediately adjacent to the Tullamore Road forms an integral part of the localised streetscape without exerting an undue dominance. The

placement of active glazed façade of the structure oriented towards the Tullamore Road will facilitate considerable opportunity for interaction with the public realm.

- Existing development rights is a well-established material planning consideration.
- Refusing permission will merely prevent the timely and proportionate modernisation of an existing dated facility.
- Redevelopment of the site affords the opportunity to provide a modern retail building of a higher specification and will enhance the character of the area and provide a better shopping and working environment.
- The design as proposed is a significant improvement of the existing site arrangement and will be compatible with the surrounding character of development in the area.
- The Llandaff North Lidl store cited by the County Council is not suitable as an alternative design solution.
- The 3 no poster panel display boards directed inward to the surface car park and is protected by effective landscaping screening proposals would not be visible on the Tullamore Road.
- Siting of the proposed development is optimum having regard to the reasonable operational requirements of the proposed store and the visual amenities of the area.
- Rather than creating a sense of enclosure and giving effect to an unrelated and referenced linear entrance to the town, the Council's preferred option will emphasise the relatively undeveloped nature of this transition zone, undermine the quality of the location and result in a weakened sense of place along this key approach to the town.
- The proposal would not seriously injure the amenities of the area or of property in the vicinity would constitute an appropriate form of development at this location would not lead to the creation of a traffic hazard or duly increase traffic congestion in the area and would therefore be in accordance with the proper planning and sustainable development of the area.

## **6.2. Planning Authority Response**

6.2.1 The Planning Authority notes the appeal submission and requests the Board to have regard to Offaly County Council's Planning Reports. The Planning Authority has no further comment to make and respectfully requests An Bord Pleanála to uphold the decision to refuse permission.

## **7.0 Assessment**

7.1 From my review of the file, all relevant documents and inspection of the site and its environs and having regard to national, regional and local policies relating to retail development, I consider that the main issues in this appeal are those raised in the grounds of appeal and I am satisfied that no other substantive issues arise. I am satisfied that the principle of development is in compliance with the relevant statutory plans and guidelines. I would concur with all parties that notwithstanding the increase in net retail sales area, the proposal will not have a significant impact on the role and function of Birr and therefore Retail Impact assessment and site sequential analysis are not warranted in terms of the Retail Planning Guidelines 2012. The issues arising in the appeal can be dealt with under the following headings:

- Siting and Design
- Other Matters

## **7.2 Siting and Design**

7.2.1 I acknowledge the of laudable efforts of the local authority planner in seeking to achieve a bespoke design solution for the site in the quest of architectural innovation worthy of location in the heritage town of Birr. However, I note the edge of town location of the appeal site and the established character of the area and the fact that the proposal seeks to replace an existing structure which currently provides little by way of enhancement of the public realm. I also acknowledge that a reasonable balance needs to be achieved between design innovation and the practical and operational requirements of the first party.

7.2.2 On the issue of the siting, I would tend to accept the arguments of the first party that given the urban fringe location and rural-urban setting of the site, the siting as proposed by the First Party, in response to the request for additional information submitted on 24 April 2017, is appropriate. As regards the design quality and the response to the key principles of urban design set out in the Retail Design Manual, 2012, the proposal provides for an active façade to the N52 Tullamore Road. Whilst I appreciate the Planning Authority's concerns regarding the extensive 75m long elevation from the east and mirror that concern in relation to the rear elevation of the proposed structure from the west, I consider that site and scale of the car parking area provides a significant opportunity to include substantial landscaping within the site boundaries. I note the proximity of the structure to the southwestern site boundary and I consider that a provision for significant screen planting along this boundary will be required to mitigate visual impact of the rear elevation of the building on approach from southwest. This will require a greater setback from this site boundary which can be addressed by condition.

7.2.3 I consider that that whilst the layout is of formulaic design, it will contribute to the streetscape far more than the current layout. Whereas the opportunity for a bespoke approach and architectural innovation would be indeed very welcome, in my view the standardised *Lidl* format is acceptable in the current context subject to significant soft landscaping. As regards the proposed totem pole and proposed signage I consider that it is acceptable in the site context.

### **7.3 Other Matters**

7.3.1 I note the layout submitted in response to the Council's request for additional information illustrates an option for signalling the N52 link road junction with revisions to the cycle land and footpath provision having regard to the Design Manual for Urban Roads and Streets. The first party outlined that this is outside the redline appeal site area and is intended to inform future design of the road network and traffic management when the northern link is extended. I am satisfied in relation to traffic that as the proposal is an extension it will result in some increase in traffic however is not expected to be significant in the context of the volumes using the N52

and the existing access junction serving the site. I note that the proposal provides for improved permeability and provision for pedestrian connection between the site and Birr Town Centre which is a positive outcome.

**7.3.2** As regards the issue of Appropriate Assessment having regard to the nature and scale of development proposed and to the nature of the receiving environment, namely an urban and fully serviced location, 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.

## **8.0 CONCLUSION AND RECOMMENDATION**

8.1 Having regard to the foregoing, I am satisfied that the proposed development is in accordance with the objectives of the Development Plan and that there will be no undue impact on the amenities of the locality. I recommend that the decision of Offaly County Council be overturned and permission granted for the reasons and considerations set out below and subject to the conditions attached.

### **REASONS AND CONSIDERATIONS**

Having regard to the location and existing use of the site, the pattern of development and the character of the area, the nature, extent and design of the development proposed, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **CONDITIONS**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 25<sup>th</sup> April 2017, in accordance with siting Option A, except as may otherwise be required in order to comply with



the following conditions. Where such conditions require points of detail to be agreed with the planning authority, these matters shall be the subject of written agreement and shall be implemented in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The proposed development shall be amended as follows:

The siting of the structure shall be amended to provide for a set-back not less than 9m from the southwestern boundary of the site. Continuous screen planting of indigenous trees and shrubs shall be provided along this boundary.

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

3. A comprehensive boundary treatment and landscaping scheme shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. This scheme shall include the following: -

(a) details of all proposed hard surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development;

(b) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings;

(c) details of proposed street furniture, including bollards, lighting fixtures and seating;

(d) details of proposed boundary treatments at the perimeter of the site, including heights, materials and finishes.

The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

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

- 4 Details, including samples, of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of the visual amenities of the area.

5. The road works associated with the proposed development including the setting out of the entrances, paving and surface finishes shall be carried out and completed in accordance with the requirements of the planning authority.

**Reason:** In the interest of traffic safety and orderly development.

6. The proposed shopfront shall be in accordance with the following requirements:

(a) No additional signage other than that shown on the submitted drawings shall be erected on site.

(b) No awnings, canopies or projecting signs or other signs shall be erected on the premises without a prior grant of permission.

(c) External roller shutters shall not be erected. Any internal shutters shall be only of the perforated type, coloured to match the shopfront colour.

(d) No adhesive material shall be affixed to the windows or the shopfronts.

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

7. No advertisement or advertisement structure other than those shown on the drawing 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 permission

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

8. Notwithstanding the exempted development provisions of the Planning and Development Regulations 2001, as amended, no items associated with refrigeration, ventilation or air conditioning shall be erected or placed on any external surface of the proposed structures without the prior written agreement of the Planning Authority. Details relating to any items associated with refrigeration, ventilation or air conditioning proposed on any external surface shall be submitted to and agreed with the planning authority and shall also indicate clearly precautions that is containment to avoid excessive noise or nuisance to adjoining properties.

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

9. Water supply and drainage arrangements shall comply with the requirements of the Planning Authority for such works and services, and shall be agreed in writing with the Planning Authority prior to commencement of development.

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

10. Prior to commencement of development, proposals for the location and form of all public lighting shall be submitted for the written agreement of the Planning Authority. This shall include details of design of individual lamp standards, details of the likely intensity of lighting.

**Reason:** In the interest of orderly development.

11. All service cables associated with the proposed development (such as electrical, television, telephone and public lighting cables) shall be run underground within the site.

**Reason:** In the interest of the visual amenities of the area.

12. A waste management plan including the provision for the storage, separation and collection of all waste, shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of the permitted use.

**Reason:** In the interest of public health and the amenities of the area.

13. 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 hours of working, noise management measures and off-site disposal of construction / demolition waste.

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

14. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting the 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. 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 the Board to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contributions Scheme made under section 48 if the Act be applied to the permission.

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Brid Maxwell  
Planning Inspector

24<sup>th</sup> October 2017