



An
Bord
Pleanála

Inspector's Report ABP 312059-12.

Development

Demolition of part existing Arch Motors premises, with adjoining shop and filling station retained, and two workshops at the rear. Construction of local retailing supermarket and ancillary off license, retail and commercial unit comprising change of use of part (circa 31 square metres) Arch Motors premises to shop use; Construction of single storey retail commercial unit attached to supermarket; car and cycle parking, revised vehicular and pedestrian accesses and forecourt layout and right turning lane off Seamus Quirke Road. landscaping boundary treatment, free standing, mounted signage, roof mounted refrigeration and air-conditioning plants and associated above and below ground works.

Location

Former Arch Motors Premises,
Seamus Quirke Rod, Galway.

Planning Authority

Galway City Council

P. A. Reg. Ref.

21/299.

Applicant

Lidl Ireland GmbH.

Decision

Refuse Permission

Type of Appeal	First Party X Refusal
Appellant	Lidl Ireland GmbH.
Observer	Health Services Executive
Date of Site Inspection	4 th May 2022.
Inspector	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 in front of a gated yard partly in which there is hard surfaced and overgrown vegetation. There is also a filling station and a small (Centra) convenience store both of which are operational. The total stated floor area of all the existing structures on the site is 1,115 square metres.
- 1.2. The site area is enclosed at the rear by hedgerow and/or perimeter fencing along boundaries with open lands to the rear extending as far as University Hospital Galway Campus. 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.
- 1.3. 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.
- 1.4. 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.

2.0 Proposed Development

The application lodged with the planning authority indicates proposals for:

- Demolition of part existing Arch Motors premises and two workshops at the rear.
- Construction of local retailing supermarket and ancillary off license,
- retail and commercial unit in part to be retained from existing Arch Motors premises, with adjoining shop and filling station retained.
- change of use of part (circa 31 square metres) Arch Motors premises to shop use.

- Construction of single storey retail commercial unit attached to supermarket.
- car and cycle parking, revised vehicular and pedestrian accesses and forecourt layout and right turning lane off Seamus Quirke Road.
- landscaping boundary treatment,
- free standing, mounted signage,
- roof mounted refrigeration and air-conditioning plants and,
- associated above and below ground works.

The total stated floor areas for demolition is 863 square metres, for change of use is 32 square metres and, for new build is 1,832 square metres.

The application is accompanied by an aviation assessment, lighting impact assessment report and drawings. retail impact assessment report, traffic assessment and road safety audit and photomontages.

3.0 Planning Authority Decision

3.1. Decision

By order dated,

“Having regard to the policies and objectives of the Galway City Development Plan 2017–2023, the zoning objective: C1 To provide for enterprise, light industry and commercial uses other than those reserved for the CC zone where there is a specific development objective to consider only bulky goods retailing and local retailing needs of the C1 zoned lands at this location, where there is specifically no exception provided to allow for a food store at this location, to the retail Strategy of the City Development Plan, the location of the site adjacent to the Westside District Centre, and the nature and scale of proposed development, it is considered that the proposed development of a licensed discount food store supermarket on C1 zoned lands located outside of the District Centre would be contrary to the zoning objective for the area and would therefore be contrary to the proper planning and sustainable development of the area”

3.2. Planning Authority Reports

- 3.2.1. The report of the Climate Change/Environment section indicates recommendations for requirements by condition which include, by compliance submission, preparation of a waste management plan, should permission be granted.
- 3.2.2. There are no other technical reports available on the hard copy of the file made available to the board or on the electronic file available on the planning authority's website. The planning officer in his report refers to a number of departments and notes recommendations for additional information requests by Transport and Infrastructure Department and the Drainage Division and Building Control and acceptance subject to conditions by the Parks Department Environment Department. No reports are available but recommendations for conditions are in the technical reports on the further information submission for the prior proposal which include finalisation of outstanding details for the entrance design.
- 3.2.3. It is stated that no report was lodged by Irish Water. However, it is noted that Irish Water's report on the prior proposal under P.A. Reg. Ref. 19/333 indicates no objection the proposed development subject to standard conditions.

3.3. Irish Aviation Authority

- 3.3.1. In a letter, there is confirmation that there is no objection from the Safety Regulation Division Aerodrome Division.

3.4. Third Party Observations

- 3.4.1. Objections were lodged by three parties, The HSE, RGDATA and Tesco Ireland.
- 3.4.2. The objection submission of the HSE indicates concerns with regard interference with the safe operation of a helipad for the helicopter service for University Hospital, Galway. (The HSE has also lodged an observation on the appeal. See para below.)
- 3.4.3. The other two objection submissions, by RGDATA and Tesco Ireland are detailed and are as to inappropriateness of the proposed development for the site location having regard to the retail hierarchy and strategy for the county, conflict with the zoning objective, lack of sequential approach for the proposal, oversupply of supermarkets in the area, insufficient parking provision and poor-quality design.

4.0 Planning History

P.A. Reg. Ref. 19/333 / ABP 307552: Following appeal, the planning authority decision to grant permission for similar development on the site was overturned. The proposal comprised mainly of part demolition of existing buildings and development of a discount food store, change of user of retained part of former Arch Motors premises to shop, parking, revised entrance arrangements, landscaping, signage and above and below ground works was refused based on reasons and considerations similar to those attached by the planning authority for its the decision to refuse permission for the current proposal. (See para 3.1 above.) The Board's file is attached.

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. An appeal was lodged by the Planning Partnership on behalf of the applicant in which it is submitted that the proposed development is consistent with retail policies, development strategy and the zoning objective and would benefit and enhance the local area. The submission is detailed and includes accounts of the planning background and context and the current application, a rationale with reference to the submitted retail impact assessment report for the proposal. An outline summary follows:

- The proposed local retailing supermarket is intended to operate as a smaller locally focussed licensed Discount food store with a distinct convenience retail offer. It can be compared to a small to medium sized supermarket in a different realm to superstores or hyper stores. The current proposal is at the lower end of the discount food store range in size. It is a response to under provision and an expansion of the Lidl network in the city complementing store at Knocknacarra, Headford Road, Wellpark and Doughiska as encouraged in the CDP which promotes a distributed network of convenience retailing.
- The planning authority view that the development exceeds 'local retailing' is rejected. Relative to the previous proposal the differences in the current proposal are that a twenty percent smaller scale development with a smaller catchment which is reduced by 47%. The impact on the Westside District Centre is assessed for impact instead of impact on the entire district centre is considered and there is a changed nature and outlook to convenience retailing.
- There has been an incorrect interpretation of local retailing needs and there are material changes in the current proposal which should be acknowledged. The size of the store is reduced, and the size of the catchment has also been reduced so that the store with clearly within Local retailing needs. This term which is not defined in the CDP should be interpreted in conjunction with the Retail Planning Guidelines which are ten years old but which describes retailing as dynamic and that new forms of retailing may evolve which are inadequately described by current terminology and they should be assessed

on their own merits. The CDP and retail strategy review being conducted advocates flexibility of uses and retail formats and policies to enhance sustainable neighbourhood concepts with good services including retail reflecting the “15-minute neighbourhood”.

- There are emerging policy considerations and patterns which were disregarded by the planning and authority and should be taken into consideration. There is a changed Lidl expansion strategy, and ongoing significant change in the retail sector the store forming part of a network in the evolving retail market in the city and expansion of online food sales, food delivery services and expansion of click and collect which require new policies.
- As noted in the RIA, the Retail Planning Guidelines note retailing as dynamic and evolving and that shopping at the most local level is a mixture of neighbourhood shops and basic convenience shopping in small supermarkets or convenience shops, but no threshold is given as for a local, convenience or neighbourhood shop other than that of a supermarket at single level in mainly food with a net retail space of less than 2,500 square metres. Therefore, a supermarket is the smallest formally defined convenience retail outlet and cover a wide spectrum of sale. Local retailing needs are undefined.
- Examples of local retailing elsewhere in Galway are at Doughiska (1,296 square metres net retail space, zoned residential and deemed compatible with the zoning. This site is close to Briarhill District Centre and a District Centre does not preclude a parallel a retailing function. Permission was granted following appeal (PL 2412698 refers). Another example at Crown Equipment Site on C1 zoned lands where the objective is for retail floor space mainly to be for bulky goods with a balance for local retailing needs has an ‘anchor’ unit a local mini supermarket for local needs which is 1048 square metres in net floor area.
- The above examples support local retailing needs as including a supermarket or discount food store of 1000 – 1300 square metres in net floor area. The current proposal is smaller and definitely within the scale of local retailing need in the CDP it should be interpreted with regard to the RPGs. The

current proposal is undisputedly a small supermarket. It is forty-four per cent smaller than the average supermarket.

- The retail strategy is not specific as to the location of retailing, the concept of local retailing is that it should operate outside the centre of the city, and it is policy of the CDP to encourage equitable distribution of retailing opportunities in a spread that is sensitive to catchment profiles. A broad distribution is encouraged. There is no restriction on co location of local/district centre retailing function in proximity and there is no question of undermining the site vis a vis retail purposes There are several examples of co-location within the country.
- A very restrictive interpretation of the zoning objective has been applied by the planning authority hindering rather than facilitating development on the lands. The zoning should not be restrictive as is indicative in the refusal reason. Retailing is not regulated by application of 'specific exceptions', in this case, to the C1 zoning and it should not be inferred that there is negative intention for the C1 zoning. 'Local retailing needs' is compatible with and contributes to the zoning objective and is appropriate to the function and character of the area. 'Local retailing needs' applies to a wide range of zoned area through the city.
- The Development Management Guidelines 2007 clarify that only fundamental departure from that would seriously prejudice the provisions of a CDP constitute a material contravention. Clearly this is not the case in the case of the subject proposal. However, it would be open to the board to rely on Section 37 (2) if (b) (ii) regarding conflicting or unclearly stated objectives such an issue were to arise as to unclear boundary definition and absence of a more specific zoning objective (than C1).
- There is no requirement for there to be an exception for the food store to be allowed for - The site location is outside the District Centre. There has been too much emphasis of the District Centre designation and while policy has not altered, it does not need to be altered since the prior proposal was considered. Forms of retailing have been evolving as indicated in the Retail Planning Guidelines and the current proposal aligns with current policy.

There are no specific local, neighbourhood or district centre zoning objectives within the CDP

- The District Centre boundary is not clearly definitive having regard to section 10.4 and figure 10.9 of the CDP for the west side area. The zoning seem arbitrary in that the boundary is not retail or a development boundary and includes community and recreational space and other local facilities are zoned for community and community uses. It can be assumed that the site is outside the District Centre but the inconsistency regarding the boundary is a consideration in determining if the site is in or outside the District Centre. It can also be determined that the district centre has no boundaries. However, the site is well located strategically for convince shopping for the local population.
- The Transportation Assessment which was carried out in consultation with the Transportation Department demonstrates that with a little modification to the right turning lane there would no material effects on the road network.
- 102 carparking spaces are provided for the entirety of development existing and proposed, a shortfall of 25%, that is 35 spaces of the notional requirement of 122 spaces for the supermarket, commercial unit and filling station shop CDP polices allow for less parking where there is a mix of uses and other modes of transport available. This amount is totally sufficient. At the Lidl store in Knocknacarra a shortfall of sixty percent was accepted (ABP 308421 refers) and a similar view was taken regarding a shortfall in parking for an extension at Joyce's at Knocknacarra where an extension was permitted under P. A. Reg. Ref. 19/277.
- There is no potential for adverse impact on the Aviation operations at University Hospital Galway as indicated in the report accompanying the application the recommendations which include requirements regarding heights, liaison during construction and contracts during operational stage, lighting and operating procedures would be fully implemented. All outstanding matters with regard to the helipad which previously arose have been addressed. There are no tangible concerns or outstanding substantive issues in the HSE submission to the planning authority.

- The content of the submissions at application stage to the planning authority by Tesco and RGDATA have been addressed in the application notably the RIA and appeal and contentions as to overprovision as opposed to local provision and as to lack of material difference to the previous proposal are refuted.

6.2. Planning Authority Response

6.3. There is no submission from the planning authority on file.

6.4. Observations

6.4.1. A submission was lodged by the HSE in which it is stated that that UCHG is the only Model 4 Hospital in the Saolta Healthcare Group providing tertiary care for the population, which is in excess of 800,000 in the area from Donegal to Galway.

6.4.2. The HSE has some concerns as to potential for adverse impact on the operation of air ambulance services for UCHG and specifically potential for future regulatory or operational constraints. The Helipad is used by the Emergency Aeromedical Service, National Ambulance Service, in conjunction with the Irish Air Corps and Department of Defence and the Irish Coastguard and it was a destination for 49% of all medical helicopter missions in 2018.

6.4.3. It is stated that the air ambulance service is operated in all weather conditions and during day and night time hours with variation in flight paths for take offs and landings. A wide unobtrusive sweeping path is essential for the service to have the ability to conduct operations at all times and in all weather conditions during both construction and operational stages.

The HSE has concerns about adverse impact on operational effectiveness of existing and future helipad facilities at UHG.

7.0 Assessment

7.1. The current application is a revised proposal in which the applicant seeks to overcome the issue within the reasons for refusal of permission following appeal for

the prior proposal under P.A. Reg. Ref. 19/333 / PL 307522. The planning authority decided to refuse permission.

7.2. The issues central to the determination of the decision are considered below under the following subheadings.

Extent and Nature of Development in Principle,

Parking

Potential interference with aviation operations at University Hospital, Galway

Environmental Impact Assessment Screening

Appropriate Assessment Screening

7.3. **Extent and Nature of Development in Principle.**

7.3.1. As pointed out in the appeal, there have been no changes of a material nature in the statutory policy as provided for in the Retail Planning Guidelines, 2012 (RPGS) , the retail strategy for Galway and local policies and objectives within the current Galway City Development Plan, (CDP) It is also submitted in the appeal that retailing itself has evolved and changed over time especially owing to the increase in online shopping, click and collect and pointed out in this regard, that the RPGs were issued ten years ago. These statements in the submission are considered reasonable.

7.3.2. It is also the applicant's case that the current proposal is very different to the previous unsuccessful proposal. The primary difference is that compared to the previous proposal the current proposal provides for an approximate 20% reduction in stated net sales area, from 1,193 square metres in the prior proposal to to 950 square metres, ninety per cent of which is stated to be allocated to convenience retailing with the remaining ten per cent to comparison retailing.

7.3.3. The applicant through the agent's submission and retail impact assessment seeks to demonstrate that this proposal is specifically intended for a smaller catchment which is definable as a 'local catchment' and comes within the meaning 'local retailing needs' which is comes with development that can be considered within area zoned 'C1 as provided for under section 11.2.6 of the CDP.

7.3.4. 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 is to provide for enterprise, light industry and commercial uses other than those reserved for the CC zone. This zoning objective is considered appropriate and reasonable for the policy for maximisation economic and employment development potential

- 7.3.5. In this regard that a supermarket or discount store development other than that which is confined to small scale convenience retailing complimentary or supportive to the main uses envisaged through the zoning objective could be considered. Irrespective of the applicant's case as to reduced size and reduced catchment, relative to the previous proposal, it is considered that the proposed Lidl store is a supermarket and/or discount food store appropriate for significant destination convenience shopping by customers.
- 7.3.6. As pointed out in the assessment in the case of the previous albeit larger store, the current proposal is not the optimal future use for the subject 'C1' zoned parcel of land. It is unrelated to and does not include any element of light industry, enterprise or a commercial use and it does not provide for significant economic and employment development. Furthermore, a high proportion of site coverage is taken up by surface carparking.
- 7.3.7. Employment generated at construction stage would be somewhat unpredictable in quantum and temporary in nature and at operational stage, employment at twenty to twenty-five employees is low and relatively ineffective as regards maximisation of economic and employment potential. The development, if permitted could be at the opportunity cost of delivery of a more intensive and efficient utilisation of the site for development fully consistent with enterprise, light industry or commercial development as primarily provided for in the 'C1' the zoning objective.
- 7.3.8. In the current appeal it is contended that there is no conflict in the current proposal with the C1 zoning objective, in that it is confined to 'local retailing needs', having regard to section 11.2.6 of the CDP 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*" it is the applicant's claim that the twenty per cent reduction net sales area, (ninety percent of which is for convenience retailing, with a remaining ten percent of the overall net

sales area being allocated to comparison goods sales) brings the current proposal within the meaning of 'local retailing needs.' There is no definition for 'local retailing needs' within the CDP as pointed out in the appeal and it is agreed that the lack of clarity could hinder assessment.

7.3.9. Aside from whether it is or is not demonstrated that the development comes within a description of 'local retailing need' as might be envisaged for the C1 zoning, the reasoning for the refusal of permission for the previous proposal relating to inconsistency with the zoning objective is not overcome. The application site is not zoned for retailing or designated as a local neighbourhood centre at which a small convenience retailing unit might be appropriately provided. Irrespective of the case in the appeal as to the reduced net sales area, the proposed development in effect would be the main use, supplemented by the filling station and associated retail unit on the site along with parking and ancillary development on the corresponding C1 zoned parcel of land in entirety.

7.3.10. There is no reason with the current proposal that suggests that the argument about opportunity cost of possible future development in enterprise, light industry and commercial uses other than those reserved for the CC zone along with maximisation of economic and employment development as raised in the assessment of the previous proposal could be set aside and disregarded.

7.3.11. The applicant's agent opted to demonstrate, with reference to the submitted retail impact assessment report that the catchment is 'local' and consistent with the scale and nature of convenience retailing offer at a local or neighbourhood centre as opposed to district centre. If it is decided that the current proposal is acceptable within the 'C1' zoned site area and comes within the scope of 'local retailing need' it should then be determined as to whether designated retailing areas would be undermined by trade diversion. As has been previously concluded in connection with the previous proposal, as the application is for a convenience retailing development impact on viability and vitality of the city centre would not be at issue. Sequential testing is only warranted for establishing potential trade diversion of high-end comparison retailing from the city centre.

7.3.12. As stated in the appeal, there is a reasonable expectation that discount store competitors which are directly comparable would share and significantly overlap in

the retail offer, customers and the same 'local' catchment. This matter as has been discussed in detail in the applicant's submissions which includes references to recent examples at Knocknacarra of co-location of Lidl and Aldi stores and at Headford Road is accepted. Notwithstanding the findings in the applicant's retail impact assessment, there is some concern as to assurance that the convenience retailing and retailing potential at the West City designated district centre is not adversely affected by trade diversion from this centre. While the proposed development if permitted would provide for clustering of convenience retailing outlets the case for justification in the current instance fails in that given the C1 zoning for the entirety of the application site lands the argument as to clustering is not relevant. The current proposal is to be located on additional 'C1' lands not primarily designated for District Centre convenience retailing irrespective of the specificity of catchment.

7.3.13. The claim in the appeal as to lack of a district centre boundary or lack of clarity and vagueness as to the boundary so that it could be interpreted as extending to include the site area is not accepted. It is agreed that District Centre is not a zoning objective in itself, but it is clearly indicative of the level within the retail hierarchy for both the city and county and the primacy of retail use. In this regard, it is considered that the the lack of District Centre designation and/or appropriate zoning objective for the site that allows for retail and associated land uses for the site lands is a material consideration. The nature of uses intended for 'C1' zoned lands which could include a subsidiary retail element, are clearly distinct from but complementary to the uses provided for at District Centres. However, it is not agreed that a flexibility can be applied which would render convenience retailing as the main use in combination with the existing retail uses acceptable on lands that area clearly and specifically zoned 'C1'.

7.3.14. **Parking.**

7.3.15. The shortfall in parking provision was considered in the assessment of the previous proposal and deemed acceptable. There are no issues within the current proposal that would warrant a reconsideration of the proposal in this regard. 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.

7.4. Potential interference with aviation operations at University Hospital Galway.

- 7.4.1. The characteristics of the existing and proposed structures and the findings of the assessment conducted on behalf the applicant in connection with the prior and current proposals is indicative that there is no conflict, with the operation of the helicopter service at construction and operational stages. The concerns of the HSE are considered reasonable are appreciated. Further to review of the submission in which the importance and the nature and extent of the aviation activities of the helicopter services are described, there are no precise and specific issues of concern raised with or without reference to the details in the report on impact on aviation included with the application.
- 7.4.2. In the event of favourable consideration of the proposed development, the applicant could be required by condition to implement and adhere to the considerations and recommendations in respect of both construction and operational stages within the technical report (Proteus) dated 5th August, 2021 which was submitted with the application.

7.5. Environmental Impact Assessment Screening.

- 7.5.1. 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.

7.6. Appropriate Assessment Screening.

- 7.6.1. 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

Given the foregoing, it is recommended that the planning authority's decision to refuse permission be upheld based on the reasons and considerations which follow.

9.0 Reasons and Considerations

Having regard to the policies and objectives of the Galway City Development Plan, 2017-2023 and in particular to the site location which is outside of a designated District Centre and which is subject to the zoning objective, 'C1' which provides for enterprise, light industry and commercial uses other than those reserved for the city centre zone and, where there is a specific objective to consider only bulky goods retailing and local retailing needs and where there is no exception provided which would allow for food store development, it is considered that the proposed development materially contravenes the development objective for the lands and is contrary to the proper planning and sustainable development of the area.

Jane Dennehy
Senior Planning Inspector
9th May, 2022