



An
Bord
Pleanála

Inspector's Report PL12.249020

Development

Two Storey foodstore with ancillary off-licence sales, external signs, car parking and creation of flood compensation area.

Location

Attifinlay and Attyrory, Carrick on Shannon, Co. Leitrim.

Planning Authority

Leitrim County Council

Planning Authority Reg. Ref.

17/99

Applicant(s)

Avant Ireland Property

Type of Application

Permission

Planning Authority Decision

Refuse Permission

Type of Appeal

First Party

Appellant(s)

Avant Ireland Property

Observer(s)

Gannon Eggs and Poultry; Carrick Traders Association; Fintan Ox and others; Declan Guckian; Padraic Glancy; Finola Armstrong McGuire and others; Kathleen & Padraic Coleman; Camdrow Ltd; Carol Coleman; Cllr Des

Guckian

Date of Site Inspection

2nd November 2017

Inspector

Una O'Neill

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1.0 Site Location and Description

- 1.1. Carrick-on-Shannon is divided physically and administratively by the River Shannon between Leitrim and Roscommon County Councils. Most of the population/housing, commercial and civic functions, are located on the Leitrim side, with the western side comprising an area known as Cortober, governed by Roscommon, which accommodates the railway station, housing, apartments and retail/commercial development.
- 1.2. The appeal site is located within the designated development boundary of Carrick-on-Shannon in Co. Leitrim, on the eastern side of the town, east of the River Shannon, in a townland known as Attifinlay and Attyrory. It is a 1ha greenfield site and is relatively flat, but with a gentle fall in a southerly direction. The site is subject to flooding and during site inspection, a wet grassland type vegetation with rushes was observed across the site. The appeal site is bounded to the north-east by a local road known as the Circular Road, with a low stone wall along this roadside boundary. The site is also bounded along its south-eastern side by the national primary route the N4. There is a significant row of poplar trees located along this boundary parallel to the N4 and an existing excavated surface water drainage channel parallel to this line of trees. There is a roundabout located at the intersection of the Circular Road and the N4, known as the Attifinlay roundabout, this roundabout is c. 65 m to the south-east of the application site. There is a car park (two-storey) located on lands immediately adjoining the site to the north-west. There is a two-storey office development (linked to the two storey car park) and associated surface car park on the opposite side of the Circular Road from the site. There is an existing retail park located to the south of the site, on the other side of the N4, accessed off the Attifinlay roundabout. Drummagh Stream is located approximately 100 m to the west of the site, it flows into the River Shannon which is located c. 450 m to the south.

2.0 Proposed Development

- 2.1. The proposed development comprises the following:
- A two-storey discount foodstore with a stated gross internal floor area of 2,874 sq.m. The net sales area is 1,684 sq.m.

- Surface car park, providing 145 car parking spaces, and bicycle spaces.
- A new vehicular entrance off the Circular Road along the site's north-east boundary.
- A walled flood compensation area.

The application was accompanied by a Flood Risk Assessment. A Visual Impact Assessment, Planning Report including a Retail Impact Assessment, Infrastructure Design Report, and an Appropriate Assessment Screening Report.

- 2.2. As part of this appeal, it is stated that the development will be linked to the closing of an existing Lidl, located on the western side of the town, west of the Shannon, in an area called Cortober, within the administrative area of Roscommon County Council. A proposal is contained within the Planning Report labelled a 'Comprehensive Plan for the Alternative Use of the Existing Lidl', which is proposed for use as a car showroom and gym.
- 2.3. I note that permission was refused for largely the same development at this site in 2016. This application seeks to overcome the reasons for refusal.

3.0 Planning Authority Decision

3.1. Decision

REFUSED for following reason:

...Having regard to the justification of the proposed development by the closure of an existing store in Cortober, and in the absence of a robust and comprehensive proposal for an alternative use for the store at Cortober, which will definitively be implemented and which would ensure that no planning blight would occur at this location, the Planning Authority is not satisfied on the basis of the documentation submitted that the proposed development could be justified in the location proposed, and that the proposed development would not lead to excessive provision of convenience retail space in excess of the retail convenience cap contained in the Leitrim County Retail Strategy 2015-2021. The proposed development would therefore not be

in accordance with the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Report

The Planning Officer's report generally reflects the decision of the Planning Authority.

3.2.2. Other Technical Reports

District Engineer South Leitrim – Insufficient consideration has been given to the effects which a normal winter flood level will have on the drainage system – the proposed outlet into the open drain would be below flood levels thus creating a back surge in the drainage network that will not allow surface water from the car park to dispense into the drain. Loading of the car park area within close proximity to the N4 roadway/footpaths/greenways may have a detrimental outcome through soil heave on the road. Should a flood occur, it should not be assumed that the cycle lanes could be used for overspill parking given potential impact on traffic delays.

Senior Engineer Roads Department/Design – No objection to impact of development on capacity of Attifinlay roundabout. Development can be accommodated without amendments to the roundabout which have been committed to as part of another application. Report notes that roundabout functioned with 1000 workers present at the MBNA building which now accommodates 200. No objection to the flood risk design features proposed plus the attenuation system.

Environmental Health Officer – Site should be examined in terms of flood risk. There is no indication in the application of suitable and sufficient means of ventilation. A water point to facilitate cleaning of the 'in store' area should be provided along with suitable and sufficient means of ventilation to prevent the accumulation of odours.

Access and DAC Officer – No objection, subject to conditions.

3.3. Prescribed Bodies

Roscommon County Council - Existing Lidl store in Cortober is appropriately located for its catchment and assists in maintaining an essential level of economic vitality in Cortober, an area which is viewed as part of the overall identity of Carrick-on-Shannon. The proposal will have adverse impacts in relation to locational, economic and social development perspectives. Given absence of a joint plan for Carrick-on-Shannon which includes Cortober and absence of a joint retail strategy, the proposal could be considered premature. Concern is raised in relation to the proposal supporting an excessive number of large retail operators in a single concentrated peripheral location to the north east of the core of Carrick-on-Shannon which would foster increased vehicular use to an out of town 'retail destination'. Roscommon County Council strongly recommend that the status quo be maintained in relation to location and extent of existing retailing in the overall Carrick-on-Shannon/Cortober area and respectfully suggest that this application should be refused.

Transport Infrastructure Ireland – Recommendations of Transport (Traffic) Assessment and Road Safety Audit should be implemented. Any works on the N4 should comply with standards outlined in TII publications.

An Taisce – Assessment required to determine how previous reasons for refusal at this site have been resolved.

3.4. Third Party Observations

The Planning Authority received a large number of submissions in relation to this application. The issues raised are largely covered in the grounds of appeal and observations to the appeal.

4.0 Planning History

PL12.246575 (Ref 15/208) - Permission REFUSED by An Bord Pleanala for development of a food store. This current application is largely the same as the previously refused permission. The reason for refusal was as follows:

The Board noted the following:

- The prominent setting of the proposal at a key entrance to the town of Carrick-on-Shannon and adjacent to an important business campus,
- The location of the proposal on lands which partly comprises of flood zones A and B, as defined in the “The Planning System and Flood Risk Management Guidelines for Planning Authorities”, issued by the Department of the Environment, Heritage and Local Government in November 2009,
- The substantial increase in the retail space provision for County Leitrim involved in the proposed development.

Having regard to the justification of the proposed development by the closure of an existing store in Cortober, and in the absence of a comprehensive proposal for an alternative use for the store at Cortober, the Board was not satisfied that the proposed development could be justified in the location proposed, and that the proposed development would not lead to excessive provision of convenience retail space in excess of the retail cap contained in the Leitrim County Retail Strategy 2015-2021. The proposed development would, therefore, have a negative impact on the retail vitality of the town centre of Carrick-on-Shannon in contravention of the “Retail Planning Guidelines for Planning Authorities”, issued by the Department of the Environment, Community and Local Government in April 2012, would consist of an unnecessary development of lands that are partly subject to flooding and would not be in accordance with the proper planning and sustainable development of the area.

The following sites in close proximity to the south/southeast of the appeal site are of note:

PL 12.240704 (Ref 11/267) - Permission GRANTED in 2013 for a petrol filling station/drive-through restaurant/car parking, on a site to the south of and parallel to the N4, accessed off Attifinlay roundabout, within an existing retail park.

PL 12.207774 (Ref P04/509)- Permission GRANTED in 2004 for a Tesco foodstore. This store is located in the retail park to the south of the N4, known as Rosebank.

PL 12.207837 (Ref 04/510) – Permission GRANTED in 2004 for retail warehousing units on a site to the south of the N4. This site is now development and forms part of the wider retail park known as Rosebank.

PL 12.211457 (Ref 04/1945)- Permission GRANTED in 2005 for a drive-through restaurant in the retail park to the south of the N4.

PL 12.211458 (Ref 04/1944)– Permission GRANTED in 2005 for retail warehousing to the south of the N4.

PL12.237890 (Ref 10/228) – Permission GRANTED in 2011 for Aldi foodstore with net retail floor space of 990 sqm. This was increased by 264sqm to 1254 sqm by a permission granted in 2017 under Reg Ref 17/17. This site is located further south of the appeal site and the Rosebank Retail Park.

Applications related to Lidl Store in Cortober, County Roscommon, which is proposed will be closed as part of this application:

Reg Ref 17109 – Permission GRANTED in 2017 for change of use of existing foodstore to a mixed use of car sales showroom and gym.

Reg Ref 031443 – Permission GRANTED in 2004 for a Lidl foodstore.

Reg Ref 10592 Permission GRANTED in 2011 for extension of Lidl foodstore.

5.0 Policy Context

Leitrim County Development Plan 2015-2021

- 5.1. Within the settlement strategy for the County, Carrick-on-Shannon is identified as a Tier 1 town and county retail centre, with the highest proportion of comparison and convenience retail floorspace. Areas suitable for retail proposals are identified within

the Carrick-on-Shannon Local Area Plan 2010-2019 (as extended). The details of this plan are set out hereunder.

5.2. Relevant policies include the following:

- Policy 66: It is the policy of the Planning Authority to support the vitality and viability of existing designated centres and facilitate a competitive and healthy environment for the retailing industry into the future by ensuring that future growth in retail floorspace responds to the identified retail hierarchy.
- Policy 69: It is the Policy of the Council that the preferred location for large-scale retail developments is in town centres, and that alternative locations may only be considered in accordance with the Sequential Test, as required under the Retail Planning Guidelines 2012 as published by the DoECLG.
- Objective 60: It is an objective of the Council to discourage inappropriate out-of-town shopping facilities that detract from the vitality, viability and/or character of existing town and village centres.
- Objective 61: It is the objective of Leitrim County Council to implement the following objectives, as specifically identified within the County Retail Strategy in order to ensure the continued vitality and viability of town centres, including:
.....
 - h) Encourage retail development in the Cortober area (Co. Roscommon) to adhere to the appropriate policies in the context of the greater Carrick on Shannon area, as set out in a joint Local Area Plan to be prepared by Leitrim and Roscommon County Councils in partnership.
 - j) Keep the Retail Strategy under review and have regard to any such review in determining applications for retail development.
- Policy 97: It is the policy of the Council to require, where appropriate, that developments of a type that may be considered sensitive to flooding are subject to a 'justification test'...
- Policy 99: It is the policy of the Council to protect the floodplain of the Shannon. Planning permission for development on the floodplain will only be granted in exceptional circumstances and where the Council is satisfied that downstream (and upstream) consequences are insignificant. The Council

must be satisfied that all floor levels in such developments are sufficiently high above the maximum recorded flood levels.

- 5.3. The Development Plan includes reference under Objective 61 (above) to a desire to prepare a Plan for the town of Carrick-on-Shannon including the Cortober area (which is located west of the Shannon, within the town boundary, but in the jurisdiction of Roscommon County Council). It is stated that should this occur and/or the Local Area Plan is revised, this shall further inform the appropriate retail boundaries for the County town. I note that no joint Local Area Plan has been adopted to date.

Leitrim County Retail Strategy 2015-2021

- 5.4. This strategy was adopted alongside the adoption of the County Development Plan 2015-2021. Table 5-14 indicates that the estimated future additional retail floor area in the county to 2021 for convenience shopping is 1,158 sqm. It is stated that figures set out in this section are not intended to be prescriptive thresholds nor should they be treated as upper limits.
- 5.5. Retail survey indicated there was 2717 sqm of convenience retail floorspace in Carrick-on-Shannon. It is acknowledged that the existing Lidl and Supervalu in Cortober would extend this significantly, however these are located in Roscommon.
- 5.6. In assessing the retail function of Carrick-on-Shannon, it is stated that it is vital that the relationship of Cortober is also assessed. It is recognised that Cortober does form part of the town of Carrick-on-Shannon, notwithstanding that it is within the Jurisdiction of Roscommon County Council.
- 5.7. The primacy of the town core of Carrick-on-Shannon must be recognised and development on the Roscommon side of Cortober limited to satisfying local needs.
- 5.8. Section 8.3.1 Development Management Standards, criteria for assessing convenience retail:
- Future retailing proposals which cannot be accommodated within established town centres will be steered towards proposals for occupying the existing vacant retail units at edge of centre sites.
- 5.9. It is noted that the Development Plan includes reference to a desire to prepare a Plan for the town of Carrick-on-Shannon including the Cortober area. Should this

occur and/or the Local Area Plan is revised, this shall inform the appropriate retail boundaries for the County town.

5.10. Carrick-on-Shannon Local Area Plan 2010-2019 (plan extended in 2016) – Leitrim County Council area only

- The site is identified within land use zoning objective ‘Commercial Town Expansion’.
- Along the southern boundary of the site, where there is an existing row of poplar trees/swale, the land is within land use zoning objective ‘Open Space and Amenity’.
- It is stated that Commercial Town Expansion will accommodate a broad range of commercial activity that would support the development of the town centre...regard shall be given to the environmental impact of the proposed development on neighbouring uses. With regard to determining the suitability of retail developments, applications will be assessed having due regard to the current County Retail Strategy and the Retail Planning - Guidelines for Planning Authorities documents, or any updated versions of these documents’.
- Objective 2.3d states: It is an objective of the Council to seek the development of lands zoned ‘Commercial Town Expansion’ for commercial, retail, light industrial, educational, health, community and related uses.
- A convenience shop and comparison shop are both ‘acceptable in principle’ in the Land Use Zoning Matrix contained in the LAP.
- The policies and objectives relating to enterprise and employment, which includes retailing, are addressed under s.2.06 of the LAP. ‘Retail Development’ management standards are addressed in s.3.03 of the LAP.
- Policies and objectives relating to Transportation (Traffic, Cycling and Pedestrian Movement) are addressed under s.2.05 and Car Park standards are addressed in s.3.01.04.
- Flood Risk Management is addressed under s.2.13.

- Development proposals within floodplains will only be favourably considered where the Council is satisfied that the development is of significant strategic importance for the town and the mitigated impact on the flood plain is acceptable.
 - Policy 13.4a: It is the policy of the Council to require, where appropriate, that developments of a type that may be considered sensitive to flooding are subject to a 'justification test'.
 - Policy 13.4c: It is the policy of the Council to protect the floodplain of the Shannon. Planning permission for development on the floodplain will only be granted in exceptional circumstances and where the Council is satisfied that downstream (and upstream) consequences are insignificant. The Council must be satisfied that all floor levels in such developments are sufficiently high above the maximum recorded flood levels. While the maximum recorded flood level in 2000 was 42.363 OD (Malin) and 42.690 OD (Malin) in 2009, future floods may exceed this level. Accordingly minimum floor levels of 43.365 OD (Malin) and minimum finished ground levels 42.815 OD (Malin) will normally be required. However the Council may vary these levels upwards in certain circumstances.
- Appendix E is titled 'Guidelines on Flood Risk and Development'.
 - Map 7 addresses areas at risk of flooding. The southern section of the appeal site is indicated as being 'susceptible to flooding'.
 - Urban Design Policies and Urban Design Specific Objectives are addressed in s. 2.04.02 and 2.04.03 respectively.

Cortober Area Plan, Roscommon County Development Plan 2014-2020

- 5.11. The site, where the existing Lidl exists and which the applicant proposes to close as part of this application, is located to the west of the River Shannon, in an area known as Cortober, governed by Roscommon County Council.
- 5.12. The core strategy for the development plan states that Cortober is functionally and intrinsically linked to Carrick-on-Shannon. It is envisaged that Cortober develop the retail functions of local neighbourhood/District centre, without undermining the proper

planning and sustainable development of the parent settlement of Carrick-on-Shannon.

5.13. The retail strategy encourages that all new retail proposals should seek to avail of these vacant units and undeveloped sites, over further new build/new site retail development, particularly where sequential testing is applicable.

5.14. The existing Lidl site is within land use zoning objective 'Neighbourhood Centre'.

5.15. A strategic flood risk assessment has been completed for the Cortober area. The River Shannon and its tributaries are the main source of flooding. The Constraints Map within the Cortober Area Plan indicates the existing Lidl site is not within an area 'liable to be wet' or 'lands observed to be flooded (2009)'

5.16. **Other relevant National Guidance:**

- Retail Planning Guidelines for Planning Authorities 2012 and accompanying Retail Design Manual 2012

5.17. **Natural Heritage Designations**

There are no Natura 2000 sites within 15km of the site, however, the site is approx. 450m from the River Shannon, which flows into the Lough Forbes Complex cSAC and Ballykenny-Fishertown Bog SPA, approx. 20km downstream. Cloneen Bog SAC is also located downstream, but out of contact with river water.

6.0 The Appeal

6.1. **Grounds of Appeal**

The applicant has raised the following issues in the grounds of appeal:

- The Council's decision was based on lack of certainty associated with the comprehensive proposal for the existing store due to applicant's inability to produce a contract to sell or lease the premises. The said contract is now included with this appeal.
- ABP's previous refusal was based on the lack of a comprehensive plan/proposal for the use of the existing Lidl store in Cortober. The applicant considers this to be the core reason for refusal and states that the Board did

not refuse permission due to concerns about flood risk, layout/design of the proposed development or the relocation of the store from one part of the town to another.

- The 'Comprehensive Proposal' submitted to overcome the previous ABP refusal comprises three elements: 1. Permission applied for and granted by Roscommon County Council for change of use of existing Lidl to a car showroom and gym to enable sustainable reuse of the building; 2. CBRE engaged to market the planning permission, an end user has been identified and has entered into a contract with Lidl to purchase the old store; 3. Lidl has entered into a contract for sale of the old store and agreed a schedule of works and timing of occupation of the old store. A condition of the sale is that Lidl will remain trading in the existing store until the day before any new store is ready for occupation and trade. A clause is included that the old store cannot be used for the sale of convenience goods.
- The Board in its reason for refusal sought a comprehensive proposal to be prepared and that is what Lidl has done and has gone even further by executing that plan.
- Reason for moving Lidl from Cortober: 1) There is more than adequate local food shop retailing in Cortober with just the supervalu in place and 2) There is a significant imbalance in the convenience retail offering between Cortober and Carrick-on-Shannon, which is at odds with the towns spatial population distribution.
- Keeping the existing store in Cortober and extending it instead of replacing it should not be a material consideration in the assessment of this application given it wasn't raised in the previous decisions from Leitrim and ABP on this site.
- To refuse permission on basis of a lingering concern that the existing store would remain vacant for a long period of time would be wholly unreasonable and irrational.
- The comprehensive proposal is considered to be enforceable by way of condition as it forms part of the particulars of the planning application.

- The retail and sequential test applied to the proposal was agreed with by ABP Senior Planning Inspector report and Leitrim Senior Planner report.
- As both existing and proposed locations are positioned away from the town centre there is little reasonable prospect of impact on the vitality and viability of the town centre.
- The Board did not refuse on the basis of adverse impacts on flooding but only noted that the site flooded.
- Design and layout considered appropriate for the site. Previous application was not refused on matters relating to the design and location of the proposal.
- Enhanced elevational treatment is proposed as an option for the southern elevation in order to address third party concerns.
- Access to foul pumping station was raised in third party submissions. Proof is included within this appeal that the applicant has the necessary contractual consent to access the pumping station and the storm water network.
- Reduced store size included as an option within Appendix 8, with area of net sales reduced from 1684sqm to 1338 sqm and reduced building height of 1.4m, in order to address any concerns the Board may have in relation to scale of building. Reduced size includes additional landscaping to mitigate impact of development.

6.2. Planning Authority Response

- The Planning Authority does not dispute the interpretation by the applicant of the Board's decision on the previous planning application at this site as set out in the appeal submission.
- The Planning Authority remains of the view that the proposed 'comprehensive proposal' is not enforceable as the application extends only to lands the subject of this planning application and within the administrative area of Roscommon County Council. Leitrim County Council could not seek to enforce any aspect of the submitted 'comprehensive proposal' as it does not form part of the development applied for in Co. Leitrim. Nothing has been submitted in the appeal submission which would alter this view.

- The Planning Authority is not satisfied that a robust plan has been presented for an alternative use for the store at Cortober which will be implemented and the proposal could give rise to planning blight occurring at the existing Lidl store site at Cortober. The proposal to relocate has not been adequately justified and the proposal could lead to excessive provision of convenience retail space in excess of the retail cap contained in the Leitrim County Retail Strategy 2015-2021.
- The Planning Authority notes the following concerns in relation to the redacted contract submitted with the application: no confirmation that the purchaser is a car dealership as the site is being purchased in trust on behalf of an unnamed entity or individual; the permission relating to the site in Cortober does not include a servicing area for cars and the gym was not wanted by the applicant. A new permission is therefore likely to be required by the new purchaser. There is no requirement in the contract for the purchaser to implement the planning permission granted by Roscommon County Council or to reuse the existing store in full or in part, the contract simply provides to sell the existing store and site to an unnamed entity or individual; it is noted that a clause is included that the store cannot be used for convenience goods and this would be registered as a burden against the subject property.
- The changes in the application now includes a 'comprehensive plan' but it is considered that the changes proposed are neither sufficient nor material in nature to warrant a reversal of the Board's previous decision.
- The extension of the Lidl at the existing site should be considered in the justification of why the scale of development cannot be accommodated on the existing site, particularly given the option of the reduced store is only 54sqm larger than the existing store in Cortober.
- The Planning Authority is satisfied that the matter of flood risk assessment has been satisfactorily dealt with.
- The southern elevation could be better enhanced by relocating the storage area to the north of the building adjoining the decked car park, allowing the provision of a glazed elevation and dual frontage. Proposed elevational design is an improvement, however ground floor plans do not match the

elevations and it is noted that the extent of glazing is largely reflective with the exception of the first 3.8m (of 26m length) as there is a solid wall constructed behind this feature.

- Proportion and design of the larger store is preferable over the reduced option presented by the applicant.

6.3. Observations

- Development is on a flood plain.
- Proposed slow release attenuation tanks would overflow in storm event resulting in contamination of flood water.
- Attenuation proposed will not be effective in heavy rainfall events.
- Flooding would impact on traffic circulation and availability of store parking.
- Proposal would result in an unnecessary development of lands that are partly subject to flooding.
- Site at Central Park was incorrectly measured and dismissed in the sequential test as it was not suitable in terms of size and parking provision. This site should be considered again with correct site size of 0.9 hectare taken into account and consideration given to crossover of parking spaces between users.
- Provision of convenience retail would be in excess of retail strategy, affecting the retail vitality of the town centre.
- Cortober and town centre retailers will be impacted negatively if all the convenience is focussed on one side of the town.
- Retention of Lidl in Cortober offers choice to shoppers, makes retail planning sense and leads to better distribution of traffic
- Existing Lidl has obtained planning permission for a car show room and gym. There are 2 car show rooms in Cortober, one of which is vacant for the last 4-5 years. There are 6 gyms in town, 3 of which are based in Cortober.

- Site is too compact to cater for development of this size due to flooding and traffic management plans.
- A fairy fort is located at western end of site which has not been investigated by Department of Heritage.
- Traffic congestion will increase as a result of this development, adding traffic onto Circular Road which serves a 700 pupil school, leisure centre, hospital and a number of residential estates.
- Cumulative impact of planned/permitted developments in this area have not been taken into account.
- Traffic congestion is affecting trade in the area.
- Increase in traffic will result in traffic hazard for students of schools in the area.
- Proposed Lidl will ruin vista at the entrance of the town.
- Design and use is not appropriate for this key site at the entrance to the town.
- LAP does not provide sufficient guidance for this key site.
- Roscommon County Council do not endorse proposal of Lidl to move from Cortober site.
- Reliability of comprehensive plan proposed by developers is questioned.
- Site was intended for use as a public amenity sporting/running track.
- Previous owner of the site submits the site was sold by herself and her husband to Leitrim County Council on understanding the site would be for public amenity use. The site was subsequently sold to MBNA and a car park building was constructed. 1 ha of the original 13 acre site is now proposed for this development.

7.0 Assessment

- 7.1. The applicant has applied for the development of a Lidl foodstore/supermarket on a site at Attifinlay, southeast of the town centre of Carrick-on-Shannon. This application is substantively the same as that previously refused on this site in 2016,

ref PL12.246575. This application comprises, in addition to the proposal plans and associated documents lodged with the previous application, a 'comprehensive plan' for the reuse of the site of the existing Lidl at Cortober, which it is proposed to close in lieu of this replacement Lidl store at Attinfinlay.

- 7.2. The grounds of appeal set out that this application with its associated 'comprehensive plan' overcomes An Bord Pleanala's previous refusal for the same development at this site, ref PL12.246575. The grounds of appeal state all other aspects of the development, that is, rationale for retail and sequential test, issue of relocation of store, flooding, and design are considered not to have been reasons for refusal previously and have therefore not been altered in this application. However, I note in the appendices a revised design to the southern elevation is proposed by the applicant as an option, in addition to an option to reduce the scale of the building, in order to address third party concerns/any concerns An Bord Pleanala may have in relation to the design of the building at this location at the entrance to the town.
- 7.3. Although the substantive reason for refusal related to the lack of a comprehensive proposal for the existing store at Cortober, and I have had regard to these proposals, the Board Direction also noted the prominent setting of the site, the location of the proposal on lands that are within flood zone A and B, and concern in relation to the substantial increase in retail provision.
- 7.4. The site is identified within land use zoning objective 'Commercial Town Expansion'. The Carrick-on-Shannon LAP states that within the area of Commercial Town Expansion (previously termed General Development areas), it is envisaged that larger or single use structures such as supermarkets, retail warehouses, light industrial, offices etc. would be developed in these areas in the short term, subject to access, drainage etc., and in the longer term the areas developed more intensively to cater for an expanding town centre, as the town grows.
- 7.5. Section 2.02 of the Plan states that 'in determining the suitability of development within this zone, regard shall be given to the environmental impact of the proposed development on neighbouring uses. In determining the suitability of retail developments, applications will be assessed having due regard to the current County Retail Strategy and the Retail Planning – Guidelines for Planning Authorities documents'.

- 7.6. A convenience shop and comparison shop are both 'acceptable in principle' in the Land Use Zoning Matrix contained in the LAP.
- 7.7. I consider the development as proposed to be in compliance with the zoning objective for the area.
- 7.8. I consider the primary issues for assessment as follows:
- Retail Impact
 - Flooding
 - Visual Impact & Design
 - Traffic Impacts and Car Parking
 - Appropriate Assessment

Retail Impact

- 7.9. The proposed foodstore/supermarket is to be operated by Lidl. There is an existing Lidl foodstore located in Cortober, that store is on the western side of the River Shannon, within the administrative area of Roscommon County Council, but within the town boundary of Carrick-on-Shannon (the town boundary being that identified by the CSO). It is proposed by the applicant to close the Lidl in Cortober and build a new Lidl in the proposed location. I note the site location map and site layout plan relates only to the site for the proposed store at Attifinlay.
- 7.10. The applicant states that the previous refusal from An Bord Pleanala on this site in 2016 was based on the lack of a comprehensive plan/proposal for the use of the existing Lidl store in Cortober. This application seeks to overcome that previous reason for refusal through the submission of a 'Comprehensive Proposal' which it is stated Lidl are committed to implementing. The comprehensive proposal submitted includes the following points: 1. Permission has been applied for and granted by Roscommon County Council for change of use of existing Lidl to a car showroom and gym to enable sustainable reuse of the building; 2. CBRE has been engaged to market the planning permission, an end user has been identified and has entered into a contract with Lidl to purchase the old store; 3. Lidl has entered into a contract for sale of the old store. A condition of the sale is that Lidl will remain trading in the existing store until the day before any new store is ready for occupation and trade. A

clause is included that the store at Cortober cannot be used for as a food supermarket, discount food supermarket or retailer or similar food retailer, for the sale of convenience goods, and/or off-licence.

- 7.11. The applicant also states that the Council's reason for refusal was based on lack of certainty associated with the comprehensive proposal for the closure of the existing Lidl store due to applicant's inability to produce a contract to sell or lease the premises. The said contract is now included with this appeal.
- 7.12. Leitrim County Council, having reviewed the grounds of appeal, is not satisfied that the comprehensive proposal submitted by the applicant is robust and Leitrim County Council could not seek to enforce any aspect of the comprehensive plan as it does not form part of the development applied for in Co. Leitrim. The proposal to relocate has not been adequately justified and the proposal could lead to provision of convenience retail space in excess of the retail cap contained in the Leitrim County Retail Strategy 2015-2021. The Planning Authority raises concerns in relation to specific points within the contract submitted with the application (see section 6.2). Overall the Council considers the changes to the application to be neither sufficient nor material in nature to warrant a reversal of the Board's previous decision. The extension of the Lidl at the existing site should be considered in the justification of why the scale of development cannot be accommodated on the existing site, where there is space to expand.
- 7.13. The observers have raised concerns in relation to the excessive provision of retail, impact on the town centre, impact on Cortober, imbalance with majority of foodstores/supermarkets located to eastern side of town with poorer choices for those in Cortober and poorer distribution of traffic. It is stated that there is a vacant car showroom in Cortober at present and there are 3 gyms, therefore concern is raised that the proposed use for which permission has been obtained at the existing Lidl site at Cortober is not viable.
- 7.14. I have examined the context of the existing retail environment in Carrick-on-Shannon. I note the town comprises four distinct retail/commercial areas:
- The original town centre just north of Carrick-on-Shannon Bridge, centred on Main Street/Quay Road, which comprises a good mix of retail and commercial development.

- Rosebank Retail Park (immediately south of the appeal site) and other commercial properties in the immediate vicinity, approximately 1km to the east of the junction of Main Street and Carrick-on-Shannon Bridge, through which the N4 passes. Land uses include the large Avant Card/MBNA site, the Retail Park with Tesco anchor and the Aldi store further south on the N4.
- High-density mixed-use development, east of the Bridge on the N4, facing the River Shannon. Land uses include commercial development, retail and residential uses.
- Cortober neighbourhood and retail park, west of Carrick-on-Shannon Bridge, within the administrative area of Roscommon County Council. This development comprises a large number of retail and commercial units.

7.15. I note the Retail Strategy states that the zoning map of Carrick-on-Shannon shall inform the retail boundaries. However, I also note that the retail strategy recognises in assessing the retail function of Carrick-on-Shannon that it was considered vital that the relationship of Cortober was also assessed and it also states that Cortober does form part of the town of Carrick-on-Shannon, notwithstanding that it is within the Jurisdiction of Roscommon County Council. Cortober is clearly part of the functional (although not the administrative) retail base of Carrick-on-Shannon and I consider further the retail impacts and rationale for development on that basis.

7.16. As stated previously, the appeal site is zoned for 'Town Centre Expansion'. The LAP has had regard to the Retail Planning Guidelines for Planning Authorities, 2012, and the Leitrim County Retail Strategy 2015-2021. The Leitrim County Retail Strategy 2015-2021 indicates in Table 5-14 that the estimated future additional retail floor area in the county to 2021 for convenience shopping is 1,158 sq.m. The strategy states that Carrick-on-Shannon is the principal town of the County and as such, maintaining and enhancing retailing in this town is essential.

7.17. Carrick-on-Shannon is recorded as 'Tier 1 – County Retail Centre' in the retail hierarchy of the strategy. The strategy, at section 8.2.4 states, inter alia, that Carrick-on-Shannon is expected to absorb one-third of the overall population and housing growth over the lifetime of the Plan. It is anticipated that the majority of future retail applications in the County will be primarily attracted to the County town of Carrick-

on-Shannon, whilst there may be some scope for Tier2A centres of Manorhamilton and Ballinamore.

- 7.18. The proposed foodstore/supermarket is to replace the existing Lidl foodstore in Cortober, therefore the net floor area proposed in the foodstore does not equate to a net additional convenience retail floor area for the County in the context of the County Retail Strategy (the retail strategy did have regard to the retail park in Cortober which is in Co. Roscommon). The actual additional convenience retail floor area is considered to be 400 sq.m., as this is the additional floor area above the existing provision. I accept this rationale and conclude that the proposed additional floor space does not contravene the County Retail Strategy. Where the existing store in Cortober to continue trading in convenience retail, then this would become an issue.
- 7.19. In relation to the sequential test, I note that the proposed location is approximately the same distance from the town core as the current Lidl store that it is to replace. In addition, I note that a Tesco exists in proximity to the appeal site in addition to an Aldi supermarket located further south of the appeal site/further from the town than the proposed site.
- 7.20. The Carrick-on-Shannon LAP states the primacy of the town core on the Leitrim side must be recognised and development on the Roscommon side limited to satisfying local needs. The Retail Strategy also states that Leitrim County Council recommend that any proposals relating to further retail development in the Cortober area, be subject to the guidance contained within the Retail Planning Guidelines and in particular the need to adhere to the sequential test relative to the area's parent settlement, Carrick-on-Shannon. Given the retail strategy considers Cortober to be part of Carrick-on-Shannon, I find it contradictory to limit the retail provision within Cortober to the Cortober catchment only and to distinguish/limit it in this way due to administrative boundaries.
- 7.21. The existing convenience retail foodstore at Cortober does not impact on the primacy of the town core and the sequential test has highlighted there are no suitable sites within the town core. I do not dispute the sequential assessment by the applicant in relation to the town core sites. However, I do find it of note that the sequential test is limited to sites on the Leitrim side only, notwithstanding the

acknowledgment by both Leitrim and Roscommon that Cortober is of relevance in the retail assessment of Carrick-on-Shannon. I note furthermore that Section 8 of the Retail Strategy states specifically that 'future retailing proposals which cannot be accommodated within established town centre will be steered towards proposals for occupying the existing vacant retail units at edge of centre sites'. While not as of yet vacant, the premise of this statement is that where the building stock exists it should be utilised. At Cortober there is an existing usable site, which not only serves its local neighbourhood but also the wider town of Carrick-on-Shannon of which Cortober is a functional neighbourhood.

- 7.22. Due regard must be had to the existing limitations of the town in terms of flood plains (national guidance as well as development plan guidance in relation to this is discussed hereunder), as well as the high level of vacancy of existing building stock on both sides of the river, and consequently a holistic approach taken to considering the use of the finite resource of land in this town and the overarching principle of the proper planning and sustainable development of the area. I therefore have serious reservations in relation to this proposal to construct a new unit on a greenfield site which is subject to flooding, when there is an existing specifically designed functional and serviced retail unit available to serve Carrick-on-Shannon and the local neighbourhood.
- 7.23. The national Retail Planning Guidelines recommend that joint or multi-authority retail strategies be prepared for certain development plans and local area plans as the catchment for such activities frequently transcend local authority boundaries. This is clearly applicable to Carrick-on-Shannon and it is unfortunate that a joint Local Area Plan has not been brought forward by the two local authorities. I am, however, of the view that the relocation of the foodstore as proposed is not in the interests of Carrick-on-Shannon. The existing retail provision is of an appropriate scale for Cortober and Carrick-on-Shannon and a relocation of the store is not justifiable, notwithstanding the comprehensive proposal put forward by the applicant. I furthermore note that any revision to the existing convenience retail environment of the town would benefit greatly from, and should only be undertaken within the context of, a joint Local Area Plan and Retail Strategy between the two local authorities, as set out within Objective 61 of the Leitrim Development Plan 2015-2021.

7.24. I note the contents of the proposed comprehensive proposal. I question the enforceability of the proposed plan and the proper planning and sustainability of restricting the future use of an existing building within a neighbourhood centre zoning from being a supermarket or from the sale of convenience goods (definition of convenience goods including food; alcoholic and non-alcoholic beverages; tobacco; non-durable household goods). This limitation of a land use also raises issues with regard to the viability of that Neighbourhood Centre and the use and adaptability of the existing building into the future.

Flooding

7.25. The applicant in the grounds of appeal states that flooding was not at the core of An Bord Pleanála's previous refusal for permission at this site under PL12.246575 and the flood risk assessment as submitted with the application was accepted by Leitrim County Council.

7.26. Observers have raised concerns in relation to flood risk and lack of a sequential approach with this proposal to build on a floodplain.

7.27. Under PL12.246575, the reason for refusal given by An Bord Pleanála for the same development at this location referred to the 'unnecessary development of lands that are partly subject to flooding'. Notwithstanding the refusal from Leitrim County Council in relation to this application does not refer to flooding, I consider the issue of flooding to be pertinent to my assessment of the proposed development.

7.28. The Flood Risk Assessment (FRA) submitted by the applicant, prepared by JBA Consulting, acknowledges that historical flooding events on the River Shannon are characterised by a prolonged flood duration that can extend for several weeks. The main risk to the site arises from fluvial flooding. The mechanism of flooding in Attifinlay is that the River Shannon forms the dominant control on water levels and causes backing up of the Drummagh Stream (100m west of the site) and consequently the surface water drainage channel that runs parallel to the N4 (along southern boundary of the site). Levels overtop the N4 and effectively bypass the culvert beneath. Historical records from 2009 and 2015/16 confirm limited flooding along the southern and western boundary of the site. No pluvial/surface water flood risk is indicated on the site, however, the surface water drainage channel along the southern boundary of the site will intercept and convey localised surface water.

- 7.29. Figure 3.5 of the FRA indicates the flood zones. The FRA confirms that c. 80% of the 1 ha site is located within Flood Zone C and is at low risk of fluvial flooding, c. 10% of the site is within Flood Zone A and a further 10% in Flood Zone B.
- 7.30. The Planning System and Flood Risk Management – Guidelines for Planning Authorities, DEHLG and OPW (2009) require a systematic approach to flood risk management at each stage in the planning process. Table 3.1 of the guidelines indicate that retail development is a less vulnerable development class. Table 3.2 indicates that such a category of development can only be considered in Flood Zone A, where it meets the criteria of the Development Management ‘Justification Test’ detailed in Chapter 5 of the guidelines. It is stated that retail development is ‘Appropriate’ where located within Flood Zone B and C. Given a portion of the site is within Flood Zone A, a Justification Test has been submitted as part of the Flood Risk Assessment for the site.
- 7.31. The FRA outlines mitigation measures arising from the assessment, including locating the foodstore in Flood Zone C (as per the Guidelines); applying a FFL to the store of 43.365 m OD Malin (as per policy 13.4c of the LAP); providing a freeboard of 710 mm above the River Shannon 0.1% AEP flood level of 42.66 m OD Malin; some areas of car parking and landscaping to be in Flood Zones A & B (approx. 15 spaces within Flood Zone A and 44 spaces within Flood Zone B); the provision of a compensatory storage area of 69 cubic metres on site within Flood Zone C to compensate for the loss of some 64 cubic metres of Flood Zone A lands; the preparation of an emergency plan, and surface water drainage proposals, including a concrete attenuation tank located below the car park (which I note is located mainly within Flood Zone B, with a part of this tank within Flood Zone A), which will discharge to the adjacent drainage ditch and ultimately to the Drummagh Stream.
- 7.32. I note the concerns of the District Engineer raised in the internal report, which states insufficient consideration has been given to the effects which a normal winter flood level will have on the drainage system – the proposed outlet into the open drain would be below flood levels thus creating a back surge in the drainage network that will not allow surface water from the car park to dispense into the drain. Loading of the car park area within close proximity to the N4 roadway/footpaths/greenways may have a detrimental outcome through soil heave on the road.

- 7.33. Notwithstanding the proposals set out within the FRA, the primary issue is whether the proposed specific use of this land for a food store is of strategic importance for town expansion purposes, given the Carrick-on-Shannon LAP states that development proposals in the floodplain will only be favourably considered where the planning authority is satisfied that the development is of strategic importance for the town and the mitigated impact on the flood plain is acceptable (section 2.13.01). I note also section 5 of the Guidelines for Planning Authorities, where it is stated 'Planning authorities should apply the sequential approach in aiming to avoid development in areas at risk of flooding, through the development management process'.
- 7.34. While the appeal site can be utilised for certain types of development, I consider the proposal to close a successfully operating convenience food store/supermarket on a site that does not flood and open another within the same town on a site that does flood is not in accordance with the sequential test. The relocation of the food store is not in my mind of strategic importance to the development of the town (as required by the LAP and the Planning Risk and Flood Risk Management Guidelines) given the location and range of supermarket options in existence on both sides of the River Shannon.
- 7.35. I have considered the Board's decision under PL12.240704 for a petrol station and drive through restaurant on the other side of the Attifinlay roundabout, which is within Flood Zone A, and the determination by the Board that the land where the site is located has been deemed strategic for town expansion purposes. However, I remain of the view that given the circumstances of this case and specific type of land use proposed and in considering the previous reason for refusal for the same development at this site, that the development as proposed is not justified in planning terms and is not in the interest of the proper planning and sustainable development of Carrick-on-Shannon.

Visual Impact & Design

- 7.36. The applicant considers the design and layout, which was not commented on as part of the previous refusal reason for the same development on this site, is appropriate. However, the applicant does present in an appendix an enhanced elevational treatment for the southern elevation in order to address third party concerns. In

addition, a reduced store size is also included as an option within Appendix 8, with the area of net sales reduced from 1684sqm to 1338 sqm and a reduced building height of 1.4m, in order to address any concerns which the Board may have in relation to scale of building. The reduced size includes additional landscaping to mitigate impact of development.

- 7.37. Concerns have been raised by the third party observers to the appeal in relation to the design of the foodstore given its location at a prominent landmark site at the entrance point to the town. It is stated that the foodstore would detract from the appearance of this scenic part of the town; it would adversely impact on the visual setting of the AvantCard/former MBNA office development located across the road from the application site; proposal will block an existing open vista and detract from the overall impression of the town.
- 7.38. Leitrim County Council state in the Planners Report that the site is considered to represent a strategic or Gateway site on a key entry to Carrick-on-Shannon and recognises that development of this site will alter it from open grassland which frames views of Carrick Business Park. Having considered the context of the existing Retail Park as well as the detail of the layout and design proposed, the Planner's Report concludes that the location of the building set back from the roundabout and the design is overall considered acceptable. In their response to the grounds of appeal it is submitted that the view of the southern elevation could be better enhanced by relocating the storage area to the north of the building adjoining the decked car park, allowing the provision of a glazed elevation and dual frontage. The proposed elevational design is an improvement, however ground floor plans do not match the elevations and it is noted that the extent of glazing is largely reflective with the exception of the first 3.8m (of 26m length) as there is a solid wall constructed behind this feature. The Planner's Report considers the proportion and design of the larger store is preferable over the reduced option presented by the applicant.
- 7.39. I note the Carrick-on-Shannon LAP addresses important views and prospects in the town and this site is not afforded any protection in this regard. As noted in the previous assessment for the same development at this site under PL12.246575, the scale, massing and height of the proposed building is not dissimilar to that of the existing commercial and retail buildings in the vicinity, including the office development located on the opposite side of the road from the application site, the

retail park located in close proximity to the south of the N4 and the development granted by the Board under PL12.240704 on the other side of the roundabout. The building is setback from the public road, as is the existing decked parking structure to the north-west of the site, and the office development opposite the site. In that regard, I do not consider that the proposed development is out-of-character with the established pattern of development in the area. The palette of materials to be used on the exterior of the proposed store are not dissimilar to those used on the structures in the retail park located to the south.

- 7.40. The primary facades of the foodstore address both the Circular Road to the north-east and the N4 and existing retail park to the south. I am of the view that the southern elevation of the building, which is a dominant view, could be improved through the use of additional glazing (non-reflective) and internal modification at ground flood level to enable this. The revised elevation proposed within appendix 8 is preferable in this regard. I note the Planning Authority's observation that the floor plans have not been updated to reflect this and it may be that this is reflective glazing with a wall behind. A reorganisation of the floor plan to support standard transparent glazing at the extent shown on the elevation in appendix 8 would improve this aspect of the building greatly. In terms of impacts on open vistas, the proposed development does not impact on any of the views and prospects listed in the Carrick-on-Shannon LAP and the zoning allows for the type of development proposed.
- 7.41. I consider overall the proposal acceptable in terms of scale and design and do not consider the option in appendix 10 of the grounds of appeal for a revision to the footprint and overall height as necessary as I am of the view that it will not mitigate in any significant way the visual impact of the development such as to warrant a redesign.

Traffic Impacts and Car Parking

- 7.42. The applicant has not addressed further the issues of traffic in the grounds of appeal. It is noted by the applicant that Leitrim County Council found in favour of the application in relation to access and car parking items.
- 7.43. The observers have raised concerns in relation to potential traffic impacts. It is held that the nearby roundabout at the N4/Circular Road intersection to the south-east, known as the Attifinlay roundabout, does not have the capacity to accommodate the

development. Reference is made to existing traffic congestion in the area both on the nearby N4 and on the Circular Road off of which it is proposed to access the development and potential traffic hazard from increased traffic on school students etc in the immediate area. Reference is also made to the congestion experienced on the Circular Road when the N4 became impassable due to a flooding event in December 2015/January 2016 and about the potential hazard of parking on the road should the car parking spaces be flooded as planned in an extreme event.

7.44. The national primary route, the N4, bounds the site to the south and the Attifinlay roundabout is located immediately to the southeast of the site. The Circular Road is accessed off this roundabout. The Circular Road (L3412) runs along the north-east boundary of the site. A vehicular entrance is proposed off the Circular Road into the application site. There is an office development with a large surface car park and two entrances located on the opposite side of the Circular Road from the site. This office development and associated car park is within the blue line boundary in the site layout plan submitted with the application. There is a decked car park building located on lands adjoining the application site to the northwest. It appears that this deck car park provided car parking for the office development on the opposite side of the road (this office development was previously occupied by MBNA). This adjacent car park is not now in use. There is a low stone wall running along the site's roadside boundary with the Circular Road. There is a footpath running along the north-western section of this frontage but this becomes a grass verge for the south-eastern section as it approaches the roundabout on the N4. The Attifinlay roundabout also provides access to the retail park located to the south of the N4. The retail park includes a Tesco store in addition to a number of other retail outlets and restaurants. Under 11/267 (PL 12.240704) permission was granted for a petrol filling station, a drive-through restaurant and car parking in the retail park located to the south of the Attifinlay roundabout. That development included proposals for improvements to the roundabout. This development including the upgrade of the roundabout has not taken place to date. The internal report from the Transport Engineer of Leitrim County Council indicated that the proposed development could be accommodated with no upgrades to the roundabout.

- 7.45. I note the level of parking proposed and the justification for this within the planning application documents. I accept the proposed level of parking is adequate to serve the development.
- 7.46. In conclusion, the proposed development does not pose an unacceptable risk to traffic or pedestrian safety, in my opinion. I consider the proposed development to be acceptable in terms of traffic safety and convenience.

Appropriate Assessment

- 7.47. The application was accompanied by an Appropriate Assessment Screening Report as prepared by R. Goodwillie & Associates (ref: Appendix 6 of the 'Planning Report' Updated Appropriate Assessment Screening Report). The report evaluates the site as being of no interest ecologically as it is managed grassland without features that would attract wildfowl or waders. It states that the treeline along the southern side is of poplars and therefore of little wildlife importance. The Screening Report goes on to note that there are no Natura 2000 sites within 15 km of the development. However, it does note that the site is close to the River Shannon which flows into Lough Forbes complex cSAC and Ballykenny-Fishertown Bog SPA at a distance of c. 20 km downstream. The report concludes that the project will not have significant effects on the Natura site network.
- 7.48. Lough Forbes cSAC conservation objective is to maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected:
- 3150 – Natural eutrophic lakes with mangopotamion or hydrocharition type vegetation
 - 7110 – active raised bog (priority habitat)
 - 7120 – degraded raised bogs still capable of natural regeneration
 - 7150 – depressions on peat substrates of the rhynchosporion
 - 91E0 – alluvial forests with alnus glutinosa and fraxinus excelsior (alno-padion, alnion incanae, salicion albae) (priority habitat)

The conservation objection of Ballykelly-Fishertown Bog SPA is to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA:

- Greenland white-fronted goose

7.49. The potential impacts relate to construction impacts of outputs to the river in the form of sediment and chemicals or an operational impact of oil from vehicular traffic. These issues can be managed through best practice standard construction and operation measures. In addition, it is stated that there is large dilution available in the 20km of river above the Natura sites and therefore there is no real possibility of impact on the conservation objectives of the Natura 2000 sites.

7.50. It is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on Lough Forbes complex cSAC and Ballykenny-Fishertown Bog SPA, or any other European site, in view of the site's Conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

8.0 Recommendation

8.1. Having considered the proposed development of a convenience retail foodstore, subject to the closure of an existing retail foodstore at another location, and having regard to the grounds of appeal and all observations, I recommend that planning permission be refused for the reasons and considerations set out hereunder.

9.0 Reasons and Considerations

1. Having regard to the nature of the proposed development for the relocation of an existing retail foodstore to a new location on a greenfield site that is liable to flooding, to the level of retail vacancy in Carrick-on-Shannon (east and west of the river), and the absence of a robust and comprehensive proposal for an alternative use for the store at Cortober, the Board is not satisfied that the proposed development would not result in planning blight at this location or

would not result in an excessive provision of convenience retail space in excess of the retail requirements as per the Leitrim County Retail Strategy 2015-2021. Furthermore, it is considered that the use of this land for a convenience retail foodstore is not of significant strategic importance to the development of the town so as to justify development on an area liable to flooding, and overall would have a negative impact on the retail vitality and viability of Carrick-on-Shannon. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.