



An  
Bord  
Pleanála

## Inspector's Report ABP 307522-20.

<b>Development</b>	Demolition of existing Arch Motors premises and two workshops at the rear, with adjoining shop and filling station retained; and shop and filling station, with revised layout, construction of a single storey Discount Foodstore and ancillary off license, change of use of part of Arch premises to shop use, parking, signage, roof solar mounted panels lighting, revised entrance, landscaping parking and associated above and below ground works,
<b>Location</b>	Former 'Arch Motors' premises, Seamus Quirke Road, Galway.
<b>Planning Authority</b>	Galway City Council.
<b>P. A. Reg. Ref.</b>	19/333
<b>Applicant</b>	Lidl Ireland GmbH.
<b>Type of Application</b>	Permission.
<b>Decision</b>	Grant Permission.
<b>Type of Appeal</b>	Third Party
<b>Appellant</b>	HSE, University Hospital Galway.
<b>Observer</b>	RGDATA.
<b>Date of Site Inspection</b>	14 <sup>th</sup> September, 2020.
<b>Inspector</b>	Jane Dennehy

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## 1.0 Site Location and Description

- 1.1. The application site has a stated area of 8,400 square metres and is that of the now vacant Arch Motors building, with surface parking at the road frontage to the front of a gated yard partly in which there is hard surfaced and overgrown vegetation and an adjoining filling station and small (Centra) store both of which were in operation.. The site area is enclosed at the rear by hedgerow and/or perimeter fencing along boundaries.
- 1.2. The site is served by and accessed from a key radial route, (R338) which has a traffic lane and cycle lane in both directions between the N6 and N59 and the city centre.
- 1.3. The West City Centre, anchored by an Aldi Store is to the south west and the Westside Shopping centre, community facilities to include the public library, community centre and Church of the Sacred Heart are on the opposite side of Seamus Quirke Road.. To the north and north east are open lands in which a helipad is located at the north east corner. These lands are partially laid out as a sports pitch and to the north and east of which are buildings and ancillary areas within the University Hospital campus.

## 2.0 Proposed Development

- 2.1. The initial application lodged with the planning authority indicates proposals for:
  - Demolition of two workshops at the rear of the site and part of the Arch Motors structure the total stated floor area of which is 701 square metres.
  - Change of use of the remaining portion, a stated floor area of which is 72 square metres, to use as a shop,
  - Construction of a single storey (incorporating a mezzanine plant deck) licensed discount foodstore incorporating ancillary off license the total stated floor area of which is 1,771 square metres of which the net sales area is 1,193 square metres at the side of the shop.
  - 110 car parking spaces.
  - A free standing six metres high sign with a logo sign, (2100 x 2100 mm) and signage on the building façade.

- 2.2. A trolley bay enclosure, roof mounted solar panels, lighting, hard and soft landscaping, cycle parking refrigeration and air conditioning facilities.
- 2.3. The application is accompanied by a retail impact assessment report.
- 2.4. Further information was requested from the applicant on 30th January, 2020 to which a detailed response was lodged on 20<sup>th</sup> April, 2020.

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

- 3.1.1. By order dated, 12<sup>th</sup> June, 2020, the planning authority decided to grant permission for the proposed development subject to conditions mainly of a standard nature for convenience retailing developments.
- 3.1.2. Under condition No 7 there is a requirement for the agreement of the Irish Aviation Authority and the operators of the Helipad ((for UCHG) following consultation regarding the use of a crane during construction. There is also a requirement that all lighting, solar panels and glazing be such that glare is not generated that would disrupt operations at the helipad.

#### **3.2. Planning Authority Reports**

##### **3.2.1. Planning Reports**

- 3.2.2. The planning officer in his initial report recommended a multiple item request for additional information which was issued to the applicant in respect of legal consent issues, potential for impact on flight operations for the helipad for the Hospital, building form and design, technical details relating to turning radii and vehicular access, site selection for TRICS analysis and trip generation rates, lighting, mobility management planning on-site parking, (shortfall of 27 spaces) electrical charging points, permeability, boundary treatment and outdoor artwork.
- 3.2.3. In the initial report of the planning officer it is stated that the submitted retail impact assessment was examined having regard to the criteria in section 4.9 of the Retail Planning Guidelines 2012, to establish local need and was considered satisfactory.

3.2.4. The comprehensive response to the additional information request, lodged on 20<sup>th</sup> April, 2020 with the planning authority, which was assessed by the planning officer, in consultation with the Roads Section as being satisfactory subject to details, such as design for the access at the junction on the public road being addressed by way of compliance with conditions.

### 3.3. **Other Technical Reports**

- 3.3.1. The **Roads** Section in its report dated 15<sup>th</sup> January, 2020 indicates recommendations for an additional information request in respect of the TRICS and Traffic and Transportation Assessment regarding the appropriateness of the trip generation rates used and site selection and a request for a revised Traffic and Transportation Assessment report is recommended. Existing queuing lengths at the Seamus Quirke Road and Bishop O'Donnell Road junction used for the junction analysis are considered to have been under-estimated. Also recommended are requests for additional information regarding the proposals for, the alterations to the roads layout access arrangements, HGV turning facilities, tactile paving, electric vehicle charging points, lighting design standards and, for a mobility management plan to be submitted.
- 3.3.2. The supplementary report of 22<sup>nd</sup> April, 2020 indicated acceptance of the further information along with a recommendation for outstanding issues in respect design for the access at the junction addressed by condition along with standard conditions.
- 3.3.3. The **Drainage Section** report dated 30<sup>th</sup> December, 2019 indicates no objection to the surface water drainage proposals.

The **Environment Section's** report indicated satisfaction with the proposed development subject to waste management conditions

Irish Water's report indicates no objection the proposed development subject to standard conditions.

### 3.4. **Third Party Observations**

- 3.4.1. Three submissions were lodged with the planning authority. The submission of the HSE, the Appellant party indicates concern as to conflict with and impact on the

operation of the helipad services associated with the hospital at construction and at operational stages.

- 3.4.2. The other issues raised in the submissions, include matters relating to legal interest, traffic generation and additional turning movements contributing to congestion. Excessive supply of convenience retailing in the area, the location is not a designated district centre, insufficient carparking provision.

## 4.0 Planning History

- 4.1.1. There is no relevant recent planning history for the application site. Permission for an extension to the existing showrooms and shop building was granted under P. A. Reg. Ref 03/246 service station/ shop, and permission for perimeter fencing and flagpoles was granted under P.A. Reg. Ref 05 660.

## 5.0 Policy Context

### 5.1. Development Plan

- 5.1.1. The operative development plan is the Galway City Development Plan 2017-2023 according to which the site area, along with that of the adjoining West City Centre in which Aldi is the anchor store is subject to the zoning objective "C1": Commercial /Industrial. *"To provide for enterprise, light industry and commercial uses other than those reserved for the CC zone."*
- 5.1.2. According to Section 11.2.6, Uses provided for the C1 zone are: Warehousing and Storage, *"Retail of a type and scale appropriate to the function and character of the area" specialist offices and offices of a scale appropriate to the character of the area, light industry, travellers accommodation, childcare and community or cultural facilities*". Other uses open for consideration are, a range of services, service retailing, utilities and infrastructure. There is a specific objective Section 11.2.6, according to *which bulky goods and local retailing needs only can be considered in C1 zoned areas not provided for in the Retail Hierarchy at or adjacent to several named locations which include the Seamus Quirke Road.*
- 5.1.3. Carparking spaces at 1 space per 15 square metres gross floor area. Table 11.5 of CDP.

5.1.4. The Westside Shopping Centre on the opposite side of the Seamus Quirke Road and a short distance is within an area designated as, “District Centre”. (Figure 10.9) It is one of three designated District Centre (Level 3 Centres) in the Retail Hierarchy in the CDP in the west of the city the other two being Knocknacarra the west and Doughiska in the east suburbs.

## 5.2. Strategic Guidance.

### 5.2.1. Retail Planning: Guidelines for Planning Authorities, (DOECLG, 2012) (RPG)

Section 28 Strategic guidance providing for a strategic approach and cohesive plan led retail development and seeks to.

- Ensure that retail development is plan-led.
- Promote city/town centre vitality through a sequential approach.
- Secure competitiveness in the retail sector by actively enabling good quality development proposals to come forward in suitable locations.
- Facilitate a shift towards increased access to retailing by public transport, cycling and walking in accordance with the Smarter Travel strategy; and
- Deliver quality urban design outcomes.

5.2.2. The proposed discount food-store comes within the category, “Supermarket” as provided for in the description in Annex 1. *“A single level self-service store selling mainly food, with a net retail floorspace of less than 2,500 square metres.”*

Development Management guidance is in section 4 with criteria that should be addressed in a retail impact assessment provided in Section 4.9.

### 5.2.3. Retail Design Manual: A Companion Document to the Retail Planning Guidelines DoAHG (April 2012).

This is a companion document to the Retail Guidelines which emphasizes the need for high quality design that is appropriate to the character location and configuration of the site and its environs to improve the urban grain, pedestrian permeability and provide for high quality design and finishes.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

6.1.1. An Appeal was received from MKO on behalf of the Health Service Executive, (University College Hospital, Galway) on 9<sup>th</sup> July, 2020 according to which there is concern as to potential for interference with the aviation operations associated with the helicopter services and the helipad for the Hospital. It is stated that:

- There is a service level agreement (SLA) for aeromedical services with the Departments of Transportation and Health.
- Circa 50 per cent of all hospital movements are accounted for by the helipad operated at UHG a model 4 hospital providing tertiary care for the region with a population of 800,000 and it is critical that these operations are unaffected by the proposed development.
- The amenity lands adjacent to the hospital campus have been leased as part of a Part 8 process for use as a temporary helipad during construction of a carpark on the hospital campus.
- There is engagement with the planning authority on a long term solution for heliport facilities and is taken into consideration in the Galway Transportation Planning Study in relation to the formulation of a public transportation route through the hospital campus and a permanent heliport facility, adjacent to the application site has been agreed in principle, and subject to design.

6.1.2. It is the Appellant's case that:

- the request, in the additional information request for a report to be prepared by a competent person on this issue was not satisfactorily addressed in the further information response in which it is suggested that the matter be referred to the Aviation Authority.
- The onus is on the applicant, who is not precluded from undertaking a comprehensive and robust assessment in the context of the flight operations of the helicopter services to fully assess the potential impact on current and future operations of the helipad.



- The decision to grant permission with a condition attached whereby the applicant is requested to contact and reach agreement with the Irish Aviation Authority and the operators of the helipad is not satisfactory. (Condition No 7 refers.)
- A comprehensive Construction and Operational Management Plan prepared by an aviation expert inclusive of consultation with all experienced stakeholders associated with the operation of the helicopter services and a glint and glare assessment is required.
- A more comprehensive assessment of the potential impact on aviation activity by the planning authority is also warranted.

## 6.2. Applicant Response

- 6.2.1. A submission was received from the Planning Partnership on behalf of the applicant on 11<sup>th</sup> August, 2020. Attached is a report by “Proteus Group”, an Aviation Consultancy in which it is stated that it was compiled by a pilot with relevant post graduate qualifications, flying and instructional experience including search and rescue operations and that a qualified engineer provided consultation on the effect of glint and glare on flightpaths.
- 6.2.2. The report comprises an operational management plan, glint glare and analysis and, assessment of influence on the current, temporary and proposed future Final and Take Off areas, (FATO) based on calculations used by the European Union Aviation Safety Agency, (EASA) According to the report, for each FATO obstacle clearance requirements are exceeded, although only just exceeded in the case of the temporary FATO leaving no scope for flexibility.

## 6.3. Planning Authority Response

There is no submission from the planning authority on file.

## 6.4. Observations

A submission was received from **RGDATA** on 4<sup>th</sup> August, 2020 according to which:

- There is a generous over-provision of convenience stores/supermarkets in the western suburbs area and a concurrent proposal for a LIDL store at Ragoon. Permission has been refused for a LIDL store at Ballymoneen in November, 2015 on grounds that there is not an adequate case for the quantum or type of retail facility proposed. (PL 61 245218 refers.) A similar reason for refusal of permission applies to the current proposal. There is a proliferation of planned and permitted convenience stores in the suburban areas of Galway resulting in a cumulative effect on the vitality and viability of existing developments and the central city area. There have been ten successful discount store applications in the last ten years according to the planning register.
- Furthermore, this year the impact of COVID 19 has a catastrophic impact on retailing in the city centre where there is a high vacancy rate. This is highlighted in the Northern and Western Regional Assembly's publication "*Covid-19 – Regional Economic Analysis*"
- The site location is 1.6 km from the area subject to the city centre (CC) zoning objective designated as the core shopping area in which the retail strategy seeks to protect and reinforce as the, level '1' prime retail area in the county and western region according to the CDP. The supermarket and enlarged service station materially contravenes the RSES, CDP's retail strategy, which is accepted under the RPGs. There is no justification for the proposed development having regard to the retail hierarchy incorporated in the CDP, especially the location is not provided for in the retail hierarchy and is not a designated 'neighbourhood' or 'district' centre. The site is an 'out of centre' location.
- The proposed development would compromise the future development of the large retail store (Net floor area 1,520 square metres) permitted under P. A. Reg. Ref.07/748 and 12/431 located within the core of the District Centre which is to the south west of the adjoining Aldi store.
- The proposed development is premature pending a review of the Westside District Centre designation.

- The applicant's retail impact assessment is not reliable. There are unsatisfactory issues with regard to the modelling, the size the catchment, the sequential testing having regard to Section 6.9 of the CDP. It is without foundation and provides no justification for the proposed development. There are also some inaccuracies in documentation size and floor space.
- The proposed extension to the service station shop is excessive in an undesignated area and results in a unit with an overall net floor area of 257.5 square metres. This is discouraged in para 4.11.9 of the RPGs. The overall combined net floor space with the supermarket at 1,192.7 square metres is 1,449.9 square metres. A retention application may be necessary to regularise the status of the 186 square metres floor area of the existing shop.
- The proposed development is not compatible with the 'C1' zoning objective providing for enterprise light industry and commercial uses and its specific development objectives and in which retail of a scale and type appropriate to the function of the area and bulky goods and local needs retailing are the only needs can be considered. It would set undesirable precedent.
- The proposed development of a stand-alone monotonous glass box type supermarket in a typology that deprives this high profile site of its opportunity for a more sustainable and intense mixed use urban development that is consistent with land efficiency befitting the C1 zoning objective. It is a visually prominent site requiring high quality urban design and public realm intervention.
- The access arrangements are unsatisfactory in not catering adequately for the turning movements which can be further compromised for customers and deliveries if a signalised roundabout is introduced to the north east. There is a lack of dedicated footpaths resulting in conflict between vehicular and pedestrian movements. No road safety audit has been carried out. A parking requirement of 140 spaces is required according to table 11.5 of the CDP but there is short fall of thirty or twenty-one percent which is unacceptable given the nature of use and will lead to unauthorised parking.

It is requested that permission be refused.

## 6.5. **Further Submission of the Appellant.**

A further submission was lodged with the board on 10<sup>th</sup> September, 2020. In the submission it is stated that the range of mitigation measures proposed for both the construction and operational stages, details of which are provided in the Aviation Assessment, the Preliminary Operations Waste Management Plan and the Construction and Demolition Waste Management Plan are acceptable and the proposed point of contact/notification procedure is supported. In addition, it is suggested that facilities be made for audit, ad hoc inspections and reviews of procedures in so far as is required to address any issues of concern arising. Should permission be granted it is requested that an appropriate condition be attached.

## 7.0 **Assessment**

7.1. The sole issue within the appeal is as to whether the proposed development would have potential for interference with the aviation operations associated with the helicopter services of the HSE for University Hospital, Galway and its catchment. This matter is considered first below.

### 7.2. **Potential for interference with aviation operations for University Hospital Galway.**

7.2.1. The characteristics of the existing and proposed structures and the findings of the assessment conducted on behalf of the applicant and included in the further information submission is suggestive that there is no conflict, with the operation of the helicopter service, having regard to the three helipad locations at operational and or at construction, subject to liaison between the parties. The observations in the supplementary submission of the Appellant indicates confirmation that subject to implementation of and adherence to the mitigation measures ad compliance with conditions at construction and operational stages and ongoing liaison, monitoring and review. While it is indicated that the issues of concern are resolved to the satisfaction of both parties, it is recommended, in the event of possible favourable consideration of the proposed development, that that application, including the technical report (Proteus) provided in the further information submission be referred to the Irish Aviation Authority, which is a prescribed body and therefore a statutory

consultee for its observations and recommendations prior to determination of a decision.

7.2.2. In this regard it is noted that there is no record of observations by the Irish Aviation Authority having been invited or made available to the planning authority prior to the determination of its decision and it is not apparent that any consultations between the Irish Aviation Authority and the applicant took place prior to place, following lodgement of the application.

7.3. In the event of favourable consideration of the proposed development in all other respects, it is recommended that the report included with the appeal be referred to the Irish Aviation Authority for its observations and recommendations,

7.4. On **de novo** consideration and with regard to the matters raised in the observer submission, the issues considered below under the following subheadings are:

Justification for Proposed Development in Principle: Strategic and Local Retail Policy.

Design and Layout – Urban Design.

Parking

Traffic Circulation and Trip generation.

Legal Interest

Environmental Impact Assessment Screening

Appropriate Assessment Screening.

7.5. **Justification for Proposed Development in Principle: Strategic and Local Retail Policy.**

7.5.1. The West City centre which adjoins the application site is anchored by an Aldi store and a Dunnes Stores is located the Westside Shopping Centre also within the District Centre.

7.5.2. Setting aside the supermarkets, the most directly comparable “discount stores”, namely Aldi and LIDL are distributed across the city suburbs and are not co-located. (Aldi stores are at West City, Galway Retail Park and Knocknacarra District centres.

Lidl are at Wellpark, Doughiska and Headford Road.) In the case of the current proposal, the proposed store is, in effect, co located with the adjoining Aldi Store.

- 7.5.3. There is no doubt that these stores have become comparable to supermarkets although it is sought in the retail impact assessment submitted with the application to clearly distinguish established supermarkets from, discount stores with reliance of the net floor area and a range of lines offered whereas this discount was dropped from current Retail Planning Guidelines.
- 7.5.4. There is a reasonable expectation that these discount store' competitors which are directly comparable and 'would share and significantly overlap in the retail offer, customers and the same 'local' catchment. The proposed development if permitted would provide for clustering of convenience retailing outlets at a location not primarily designated for convenience retailing resulting in convenience retailing facilities that exceeds the needs of a local catchment. The outcome would be at variance with the intent of the specific objective whereby, "*..... local retailing needs only can be considered in C1 zoned areas not provided for in the Retail Hierarchy at or adjacent to several named locations which include the Seamus Quirke Road*". Furthermore, there is concern as to assurance that the convenience retailing, and the consolidation of the Westside designated district centre is not adversely affected by diversion of convenience retailing from it. These considerations are not taken into account in the submitted Retail Impact Assessment report and the planning officer report.
- 7.5.5. However, separately, given that the application is for convenience retailing development at a supermarket/discount food store it is agreed that impact on viability and vitality of the city centre would be immaterial and that sequential testing is only be warranted for establishing potential trade diversion of high-end comparison retailing from the city centre.
- 7.5.6. The revised size retail element for the filling station shown in the further information submission is consistent with the recommendations in the Retail Planning Guidelines.
- 7.5.7. There is no dispute that the application site is underutilised and in need of regeneration benefitting the area and the interests of sustainable development and consolidation of the cities and towns as provided for in the National Planning

Framework. The objective of the C1 zoning provide for enterprise, light industry and commercial uses other than those reserved for the CC zone is appropriate for maximisation economic and employment development potential. In this regard it is agreed with the observer party that a discount store development is not the optimal future land use in that it does not provide for high employment and a high proportion of site coverage is taken up by surface carparking. Furthermore, there is a potential opportunity cost of delivery of a more intensive and efficient utilisation of the site for industrial, enterprise or commercial development as primarily provided for in the 'C1' the zoning objective.

## **7.6. Design and Layout and Urban Design.**

- 7.6.1. The application taking into account the modifications to the layout and design shown in the further information submission provides for a layout, building, landscaping and boundary treatment and selection of materials and finishes that are visually acceptable. However, it is considered that the characteristics of the design and layout are more suited to outer suburban as opposed to inner suburban areas, given the relatively low intensity of development, and extensive areas allocated to surface carparking and setbacks from the road frontage, (similar to that of the existing building) whereby there is lack of definition of a front building line.
- 7.6.2. The capacity of the proposed development to deliver optimum and compact and higher density use a previously developed underutilised site within the urban area and as such is at variance with the *Retail Design Manual: A Companion Document to the Retail Planning Guidelines* DoAHG (April 2012) having regard to the principles section 6 "Density and Mixed Use". These considerations are similar to the concerns regarding justification for the proposed development considered above regarding underutilization of the site, given the zoning objectives and inner suburban location, the proposed development and opportunity cost with regard to potential for consideration of more intensive sustainable alternative development at the site.

## **7.7. Parking.**

- 7.7.1. The shortfall in provision for the revised proposal is twenty-five spaces, a total of 110 being provided whereas there is a requirement for 125 spaces having regard to the

carparking spaces at 1 space per 15 square metres gross floor area in Table 11.5 of CDP. Although concerns are indicated in the initial Transportation Department and planning officer reports that the shortfall in parking provision the applicant was not requested to address this matter in the additional information request. Coupled with requirements for the provision of EV charging points which requires two dedicated spaces there is likely to be a slight increase in the shortfall. The layout which incorporates short term use allocation for both stores is desirable and appropriate as a measure to discourage unauthorised casual parking in non-designated areas.

7.7.2. There are alternative travel options given the location on a public transportation and cycle route and with walking distance of some of the catchment particularly for staff as indicated in the submitted mobility management plan which are options to be encouraged, in the interests of sustainable transport. Overall, notwithstanding shortfall, it is considered that the quantum and layout of the on-site parking provision is acceptable.

## **7.8. Traffic Circulation and Trip generation.**

7.8.1. Revisions to the TRICS trip rate data with reference to other LIDL store developments and with regard to the filling station and fuel store along with the observations as to prior trip generation by the Arch Motors development are considered reasonable. No further objections are raised in the supplementary Transportation' Department's report.

7.8.2. The proposed pedestrian routing and crossings and cyclist facilities within the site and at the access junction within and at Seamus Quirke Road are generally consistent with DMURS standards which do allow for some encroachment of the centre line by HGV vehicles. It is stated in the applicant's submissions that HGV traffic which would approach from the north east off the N6 along the Seamus Quirke Road (R338). The level of HGV trips is raised in the transportation report. However, it is noted that HGV trips for LIDL stores are usually be confined to daily deliveries and it appears that fuel deliveries for the filling station would be relatively infrequent. Should permission be granted the recommended condition included in the final transportation department report for a compliance submission in relation to widening of the mouth of the entrance. (R338).



7.8.3. The proposed development is considered acceptable with regard to the safety and flow and circulation of traffic, pedestrian safety, on-site parking provision, notwithstanding the shortfall in quantum of spaces and amenity.

#### **7.9. Legal Interest.**

7.9.1. Clarification as to the requirement for consent of the adjoining landowner were addressed in the further information submission in which a revised site layout was submitted. However, as provided for in section 34 (13) of the Planning and Development Act, 2020 as amended a grant of permission does not provide for an entitlement to implement a grant of permission as this is outside the scope of the planning code.

#### **7.10. Environmental Impact Assessment Screening.**

7.10.1. Having regard to the nature of the existing and proposed development and its location in a serviced urban area, removed from any sensitive locations or features, there is no real likelihood of significant effects on the environment. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

#### **7.11. Appropriate Assessment Screening.**

7.11.1. Having regard to the location of the site which is on serviced land, to the existing development and in the vicinity and, to the nature and scale of the proposed development, no appropriate assessment issues arise, the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

### **8.0 Recommendation**

8.1.1. In view of the foregoing, it is recommended that the planning authority decision be overturned, and that permission be refused based on the reasons and considerations set out below.

8.1.2. However, in the event that it is decided that permission should not be refused based on these reasons and considerations, it is recommended that the Irish Aviation Authority, prescribed body, be consulted prior to determination of the decision.

- 8.1.3. Should permission be granted, finalisation of details on the entrance layout as raised in the Transportation Department's report, surface materials, signage, lighting, a sculpture/artwork feature, drainage, can be addressed by conditions.

## 9.0 Reasons and Considerations

Having regard to:

- The Galway City Development Plan 2017–2023 according to which the site is within an area subject to the zoning objective: 'C1': Commercial /Industrial. *"To provide for enterprise, light industry and commercial uses other than those reserved for the CC zone"* and,
- to section 11.2.6 therein according to which bulky goods and local retailing needs only can be considered in 'C1' zoned areas not provided for in the Retail Hierarchy at or adjacent to several named locations which include the Seamus Quirke Road;
- To the adjoining West City Centre within the area subject to the C1 zoning objective in which there is an existing discount foodstore/supermarket;
- To the proximity of the site to the designated District Centre at West Side Shopping Centre;
- To the limited nature, extent and intensity of the proposed development.
- The interests of the proper planning and sustainable development of the area.

The Board is not satisfied:

That the level of intensity of development and nature of the proposed development constitutes effective and efficiency of land-use which is sufficient to contribute to the delivery of employment creation and economic development on a serviced inner suburban site on an arterial route designated for enterprise, light industry and commercial uses and,

That a satisfactory case has been made, based on local retailing need for the quantum and nature of convenience retailing development proposed in the context of Section 11.6.2 of the Galway City Development Plan, 2017-2023.

As a result, the proposed development would be contrary to the proper planning and sustainable development of the area.

**Jane Dennehy**

Senior Planning Inspector

12<sup>th</sup> October, 2020.