



An  
Coimisiún  
Pleanála

## Inspector's Report ABP-322684-25

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<b>Development</b>	Retention of convenience retail and goods storage.
<b>Location</b>	Units 9 & 10, Monaghan Retail Park, Cornacassa, Monaghan, Co. Monaghan, H18 NV20
<b>Planning Authority</b>	Monaghan County Council
<b>Planning Authority Reg. Ref.</b>	2460318
<b>Applicant(s)</b>	Centz Stores 8 Ltd
<b>Type of Application</b>	Retention Permission
<b>Planning Authority Decision</b>	Refuse permission
<b>Type of Appeal</b>	First Party v Decision
<b>Appellant(s)</b>	Centz Stores 8 Ltd
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	9 <sup>th</sup> September 2025
<b>Inspector</b>	Dan Aspell

## **1.0 Site Location and Description**

- 1.1.1. The site is located at Units 9 & 10, Monaghan Retail Park, Cornacassa, Monaghan town, Co. Monaghan, H18 NV20. The units are within the main retail warehouse building in the Park. Units 9 and 10 are currently occupied by 'Homesavers'.
- 1.1.2. The two units have been amalgamated. The existing store sells a variety of packaged comparison and convenience goods. The stated gross floor area of the amalgamated units is 1,523.23sqm.
- 1.1.3. The Park is accessed off the N54. It is located approximately 2km west of the junction of Broad Street and Dawson Street in Monaghan town. Car parking is to the front of the building.

## **2.0 Proposed Development**

- 2.1.1. The proposed development is stated as comprising retention permission for:
  - the retail sale and ancillary storage of goods (other than bulky goods) comprising convenience goods and non-bulky comparison goods, which the applicant states would be in non-conformity with Condition 7 of Reg. Ref. 05/978;
  - the amalgamation of Units 9 & 10 into a single unit, which the application states would be in non-conformity with Condition 10 of Reg. Ref. 05/978.
- 2.1.2. No other works including changes to the external elevations or layout are proposed. In response to invitation by the Planning Authority by request for further information the applicant altered the internal layout and location of goods within the store.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

- 3.1.1. Monaghan County Council issued a notification to refuse retention permission for 2 no. reasons, summarised as follows:
  - Reason 1: The development would detract from the vitality and viability of the town centre and of Monaghan Town, and permitting the development would be

contrary to Objectives TCO3, TCO1 and SHO1 of the Monaghan County Development Plan 2019-2025, and would set an undesirable precedent.

- Reason 2: The development by reason of its nature, scale and location would adversely affect the vitality and viability of the existing town centre and would be contrary to policies RTP1, RTP2, RTP3 and RTP5 of the Monaghan County Development Plan, Policy 2 of the County Monaghan Retail Strategy 2016-2022 and Objective SRO2 of the Monaghan County Development Plan, and set an undesirable precedent for development.

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

3.2.1. Planning report: The report recommended refusal. I note the following points:

- Site comprises 'Homesavers' in Monaghan Retail Park 2.5km outside the town centre on 'Existing Commercial' zoned land. The store (1,523.23sqm) operates in amalgamated Units 9 & 10. The change of use area is 370sqm;
- Use: Existing established use on the site is retail warehousing. 'Retail (convenience)' is open for consideration in this zone;
- Development: Although retention is sought, applicant includes proposals for a future sales layout with an area allocated for convenience & non-bulky goods;
- Enforcement issued regarding Conditions 7, 9 & 10 of Reg. Ref. 05/978:
- Environment Section, Environmental Health, Water Services/Uisce Eireann; Roads Design all stated no objection. TII recommended Further Information;
- Report referred to a letter issued by the Planning Authority allowing non-bulky comparison and convenience goods to be sold across 30% of the gross floorspace of the Park Units, and that the subject area is below this figure. Report stated this previous Planning Authority advice was given in the context of the planning policy of the time (County Development Plan 2007-2012 Variation No. 3). Report considered the previous advice holds little weight in assessing this proposal;
- Amalgamation: Report stated no objection in principle to amalgamation of Units 9 & 10 and non-conformity with Condition 10. Report stated the main

issue is the proposed retail sale of convenience & non-bulky comparison goods which would be in non-conformity with Condition 7. Report stated those conditions are necessary to protect the vitality & viability of the town centre and that this position was reinforced through the decision on Reg. Refs. 10/425, 10/36 and 09/320;

- Report set out details of products for sale and their locations. Report noted applicant intends to rearrange the layout as per the 'future sales layout' submitted and that this layout would place all small comparison and convenience goods in one part of the shop known as 'Area A' (370sqm) with bulky items in 'Area B' (853.96sqm). Report considered that following a site inspection there are insufficient goods of a bulky nature to occupy Area B. Report stated it is unclear if Area A would be sufficiently large to accommodate existing small comparison and convenience goods on the shop floor. Report invited the applicant to rearrange the store layout in accordance with the submitted 'future sales layout';
- Retail impact: Report did not consider a retail impact assessment necessary;
- Sequential approach: Report considered applicant's sequential test failed to demonstrate there are no suitable alternative sites available;
- Design: No issue in terms of design;
- Further Information: Applicant requested to address availability of other sites; traffic impact; car parking; advertising; and compliance with Retail Planning Guidelines, Monaghan County Development Plan 2019-2025 and County Monaghan Retail Strategy 2016-2022;
- Applicant submitted a 'sales floor plan' showing small comparison, convenience and confectionary now located in one area. Report stated that reinspection found small comparison & convenience goods on shelves in the 'comparison, convenience & confectionary' area but also at other aisles throughout the shop. Report stated there was 'no overriding impression' the items being sold in aisles 1-10 were bulky items only, but that those aisles usually comprised a combination of bulky items, small comparison, & convenience goods. Report stated the revised floor plan does not accurately reflect what is in the shop insofar as specifying the location and extent of non-

bulky items. Report stated that in many respects differing interpretations of what constitutes bulky goods and their extent on the shop floor is irrelevant to the main consideration; that ultimately the applicant seeks to remove a condition which restricts the types of goods that can be sold, that is, bulky goods only, at an out-of-centre location. Report considered the rationale for attaching this condition and the impact its removal would have. Report stated Condition 7 is necessary to protect town centre vitality & viability, and that permitting convenience & comparison retailing of the nature & scale proposed at this location would be contrary to Objectives TCO3, TCO1 & SHO1;

- Revised sequential test: Report stated its concern that granting permission would set an undesirable precedent and incrementally have a material adverse affect on Monaghan Town Centre vitality & viability;
- Traffic & Parking: Report noted further information response and considered there is adequate parking; that proposal accords with Development Plan; and the proposal is unlikely to give rise to a significant intensification of use of the existing access. Report noted TII submission, and stated the Planning Authority is satisfied the proposal will not have a detrimental impact on the capacity, safety & operational efficiency of the national road network;
- Advertising: Further information response demonstrates existing advertising is within scope of Reg. Ref. 05/978 incl. Condition No.13.

#### Other Technical Reports

3.2.2. Road Condition Report: Report stated no objection.

3.2.3. Environment Section: Report stated no objection subject to conditions.

3.2.4. Environmental Health: Report stated no objection.

3.2.5. Water Services: No objection.

### **3.3. Prescribed Bodies**

3.3.1. Transport Infrastructure Ireland: Submission stated the following:

- The application is at variance with official policy regarding control of development on national roads as outlined in Spatial Planning and National

Roads Guidelines for Planning Authorities 2012, as the proposed development by itself or by precedent, would adversely affect the operation & safety of the national road network;

- Section 2.5 of the Guidelines addresses development within transitional speed limit zones and states the proliferation of entrances, which would lead to a diminution in the role of the transition zones, must be avoided. Proposal would create an adverse impact on the national road and be at variance with national policy in relation to control of frontage development on national roads;
- Insufficient data has been submitted to demonstrate the proposed development will not have a detrimental impact on the capacity, safety or operational efficiency of the national road network in the vicinity of the site.

3.3.2. TII submission in response to further information reiterate previous position.

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

3.4.1. None.

### 4.0 **Planning History**

#### 4.1. **Subject site**

- 4.1.1. Reg. Ref. 10/425: Planning permission refused by Planning Authority in 2010 (Units 1,9 & 10 Monaghan Retail Park) for change of use and amendments to existing retail warehouse Unit 1 comprising construction of two level extension to west of the unit and installation of mezzanine level floor to accommodate a leisure complex (gross floor area 4,921sqm) and amalgamation and change of use of Unit 9 & 10 from retail warehousing to licensed Aldi Discount Foodstore (gross floor area 1,547sqm).
- 4.1.2. Reg. Ref. 10/36: Planning permission refused by Planning Authority in 2010 (Units 9 & 10 Monaghan Retail Park) for amalgamation and change of use of Unit 9 & 10 from retail warehousing to a licensed Aldi Discount Foodstore (gross floor area 1,547sqm) including alteration and associated site development works.
- 4.1.3. Reg. Ref. 09/320: Planning permission refused by the Planning Authority in 2009 (Units 9 & 10, Monaghan Retail Park) for amalgamation and change of use of Units 9

& 10 from retail warehousing to a licensed Discount Food Store with a gross floor area of 1,547sqm, including alterations and associated site development works.

4.1.4. Reg. Ref. 05/978: Planning Permission granted by Planning Authority in 2005 for amendments to Reg. Refs. 02/571 and 04/112. Conditions 7, 9 and 10 as follows:

4.1.5. *Condition 7. 'The floor space comprised in the retail warehousing shall be used only for the retail sale and ancillary storage of bulky goods as detailed in Retail Planning Guidelines for Planning Authorities (DOELG December 2000) i.e. goods that are of such a size that they would normally be taken away by car and not be manageable by customers travelling by foot, cycle or bus, or that large floor areas would be required to display them, or, if not large individually, part of a collective purchase which would be bulky. The retail warehousing units shall be used only for the retail sale and ancillary storage of the items listed hereunder and for no other purposes without a prior grant of permission from the Planning Authority*

*i) DIY materials, products and equipment;*

*ii) Garden materials, plant and equipment;*

*iii) Furniture and soft furnishings, carpets and floor coverings;*

*iv) Electrical goods;*

*v) Such other items as may be determined in writing by the Planning Authority as generally falling within the category of "bulky goods.'*

*Reason To secure a satisfactory standard of development, to prevent pollution in the interest of public health and to prevent unauthorised development.*

4.1.6. *Condition 9: Details regarding the specific use of proposed retail warehouse units and of industrial units shall be submitted to and agreed in writing by the Planning Authority prior to the occupation of each unit.*

*Reason: To control the nature, range and scale of the commercial activity to be carried on at this location and to ensure that the proposed development does not result in over-intensive development of the site having regard to the need for adequate parking provision, traffic circulation and landscaping.*

4.1.7. *Condition 10: (a) 'There shall be no subdivision of proposed units without a prior grant of planning permission from the Planning Authority. (b) The amalgamation of*

*any of the proposed units to form a larger unit shall be agreed in writing with the Planning Authority prior to the commencement of work on the extended unit and the occupation of such a unit.*

*Reason: To secure a satisfactory standard of development and in the interests of pedestrian and traffic safety.*

4.1.8. I note earlier permissions for the retail warehouse park referenced by the parties on the case file including Reg. Refs. 04/112, 02/571, and 01/536.

#### 4.2. **Nearby sites:**

4.2.1. Reg. Ref. 20/296 (ABP Ref. ABP-308410-20): Planning permission refused by the Board on appeal in 2020 for development consisting of change of use of Unit 2 from the existing permitted 'retail warehouse' use to 'convenience retail' (c.772 sqm); and alterations and associated works.

4.2.2. That appeal was assessed under the previous County Development Plan (2019-2025). The Board refused it for 2 no. reasons, summarised as follows:

- The first reason was on grounds that the development would detract from the vitality and viability of the town centre and that permitting a convenience retail unit of the scale proposed outside the designated town centre would be contrary to Objectives TCO3, TCO1 and SHO1, and would be contrary to the relevant land use objectives of the then Development Plan;
- The second reason was on grounds of the failure of the applicant to carry out a sequential test to justify the acceptability of the development at this location, and that the nature and location of development would adversely affect the vitality and viability of the existing town centre and would be contrary to policies of the then Development Plan and the County Monaghan Retail Strategy.

4.2.3. I note applications referred to by the applicant and Planning Authority (incl. Reg. Refs. 16/222, 08/1170, 08/887, 08/886, 08/845, 08/837, 08/187, 07/1956, 07/1258, 07/914, 06/802, and 06/1838).



## 5.0 Policy Context

### 5.1. National guidelines and strategies

Town Centre First A Policy Approach for Irish Towns 2022

Retail Planning Guidelines for Planning Authorities 2012

I note in particular the following provisions of the Guidelines:

Section 2.5 'Policy Objectives' states that: *"Taking account of the previous sections, these guidelines identify five key policy objectives to be progressed by planning authorities in planning for and addressing the development requirements of the retail sector. These objectives relate to the needs for plan-led development, a focus on city and town centres for the majority of future development, a pro-active approach by local authorities in enabling city and town centre renewal and development to come about and a high quality approach to urban design"*

Sections 2.5.2 Sequential Development Approach; 2.5.3 'Competitiveness in the Retail Sector'; 4.4 Sequential Approach to the Location of Retail Development; 4.5 Application of the Sequential Approach; 4.6 Sequential Approach and Extension – Change of Use Applications; 4.9 Retail Impact Assessment; and 4.11 Assessment of Specific Categories of Retail Development including 4.11.2 'Retail Parks and Retail Warehouses'.

Section A1.2 Types of Retail Goods

Retail Design Manual 2012

Spatial Planning and National Roads Guidelines for Planning Authorities 2012

### 5.2. Development Plan

- 5.2.1. Monaghan County Development Plan 2025-2031 is the relevant development plan.
- 5.2.2. The site is zoned 'EC Existing Commercial'. Development Plan Table 9.3 'Land Use Zoning Matrix' indicates that in the 'EC' zone 'retail (convenience)', 'retail (comparison)', and 'retail warehouse' are all 'Open for Consideration', however the table indicates that 'retail (convenience)' and 'retail (comparison)' are acceptable in principle at the Monaghan Retail Park.

5.2.3. Section 4.6 'Retailing' states that until an updated Retail Strategy is published, the County Monaghan Retail Strategy 2016-2022 will be used to determine the approach to retailing within the Development Plan. Section 4.6.1 'Retail Hierarchy' states that Monaghan Town comprises the Tier 1 County Retail Centre.

5.2.4. I note the following policies, objectives and provisions in particular:

- RTO3 *To direct retail development to serviced areas to reinforce the role and function of the core retail areas*
- RTO4 *To support the vitality and viability of existing town and village centres and facilitate a competitive and healthy retail environment by ensuring that future growth in retail floorspace responds to the identified retail hierarchy.*
- RTO5 *To promote and encourage the enhancement of retail floorspaces and town centre functions, in order to reduce retail expenditure leakage out of the County and to sustain competitiveness of retail centres in the County.*
- RTO8 *To encourage and facilitate innovation and diversification of the County's retail offer, including tourism, agri-tourism and craft related ventures and markets where appropriate.*
- RTP1 *Proposals for retail development shall comply with the County Monaghan Retail Strategy 2016-2022, the Retail Planning Guidelines for Planning Authorities 2012 (and the accompanying Retail Design Manual) and any new or updated/subsequent versions.*
- SSO 8 *To promote the towns as residential, employment, industrial, commercial, retail and service centres.*
- TCO1 *To promote and develop the town centres as the principal location for retail, office, leisure, entertainment, cultural and service uses and to encourage the refurbishment, renewal and re-use of existing buildings and derelict sites within it.*

5.2.5. Section 9.7 'Retailing', including (in this regard I note there are two sets of policies with the references RTO1, RTO2 and RTO3):

- RTO1 *To protect the vitality and viability of the town centres as the principal shopping area by encouraging development that would maintain and consolidate the retail core (as defined by the town centre zoning) of the towns.*
- RTO2 *To prohibit the location of retail development outside the town centres unless the development is compliant with the policies contained in the County Monaghan Retail Strategy 2016-2022 and the DECLG Retail Planning Guidelines for Planning Authorities (and any new or updated/subsequent versions).*
- RTO3 *To encourage the provision of a wider range of convenience and comparison goods, and size of retail units in the town centres.*

5.2.6. Section 10.6 'Retailing' states: *"Monaghan Town is identified as a Tier 1 town in the retail hierarchy as set out in the Monaghan County Retail Strategy 2016-2022. The Strategy indicates that a total of 32,522sq.m of retail floor space is provided in Monaghan Town with a 20% vacancy rate for retail premises in the town. The Monaghan County Retail 2016-2022 sets out the policy context for retail development within County Monaghan. New retail development within Monaghan Town shall be compliant with the objectives and policies contained within the strategy.*

*The Council recognises the long-term vacancy at Monaghan Retail Park which must be addressed. It is an objective of the Council to support new retail in the Park.*

- *The current retail park has a 45% vacancy and at present there are 5 unoccupied and vacant units in the Retail Park. This has been a consistent long-term problem since it opened 20 years ago.*
- *Job Creation and Vacancy are not mutually exclusive. Addressing vacancy in Monaghan town in general, will create jobs. Monaghan Retail Park has a majority of units in vacancy and a list of retailers that want to lease space in the centre.*
- *Convenience and comparison retail should be a fundamental part of a wider Retail Hierarchy, which is Monaghan Town (the main county town) should include Neighbourhood level, convenience retail with appropriate attending services.*

*Monaghan Retailing Objective MTO 7 To extend the retail base of Monaghan Town as the Principal/Key Town in the County and maintain its Tier 1 designation as identified in the County Retail Strategy 2016- 2022 and any new or updated/subsequent versions.*

County Monaghan Retail Strategy 2016-2022

- 5.2.7. I note in particular the following provisions of the Strategy:
- 5.2.8. Section '3.1 Assessment of Key Towns' section '3.1.1 Monaghan Town';
- 5.2.9. Section 3.2 'Retail Floorspace Activity' indicates, in terms of available floorspace, 8,359sqm comparison, 15,663sqm bulky comparison, and 8,500sqm convenience retail floorspace in Monaghan, giving a total of 32,522sqm retail floorspace. In terms of floorspace in use it indicates 7,289sqm comparison, 10,413sqm bulky comparison, and 8,460sqm convenience;
- 5.2.10. Objective 4 *Encourage and facilitate innovation and diversification of the County's retail offer, including tourism, agri-tourism and crafts related ventures and markets where appropriate.*
- 5.2.11. Policy 1 *Support the vitality and viability of existing town and village centres and facilitate a competitive and healthy retail environment by ensuring that future growth in retail floorspace responds to the identified retail hierarchy.*
- 5.2.12. Policy 2 *Assess all retail planning applications against the criteria set down in the Retail Strategy for County Monaghan and the Retail Planning Guidelines for Planning Authorities, 2012 and the accompanying Retail Design Manual.*
- 5.2.13. Policy 3 *Support the development of, and to reinforce the role and function of the core retail areas and to direct retail development to serviced areas.*
- 5.2.14. Policy 4 *The preferred location for large scale retail developments is in town centres, with an explicit presumption against large out of town retail centres, in particular, those located adjacent or close to existing, new or planned national roads/motorways, and alternative locations may only be considered in accordance with the Sequential Test, as required under the Retail Planning Guidelines for Planning Authorities, 2012 (DECLG).*

- 5.2.15. Policy 5 *Promote and encourage the enhancement of retail floorspaces and town centre functions in order to reduce retail expenditure leakage out of the County and to sustain competitiveness of retail centres in the County.*
- 5.2.16. Policy 6 *Encourage reuse of vacant town centre commercial premises for alternative uses and adapt a flexible approach to reoccupation, particularly where this can complement the existing service base.*
- 5.2.17. Sections 5.5 'Criteria for the Assessment of Future Retail Development'; 5.6 'The Sequential Test'; 5.7 'Retail Impact Assessments'; and 5.9.2 'Retail Warehousing'
- 5.2.18. Table 5.1 'Retail Floorspace Thresholds'.

### **5.3. Natural Heritage Designations**

- 5.3.1. Slieve Beagh SPA is approximately 10.53km to the north-west.

## **6.0 Environmental Impact Assessment screening**

- 6.1.1. The proposed development has been subject to preliminary examination for environment impact assessment (See Form 1 Appendix 1 of this report). Having regard to the characteristics and location of the development and the types and characteristics of potential impacts, I consider that there is no real likelihood of significant effects on the environment. The development, therefore, does not trigger requirement for EIA screening and an EIAR is not required.

## **7.0 The Appeal**

### **7.1. Grounds of First-Party Appeal**

- 7.1.1. A first-party appeal was received from the applicant's planning consultant, the main points of which are summarised as follows:
- Refusal did not consider the merits of the application and should be overturned;
  - Homesavers sells items similar to retail warehouse parks and major anchor retailers. It leases premises at low rent to minimise costs and deliver low prices. The turnover of deep discount retailers is well below town centre locations;

- The scale of the sales area dedicated to convenience and small comparison goods is minor in the context of overall retail floorspace in the town and town centre. The operator is a deep discount operator offering discounts on a restricted range of goods at low prices, usually everyday home essentials. They are not appropriate in town centre Core Retail Areas as they do not sell high end comparison goods. They tend to have localised appeal;
- The store net sales area is 1,324sqm. The sales area dedicated to small comparison and convenience items is 370sqm (27% of net sales area). Floor area for bulky goods is 954sqm. Appeal states this illustrates the minor nature of the proposed development for which retention is sought;
- Store mainly sells bulky comparison goods in line with the definition of 'bulky' in the 2000 Retail Planning Guidelines as referred to in Condition 7 of Ref. 05/978 and does not exclusively sell convenience and small comparison goods. Condition 7 of Ref. 05/978 quotes the 2000 Guidelines;
- There is a difference in the bulky goods definition under the 2000 Guidelines and later iterations of the Guidelines. The 2000 Guidelines refers to goods that are not individually large but are part of a collective purchase that would be bulky. This allows older retail warehouse units to sell a larger range of comparison goods than would be allowable in parks granted since the 2012 Retail Planning Guidelines. As such Homesavers sells comparison goods that could be considered non-bulky individually but are purchased in bulk;
- In Ref. 05/978 the Planning Authority dealt with amalgamation in Condition 10 as a minor detail, hence the inclusion of the condition as opposed to a new application. Appeal states the Planning Authority has no objection to that component of the development and so in relation to that part specifically the appeal asks the Commission to grant permission;
- Site is on 'Existing Commercial' lands which supports a range of commercial activities including retail. The zoning requires the use to relate to established commercial uses. Planner Report provided no assessment of zoning objective. Appellant is aware of the objective to protect the town centre, hence the scale of the offer is minor and limited in terms of products. Under the 2025-2031

County Development Plan 'convenience' and 'comparison' are 'permitted in principle at Monaghan Retail Park';

- Town centre viability: The assertion the development would detract from Monaghan town centre vitality & viability is not supported by data. The development is not of a nature and scale to compete with the town centre core retail offering. It is complementary and addresses a specific retail need for convenience & small comparison goods at low prices in an accessible location;
- The Guidelines utilise the sequential approach but provide flexibility where suitable town centre locations are not available / viable. The sequential assessment findings were not disputed by the Planning Authority. The refusal rigidly interprets policy without acknowledging the site is an established commercial location integrated with existing infrastructure. Planning Authority refused permission without having regard to the sequential assessment;
- Precedent: Concern regarding undesirable precedent is not justified. There is no evidence suggesting approval would lead to a cascade of inappropriate or unsustainable retail proposals as the circumstances of the application are specific and not easily repeated;
- Sustainable development: Proposal makes efficient use of serviced lands; avoids greenfield development; capitalises on infrastructure; reduces the need to travel to larger centres; and reduces emissions;
- Application was not determined to be a Development Plan material contravention. The Commission is not restricted in its ability to grant retention permission. In any event the 2025-2031 Development Plan has been adopted;
- Use of the units prevented their vacancy in a park that has 45% vacancy. Policy TCO3 allows for uses outside the town centre in exceptional circumstances; those circumstances apply in this case via the sequential approach;
- Reason 1: Planning Authority previously allowed change of use to 'Next' and 'Argos' in this Park. The Park suffers long term vacancy. The scale of small comparison & convenience offer is insignificant when compared to the frozen food store refused by the Board in Unit 2; the limited diversity of retail lines and depth of offer in each line means no one product dominates in competition with

the town centre. Since the store opened in 2019 there have been positive changes in the town centre and others not attributable to the development for which retention is sought. The new Development Plan includes provision that convenience & comparison are permitted in principle, and seeks to address the long term vacancy at Monaghan Retail Park;

- Refusal reason 2 is very similar to the reason for refusal issued by the Board in respect of ABP Ref. No. ABP-308410-20 (Reg. Ref. 20/296). That case related to a frozen food retailer in Unit 2 with an area of 722sq, which is twice the area of the subject case. One of the substantive issues in that case centred on the lack of sequential approach and which formed part of the refusal reason. The Planning Authority has not given consideration to the merit of this application in terms of the submitted sequential assessment. This begs the question why bother with a sequential assessment if its conclusions are ignored. The application did not include a Traffic Impact Assessment as the impacts of development were already known and considered negligible;
- The sequential assessment showed there are no units available. The Homesavers business model is not to build stores which it cannot afford to do given its business model and nature of offer. Therefore the sequential approach must be based on reasonable criteria. The sequential approach should apply to the entire unit, not just part of the offer. The policies in the refusal reason relate to the sequential approach which the Authority has not assessed. Had it done so it would have to conclude there is no suitable, viable & available properties in or on the edge of centre and that as such exceptional circumstances apply;
- Appeal sets out information on the status of the town and how it has changed since 2020. It states convenience outlets, grocer, deli, and butchers all increased. Recorded declines in ladies' fashion cannot be put down to Homesavers. The drop of 2 units in 'newspapers & stationers' was likely linked to the opening of Mr. Price in 2019. Appeal highlights increases in other uses and that vacancy numbers remain steady. Appeal states the changes in the town centre's offer demonstrate that since Homesaver's began trading in 2019, none of the changes can be attributed to it;



- Appeal states it is the appellant's opinion that Homesavers' limited convenience & small comparison offer has not had an impact on trading in the town centre. Positive changes in terms of convenience in the town centre illustrates the market has not been impacted by Homesavers. The new Aldi store under construction at the edge of centre will further bolster the town centre's offer. Appeal refers to details of available expenditure and retail floorspace turnover, and states that sufficient information is available to conclude the development would not have an impact on the town centre vitality & viability. The Planning Authority also agreed that a full retail impact assessment was not necessary;
- There are two components to the application. The first is amalgamation of the two units. The Planning Authority did not have an issue with this. Appeal reiterates the above points and states that there is no justifiable reason why a grant of permission would give rise to undesirable precedent.

## **7.2. Planning Authority Response**

7.2.1. None.

## **7.3. Observations**

7.3.1. None.

## **8.0 Assessment**

8.1.1. Having regard to the foregoing; having examined the application, appeal, Planning Authority reports, and all other documentation on file including all of the submissions received in relation to the application and appeal; and having inspected the area within and around the site; and having regard to relevant local, regional and national policies, objectives and guidance, I consider the main issues in this appeal are:

- Retailing (Reasons 1 and 2);
- Related matters raised in the course of the appeal.

## 8.2. Retail (Refusal reasons 1 and 2)

- 8.2.1. Both refusal reasons relate to the impact of the development on the vitality and viability of Monaghan Town Centre. The reasons otherwise differed, with reason 1 referring to specific objectives of the 2019-2025 Development Plan, and reason 2 referring to different policies and objectives of the Development Plan and to the County Retail Strategy. Given the overlap and that the referenced Development Plan has been superseded, I deal with the issues raised in the refusal reasons together.

### *Development context*

- 8.2.2. The retail warehouse park was permitted under a number of applications (Reg. Refs. 02/571, 04/112 and 05/978). Permission Ref. 05/978 was for alterations to the previous two referenced applications. Condition 7 of that permission states that the floor space comprised in the retail warehousing shall be used only for the retail sale and ancillary storage of bulky goods. Specific details on the nature of the permitted use and sellable goods are detailed in the condition, as set out above.
- 8.2.3. I note the definition of bulky goods set out under the current 2012 Guidelines is changed from that at the time the above permissions were granted. The appellant makes the point this means that whilst the bulky goods being sold might not be permissible under the current Guidelines, they were under the Guidelines in effect at the time those permissions were granted. The appellant also states that the use of the store overall, including the nature of the bulky goods sold, is not the subject of this application, but only development in part of the store identified in the application.
- 8.2.4. I further note that, in relation to the convenience and non-bulky comparison goods referenced in the application, these were originally dispersed in specific locations throughout the store, however in response to the Planning Authority further information request, the revised layout submitted showed the relevant use and goods as being reorganised into one area (that is, the area referred to as 'Area C' stated as measuring 370sqm and corresponding to Aisles 10 (part) to 14).
- 8.2.5. Noting the changes made in the course of the application, I am generally satisfied these are reasonably clear and that interested parties had an opportunity to engage. I am also satisfied the nature of the development being considered falls within the description as advertised. I am further satisfied the application and appeal do not relate to the use of the other parts of the store and goods sold therein. I also

consider that the focus on one area in the store in terms of use and goods is preferable from the perspective of implementing any permission or conditions, noting in this regard the nature of the goods sold across the store.

*Policy context*

- 8.2.6. I have had regard to the provisions of the 2025-2031 Monaghan County Development Plan, and the Monaghan Retail Strategy 2016-2022. The Planning Authority decision referred to the 2019-2025 County Development Plan which was in effect at the time of decision. I note the points made by the Planning Authority Planner report in these regards.
- 8.2.7. There have been a number of relevant changes in the current Development Plan 2025-2031. In particular, whilst the area was zoned in both Development Plans as 'EC Existing Commercial', and the Land Use Zoning Objective stated in both Development Plans for the 'EC' land use zone are almost identical, Table 9.3 'Land Use Zoning Matrix' in the current Development Plan indicates that in the 'EC' zone 'retail (convenience)', 'retail (comparison)', and 'retail warehouse' are 'Open for Consideration'; however 'retail (convenience)' and 'retail (comparison)' are shown as acceptable in principle specifically at the Monaghan Retail Park. In this regard, I note that in the Development Plan in effect at the time of the Planning Authority decision, 'retail (convenience)' and 'retail (comparison)' were simply 'Open to Consideration' and 'retail warehouse' was a 'Permitted Use'. As such I consider there has been a notable change in the Development Plan treatment of these three specific use types in this particular location since the Planning Authority decision was made.
- 8.2.8. I have reviewed the other relevant provisions of the current Development Plan. There are a number of policies and objectives which seek to focus retail development to town centres and core retail areas (eg. Objectives RTO2m RTO3, TRO4, TCO1, and RTO1). Also however, as noted above, the site is zoned 'EC Existing Commercial' where 'retail (convenience)' and 'retail (comparison)' are stated as being acceptable in principle. I also note Development Plan Section 10.6 'Retailing' states it is an objective of the Council to support new retail in Monaghan Retail Park. Also within this section of the Development Plan Objective MTO 7 seeks to extend the retail base of Monaghan Town (rather than specifically Monaghan Town Centre) as the Principal/Key Town in the County and maintain its Tier 1

designation. Strategic Objective SSO 8 seeks to promote towns (again not solely town centres) as retail centres. I also note Objective RTO8 seeks to encourage and facilitate innovation and diversification of the County's retail offer where appropriate.

- 8.2.9. Having reviewed the provisions of the current Development Plan I consider that in line with the Retail Planning Guidelines there is a degree of nuance in relation to policy on the location of retail development in Monaghan Retail Park, and a degree of balancing required between the relevant policies and objectives in this case. Having regard to the current policy context, I am satisfied the subject use is acceptable in principle in this location, subject to assessment of retail impacts in line with the Development Plan, County Retail Strategy and national Guidelines.

*County Monaghan Retail Strategy*

- 8.2.10. I have had regard to the provisions of the County Monaghan Retail Strategy 2016-2022. In particular I note Objective 4, Policies 1 to 5, and Sections 5.6 and 5.7 of the Strategy as set out above. Whilst the Strategy supports the vitality and viability of town centres and core retail areas, I am satisfied it also facilitates appropriately sized and diversified retail development within serviced areas, and retail development which responds to the retail hierarchy in accordance with the sequential approach and assessment of retail impact as required by the Retail Planning Guidelines.

*Retail planning guidelines*

- 8.2.11. I have considered the development in the context of the Retail Planning Guidelines 2012. Below I consider the development against the requirements of the Guidelines, focussing on the identified key objectives of: Sequential Development Approach; Plan-led Development; Competitiveness in the Retail Sector; Encouraging Sustainable Travel; and Retail Development and Urban Design.

*Sequential approach*

- 8.2.12. The second national policy objective of the Guidelines is to promote greater vitality in city and town centres by promoting a sequential approach to retail development. Section 2.5.2 'Sequential Development Approach' states "...*only in exceptional circumstances where it can be demonstrated that there are no sites or potential sites available either within the centre or on the edge of these centres should an out-of-centre site be considered.*"

8.2.13. The site is in an out-of-centre location. The applicant submits information in relation to the sequential approach and on the applicant's commercial model. The application sets out metrics for their assessment of suitability which the business requires. It also sets out a number of properties available at the time of the making of the application, and assessed each in terms of suitability, availability and viability. I note again the application relates to the use of and products sold within part of the applicant's existing store. Having regard to the information submitted, I am generally satisfied the applicant has demonstrated that there are no sites that are suitable, available and viable either within the centre or on the edge of these centres in line with Section 2.5.2 'Sequential Development Approach' of the Guidelines.

8.2.14. I note that the Guidelines state that the application of the sequential approach requires flexibility and realism on the part of both retail developers and planning authorities, to ensure that the various forms of retailing are developed in the most appropriate locations. It states that when making planning applications, retailers should be flexible in appraising potential sites and buildings and should be prepared to make reasonable compromises and, if possible, adapt standard retail formats to accommodate retail schemes on sites which are well located in the context of the sequential approach to retail development. Retailers also must look at issues such as scale and the possibility of changing core business models and adopting more flexible retail formats in order to blend in with local character. Other include disaggregating proposals with large floorspace/footprint requirements onto separate sites or using innovative site or store layouts, e.g. multi-storey developments with smaller footprints to make use of existing vacant and underutilised land or premises.

8.2.15. The applicant addresses these matters. They set out details of the applicant business model as it relates to the potential properties, and state that the scale of the proposed use has been restricted in response. They also state the proposed use is dependent on the remainder of the store. I am broadly speaking satisfied the appellant has addressed these matters, including looking at the possibility of changing their core business model and disaggregating proposals to separate sites.

*Impact on vitality and viability*

8.2.16. The Guidelines state in relation to out of centre retailing that where, following the sequential approach, the planning authority determines that no city/town centre or

edge-of-centre sites are suitable, viable and available which can provide the form and scale of development required under the development plan or relevant retail strategies, the planning authority must not approve such development unless it is satisfied there will be no negative impact on the vitality and viability of the retail core. It states that in assessing the suitability of an out-of-centre site, applicants and planning authorities can utilise the headings of retail impact assessment set out in Section 4.9 'Retail Impact Assessment' of the Guidelines. I consider those provisions below.

- 8.2.17. The Planning Authority considered that a Retail Impact Assessment (RIA) was not warranted. An RIA was not submitted with the application or appeal. Table 5.1 'Retail Floorspace Thresholds' of the County Monaghan Retail Strategy indicates that on Level 1 in the Retail Hierarchy the threshold for requiring an RIA is 1,000sqm of convenience and/or 1,000sqm of comparison. The subject development relates to part of the store which is well below these thresholds. Accordingly, I concur with the Planning Authority Planner Report that an RIA is not warranted.
- 8.2.18. I note that nevertheless the application and appeal set out information and calculations in this regard. The application cover letter sets out details of the turnover range for Homesavers units. It sets out a breakdown of the convenience, comparison and bulky goods turnover for Monaghan town based on the Monaghan County Retail Strategy using figures for 2022. The letter calculates that the turnover of the entire unit is less than 1.5% of the turnover of Monaghan town, and that the turnover of the portion of the unit which is the subject of the application (stated as 27.95%) is just over 0.28% of town's turnover. The letter states that "*due to the insignificance of this turnover there is no retail impact arising as a result of the proposed development, and therefore ... the development cannot have an adverse impact on the vitality and viability of Monaghan town centre*". In this regard the report notes the plans for development of an Aldi store in the town centre. I note the letter subsequently states that, utilising figures for Monaghan Town's total retail turnover in 2024 prices, the combined turnover of the relevant sales areas in Homesavers is 0.4% (rather than the previously stated 0.28% in 2022 prices).
- 8.2.19. In this regard, the Development Plan promotes retail in Monaghan Town as the County Tier 1 settlement. I note the subject development, whilst approx. 1.5km outside the town centre, is within the 'Settlement Envelope' shown on Development

Plan Map MTDP1. I note that *Dunnes Stores, Tesco Metro, Lidl, SuperValu* are all located in the town centre, and that a new *Aldi* store is nearing completion in the town centre (Reg. Ref. 249011). In a comparable market segment to the applicant, I note the presence of *EuroGiant* and *Dealz* in the Monaghan Shopping Centre, and *Mr. Price* in the north of the town, all of which are in the town centre.

8.2.20. I also note the following statements submitted as part of the appeal:

- *Homesavers sells items that are both individually bulky and goods that are not individually bulky but are often purchased in bulk;*
- *this application is concerned only with convenience and so called non-bulky or small comparison goods;*
- *the retailer is a discount operator, offering deep discounts on a range of quality products. DDR's offer a restricted range of goods at low prices. Usually they are everyday essentials and practical items for the home. DDRs are an essential retail offering in our town's [sic] as they provide another option for low income households;*
- *The store does not exclusively sell convenience and non-bulky comparison goods. It mainly sells bulky comparison goods in the line with the definition of "Bulky" in the 2000 Retail Planning Guidelines referred to in Condition 7 of PA Ref: 05/978;*
- *Homesavers sells a range of comparison goods that could be considered non-bulky, individually, but are normally purchased in bulk;*
- *non-bulky/small comparison and convenience goods equates to 27.95% of the display aisle space;*
- *non-bulky comparison and convenience goods are located variously around the store floorplate. To that end, the applicant has proposed to relocate the relevant goods to a single area of the store subject to retention being granted;*
- *This is a minor development in terms of turnover of the unit as a whole. Over 70% of the floorspace is used for the sale of bulky goods.*

8.2.21. Having regard to the information provided, and having regard to the scale, extent, nature and location of the development, I do not consider the subject use has or will

have a significant impact on the vitality and viability of Monaghan town centre, or would or has diverted significant trade from the town centre which would conflict with relevant policies and objectives of the Development Plan, County Retail Strategy, or Retail Planning Guidelines. I am satisfied the nature of the use and extent of store area concerned in this application relative to Monaghan town centre is minor and would not have a significant impact on the vitality and viability of the town centre.

8.2.22. I have also considered the development in the context of the other assessment criteria set out in Section 4.9 of the Guidelines. I am satisfied the development would not conflict with the long-term strategy for town centres, and would not materially diminish the prospect of attracting private investment into Monaghan town centre. I am satisfied the store has increased employment opportunities and promoted economic regeneration at Monaghan Retail Park, and with its differentiated offer has the potential to increase competition in the area and attract consumers to the town. Regarding vacancies, I note the information submitted which indicates the number of vacancies in Monaghan town has not changed significantly since the store started trading, and as such I am satisfied the development has not had a significant impact in this regard. Regarding access, the site is accessible by car, cycle, foot and bus in reasonable close proximity, and as such links reasonably well to the town centre.

8.2.23. For completeness I note the 2012 Guidelines state in relation to retail warehousing, that it is essential the range of goods sold is restricted by condition to bulky household items. The Guidelines however acknowledge there are ancillary items associated with an otherwise bulky good, and accordingly they recommend the retail floorspace devoted to such ancillary products should not exceed 20% of the net retail floorspace of the unit and that such space be clearly delineated on planning application drawings. This case comprises an application for approximately 28% of the sales area to be convenience and non-bulky comparison goods related to the 'Homesavers' business. I note the recommendation of the Guidelines in this regard and the proportion of floorspace referenced (20%). Given the nature and extent of the development, and the information submitted, as set out above I am satisfied the development is acceptable subject to conditions identifying the relevant area.

*Plan-led development and Competitiveness in the retail sector*



8.2.24. In relation to the Guidelines' requirement for plan-led development, the subject development is within the Monaghan Town 'Settlement Envelope' as shown on Development Plan Map MTDP1, albeit being approximately 1.5km outside Monaghan Town Centre. Monaghan Town is a Tier 1 settlement in the County retail hierarchy. The site is zoned 'EX Existing Commercial' where the proposed uses are acceptable in principle. Having regard to the information set out above I am satisfied the development broadly aligns with required plan-led approach and with the County Retail Strategy.

8.2.25. In relation to the Guidelines' provisions relating to retail sector competitiveness, I note the information from the appellant in relation to the market segments served by Homesavers. I note the provision of the Guidelines in relation to retail sector competition; enabling market entrants with alternative models in the interests of enabling provision of innovative and competitive shopping experiences for customers; and the role of the planning system in ensuring an effective range of choice for consumers. I am satisfied the form of retailing exemplified by the development meets a specific demand in the area and is broadly compliant with the Guidelines in this regard.

*Sustainable travel and transportation*

8.2.26. The TII submission stated the application would adversely affect the operation and safety of the national road network including on account of the proliferation of entrances and in relation to the control of frontage development on national roads.

8.2.27. No works to the site layout or access are proposed. The Planning Authority Road Design report stated no objection. The application comprises retention of change of use within the existing building, and of the amalgamation of existing permitted units. Given the foregoing; and that the development relates to a change of use to a relatively modest area within an existing premises; and that this change relates to a change in the type of retailing, I do not consider that a significant impact in terms of road capacity and safety arises as set out in the TII submission.

8.2.28. Regarding parking, I note the Planning Authority Planner Report points in this regard, and related conclusion that adequate parking to serve the development is available, and that the development accorded with the car parking standards of the 2019-2025 Development Plan. No works in this regard are proposed. The development relates

to a change of use of part of the store from one form of retailing to another. Having considered the development in the context of the current Development Plan (2025-2031) I am satisfied the proposal is acceptable in this regard.

### *Design*

- 8.2.29. No works impacting design are proposed. I note the Planning Authority commentary in this regard, including points that the existing advertising on the site falls within the scope of planning permission Reg. Ref. 05/978. Having regard to the available information I am satisfied with the application in these regards.

### **Conclusion**

- 8.2.30. The development is for retention of the amalgamation of Units 9 and 10, and retention of the use of part of the amalgamated retail warehouse premises for the retail sale and ancillary storage of goods other than bulky goods comprising convenience and non-bulky comparison goods. The extent of the relevant area ('Area C', corresponding to Aisles 10 (part) to 14) is approx. 370qsm, which quates to approx. 28% of the store net sales area (as identified on drawing MGA-24-131-PL102-AI submitted by McGuigan Architects).
- 8.2.31. With the exception of TII, no submissions or observations from third parties were recorded by the Planning Authority or Commission.
- 8.2.32. I have had regard to the planning history and the nature of development permitted at the site, and to the Monaghan County Development Plan 2025-2031, the County Monaghan Retail Strategy 2016-2022, and Retail Planning Guidelines.
- 8.2.33. Having regard to the 'EC Existing Commercial' land use zoning objective for the area, and the provisions of Development Plan Table 9.3 'Land Use Zoning Matrix', I am satisfied the subject use is acceptable in principle in this area.
- 8.2.34. The site is in an out-of-centre location. I have considered the information submitted by the applicant in relation to the Sequential Approach. I have also considered the information submitted on the nature, scale and extent of development, and related calculations including in relation to turnover and assessment of impact on the vitality and viability of Monaghan town centre. Based on the available information I am satisfied that on account of the nature, extent and location of development, the development would not have a significant impact on the vitality and viability or

function of Monaghan town centre. On balance, I am also satisfied the development broadly complies with the policies, objectives and provisions of the Monaghan County Development Plan 2025-2031, County Monaghan Retail Strategy 2016-2022, and Retail Planning Guidelines 2012.

8.2.35. Whilst I concur with the Planning Authority Planner Report that Condition 7 of Reg. Ref. 05/978 is to protect town centre vitality and viability, this Condition remains in place for the Park units. I am generally satisfied as set out above that the nature of the development proposed as part of this application and the resulting unit size and extent of sellable goods would not conflict with the provisions of the Development Plan, County Retail Strategy, or Retail Planning Guidelines, and would not have a significant detrimental impact on the vitality and viability of Monaghan town centre.

8.2.36. Regarding precedent, I consider that given the nature of the existing permitted development at the site; that the subject use forms a minority portion of an existing retail warehouse development; and that the amalgamated unit is a significant distance outside the town centre; I consider that any resulting precedent would be reasonably narrow.

### **8.3. Related matters raised in the course of the appeal**

#### Conditions

8.3.1. Condition 9 of Reg. Ref. 05/978 required details of the specific use of retail warehouse units to be agreed in writing with the Planning Authority prior to occupation of each unit. I see no evidence this was complied with. I am satisfied the subject application can progress on the basis of the bulky comparison retail use permitted by that application. Given this, and the nature of the development proposed, I consider that a condition linking the subject development to the previous permissions at the site is required. I also consider that a condition confirming the area to which the permission relates is required.

8.3.2. The Planning Authority Environment Section report stated no objection subject to conditions relating to construction & demolition waste management and operational waste management. Given that works associated with the development are completed, and that the development relates to a pre-existing permitted retail warehouse park I do not consider these conditions are required.

8.3.3. No development contributions apply.

## **9.0 Appropriate Assessment screening**

9.1.1. I have considered the proposed project in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located in a retail warehouse park approximately 10.53km south-east of Slieve Beagh SPA. The proposed development comprises internal alterations and change of use of 2 no. units within an existing permitted retail warehouse. No nature conservation concerns were raised in the planning appeal. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site, including Slieve Beagh SPA. The reason for this conclusion is the nature of works being small in scale; that location-distance from nearest European site and lack of connections. Taking into account screening report/determination by LPA I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

## **10.0 Water Framework Directive**

10.1.1. The subject site is located approximately 430m north of the Conawary river and approx. 168m north of the Ulster Canal. The proposed development comprises alterations and change of use of existing retail warehouse units. No water deterioration concerns were raised in the planning appeal. I have assessed the project and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status, and prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively, or otherwise jeopardise any water body in reaching its WFD objectives. The reason for this conclusion is as follows: nature of works e.g. small scale and nature of the

development, and location-distance from nearest Water bodies and lack of hydrological connections. I conclude that on the basis of objective information, the proposed development will not result in a risk of deterioration on any water body either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

## 11.0 Recommendation

11.1.1. I recommend permission be **Granted**, for the reasons and consideration below.

## 12.0 Reasons and Considerations

Having regard to the provisions of the Monaghan County Development Plan 2025-2031, including the 'EC Existing Commercial' land use zoning objective for the area, it is considered that, subject to compliance with the conditions set out below, the development proposed for retention would generally comply with the provisions of the County Development Plan including Objective RTP1, Policy RTO2 and Section 10.6 'Retailing', and with the County Monaghan Retail Strategy 2016-2022, and Retail Planning Guidelines for Planning Authorities 2012; would not have a significant detrimental impact on the vitality and viability of Monaghan Town Centre, would not seriously injure the amenities of the area or be prejudicial to traffic safety; and would, therefore, accord with the proper planning and sustainable development of the area.

## 13.0 Conditions

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the Planning Authority on the 11 <sup>th</sup> day of April 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the Planning Authority, the developer shall agree such details in writing with the Planning Authority prior to a period of 1 month from the date of this decision, and the development shall be
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	<p>carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The total convenience and non-bulky comparison goods net retail sales area (as defined in Annex 1 of the Retail Planning Guidelines for Planning Authorities (2012)) of the store, delineated on drawing number MGA-24-131-PL102-AI prepared by McGuigan Architects submitted to the Planning Authority on the 11<sup>th</sup> day of April 2025, shall not exceed 370 square metres.</p> <p>Reason: To comply with national policy, as set down in the Guidelines.</p>
3.	<p>Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of planning register reference numbers 01/536 and 02/571, as amended by planning permission register reference number 05/978, and any agreements entered into thereunder.</p> <p>Reason: In the interest of clarity and to ensure that the development is carried out in accordance with the previous permissions.</p>

*-I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.-*

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Dan Aspell  
Inspector  
10<sup>th</sup> September 2025

## APPENDIX 1

### Form 1: EIA Pre-Screening

<b>Case Reference</b>	ABP-322684-25
<b>Proposed Development Summary</b>	Retention of convenience retail and goods storage
<b>Development Address</b>	Units 9 & 10, Monaghan Retail Park, Monaghan
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>	
	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2. <input type="checkbox"/> No, No further action required.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. <b>Proceed to Q3</b>	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. <b>No Screening required.</b>	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. <b>EIA is Mandatory. No Screening Required.</b>	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. <b>Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b>	Class 10(b)(iv) Urban development.
<b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b>	
<b>Yes</b> <input type="checkbox"/>	<b>Screening Determination required (Complete Form 3)</b>
<b>No</b> <input checked="" type="checkbox"/>	<b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b>

**Inspector:** \_\_\_\_\_ **Date:** \_\_ 4<sup>th</sup> September 2025\_\_

## Form 2: EIA Preliminary Examination

<b>Case Reference</b>	ABP-322684-25
<b>Proposed Development Summary</b>	Retention of convenience retail and goods storage
<b>Development Address</b>	Units 9 & 10, Monaghan Retail Park, Monaghan
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<b>Characteristics of proposed development</b>	Proposed development comprises amalgamation of units and retention of convenience retail and goods storage in a retail park. The proposed development is within an existing building; has a modest footprint, comes forward as a standalone project, requires minimal demolition works, does not require the use of substantial natural resources, or give rise to production of significant waste, significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, human health or is vulnerable to climate change.
<b>Location of development</b>	The development is located in a retail park building. The receiving location is not particularly environmentally sensitive and is removed from sensitive natural habitats, designated sites and identified landscapes of significance in the County Development Plan. The site is not of historic and cultural significance or near Protected Structures, Sites of archaeological interest, or in an Architectural Conservation Area. Given the scale and nature of development and mitigation proposed there will be no significant environmental effects arising.
<b>Types and characteristics of potential impacts</b>	Having regard to the characteristics and modest nature of the proposed development, the sensitivity of its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
<b>Conclusion</b>	
<b>Likelihood of Significant Effects</b>	<b>Conclusion in respect of EIA</b>
There is no real likelihood of significant effects on the environment.	EIA is not required.

**Inspector:** \_\_\_\_\_ **Date:** 4<sup>th</sup> September 2025\_\_\_\_\_  
**DP/ADP:** \_\_\_\_\_ **Date:** \_\_\_\_\_