



An
Bord
Pleanála

Inspector's Report ABP304750-19

Development	Change of use from antique shop to credit union office
Location	Ferrybank, Arklow, County Wicklow
Planning Authority	Wicklow County Council
Planning Authority Reg. Ref.	19402
Applicant(s)	Altura Credit Union
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Arklow Credit Union.
Observer(s)	None
Date of Site Inspection	28 th September 2019.
Inspector	Hugh Mannion

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1.0 Site Location and Description

1.1. The application site has a stated area of 79.46m² and comprises a single storey structure with a 1.3m deep rear yard. The existing structure is rendered, has a corrugated metal roof and the front wall is flush with the inside of the public footpath. It was most recently in use as a gift shop. The site is located on the western side of Ferrybank (R772) which is north of Arklow Bridge and links Arklow town to the M11. Immediately to the left of the application site is a rear access to an adjoining three storey residential use. Immediately to the right is access to a bungalow set back from the public road and between the boundary fence of that bungalow and the inside of the public footpath there are 8 car parking space. The public road has double yellow lines on both sides in the vicinity of the application site and a pedestrian crossing on the roadside beside the parking area.

2.0 Proposed Development

2.1. The change of use from an antique shop to credit union office, changes to elevation of building, provision of a replacement slated roof, installation of ATM machine, minor changes to rear elevation at Ferrybank, Arklow, County Wicklow.

3.0 Planning Authority Decision

3.1. Decision

Grant permission with three conditions. Condition 2 omitted signage without the agreement of the planning authority. Condition 3 omitted roller shutters without a prior grant of planning permission.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planner's report recommended a grant of permission.

3.2.2. Other Technical Reports

3.2.3. The area engineer reported no objection in relation to roads or drainage.

4.0 **Planning History**

No relevant planning history.

5.0 **Policy and Context**

5.1. **Development Plan**

The site is zoned town centre in the Arklow and Environs Local Area Plan 2018-2022 with the objective to “provide for the development and improvement of appropriate town centre uses including retail, commercial, office and civic uses and to provide for ‘living over the shop’ residential accommodation, or other ancillary residential accommodation”.

5.2. **Natural Heritage Designations**

Not relevant.

5.3. **EIA Screening**

5.4. Having regard to nature of the proposed development comprising a change of use to an existing commercial premises on appropriately zoned land where public sewerage and potable water supply are available there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

- The ATM will generate more than 50 parking stops per hour which will give rise to an intensification of use of the premises. The closest paid public

parking is between 280m and 320 m distant. There are double yellow lines along the street frontage of the application site.

- The site is in a predominantly residential area outside the retail core and the proposed development does not observe the sequential approach to retail/business development.
- The site is liable to flood.
- The three roof lights are not necessary as no use is proposed in the attic space.

6.2. Applicant Response

- The applicant serves 5,000 customers in the Arklow area and rents an office in the Ferrybank area.
- The application premises have previously been in use as hardware shop and antique shop since 1940.
- Here are nine car parking spaces close to the application site.
- The appellant states that the site is zoned A for flood risk, the planning authority say it is zoned C. The applicant will take appropriate measures in the event of floods.
- The rooflights will help ventilate the premises.
- The Retail Planning Guidelines state that the planning system should not be used to frustrate retail competition.

6.3. Planning Authority Response

- No comment.

6.4. Observations

- None

7.0 **Assessment**

7.1. **Zoning Policy**

7.2. The site is zoned TC Town Centre in the Arklow and Environs Local Area Plan 2018-2022. This zoning objective seeks to promote town centre uses including retail, commercial, office and civic use and residential uses, especially living-over-the shop developments. The proposed development comprises a change of use from shop to financial services which is a commercial use in keeping with the zoning objective for the area.

7.3. It is the case that the site is somewhat removed from the town centre which is located to the south and across the Arklow River nevertheless there are several community and retail uses in the immediate vicinity of the application site to which the proposed use is an appropriate addition. These include a building society office, supermarket, medical practice, church with a Montessori school, a butcher, fast food takeaway and a delicatessen.

7.4. **Traffic safety**

7.5. The appeal makes the related points that the proposed development has a significant trip generation capacity, that there are no car parking spaces provided and that public parking is distant from the proposed development and that there are double yellow lines on the public road fronting the site.

7.6. Many of the commercial uses in the area have on-site parking (for example the supermarket and medical practice). In relation to trips arising specifically from the proposed development I expect that many of the customers will be locals who may not wish to drive or will incorporate the trip to the credit union with trips to neighbouring commercial/retail/community uses. Having regard to the previous retail use of the site, the zoning for the area and the pattern of development I conclude that no additional car parking is required for the proposed development.

7.7. The planning authority's area engineer reported no objection on grounds of traffic hazard. There are double yellow lines on the R772 fronting the site, but this is the case for the neighbouring commercial/retail uses and appears related more the function of the road as a link between the town centre and the motorway than any perception of danger to public safety. The speed limit in the area is 50kms/h. Having

regard to these factors I conclude that the proposed development will not endanger public safety by reason of traffic hazard.

7.8. **Flooding**

7.9. The appeal makes the point that the site is prone to flooding. The site is within flood zone A illustrated on Map number SFRA1 – Indicative Flood Zones in the Arklow and Environs LAP 2018. The Flood Risk Management Guidelines address the issue of planning for new development in already built up areas which are at risk of flooding in chapter 4. Zoning lands that are at risk of flooding is acceptable where, *inter alia*, it is essential to facilitate regeneration within an urban settlement, where lands adjoin the core of an established urban settlement, or where such development is required to achieve compact and sustainable growth.

7.10. The application site fulfils all these criteria. Having regard to the advice set out in the Flood Risk Management Guidelines, the pattern of commercial/retail and community uses in the area, to the previous retail use of the building and to the desirability of facilitating regeneration of the area I consider that the proposed development will not increase flood risk for the site or adjoining lands and is an appropriate form of development for the area.

7.11. **Appropriate Assessment.**

7.12. Having regard to modest scale of the proposed development and foreseeable emissions arising therefrom 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 a grant of permission.

9.0 Reasons and Considerations

9.1. The proposed development is located in an area zoned for town centre uses in the Arklow and Environs Local Area Plan 2018-2022 where town centre uses including retail, commercial, office and civic uses are acceptable in principle. Having regard to the established retail use on site, to the relatively modest scale of the proposed development and subject to the conditions set out below it is considered that the proposed development would not endanger public safety by reason of traffic hazard, would accord with the zoning objective for the site set out in the Local Area Plan and would be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>Details of proposed shopfront and signage shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.</p> <p>Reason: In the interest of visual amenity.</p>
3.	<p>No external security shutters shall be erected within the site and/or</p>

	<p>premises unless authorised by a further grant of planning permission. Details of all internal shutters shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity.</p>
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Hugh Mannion
Senior Planning Inspector

30th September 2019