



An
Bord
Pleanála

Inspector's Report

ABP-310902-21

Development	Demolition of existing structures and construction of a single-storey discount foodstore (with ancillary off-licence sales) of 2,494sqm gross floor space.
Location	Colm Quinn Motorstore, Athlone Business Park , Dublin Road
Planning Authority	Westmeath County Council
Planning Authority Reg. Ref.	21234
Applicant(s)	Lidl Ireland GmbH.
Type of Application	Permission.
Planning Authority Decision	Refuse permission.
Type of Appeal	First Party
Observer(s)	None.
Date of Site Inspection	15 th November 2021.
Inspector	Barry O'Donnell

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1.0 Site Location and Description

- 1.1. The subject site has a stated area of 1.06ha and is located south-east of Athlone town centre, within Athlone Business Park. The is currently in use as a car sales showroom (Colm Quinn Motorstore) and contains a showroom building with an area of 1,983sqm and an expansive area of surface parking, which wraps around the north, west and south sides of the building. Access to the site is provided from Athlone Business Park.
- 1.2. The Business Park contains a mix of uses, including an existing Lidl store on the opposite side of the road, offices and storage and logistics businesses. The Business Park is on land that is below the adjacent R446.
- 1.3. The Creggan Centre Neighbourhood Centre and Kilmartin N6 Centre lie to the south of the site. The Neighbourhood Centre contains a petrol filling station and local shop, the Creggan Hotel and a limited mix of commercial and fast-food/take-away uses. The Kilmartin N6 Centre is a retail park which is anchored by Woodies DIY and DID Electrical. A detached residential property lies between the subject site and the Kilmartin N6 Centre.

2.0 Proposed Development

- 2.1. The proposed development entailed within the public notices comprised the following: -
 - Demolition of structures on site (including dismantling and removal of the car sales showroom structure for reuse elsewhere);
 - Construction of a single storey discount foodstore (with ancillary off-licence sales) of 2,494sqm gross floor space,
 - New public plaza fronting onto Dublin Road,
 - Provision of 128 surface car parking spaces (including electrical vehicle charging spaces) and cycle parking,
 - Reuse of and alterations to existing northerly vehicular access and closure of the southerly vehicular access,

- Various pedestrian access points and boundary treatments (including a new pedestrian access point in the existing wall on the northern boundary of the site) and retaining structures,
- Associated site works, which include trolley bay enclosure, hard and soft landscaping, drainage, roof level plant including PV panels, ESB substation and signage consisting of store signage and a flagpole sign.
- The proposed store will replace the applicant's existing trading store, which is located immediately to the north-west of the site.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. The Planning Authority refused permission on 24th June 2021, for 2 reasons as follows: -

1. *The proposed development, by reason of its scale, extent and siting outside of any retail tiers identified in the retail hierarchy set out in the Athlone Joint Retail Strategy 2019-2026 would if permitted, be contrary to the overall objectives of said strategy. Furthermore, and in the absence of a sequential assessment accompanying this application, it has not been demonstrated that there is not a more suitable site(s) within the retail hierarchy available for accommodating retail development of the type proposed. In this regard, to permit the current proposal would be contrary to the relevant provisions of the Athlone Town Development Plan, in particular Policy SRP3: Sequential Approach of the Athlone Joint Retail Strategy, and would not accord with the principles of the Sequential Development Approach as set out in ministerial guidelines – 'Retail Planning Guidelines for Planning Authorities' (2012). As such, it is considered that the proposed development could adversely impact on the vitality and viability of the retail core in Athlone, would contravene the Athlone Joint Retail Strategy (variation 4 to Athlone Town Development Plan 2014-2020) and would therefore be contrary to the proper planning and sustainable development of the area.*
2. *It is considered that the siting of a supermarket on this prominent site would constitute adhoc, piecemeal development at an out-of-town location, removed*

from established and permitted residential development and would give rise to unsustainable traffic movements which is contrary to national and local policy on active travel. In this regard, to permit the development as proposed would result in an unintegrated use which would materially contravene the landuse zoning objective prescribed for the site – objective O-LZ4 of the Athlone Town Development Plan ‘To provide for enterprise, employment and related uses including industrial and service uses such as Class 3 offices, which due to their scale or nature cannot be located within the town centre’ and would therefore be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

- 3.2.1. A planning report dated 23rd June 2021 has been provided. The report notes the out-of-town centre site location and the Enterprise and Employment zoning objective which applies, under which the proposed development was considered to constitute a material contravention. The development was also considered to be contrary to policies and objectives of the county retail strategy, Athlone town development plan and Athlone joint retail strategy, due to its nature and scale and location outside of the designated opportunity sites.
- 3.2.2. Regarding retail impact, the report states that no Retail Impact Assessment was provided with the application. It was considered that there is no demonstrable qualitative or quantitative need for the development in the proposed location and that a legacy file associated with an established supermarket which adjoins the site does not adequately justify non-compliance with national guidelines and local policy with regard to relocation and intensification of use on a neighbouring site. In view of this, the development was considered to be inconsistent with the joint retail strategy and retail planning guidelines as the sequential test had not been applied. It further states that the development would compromise competitiveness in the retail sector as it has the potential to undermine the goal of maintaining the vitality and viability of the town core. It also states that a grant of permission for the development, in the absence of a Retail Impact Assessment would set a precedent and would be contrary to the proper planning and sustainable development of Athlone.

- 3.2.3. Regarding design and layout, the report considered the proposal to be that of a typical supermarket, dominated by surface car parking and albeit with improved materials and the provision of a public plaza. It states the development fails to present a development that can integrate the principles of good urban design and place-making.
- 3.2.4. Regarding access and parking, the report noted the District Engineer's advice that there is a shortfall in proposed parking, and also expressed concern that the development would give rise to unsustainable traffic movements, in view of the out of centre location.
- 3.2.5. The report recommended that permission be refused for 2 reasons, which are consistent with the Planning Authority's decision to refuse permission.
- 3.2.6. Other Technical Reports

A **District Engineer** report dated 16th June 2021 has been provided, which outlines no objection to the development subject to a number of conditions, including requirement for a levy in lieu of a parking shortfall of 22 spaces, that 5% of spaces should be designed for disabled parking and that 10% of parking spaces should be provided with electric vehicle charging points and that the remaining spaces should be capable of accommodating future charging points.

A **Fire Officer** report dated 18th May 2021 has been provided, which does not object to the development, subject to a number of recommended conditions.

3.3. **Prescribed Bodies**

- 3.3.1. The HSE (Environmental Health Office) made a submission on 3rd June 2021, which made a number of recommendations in respect of potable water and drainage proposals and also recommended that the HSE should be directly consulted in respect of the food business aspect of the development.
- 3.3.2. Irish Water made a submission dated 20th May 2021, advising that it had no objection to the development.

3.4. Third Party Observations

3.4.1. One submission was received, from Avison young on behalf of Tesco Ireland, the issues raised within which can be summarised as follows: -

- Concerns were expressed that the proposal is a non-conforming use under the zoning.
- Concerns were expressed that the proposal for a single use development represents an underdevelopment of the site. The submission stated that there is an opportunity to redevelop the site to provide a mix of uses that aligns with the zoning.
- Concerns were expressed that the development is located outside of Athlone's designated retail core area. It was considered to be a significant development that does not support the objectives of the development plan.
- The proposed design and layout are considered to be misaligned with key objectives of the retail planning guidelines and the associated retail design manual.
- Chapter 6 of the Retail Design Manual discourages the use of single storey floorplates with a large surface car park, as is proposed.
- In view of the site location, a development providing a stronger building edge, an animated streetscape and high quality landscaping should be provided.

4.0 Planning History

95170 - Permission granted on 16th October 1995 for the erection of an industrial warehouse and office accommodation.

97329 - Permission granted on 14th June 1997 for an industrial unit including office accommodation and access road.

991290 - Permission granted on 2nd December 1999 for change of use of existing industrial unit to call centre and ancillary offices from that granted under 97/329.

051166 – Permission granted on 6th October 2005 for change of use from a William Hill tele-betting centre building to a car sales building including showroom with additional ground floor space, workshops, parts storage, offices, ancillary accommodation, external car dispensary area, removal of the existing first floor, alterations to the existing elevations, new signage incorporating totem poles, replacement of front boundary wall with stainless steel railing, additional carparking and associated site work

Relevant Nearby Planning History

99288 - Permission granted on 2nd December 1999 for a single storey 1,225sqm discount foodstore with car parking, signage and associated site works.

091122 - Permission granted on 24th February 2010 for extensions and modifications to existing Lidl discount foodstore to include a) Single storey pitched roof extension (324 sq.m.) to the existing approved retail and store areas and associated internal modifications. b) New flat roofed entrance portico and integrated storage room (21sq.m.). c) 2 no. building mounted, back-lit illuminated signs. d) Replacement of existing gable and fascia cladding with zinc cladding. f) Modified carparking layout to provide 77 No. car spaces g) All Associated site development works.

Permission was subsequently granted under Reg. Ref. 101040 for modifications to the approved extension, to include a) proposed additional extension of 27sq.m to previously approved store(total 48 sqm), b) revised entrance canopy to include modular panels and removal of existing pitched roof. c) relocation of previously approved 2 no building mounted, back-lit illuminated signs.

5.0 Policy Context

5.1. Ministerial Guidelines

Guidelines for Planning Authorities Retail Planning (2012)

5.1.1. The Guidelines acknowledge that the retail sector is a key element of the national economy in terms of employment, economic activity and the vitality of cities and towns. A key aim of the Guidelines is that the Planning Authority planning system

should promote and support the vitality and viability of city and town centres in all their functions.

5.1.2. Section 2 outlines five key objectives which are intended to guide and control retail development, namely: -

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

5.1.3. Section 4.4 contains guidance on the sequential approach to retail development. It outlines an order of priority for retail development, directing the retail development should be located in city and town centres (and district centres if appropriate) and that edge-of-centre or out-of-centre locations should only be considered where all other options have been exhausted.

5.1.4. For proposals in edge-of-centre and out-of-centre locations, it must be demonstrated that there are no sites or potential sites either within the city or town centre (or designated district centre) or, as relevant, on the edge of the given centre that are (a) suitable (b) available and (c) viable. Advice is also provided in relation to the issues of suitability, availability and viability.

5.1.5. Section 4.11.1 states that large convenience stores comprising supermarkets, superstores and hypermarkets should be located in city or town centres or in district centres or on the edge of these centres and be of a size which accords with the general floorspace requirements set out in the development plan/retail strategy. The guidelines define a supermarket as a single level, self-service store selling mainly food, with a net retail floorspace of less than 2,500sqm.

Retail Design Manual (2012)

- 5.1.6. The companion document to the Retail Planning Guidelines promotes high quality urban design in retail development, to deliver quality in the built environment. It sets out 10 principles of urban design to guide decisions on development proposals.

5.2. National Planning Framework

- 5.2.1. Athlone is identified as a regional centre in the Midlands (NPO 2b and Section 2.1) and NPO 2b states that it will be identified and supported within the RSES.
- 5.2.2. Section 3.2 states that *'Due to strategic location and scale of population, employment and services, Athlone has an influence that extends to part of all three Regional Assembly areas. Given the importance of regional interdependencies, it will be necessary to prepare a co-ordinated strategy for Athlone at both regional and town level, to ensure that the town and environs has the capacity to grow sustainably and to secure investment, as the key regional centre in the Midlands.'*

5.3. Midlands Regional Spatial and Economic Strategy 2019-2031

- 5.3.1. Section 6.5 relates to specific sectors, including retail. It acknowledges that the retail sector is a significant employer and economic contributor in the Region and that it plays a key role in placemaking and creating attractive liveable environments. Regional Policy Objective RPO 6.11 states that *'Future provisions of significant retail development within the Region shall be consistent with the Retail Planning Guidelines for Planning Authorities 2012, or any subsequent update, and the retail hierarchy for the Region, expressed in the RSES, until such time as this hierarchy is updated.'*
- 5.3.2. A number of Regional Policy Objectives are relevant to Athlone: -
- RPO 4.4: 'A cross boundary statutory Joint Urban Area Plan (UAP) for the Regional Growth Centre of Athlone shall be jointly prepared by Westmeath and Roscommon County Councils in collaboration with EMRA and NWRA. The UAP will support, the development of Athlone as an attractive, vibrant and highly accessible Regional Centre and economic driver for the centre of the Country.
- RPO 4.5: Promote Athlone as a key location for regional economic development supporting the provision of increased employment through the expansion of the existing enterprise ecosystem in Athlone and smart specialisation, that have

developed through collaboration with the relevant enterprise agencies including the IDA, Athlone Institute of Technology and the Midlands Innovation and Research Centre and support the provision of physical infrastructure and zoned lands to realise the phased delivery of strategic employment lands in central accessible locations.

5.4. Westmeath County Development Plan 2021-2027

- 5.4.1. The Westmeath County Development Plan took effect on 3rd May 2021.
- 5.4.2. Section 2.9 of the Plan relates to the Regional Growth Centre of Athlone and it outlines that key priorities of the RSES are to promote its continued sustainable and compact growth as a regional driver providing for an enhanced public realm and regeneration in the town centre along with significant employment growth linked to the further development of Athlone Institute of Technology (AIT) and building on the town's existing strong economic base and enterprise clusters. The section also states that the Joint Retail Strategy by Westmeath and Roscommon County Councils will augment the development of Athlone as a regional shopping destination.
- 5.4.3. Core Strategy Policy CPO 2.3 states that it is a policy objective to: -
'Prepare a joint statutory Joint Urban Area Plan (UAP) for Athlone with Roscommon County Council in collaboration with EMRA and NWRA.'
- 5.4.4. Section 5.13.16 relates to Retail. It contains the following policy objectives: -
CPO 5.67: Ensure that all retail development permitted accords with the relevant requirements and criteria as established within the "Retail Planning Guidelines for Planning Authorities" 2012 and the "Westmeath County Retail Strategy 2019-2026" (or any subsequent update).
CPO 5.68: Permit retail development of a size and scale which is appropriate to the level of the town/settlement area, including its population, as defined within the County Retail Hierarchy. This policy will aim to consolidate and reinforce all existing retail enterprises within the County and permit the development of additional retail floorspace where such development is deemed to be appropriate by Westmeath County Council.

CPO 5.69: Support and promote the sustainable development of the retailing sector throughout the County, with a recognition of the importance of SMEs to this domestic sector of the local economy.

Westmeath County Retail Strategy 2019-2026

- 5.4.5. Appendix 4 of the development plan contains the County Retail Strategy. Objectives of the strategy include: -

Objective 2: To confirm a County Retail Hierarchy which assists in achieving the County and Regional Settlement Strategies and their objectives and provides clear guidance on where major new retail floorspace would be acceptable.

Objective 3: To provide the retail land use and planning policy framework that harnesses the potential of Mullingar and Athlone's role within the national and regional economies and to ensure that the County and these two key settlements fully play their role in achieving the objectives and targets of the National Planning Framework and associated RSES'.

Objective 6: To reinforce the hearts of town and village centres as the priority location for new retail development, with quality of design and integration/linkage being key underpinning principles.

Objective 7: To ensure that the retail needs of the County's residents are met as fully as possible within Westmeath to enable a reduction in the requirement to travel to meet these needs and in the interests of achieving greater social inclusion and accessibility to shopping and services across all sectors of the community.

- 5.4.6. Athlone is identified within the Strategy as a Tier 1 Regional Growth Centre. The Core Retail Area for the town, along with the development opportunity sites and retail hubs identified in the Sequential Approach within the 400-metre distance of the Core Retail Area, is identified on Map 3 of Appendix 1. Section 7.7.2 states that the Core Retail Area for the town has been modified from that defined in the Athlone Town Development Plan and has been reduced in size.
- 5.4.7. Section 7.3.1.3 entails the strategic approach and policy controls for further retail development in Athlone and it identifies a priority to continue and enhance convenience and mainstream comparison shopping in the town's core retail area but, it acknowledges that due to the fine grain morphology of the core retail area, further

growth will be difficult to achieve there. A suite of development opportunity sites is identified, contained on Map 3 of Appendix I, which are intended to underpin further growth in the town. A suite of neighbourhood centres is also identified on Map 1 of Appendix I, which are intended to serve the shopping needs of suburban residential areas but it is stated that they should not have the scope or potential to undermine the principle of 'town centre first'. Relevant retail policies for Athlone include: -

RP10: To support and implement appropriate development of lands for the future major retail expansion of Athlone within its core area, with the priority being the designated Development Opportunity Sites and the linked integration of these lands with the Core Retail Area.

RP16: To encourage and facilitate the development of appropriately located Neighbourhood and Local Centres to meet the needs of existing, growing and new residential areas of Athlone and its environs as informed by the Joint Retail Strategy for Athlone.

5.5. Athlone Town Development Plan 2014-2020

5.5.1. The site is zoned Enterprise and Employment (objective O-LZ4), with an objective to *'To provide for enterprise, employment and related uses including industrial and service uses such as Class 3 offices, which due to their scale or nature cannot be located within the town centre.'* 'Shops-neighbourhood' and 'Shops-major' are identified as not permitted under the zoning.

5.5.2. Section 4.13 relates to retail development. It promotes a plan-led approach to retail development and states that proposals which would undermine the vitality and viability of the Retail Core of Athlone and which contravene retail policy will not normally be permitted (S4.13.1). Section 4.13.4 outlines an order of priority for retail development proposals, stating that the order of priority for the sequential approach is to locate retail development in the town centre, and only to allow retail development in edge-of-centre or out-of-centre locations where all other options have been exhausted.

5.5.3. Retail policies include: -

P-RET2: To promote retail development as a fundamental element and catalyst for the promotion and enhancement of broader town centre functions. New development

proposals shall respect the retail function of the core shopping area, contribute positively to the public realm and display high quality urban design and place-making attributes.

P-RET4: To sustain the vitality and viability of the major shopping areas and to encourage measures to improve their attractiveness.

P-RET5: To support the vitality and viability of existing designated retail centres and facilitate a competitive and healthy environment for the retailing industry into the future by ensuring that future growth in retail floor space is in keeping with the Retail hierarchy, as prescribed in the Retail Strategy.

P-RET6: To adhere to the provisions of the Sequential Approach in the consideration of retail applications located outside of core retail area, as identified in Map 4.1.

P-RET 9: To provide for an adequate and appropriate scale of retail and other services within the existing and proposed neighbourhood centres in the town.

Athlone Joint Retail Strategy 2019-2026

5.5.4. The Joint Retail Strategy was adopted as Variation No. 4 of the town development plan. It covers a geographical area that extends to the east and west of the River Shannon and includes the lands covered by the town development plan and lands within County Roscommon which are termed Athlone West.

5.5.5. Section 7.1 contains a list of objectives, including: -

Objective 1: To sustain and improve the retail profile and competitiveness of Athlone Regional Centre and its environs within the retail economy of the two Counties and Regions and beyond.

Objective 2: To confirm a Retail Hierarchy for Athlone Regional Centre and its environs which assists in achieving the respective County and Regional Settlement Strategies and their objectives and provides clear guidance on where major new retail floorspace would be acceptable.

Objective 4: To reinforce the heart of the core area of Athlone as the priority location for new retail development, with quality of design and integration/linkage being key underpinning principles.

Objective 5: To ensure that the retail needs of Athlone Regional Centre and its environs residents are met as fully as possible within the area, to enable the reduction in the requirement to travel to meet these needs and in the interests of achieving greater social inclusion and accessibility to shopping and services across all sectors of the community.

5.5.6. Table 7.1 contains the following retail hierarchy for Athlone and its environs:-

Description		Centre
Tier 1	Core/Central Area of Athlone	Athlone Core/Central Area Athlone.
Tier 2	Special Category Settlement	Monksland
Tier 3	Service Town	No Centres.
Tier 4	Neighbourhood Centres	<u>Existing</u> : Auburn, Baylough, Cloghnaboy/Ballymahon Road, Creggan/Kilmartin N6 Centre, Montree. <u>Potential</u> : Clonbrusk, Cornamagh.
Tier 5	Local Centres and Shops	Various in Athlone Regional Centre and its environs.

Table 7.1 of the Joint Retail Strategy

5.5.7. Section 7.2.3 and Policy SRP3 outline the application of the sequential approach and an order of priority for retail development, outlining in this first instance retail development should be located within the core/centre of Athlone or the other main centres in the Athlone Regional Centre and its environs Retail Hierarchy. If central or core locations are not available or are unviable, edge-of-centre sites should be considered and these are defined as sites within 300-400m of the Core Retail Area and less in smaller centres. Only after all options for core/centre or other main centre locations have been explored and edge-of-centre options exhausted, should out-of-centre locations be considered.

5.5.8. Table 7.2 contains an assessment of additional retail floorspace potential, with an indicative requirement for an increase in convenience floorspace of between 3,445sqm and 4,272sqm for the period up to 2026.

5.5.9. Section 7.3.3 discusses neighbourhood centres and it contains policy RP15, which states that it is the policy of the Council 'To positively respond to appropriately scaled expansion of retail and non-retail services in existing Neighbourhood Centres in expanding residential areas, subject to proposals meeting the tests of the Sequential Approach.'

5.5.10. Section 7.4.6 discusses retail development in business parks and employment areas. It states that any further retail floorspace in employment areas will be restricted to meeting the convenience and non-retail services needs of employees rather than facilitating the creation of a new Neighbourhood Centres. Policy GR11 states as follows: -

GR11: To limit the level of shopping and local services provision in existing industrial estates or business parks. Stand-alone mainstream and discount convenience or comparison floorspace will not be permitted but the introduction of wholesale retail floorspace will be open for consideration.

5.6. Natural Heritage Designations

5.6.1. The site is not within or adjacent to any Natura 2000 site. The Crosswood Bog SAC (Site Code 002337) is approx. 700m east, on the opposite side of the M6 motorway, and the River Shannon Callows SAC (Site Code 000216) and Middle Shannon Callows SPA (Site Code 004096) are located approx 2.3km south-west.

5.7. EIA Screening

5.7.1. An Environmental Impact Assessment Screening report was not submitted with the application.

5.7.2. Class (10)(b) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for the following classes of development:

- (iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.

(In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)

5.7.3. The proposed development comprises demolition of structures on the site and construction of a single storey discount foodstore (with ancillary off-licence sales) of 2,494sqm gross floor space and a new public plaza fronting onto Dublin Road. The development also includes 128 surface car parking spaces (including electrical vehicle charging spaces) and cycle parking, hard and soft landscaping, drainage, roof level plant including PV panels, ESB substation, and associated site works, on a site with a stated area of 1.06ha. The development falls well below the applicable site area threshold of 20 ha.

5.7.4. Regarding sub-threshold EIA, I note that the site is previously development and is in an existing business park location, within the built-up area of Athlone. The proposed development will not have an adverse impact in environmental terms on surrounding land uses. The site is not designated for the protection of the landscape or of natural or cultural heritage and the proposed development would not give rise to significant or hazardous waste, pollution or nuisances and would not give rise to a risk of major accidents or risks to human health. Wastewater and surface water would both drain to the public network, upon which their effect would be marginal.

5.7.5. Having regard to: -

- The nature and scale of the proposed development, which is under the mandatory threshold in respect of Class 10 - Infrastructure Projects of the Planning and Development Regulations 2001 (as amended),
- The location of the site outside of any sensitive location specified in Article 109 of the Planning and Development Regulations 2001 (as amended),
- The location of the site within an existing business park location, within the built-up area of Athlone.
- The guidance set out in the “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development”, issued by the Department of the Environment, Heritage and Local Government (2003), and
- The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended),

5.7.6. I have concluded that, by reason of the nature, scale and location of the subject site, the proposed development would not be likely to have significant effects on the environment and that on preliminary examination an environmental impact assessment report for the proposed development was not necessary in this case.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal can be summarised as follows: -

- The need to relocate
 - The existing store serves an important service to the local area which includes the local college which is nearby
 - The need to relocate reflects Lidl's investment and commitment to Ireland, whereby it is replacing old, basic stores with more contemporary stores which are larger and more comfortable and which contain additional facilities.
 - Larger internal floor areas also assist in complying with ongoing public health restrictions.
 - The Retail Design Manual emphasises the creation and improvement of public realm, which in turn requires greater land-take. In this instance, the proposed plaza contributes to the quality of the entry to the estate and provides an enhanced and usable setting. This aspect of the development cannot be accommodated on the existing site, which is small and cramped.
- Electric car charging
 - The provision of 50KW/hr chargers is suited to a 'shop and charge' trip and will also allow a full recharge within 1 hour.
 - Lidl is seeking to ensure that 20% of parking spaces in new and replacement stores will be ready for EV charging points.
- Land-use zoning and material contravention
 - The enterprise and employment zoning applying to the subject site also applies to the existing Lidl site. Lidl and the existing car sales showroom are

both retail offerings differing from the dominant offices, employment, manufacturing and logistics uses in the wider zone.

- The development is not a material contravention of the O-LZ4 zoning objective. The wider area incorporates a variety of uses, including the existing Lidl store. Wider employment policy L-ZO4 also indicates the need to ensure there are other amenities. In the context of the zoning objective, there will be no net loss of employment and enterprise lands.
- Should the Board be of the view that the development contravenes policy O-LZ4, there is a conflicting policy within the joint retail strategy, which has been adopted as part of the Athlone development plan. The Board therefore has the means to grant permission, under Section 37(2) of the Act.
- The existing Lidl store is well established and forms part of the mixed offering that the business park provides. The proposed replacement store will continue to do the same.
- The traffic impact assessment submitted with the application indicates that there will be no significant impacts arising from the development.
- A number of differences between the car sales showroom and the proposed development are identified; the proposal will make a greater contribution to social and employment life in the area, providing a place to meet and an option for food shopping and allows for a journey to work to serve more than one purpose.
- The use of the subject site for a store is not an incompatible use. It conforms with Section 7.4.6 of the joint retail strategy, which relates to retail development in business parks and which discusses the importance of local shopping as an important ingredient in the attractiveness and competitiveness of such areas. In the context of Section 7.4.6, it is difficult to understand how the development could constitute ad-hoc, piecemeal development at an out of town location, as the Planning Authority's decision states.
- References by the Planning Authority to unsustainable traffic patterns ignore the advantages of co-location that are promoted by the joint retail strategy. Reading this policy leads to a legitimate expectation that the proposed

development is acceptable and would be encouraged by the Planning Authority, particularly when the applicant has a store in the immediate vicinity.

- Use of the existing store
 - Lidl intends to close the existing store once the proposed store opens. This can be controlled by S47 agreement.
 - The shape and form of the building means it is suitable for a number of alternative uses.
- Sequential approach
 - No sequential approach was submitted with the application as it is for a replacement store, not a new store. As was pointed out at the application stage, to apply the sequential approach to an established retail offering in the area would artificially engineer the removal of the applicant's presence.
 - It is contended that the sequential test is not warranted.
 - Policy SRP3 of the joint retail strategy applies a number of tests which are to be considered for retail development proposals. Having applied these tests, the applicant considers there are no suitable sites in the town core or other main centres within the retail hierarchy. Consideration has been given to sites at the Creggan Centre neighbourhood centre (test 1). Following this, test 2 provides for consideration to be given to sites that are edge of the Creggan Centre. The subject site is within 300m of the Creggan Centre. It thus appears that the development complies with the sequential approach.
 - Regarding the retail planning guidelines sequential approach, it is considered that the development complies with the sequential approach. Even if additional floorspace were to be considered in light of the approach, it is contended that the additional floorspace provided is not significant and there is substantial convenience capacity in Athlone, to accommodate the development.
 - It is further contended that the proposed development addresses an identified deficiency in the offering at the neighbourhood centre.

- The Board's decision to refuse Lidl permission for a store at the O'Meara site (Ref. ABP-307725-20) differs to the current context as that location did not have an established retail business in place.
- The applicant notes that for the O'Meara site, the Board and the Planning Authority did not have any concerns for the capacity for the area to accommodate the development, which was in the context of the existing Lidl store.
- Regarding the sequential approach more generally, the applicant notes that the Planning Authority designated the Creggan Centre as a neighbourhood centre and this site is at the fringe of the town, further from the town centre than the application site. The Planning Authority's position on the matter is contradictory.
- Retail impact assessment
 - No RIA was submitted with the application as the additional floorspace (either GFA or net sales area) is substantially below the threshold for an RIA.
 - It is also contended that the development will not impact on shopping patterns in the town. The level of net sales increase is expected to be modest.
 - The additional floorspace created will be low, by comparison to the level of retail capacity identified by the joint retail strategy.
- The Board is requested to overturn the Planning Authority's decision.

6.2. Planning Authority Response

6.2.1. None received.

6.3. Observations

6.3.1. None received.

7.0 Assessment

7.1. Having inspected the site and considered the contents of the appeal, I consider the main planning issues in the assessment of the proposed development are as follows:

- Principle of development and material contravention;
- Consistency with Athlone Joint Retail Strategy and impact on Athlone Town Centre;
- Layout and design;
- Traffic and parking;
- Other Issues;
- Appropriate assessment

7.2. Principle of Development and Material Contravention

Principle of Development

- 7.2.1. Refusal reason No. 2 of the Planning Authority's decision on the application stated that the development would result in an unintegrated use which would materially contravene objective O-LZ4 (enterprise and employment zoning objective) of the Athlone Town Development Plan (ATDP).
- 7.2.2. The applicant argues that the development is not a material contravention of objective O-LZ4 and that the proposed development consists of the relocation of an existing non-conforming use from one site to a neighbouring site. It is further argued that the proposed development is not an incompatible use and is supported by Section 7.4.6 of the Athlone Joint Retail Strategy (AJRS) which itself acknowledges the contribution to sustainable development of mixed-uses that combine working, living, leisure, shopping and local services provision within large employment areas. The existing Lidl store is seen as meeting the convenience needs of employees in the area and it is argued that the proposed store will continue to do the same. I note in this respect that the applicant proposes to close the existing Lidl store once the new store is opened and it is also proposed that this can be controlled by Section 47 agreement, in the event of a grant of permission.
- 7.2.3. The proposed discount foodstore has a gross floor area of 2,494sqm and net sales area of 1,670sqm. It meets the definition of a supermarket¹, as set out in Annex 1 of *the Retail Planning Guidelines (2012)*, and is considered to be a smaller

¹ Supermarket - Single level, self-service store selling mainly food, with a net retail floorspace of less than 2,500m².

supermarket. I note the zoning matrix contained in Chapter 13 of the ATDP identifies that 'shops – local' are open for consideration under the Employment and Enterprise/O-LAZ4 zoning objective, whilst 'shops – neighbourhood' and 'shops – major' are not permitted.

- 7.2.4. This scale of development would not be considered 'local' and, as such, it is not a permitted use under the zoning.
- 7.2.5. I have given consideration to the applicant's argument that the proposal is an effective relocation of the store to a neighbouring site and would note that the existing store, which was granted under a different planning policy regime, is a non-conforming use under the zoning objective. The proposed store incorporates substantial proportional increases in gross floor area (791sqm or 46% larger than the existing store) and net sales area (414sqm or 33% increase) and allows for extension and intensification of the retail use. I would also note that the existing Lidl site is not within the red line application site or blue line land ownership boundaries, so any condition requiring the applicant to enter into a Section 47 agreement to secure its closure would be *ultra vires*. The development therefore gives rise to material intensification of the non-conforming retail use and I therefore do not agree that it is a relocation proposal.
- 7.2.6. In view of the above, I consider the development constitutes a material contravention of the Employment and Enterprise zoning objective of the ATDP.

Material Contravention

- 7.2.7. Should the Board agree with my assessment that the development is a material contravention of the zoning objective, the following is my assessment of the development in the context of Section 37(2) of the Act. Section 37(2) outlines that where permission has been refused by a planning authority on the grounds of material contravention of the development plan, the Board may only grant permission in specific circumstances.
- (i) I do not consider the development is of strategic or national importance.
 - (ii) The applicant submits that there are conflicting objectives between the ATDP zoning objective and Section 7.4.6 of the AJRS, which is seen as encouraging co-location of uses including retail. Whilst I note that the AJRS acknowledges the

sustainability benefits of mixed-uses that combine working, living, leisure, shopping and local services provision within large employment areas, I would also note that Policy GR11 forms part of section 7.4.6 and it directly limits the order of retail provision in business park and employment area locations, precluding stand-alone mainstream and discount convenience or comparison floorspace in these locations. In my view this approach is consistent with objective O-LZ4, which allows for only smallscale retail development on lands zoned enterprise and employment. I therefore do not agree that there is conflict between the ATDP and the AJRS in this respect. I am not aware of any other conflicting objectives between development plans.

At this point I would also reiterate my view that the proposed development is not a replacement store as it incorporates substantial proportional increases in gross floor area (791sqm or 46% larger than the existing store) and net sales area (414sqm or 33% increase), which allows for extension and intensification of the retail use. I have also previously outlined that closure of the existing store cannot be controlled as part of a grant of permission, as the existing Lidl site is not within the red line application site or blue line land ownership boundaries.

(iii) Objective RPO 6.11 of the RSES states that future provision of significant retail development shall be consistent with the Retail Planning Guidelines.

Consideration is given to the Retail Planning Guidelines, which are issued under Section 28 of the Act, in the following section. In summary, I consider the development is contrary to Section 4.4.2 of the Retail Planning Guidelines.

(iv) I am not aware of any other grants of permission in the area, since the development plan was adopted, which would justify the proposed development. I note that the Board refused permission under Ref. ABP-307725-20, on a site at Galway Road, Baylough/Bogganfin, Athlone, for a discount foodstore and restaurant/coffee shop for reasons which included the site's location outside of any of the retail tiers identified in the AJRS retail hierarchy.

7.2.8. To conclude, I do not consider circumstances exist that would justify a grant of permission under S37(2) of the Act.

7.3. **Consistency with Athlone Joint Retail Strategy and Impact on Athlone Town Centre**

- 7.3.1. Refusal reason No. 1 of the Planning Authority's decision states that the proposed development, by reason of its scale, extent and siting would if permitted, be contrary to the overall objectives of the AJRS. The reason further states that, in the absence of a sequential assessment, it had not been demonstrated that there is not a more suitable site within the retail hierarchy available for accommodating the development and that to permit the development would be contrary to the ATDP, in particular Policy SRP3, and the principles of the sequential development approach contained within the Retail Planning Guidelines.
- 7.3.2. Section 4.4 of the Retail Planning Guidelines outlines guidance for the sequential approach to the location of retail development. It outlines an order of priority for such development, with city and town centre locations (and district centre if appropriate) given priority in the first instance. Edge-of-centre sites can only be considered where it is satisfactorily demonstrated that there are no sites or potential sites including vacant units within a city or town centre or within a designated district centre that are (a) suitable (b) available and (c) viable. Out-of-centre sites may only be considered in exceptional circumstances, where it is satisfactorily demonstrated that there are no suitable, available and viable sites or potential sites either within the centre of a city, town or designated district centre or at an edge-of-centre site.
- 7.3.3. Table 7.1 of AJRS contains the retail hierarchy for Athlone and its environs and Section 7.2.3 outlines an order of priority for retail development, outlining that in the first instance retail development should be located within the core/centre of Athlone or the other main centres in the Retail Hierarchy. If central or core locations are not available or are unviable, edge-of-centre sites should be considered and these are defined as sites within 300-400m of the Core Retail Area and less in smaller centres. Only after all options for core/centre or other main centre locations have been explored and edge-of-centre options exhausted, should out-of-centre locations be considered.
- 7.3.4. The applicant argues that application of the sequential approach is not warranted in this instance but has, in any case, given consideration to it within the grounds of appeal. It is contended that, in accordance with Policy SRP3 of the AJRS, they are required to look at the core/central area of the town or other main centres contained in Map 3 of the AJRS (emphasis added by the applicant). It is submitted that the Creggan Centre is a designated Neighbourhood Centre within the retail hierarchy

and it is stated that there are no suitable, viable or available sites within it, to accommodate the proposed development. The subject site is within c.300m of the Creggan Centre and is considered to be in an edge-of-centre location, in accordance with the sequential approach.

7.3.5. I have given consideration to the applicant's contention that a sequential assessment is not required. As I have previously set out, the proposed store involves a greater quantum of net sales area than the existing store, which will allow for intensification of the retail use, and the existing store that is intended for closure once the proposed shop is opened is not contained within the red line application site or blue line land ownership boundaries, so its closure cannot be controlled as part of a grant of permission. In view of these considerations, I consider the development requires consideration as a standalone retail development, which requires a sequential assessment in view of the site location.

7.3.6. Regarding sequential assessment, I note that Section 7.2.3 of the AJRS contains the Planning Authority's sequential approach to retail development for the town and environs. I accept that there is provision for other designated centres, in addition to the core/centre of the town, as first priority locations for retail development. However, I consider there is some ambiguity in relation to the consideration of edge-of-centre sites, with bullet point 2 stating the such locations should be considered where 'central core locations' are not available but it is suggested elsewhere that 'smaller centres' may give rise to edge-of-centre consideration, without clarifying what level of 'smaller centres' may give rise to such consideration.

7.3.7. Notwithstanding the ambiguity of Section 7.2.3, I consider the applicant's argument that consideration can be given to edge-of-neighbourhood-centre sites is contrary to the Retail Planning Guidelines, which discusses edge-of-centre sites as being those outside of a city or town centre or within a designated district centre. Section 4.4.2 states: -

'Where retail development in an edge-of-centre site is being proposed, only where the applicant can demonstrate and the planning authority is satisfied that there are no sites or potential sites including vacant units within a city or town centre or within a designated district centre that are (a) suitable (b) available and (c) viable, can that edge-of-centre site be considered.' (emphasis added)

- 7.3.8. The Creggan Centre is a designated Neighbourhood Centre and, in line with the Retail Planning Guidelines, its function is to serve a small, localised catchment population. The Guidelines identify that Neighbourhood Centres '*Comprise a small group of shops, typically comprising newsagent, small supermarket/ general grocery store, sub-post office and other small shops of a local nature*' and, to this end, I note that the Neighbourhood Centre currently contains a local shop, which is part of the petrol filling station.
- 7.3.9. The Retail Planning Guidelines outline that Neighbourhood Centres offer a lower order of retail and non-retail service functions to those within a District Centre, which are identified as providing a range of retail and non-retail service functions (e.g. banks, post office, local offices, restaurants, public houses, community and cultural facilities) for the community at a level consistent with the function of that centre in the core strategy. And whilst there is clearly provision made for consideration to be given to edge-of-district-centre locations, in appropriate circumstances, there is no provision for the consideration of edge-of-neighbourhood-centre locations, as the applicant argues.
- 7.3.10. In view of the above, I consider the subject site is in an out-of-centre location, in line with the provisions of the Retail Planning Guidelines, as it is over 2km from the Athlone Retail Core Area. Furthermore, in the context of the proposed development I consider the applicant has not satisfactorily demonstrated that there are no sites or potential sites either within the town retail core area or on the edge of the retail core area that are (a) suitable (b) available and (c) viable, to accommodate the development. The proposed development is therefore contrary to Section 4.4.2 of the Retail Planning Guidelines and a refusal of permission is recommended.

7.4. Layout and Design

- 7.4.1. The proposed layout sees the Lidl store sited adjacent to the east site boundary, set further away from the estate road than the existing car sales showroom building, and the site is otherwise given to surface parking and a plaza area/landscaped green area adjacent to the north/R446 boundary. Pedestrian access points are incorporated, which allow direct access from the R446 through the plaza area.

- 7.4.2. The layout, which involves enclosing part of the west and south site boundaries by a retaining wall up to 3.52m high, effectively seeks to continue the present arrangement for car parking on the site, where cars are parked to the 'front' of the showroom and along the road frontage. This approach is contrary to advice within the Retail Design Manual, which promotes location of parking in backland/out of view locations, where it would not dominate the street frontage or create negative impacts on the public realm generally (Page 55, Question 7.5). In view of the developed nature of the site and its location within a business park, I am satisfied that amendments to the proposed layout could be incorporated to address my concerns, which would not adversely affect adjoining property or the visual amenities of the area (i.e. the site layout could be amended, to provide the majority of parking to the rear of the store). Should the Board be minded to grant permission for the development, they may wish to give further consideration to this issue.
- 7.4.3. The proposed Lidl store has a contemporary design, incorporating substantial glazing at the front of the building and at the point of entry/exit, with a mix of stone cladding, render and intermittent glazing over the remaining parts of the building. The proposed building design and materials palette are commonplace for modern Lidl stores, incorporating a high standard of architecture, and I would have no concerns regarding this aspect of the development, in view of the site context. I note that the Planning Authority did not express any concerns regarding the proposed design.
- 7.4.4. The incorporation of a plaza area accords with advice provided by the Retail Design Manual, which requires new retail development to make a positive contribution to improving the quality of existing open spaces on and around the site and to where possible create new ones (Page 50, Question 7.1). Should the Board decide to grant permission, I would recommend a condition be attached requiring that landscaping proposals should be agreed with the Planning Authority, prior to the commencement of development.

7.5. Traffic and Parking

- 7.5.1. Refusal reason No. 2 of the Planning Authority's decision outlined that, by reason of the siting of a supermarket at an out-of-town location, removed from established and permitted residential development, the proposed development would give rise to

unsustainable traffic movements, contrary to national and local policy on active travel.

- 7.5.2. The MD Engineer report states the development will give rise to intensification of traffic on the R446 and at the junction of the R446 and Athlone Business Park, necessitating improvements to public infrastructure, and requests a financial contribution of €29,928 is required towards these improvements.
- 7.5.3. A Traffic and Transport Assessment (TTA) was submitted with the application, prepared by AECOM. The TTA models predicted traffic levels at the proposed development by undertaking a survey of traffic levels associated with the existing store and applies a factored increase based on the increased size of the proposed store. The modelled assessment anticipates the development will generate 94 additional two-way trips in the AM peak and 88 additional two-way trips in the PM peak. Modelled assessments of the junction of the R446 and Athlone Business Park indicate that the junction would remain within its designed capacity. The Assessment states that the development will not negatively impact the surrounding road network.
- 7.5.4. I have given consideration to the assessment within the TTA and would concur that a replacement store is unlikely to generate significant levels of additional traffic and is unlikely to have a material impact on the surrounding road network. But the assessment is predicated on the closure of the existing store and, as has been outlined previously, closure cannot be controlled as part of a grant of permission. I have therefore given consideration to likely traffic levels generated by an additional store and would concur with the Planning Authority, that the construction of a supermarket in an out-of-centre location that is remote from the main retail centres identified within the town retail hierarchy and which has not been justified in the context of the sequential approach to retail planning, will create and extend unsustainable movement patterns and will serve to undermine local and national policies which promote compact settlement forms and which promote modal shift, away from reliance on the private car.
- 7.5.5. Regarding the request for a financial contribution towards public infrastructure improvements, I note that the adopted S48 development contribution scheme includes a proportion of the overall level of contribution towards roads, including infrastructure to facilitate public transport, cycle and pedestrian facilities and traffic

calming measures. The request is therefore likely to fall within the scope of the S48 financial contribution, should the Board decide to grant permission. I do not consider sufficient information has been provided to justify a request for a special financial contribution, in accordance with the requirements of S48(2)(c) of the Act.

- 7.5.6. A total of 128 car parking spaces are provided (including 3 accessible spaces and 2 spaces with electric charging points) and 32 bicycle spaces. The ATDP states that proposed developments shall generally comply with Table 12.11 Car Parking Standards and it provides for car parking to be provided in this location at a ratio of 6 spaces per 100sqm gross floor area and requires cycle parking to be provided at a ratio of 1 space per 100sqm. The MD Engineer report identifies that there is a shortfall of 22 spaces, measured against the requirement of Table 12.11, and recommends that this shortfall should be addressed by way of a levy.
- 7.5.7. Notwithstanding previously expressed concerns regarding the site's out-of-centre location, I would acknowledge that it is within the built up area of the town and the thrust of wider planning policy guidance seeks to reduce travel by private car and increase use of more sustainable modes. In view of this, I consider the level of car parking incorporated by the proposed development is acceptable.

7.6. **Other Issues**

- 7.6.1. Regarding foul and surface water, both are proposed to connect to the public network and I note that the Planning Authority's MD Engineer and Irish Water did not object to the development. I note that the MD Engineer report requests a number of conditions as part of a grant of permission.

7.7. **Appropriate Assessment**

Appropriate Assessment Screening

Compliance with Article 6(3) of the Habitats Directive

- 7.7.1. The requirements of Article 6(3) as related to screening the need for appropriate assessment of a project under part XAB, section 177U of the Planning and Development Act 2000 (as amended) are considered fully in this section.

Background on the Application

- 7.7.2. A screening report for Appropriate Assessment was not submitted with the application. Therefore, this screening assessment has been carried out de-novo.

Screening for Appropriate Assessment- Test of likely significant effects

- 7.7.3. The project is not directly connected with or necessary to the management of a European Site and therefore it needs to be determined if the development is likely to have significant effects on a European site(s).
- 7.7.4. The proposed development is examined in relation to any possible interaction with European sites, designated as Special Conservation Areas (SAC) and Special Protection Areas (SPA), to assess whether it may give rise to significant effects on any European Site.

Brief Description of Development

- 7.7.5. The proposed development is described at Section 2 of this Report. In summary, permission is sought for demolition of structures on the site and construction of a single storey discount foodstore (with ancillary off-licence sales) of 2,494sqm gross floor space and a new public plaza. The development also includes 128 surface car parking spaces (including electrical vehicle charging spaces) and cycle parking, hard and soft landscaping, drainage, roof level plant including PV panels, ESB substation, and associated site works, on a site with a stated area of 1.06ha. The site is previously development and is currently in use as a car sales showroom. It is served by the public water and foul water networks. Foul and surface are proposed to drain to the public network.

Submissions and Observations

- 7.7.6. The grounds of appeal are summarised as Section 6 of this Report. No other submissions or observations have been received.

European Sites

- 7.7.7. The development site is not located in or immediately adjacent to a European site. The Crosswood Bog SAC (Site Code 002337) is approx. 700m east, on the opposite side of the M6 motorway, and the River Shannon Callows SAC (Site Code 000216) and Middle Shannon Callows SPA (Site Code 004096) are located approx 2.3km south-west. Summaries of the SAC and SPA are outlined below.

European Site (code)	List of Qualifying interest /Special conservation Interest	Distance from proposed development (Km)	Connections (source, pathway receptor)
Crosswood Bog SAC (Site Code 002337)	Active raised bogs, Degraded raised bogs still capable of natural regeneration	0.7km	None
River Shannon Callows SAC (Site Code 000216)	Molinia meadows on calcareous, peaty or clayey-silt-laden soils, Lowland hay meadows, Alkaline fens, Limestone pavements, Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> , <i>Lutra lutra</i> .	2.3km	None
Middle Shannon Callows SPA (Site Code 004096)	Whooper Swan, Wigeon, Corncrake, Golden Plover, Lapwing, Black-tailed Godwit, Black-headed Gull, Wetland and Waterbirds.	2.3km	None

Consideration of potential significant effects

7.7.8. The subject site is of a previously developed nature within Athlone Business Park and is currently used as a car sales showroom. There are no identified watercourses or drainage channels within or adjacent to it. EPA drainage mapping indicates that there is a drainage channel approx. 250m north, which drains into the River Shannon approx. 2.5km further west. I consider this drainage channel is remote from the site and I would also note that the R446, which is the most direct connection between the sites, is at a higher topographical level than the subject site, with the result that surface water discharges from the site are unlikely to be discharged onto the road.

7.7.9. In view of the above, I am satisfied that there is no hydrological connection between the subject site and the European sites. Taking this into consideration, together with the separation distance between the sites and the nature and scale of the development and the previously developed nature of the site, I do not consider there is any potential for likely significant effects on qualifying interests within the SAC and SPA sites.

Screening Determination

7.7.10. The proposed development was considered in light of the requirements of Section 177U of the Planning and Development Act 2000 as amended. Having carried out Screening for Appropriate Assessment of the project, it has been concluded that the project individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Site Nos. 002337, 000216 and 004096, or any other European site, in view of the sites' Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required.

7.7.11. This determination is based on the following:

- The absence of any identified hydrological connections between the subject site and the European sites.
- The nature and scale of the development, which does not require specialist construction methods, the previously developed nature of the site and the level of separation between the sites.

8.0 Recommendation

8.1. I recommend that permission be refused, for the following reasons.

9.0 Reasons and Considerations

1. The proposed development, by reason of its scale and location removed from the town centre of Athlone and outside of any of the Local and Neighbourhood Centres identified in the retail hierarchy set out in the Athlone Joint Retail Strategy (2019), would be contrary to the overall objectives of the Retail Strategy for the town and would have an adverse impact on the vitality and viability of the existing town centre, and would also be contrary to Section 4.4.2 of the

Ministerial Guidelines issued under Section 28 of the Planning and Development Act, 2000, as amended '*Guidelines for Planning Authorities: Retail Planning*' (2012).

2. The proposed development of a discount foodstore on this site, which does comprise a replacement store as it proposes substantial proportional increases in gross floor area and net sales area and which does not provide any mechanism to secure closure of the existing store on a neighbouring site, would materially contravene the Enterprise and Employment zoning objective applying to the lands under the Athlone Town Development Plan and would also be contrary to objective GR11 of the Athlone joint retail strategy, which states that stand-alone mainstream and discount convenience or comparison floorspace will not be permitted in business parks and employment areas. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

Barry O'Donnell
Planning Inspector

26th November 2021.