



An
Bord
Pleanála

Inspector's Report ABP-300831-18

Development	Change of use from retail to Take Away Food and to erect traditional style signage over shop front
Location	Church Street, Lisroyne Td., Strokestown, Roscommon
Planning Authority	Roscommon County Council
Planning Authority Reg. Ref.	PD/17/427
Applicant(s)	Imran Hussain
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Frances Egan
Observer(s)	None
Date of Site Inspection	4 th May 2018
Inspector	Una O'Neill

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1.0 Site Location and Description

- 1.1. The subject site is located within the centre of Strokestown, which is located to the east of County Roscommon, 20km northeast of Roscommon Town. The site is located on the north side of Church Street.
- 1.2. The site comprises a vacant terraced two storey, six-bay building, formerly in use as a butcher shop at ground level, with residential use adjoining and above the unit. There is a two storey return to the rear of the property and a more recent single storey extension with an older lean-to shed structure adjoining this. There is an additional derelict two storey building of similar design to the rear of the property. There is access to the rear of the site via an archway from the street. The buildings on either side of this site appear to be in residential use, with commercial/retail uses interspersed along the street, a number of which are vacant.

2.0 Proposed Development

- 2.1. The proposed development comprises the following:
 - Change of use from a butcher shop to a take-away use.
 - The gross floor area of the proposed works is stated to be 99.38 sqm. The gross floor area of the existing building, including adjoining on ground, 1st and 2nd floor levels is stated to be 145.79sqm.

3.0 Planning Authority Decision

3.1. Decision

GRANTED, subject to 10 conditions, including the following:

C2: Opening Hours shall be between 3pm-11.45pm Sunday to Thursday and 3pm-2am Friday and Saturday.

C3: Façade and signage to be in accordance with drawing no. 8

C4: No additional signs, symbols, nameplates or other advertisements permitted.

C5: No awnings or canopies, other signs or external roller shutters are permitted.

C6: Lighting

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Officer's report generally reflects the decision of the Planning Authority. I note that further information was requested in relation to signage, car parking, opening hours, intended use of the first floor and fan system design.

3.2.2. Other Technical Reports

Environment Department: No objection.

Roads Section: No objection.

Roscommon Town Centre Planning Unit: No objection.

HSE: No objection.

3.3. Prescribed Bodies

3.4. Third Party Observations

A number of objections were submitted to the planning authority. Concerns raised related to an increase in litter, traffic, noise, odours and light pollution, proliferation of take aways, proximity to schools, antisocial behaviour and negative impact on property values of dwellings on Church Street.

4.0 Planning History

None.

5.0 Policy Context

5.1. Roscommon County Development Plan 2014-2020

- Section 6.4.1, Development Guidelines for Architectural Conservation Areas, including Shopfronts.

- Section 9.19, Shopfronts: Where new or replacement shopfronts are proposed, the use of traditional materials will be favoured. The excessive use of illuminated plastic or neon signs is not considered appropriate.
- Section 9.21.1, Advertising within towns and villages

The following types of advertising will not be permitted by the Council, and will be actively discouraged:

- the use of plastic, PVC, perspex and neon signs or lettering or detailing on any exterior;
- internally illuminated box fascia signs;
- internally illuminated projecting signs, whether fixed or hanging;
- flashing, reflectorised, neon or glitter-type signs or detailing at any location on the exterior of the building, or so located within the interior as to be intended to be viewed from the exterior

5.2. Strokestown Area Plan 2014-2020

- Zoning Objective TC2 (Peripheral Town Centre)
- Strokestown Architectural Conservation Area
- Chapter 5, Development of Town Centre and Peripheral Town Centre.
- Policy 3.2:

Preserve the character of the Strokestown Architectural Conservation Area (ACA) as indicated on Map 3b.

- Policy 5.3:

Ensure that prospective development in areas zoned for Town Centre and Peripheral Town Centre uses respect the existing and established architectural styles in terms of design, finishes.

5.3. Natural Heritage Designations

The site is not located within or adjacent to a Natura 2000 site. The nearest Natura 2000 sites are Annaghmore Lough (Roscommon) SAC (001626), which is approx. 2.2km northwest of the site and separate from the site.

6.0 The Appeal

6.1. Grounds of Appeal

An appeal has been submitted from the owner of a take away at no. 5 Bridge Street, Strokestown. The grounds of appeal is summarised as follows:

- There are at present 5 takeaways and 3 restaurants. The village is saturated by takeaways. Concern is raised over the impact on existing businesses in the village.

6.2. Applicant Response

None.

6.3. Planning Authority Response

None.

6.4. Observations

None.

6.5. Further Responses

The applicant has responded as follows:

- The appellant's objection is spurious, monopolising and circumstantial and intended to restrict commercial competition.
- There are three take-aways in the town and not eight as stated. One is an Italian and two are Chinese facilities.
- A delivery food service will be provided by the proposed facility, which is not supplied by current outlets.

7.0 Assessment

7.1. I have considered the submitted application de-novo. The primary issues for assessment include:

- Proliferation of Takeaway and Restaurant Uses
- Impacts on the Surrounding Area
- Shopfront Design

Proliferation of Takeaway/Restaurant Uses

7.2. The subject site is located within zoning objective TC2 (Peripheral Town Centre), where a takeaway use is open for consideration. The site is located within an Architectural Conservation Area.

7.3. The Strokestown Area Plan seeks to encourage the development of the town as it is the hub of Strokestown's commercial activity. Core and peripheral town centre activities in Strokestown are stated to be a mix of commercial, residential, community facility, administrative and educational uses and it is noted the area is quite expansive, extending from the town square in all street directions.

7.4. While there are a number of takeaways in Strokestown, there is not in my view such a proliferation of this type of use as to warrant a refusal of permission. Town centres should be allowed to grow and offer a range of services and it is not the role of planning to hinder economic development based on competition reasons. The principle of a commercial use at ground level at this location has been established with the previous use being a butcher shop. The proposed use is in accordance with the zoning objective for the area.

Impacts on the Surrounding Area

7.5. I have considered the context of the site with regard to residential amenity. As this has not been raised by the appellant the Board may consider this a new issue.

7.6. Fast food outlets by their very nature tend to generate impacts not associated with other retail uses such as odour, noise, litter, and later hours of operation etc, which have the potential to significantly impact upon amenity. The properties along this side of Church Street are primarily residential in nature with some shopfronts sporadically located within larger buildings along the street. The pattern of the

shopfronts is unusual along this street in that they are spread out and do not form a ground level intensity of commercial use that one sees along standard shopping streets or as is evident along the main streets of the town, namely Elphin Street and Bridge Street. A number of the shopfronts appear to be vacant or converted to residential use. The shopfronts which appear to be occupied, namely a butchers and a hairdresser, are mainly daytime type uses. The main late evening/nighttime uses of pubs and cafes/takeaways appear to be primarily located along Elphin Street and Bridge Street, which is zoned Core Town Centre, while the appeal site is zoned Peripheral Town Centre. While there is a degree of separation of the takeaway element from the adjoining residential properties based on the layout proposed, I am of the view that the change in the ambient noise level of a late evening takeaway use at this location, with proposed opening hours of 2am at the weekend, would impact negatively on the residential amenity of the area. I therefore recommend that permission should be refused on the basis of the impact of the proposed takeaway on the residential amenity of the area by reason of associated noise and disturbance.

Shopfront Design

- 7.7. The site is located within an Architectural Conservation Area. The existing shopfront has maintained its original proportions, with a wooden traditional shopfront comprising stallriser, plinth and fascia panel. The Roscommon County Development Plan under section 9.21.1 recommends the avoidance of use of plastic, PVC, perspex and neon signs or lettering or detailing on any exterior. Unsolicited further information submitted by the applicant states the signage is to comprise 250mm high raised or flush mounted pvc lettering for the main premises titles, with the sub-description letting being 150mm high. It is not clear if this is to be attached to the original wooden fascia panel. The current signage comprises what appears to be a plastic type signage attached to the fascia panel advertising the previous use of a butchers shop. In support of policy 3.2 of Strokestown Area Plan which seeks to preserve the character of Strokestown ACA, and section 9.21.1 of the development plan, if the Board is minded to grant permission, I recommend a condition be attached to remove the existing fascia signage and replace with signage comprising individually mounted raised lettering or painted lettering directly onto the original wooden fascia panel, details of which can be agreed with the planning authority.

Appropriate Assessment

- 7.8. Having regard to the minor nature of the development, its location in a serviced urban area, and the separation distance to any European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

- 8.1. I recommend that permission be refused.

9.0 Reasons and Considerations

Having regard to the mixed use nature of development in the vicinity of the site, which is zoned peripheral town centre and which contains a significant element of residential use, it is considered that the proposed change of use would have the potential to impact negatively on the residential amenity of the area by reason of associated noise and disturbance, and would, therefore, seriously injure the amenities and depreciate the value of property in the vicinity and would be contrary to the proper planning and sustainable development of the area.

Una O'Neill
Senior Planning Inspector

21st May 2018