



Cavan

Comhairle Contae an Chabháin
Cavan County Council

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ACKNOWLEDGEMENT OF RECEIPT OF SUBMISSION OR OBSERVATION ON A PLANNING APPLICATION

Re: 238 - Application of Tesco Ireland Limited for PERMISSION for development consisting of the construction of: (i) a single storey retail unit of c. 5,197 sq.m gross floor area (c. 2,194 sq.m convenience net sales area and c. 957 sq.m comparison net sales area) including a licensed alcohol sales area, bulk store, ancillary offices, staff facilities, cage marshalling area, bin storage, service yard and associated directional signage; (ii) 1 no. drive thru café unit (c. 174 sq.m gross floor area) with external seating and the provision of 5 no. car parking spaces (including 2 no. electric parking spaces, 2 no. disabled and 1 no. standard) and 2 no. set down bay areas; (iii) 1 no. 4 pump (8 stand) petrol filling station incorporating an automatic car wash/jet wash (c. 89 sq.m), a forecourt canopy (covers c. 255 sq.m and 4.8m in height) and associated signage, oil interceptors, underground storage tanks and tanker fill point; (iv) 4 no. internally illuminated elevation signage on the eastern, western and southern elevations; (v) 297 no. car parking spaces associated with the retail unit (including parent and toddler, disabled and electric parking spaces), 120 no. cycle parking spaces in freestanding external shelters and set down/loading bay areas; (vi) 2 no. dedicated 'Click and Collect' car spaces with canopy structure and associated signage; (vii) Grocery Home Shopping delivery vehicle docking area situated in the service yard; (viii) 1 no. vehicle access point from Cock Hill Road at the north east boundary of the site and 1 no. vehicle left-in/left-out access point at the southern boundary of the site, all with associated pedestrian and cycle access facilities; (ix) pedestrian linkages with the Town Centre by way of the provision of a sloped pedestrian walkway and steps on the western boundary of the site with 4 no. pedestrian crossings on Cock Hill Road; (x) 1 no. internally illuminated double-sided totem sign associated with the retail unit (7m X2.3m) and 1 no. internally illuminated double-sided totem associated with the petrol filling station (7.2m X1.7m); (xi) ESB substation and switch room, pump house, sprinkler tank, 2 no. attenuation tanks, 3 no. detention basins, feature and street lighting, plant, store canopy, trolley shelter/bays and all ancillary site development works, landscaping, ramps, fences, enabling works and site services. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) are submitted with this application. The site is bounded to the north by St. Clare's National School, to the south by residential lands and to the west by the Main Street backlands. Significant further information including revised plans has been submitted, at Townparks & Tullymongan Lower (to the east of Main Street), Cock Hill, Cavan Town, Co. Cavan,

A submission/observation in writing has been received from:

**Cian O'Donoghue on behalf of,
Friends of Killymooney Lough
Swellan
Cavan**

AN BORD PLEANÁLA	
LDG-	067 984-23
ABP-	318406-23
07 NOV 2023	
Fee: €	220- Type: cash
Time:	15:40 By: [Signature]

on 21/09/2023 in relation to the above planning application.

The appropriate fee of €20 has been paid, receipt no. 33417420 refers.



cavan

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The submission/observation is in accordance with the appropriate provisions of the Planning and Development Regulations, 2001 (as amended) and will be taken into account by the Planning Authority in its determination of the Planning application.

You will be advised of the Planning Authority's decision on the above application in due course. Your letter will form part of the documentation available for inspection by the public.

Mise le meas,

Fiona McIntyre
Senior Staff Officer

Dated: 21/09/2023

**THIS IS AN IMPORTANT DOCUMENT!
KEEP THIS DOCUMENT SAFELY. YOU WILL BE REQUIRED TO PRODUCE THIS
ACKNOWLEDGEMENT TO AN BORD PLEANALA IF YOU WISH TO APPEAL
THE DECISION OF THE PLANNING AUTHORITY. IT IS THE ONLY FORM OF
EVIDENCE WHICH WILL BE ACCEPTED BY AN BORD PLEANALA THAT A
SUBMISSION OR OBSERVATION HAS BEEN MADE TO THE PLANNING
AUTHORITY ON THE PLANNING APPLICATION.**



Planning Submission to An Bord Pleanala

Application 238 (Cavan County Council)



Signed: Cian O Donoghue on behalf of Friends of Killymooney, Swellan, Cavan

6th Day of November 2023

Please find our submission regarding the granting of planning permission for application 238
(Cavan County Council)

We understand An Bord Pleanála (ABP) has previously granted planning permission for this site and proposed development, - largely because of its zoning. Nevertheless, we request ABP to re-assess the application as we believe several issues deserve further detailed assessment. These include a national and international focus on climate action which was not a major policy focus at the time of the last ABP appeal, the presence of a significant national school in close proximity to the development site (and a Gaelscoil), renewed plans by Cavan County Council to develop the Abbey Lands area of Cavan Town, and the presence of a major Aldi Supermarket in close proximity to this proposed Tesco superstore. Our grounds for appeal are presented in more detail herein.

Our grounds for appeal centre on the fact that many of the issues which arise from the development of a supermarket of such scale are not aligned with the visions, policies, objectives, standards and guidance contained in the Cavan County Development Plan 2022-2028, as outlined throughout the plan and associated appendices and maps, to the Cavan Town Local Area Plan 2022-2028. Other national policies are also relevant to our assessment.

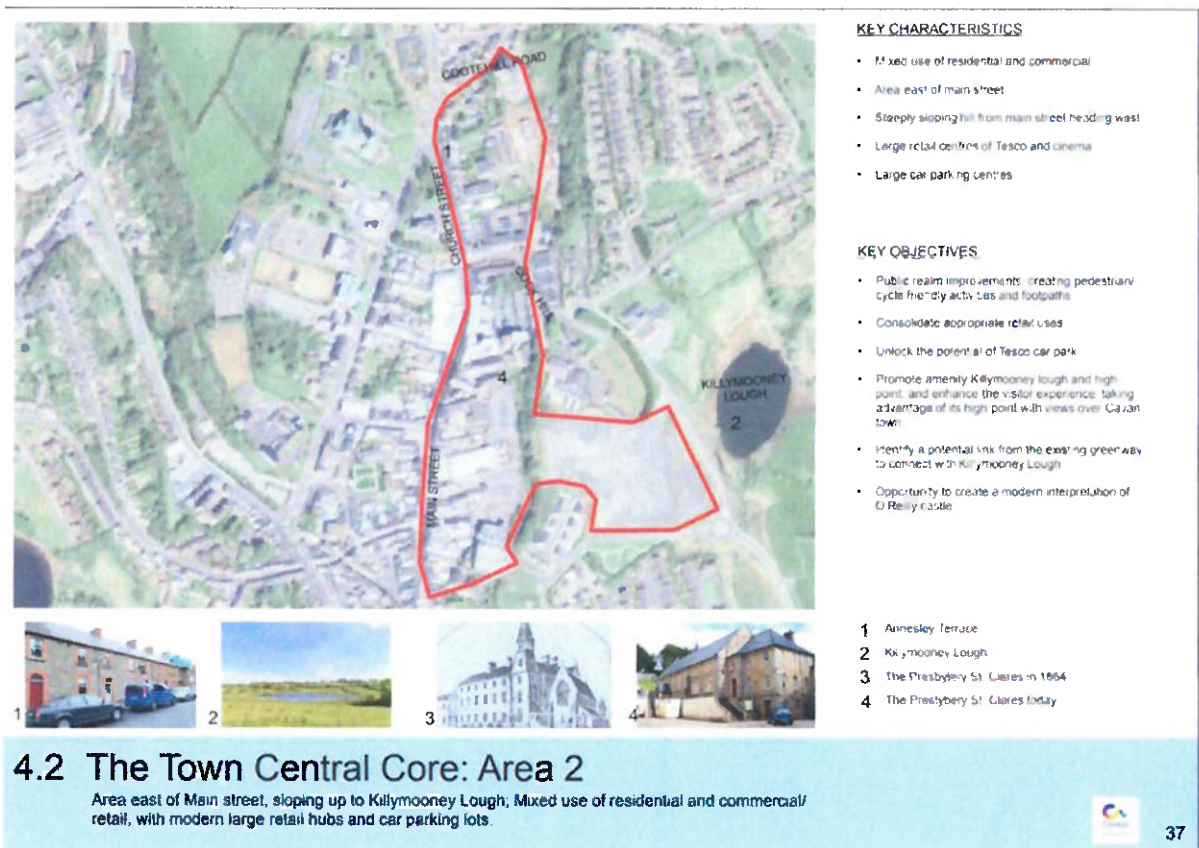
- Concerns about the connectivity of the development to Cavan Town Centre and its integration with the surrounding area. Friends of Killymooney wish to acknowledge that the proposed development aligns with the zoning regulations outlined in the local development plan.
- Despite its designation as a town centre site, the site's physical location places it on the periphery of the retailing core, making it more appropriately described as an "edge of centre" site. This distinction leads us to have concerns regarding the physical constraints at the site, with a particular focus on the substantial height difference separating it from the town centre, which we anticipate is one of the most contentious issues. We must question the extent of connectivity between this proposed development and the town centre. While the proposed pedestrian route aims to facilitate pedestrian access, it is evident that, in practice, car-borne customers will predominantly dominate in terms of store accessibility. Furthermore, the physical demands imposed by the walkway from the town centre may prove challenging for older individuals and those with disabilities.
- The visual representations of the proposed superstore are considered monotonous and lack depictions from various vantage points, leaving uncertainty about its visual impact on Cavan town.
- Insufficient information about the potential impact on the retail sector may negatively affect the vitality and sustainability of the existing retail core and the retail operations in tier 2 and 3 towns.
- Safety concerns related to pedestrian access and increased reliance on motor vehicles due to the steep climb to the superstore. The presence of a filling station and a café intensifies traffic and safety concerns.
- Environmental concerns, especially related to Killymooney Lough, and a lack of concrete information to support claims.
- Climate change concerns.
- The impact of the superstore's proximity to the Saint Francis housing development and the travelling community.

- The lack of consideration for the effect of the proposed development on St. Clare's school.

Connectivity: lack of Integration and Accessibility: A primary concern is the planned development's failure to integrate seamlessly with the existing strategic site. It lacks the necessary accessibility and appropriate connections to the surrounding areas. The proposal to introduce a Tesco Superstore and its associated facilities to an area already accommodating two significant and expanding primary schools and several housing estates raises significant doubts about its environmental sustainability. Furthermore, this development reflects a lack of consideration for the well-being of the local residents, as it is likely to diminish their quality of life.

While labelled as the 'Central Core' on the map, it is crucial to emphasize that the proposed Tesco site is distinct from Cavan town centre positioned on the town's outskirts due to topographical constraints and elevations; the physical distance makes it impractical for shoppers to travel from the town centre to the Tesco Superstore easily. Asserting seamless pedestrian linkage and connectivity in this context is not a credible claim. In this scenario, the proposed Tesco Superstore's location will lead to increased reliance on driving to reach it, which may exacerbate traffic issues and have a negative impact on the local community.

Figure 1- Cavan Town Central Core: Although marked as the 'Central Core' on the map, it's essential to underline that the proposed Tesco site is separate from Cavan town centre, situated on the town's outskirts due to topographical constraints and elevations.



Retail Strategy: The granting of planning permission is inconsistent with the retail strategy set out in the Retail Planning Guidelines (2012), which emphasize that enhancing the vitality

and viability of town centres in all their functions through sequential development is an overarching objective in retail planning. While the site in question has been zoned in the development plan as core retail areas, it is removed from the Cavan town core geographically and topologically. It appears the zoning has been motivated by the desire to grant planning permission to Tesco and not by a genuine desire to support the vitality and viability of Cavan town centre. The overall appropriateness of the proposed development must be largely judged by its success in enhancing the town's special physical and social character while providing/improving town centre facilities.

It is evident, and notwithstanding its 'town centre' zoning, that the site is physically removed from the retailing core and is more accurately described as an edge-of-centre site. The Retail Planning Guidelines define 'edge-of-centre' sites as within easy walking distance (usually no more than 400 metres) of the primary retail area and that they also provide parking facilities that serve the centre. While the site meets most of these tests, it is highly debatable if the subject site is easily walkable. The physical constraints of the site, particularly the height differential between it and the town centre is a fundamental issue. While the proposed pedestrian route with a connecting walkway facilitates pedestrian access, they do not prioritize same. The store's location will result in car-borne customers dominating in terms of accessibility. Whilst the provision of pedestrian wayfinding signage would appear to cater to non-car users, we consider the very need for such waymarking highlights the design's failure to achieve ease of access for pedestrians and is symptomatic of the substandard functional and physical connections with the town centre provided by the proposal.

Chapter 4 of Retail Planning Guidelines states that retail units of 5000M2 can have a negative impact on smaller shops in town centres.

The RPGs have five key policy objectives, as shown in the figure 2.3 below.

Figure 2.3. Key Policy Objectives (Guidelines for Planning Authorities Retail Planning 2012)

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

We note the retail guidelines for development and the fact that the proposed development is inconsistent with 2, 4 and 5. Cavan town comprises a comparatively high number of retail parks relative to its scale, and these are disjointed and largely disconnected from the town core, representing a real threat to the vitality of more central areas within the town centre. This ultimately diverts trade from the town centre and does not add to the overall shopping experience within the town centre, particularly where units are used for the sale of convenience and comparison goods. Furthermore, these retail parks ultimately increase traffic flows in the wider town road network, given the increased level of car trips needed to visit them. Given the proposed location of this superstore, this would also add to the disjointed nature of the retail fabric of Cavan. Relatedly, we question the scale of the proposal, the resulting scale of car-borne custom, and its potential impact on the local road network, particularly the strategic Cavan Eastern Access Route. We also note in the CDP, that "There would appear a greater necessity to distribute convenience floorspace growth beyond Cavan town into the other main retail centres, based on the results of the surveys." The retail study does not adequately address the retail impact of the proposed superstore to tier 2 and 3 towns.

Moreover, these retail parks lead to increased traffic flows throughout the town's road network, necessitating additional car trips for visitation. To align with the plan's objectives, it's imperative to redirect further retail development back into the town centre. The majority of shoppers, along with the nature of shopping at Tesco, are likely to result in increased car usage on the Cavan Eastern Link Road, directing traffic toward the Dublin Road, a national route. This road already sees significant traffic due to the presence of Aldi nearby. Such outcomes are not aligned to the Town Centre First Policy Objective to "reconsider the approach to town centres in light of their changing functions and encourage....., thus enhancing their vitality".

	Development Objectives It is a development objective of Cavan County Council to:
CCR 01	Sustain and enhance the retail and services offer of Cavan Town Centre in line with the County Retail Strategy with a principle of 'town centre first' approach being prioritised.
CCR 02	Support commercial opportunities within Cavan town centre which harnesses the potential of the town for economic growth and sustainability.
CCR 03	Reinforce the centre of Cavan Town as the proper location for new commercial and retail development, with emphasis on quality of design, positive contribution to the existing streetscape and protection of existing heritage landscapes.
CCR 04	Support the provision of mixed-use developments in the town centre which create opportunities to live, work and shop within the town and reduce the car-based travel.
CCR 05	Encourage and facilitate the re-use and regeneration of derelict land and buildings for retail and other town centre uses with due cognisance to the Sequential Approach prescribed in the Retail Planning Guidelines 2012.
CCR 06	Promote the priority of pedestrian movement in the town core.

The planning report does not acknowledge that the proposed development exceeds the recommended square meter (sqm) floorspace for retail developments as outlined in the retail planning guidelines, and it is noted that the local authority has not sufficiently assessed this aspect.

Figure 3 – The new Tesco Superstore far exceeds the Retail Planning Guidelines for new stores (Cavan Retail Strategy 2021 - 2028.)

Convenience Retail Development

In terms of convenience provision, it would appear that certain centres, most notably Ballyjamesduff and Cootehill are underprovided for in terms of convenience offer. Convenience development will in particular be promoted in these urban centres in order to improve competition choice and diversity in the retail market. Cavan Town is well serviced with convenience retailing.

Tier 1 - Primary Retail Centre (Cavan Town)

Each of the main convenience supermarket operators have at least one presence in the town, indicative of the expanding role of the town serving the convenience shopping demands of an expansive catchment. The Retail Planning Guidelines set a 3,000sqm retail floorspace cap on food store development and it is important to note that this cap applies to new stores, as well as to extensions of existing retail premises.

It would appear to be limited additional capacity for new convenience large-scale retail space in Cavan Town; however, greater diversity and increasing competition, and proposals which would enhance the role of Cavan Town as a retail destination may be welcomed.

Proposals for convenience retailing in Cavan Town must also be considered in the context of the existing retail provision within the neighbouring towns, particularly the Tier 2 towns. There would appear a greater necessity to distribute convenience floorspace growth beyond Cavan town into the other main retail centres, based on the results of the surveys.

Tier 2 - Key Support Retail Centres (Virginia, Bellinabrough, Ballyjamesduff, Cootehill and Kingscourt)

Certain elements of the proposed development do not align with the guidelines outlined in the Retail Planning Guidelines document, particularly in Chapter 4 P36 .

Conversely, the development of very large single retail warehouse units in excess of 5,000 M² (and sometimes of 10,000 M² or more) focused upon a specific market segment, can have an unacceptable local monopoly effect on smaller shops in town centres, particularly in a country like Ireland which has few large conurbations. Furthermore, these large-scale development formats attract large volumes of car-borne customers and require a high quality road network with spare capacity. These conditions occur in relatively few locations in the State.

36

3 Impact on Town Centre

The Cavan Retail Strategy also acknowledges the importance's of the Town centre. "It is also vital that town centre environs are attractive for businesses to operate from as well as to increase consumers' confidence about visiting physical stores again." The Development Plan aligns with the "Town Centre First" policy particularly TCFO 1 by promoting functional, vibrant, and healthy town centres for living, working, and visiting. It encourages the revitalization of underused town centres, emphasizing pedestrian accessibility. The plan advocates for mixed developments, appropriately sized pocket parks, public spaces, and a focus on walking and cycling. High-quality urban design is a priority, and there's a strong commitment to enhancing and upgrading town centres, maximizing open spaces, and supporting pedestrian-friendly environments.


We believe that granting planning dismisses elements of Cavan's local authorities' "Local Area Plan for Cavan Town with particular focus on the Abbeyland Cultural Quarter" and the implementation of "Cavan Town Revitalisation Plan 2018." In 2.10.1 of the CDP, it states that

“the development of key opportunity sites such as the Abbeylands Cultural Quarter must be prioritized in the first instance.

The development of key opportunity sites, such as the Abbeylands Cultural Quarter, which received €14.49 million in URDF funding in 2021, should be prioritized. What will be the potential negative effects of a Tesco superstore on the town's vitality if it's located on the town's outskirts? What are the expected effects on the town's future footfall, local businesses, traffic, and overall community due to the proposed development?

What will be the implications of constructing a Tesco Superstore on the Abbeylands project, particularly concerning its visibility from the town core and the challenges associated with accessibility? How is the preservation of the town's visual character and ease of access factored into the planning and development of this project? Given the applicant's and local authority's perceived failure to adequately demonstrate the proposed development's positive impacts, planning permission should be refused.

In the CDP 2.2.12.1 Masterplan 1 the following are all development objectives of CCC in relation to Cavan Town with particular focus on the Abbeylands project.

 Cavan Town Placemaking and Regeneration Development Objectives It is a development objective of Cavan County Council to:	
CPR 01	Support the implementation of the Cavan Town Revitalisation Plan 2018.
CPR 02	Encourage the appropriate reuse and regeneration of derelict and underused premises and sites in Cavan Town.
CPR 03	Promote the regeneration of backlands of Cavan town in a sustainable manner.
CPR 04	Continue to identify sites in poor state of repair or neglect under the Derelicts Sites Act and support their regeneration.
CPR 05	Ensure that the Town centre is accessible to all members of the community, including people with mobility issues, the elderly and people with young children.
CPR 06	Actively engage with the community, developers and other agencies to secure resources for the enhancement, renewal and regeneration of the Cavan Town.
CPR 07	Support the provision of mixed-use developments in the town centre which create opportunities to live, work, shop etc. within the town and reduce the need to travel by private car.
CPR 08	Provide and promote the delivery of the Abbeylands Masterplan, having successfully secured URDF capital funding.

2.2.10 Commercial and Retail Development of CDP



Town Centre First Policy Objective
It is a development objective of Cavan County Council to:

**TCFO
1**

Reconsider the approach to town centres in light of their changing functions and encourage and support the incorporation of appropriate public realm spaces and the need to strengthen pedestrianisation within town centres, thus enhancing their vitality.

Concerns about the Tesco Superstore Visual Impact

In the current Cavan Town Development Plan Strategy, 5.5 Urban/Suburban Spatial Planning, there's a pivotal focus on promoting a unique urban skyline. However, Friends of Killymooney express concerns that the presence of a multinational store like Tesco overlooking our town may not be advantageous for our community, nor for future generations in Cavan Town.



Key strategies

- Support, reinforce and identify key opportunities to create a distinctive urban skyline
- Create high quality pedestrian / cycle friendly environment in the central core that links to suburban neighbourhoods
- Investigate: Provide and create new linkages that provide cross routes between suburban neighbourhoods
- Link public spaces with high quality pedestrian / cycle routes
- Reinforce a sense of place and identity by promoting developments of distinctive character
- Identify opportunity sites and carry out masterplan studies to ensure strategic development sites
- Ensure all public amenity spaces are accessible and attractive to people of all ages/mobility levels
- Ensure that new buildings respect their surroundings, particularly on existing heritage landmarks, historic streets/settings and important views
- Create, promote and develop high quality well-coordinated paving/street furniture, planting and furniture, with opportunities to provide public art installations

5.5 Urban/Suburban Spatial Planning

Support, re-enforce and create an urban/suburban design strategy for Cavan town, to ensure sustainable planning, for future development of its established urban core and suburban areas.



Chapter 14 of the EIR Landscape and Visual Impact Assessment underscores that the proposed Tesco development is unlikely to yield any substantial negative impacts on the townscape or visual aesthetics. Rather, it deems this development to be fitting in scale and form for the designated site, with the quality of its design and materials poised to augment the urban environment, in need of appropriate infill. We have concerns regarding the visual impact from other significant sites in Cavan Town, particularly the planned Abbeylands regeneration scheme, which seems to have been overlooked. The proposed development must consider its implications on the broader urban landscape and the importance of preserving the town's unique character.

Notably, in Chapter 15 of the EIR is the omission of St Clare's Convent as a protected structure. This should be addressed. It is imperative to acknowledge that the proposed development area, situated on elevated terrain to the east, will encroach upon the streetscape and roofline of the surroundings containing the aforementioned protected structure. It is our considered opinion that the site's relative height has the potential to influence the setting of nearby protected structures significantly.

4. Environmental

The environmental information provided is inadequate, particularly regarding water quality and compliance with the water directive. Much of the evidence seems to rely on anecdotal information, lacking concrete data to support the claims. There are concerns that the Tesco Superstore could adversely affect Killymooney Lough. We strongly object to the proposed Tesco Superstore and filling station development because the local authority has not comprehensively evaluated the project in line with the various European environmental laws and water framework directives. It is essential to emphasize that it becomes nearly impossible to implement adequate mitigation measures effectively without a thorough understanding of the potential environmental impacts.

The applicant and the local authority have shown a significant lack of up-to-date knowledge regarding the biodiversity present in Killymooney Lough, a crucial ecosystem in the vicinity as the lough is hydraulically connected to Natura sites. The last recorded otter was 1980 and the wetlands have not been included in any wetlands survey carried out by the local authority. Newt are present less than 800M upstream in the Green Lough. Therefore, a comprehensive environmental assessment must be carried out to ensure the protection of our environment and adherence to relevant European environmental regulations.

Additionally, there is a lack of information regarding the superstore's visual impact. Killymooney Lough is designated as an amenity area in the local development plan, and introducing a Tesco Superstore with an associated filling station is feared to diminish the area's natural beauty and disturb this recreational amenity.

Building a Tesco Superstore 40 metres from Killymooney Lough does not promote the amenity. Additionally, with increased traffic, how does this actively support creating a pedestrian and cycle-friendly environment?

2.2.14 Map Based Specific Objectives

Map based specific objectives have been created for several areas within the Development Boundary. Refer to zoning map.

- 1** Promote and provide for public realm improvements in Cavan Town centre to create a pedestrian/cycle friendly environment.
- 2** Ensure the delivery of the Abbeylands Masterplan.
- 3** Promote the amenity at Killymooney Lough taking advantage of its high point with views over Cavan town. Support the development of a public open space, amenity and recreational area, building on this area of natural importance. Identify a potential link from the existing Greenway to connect with Killymooney Lough.

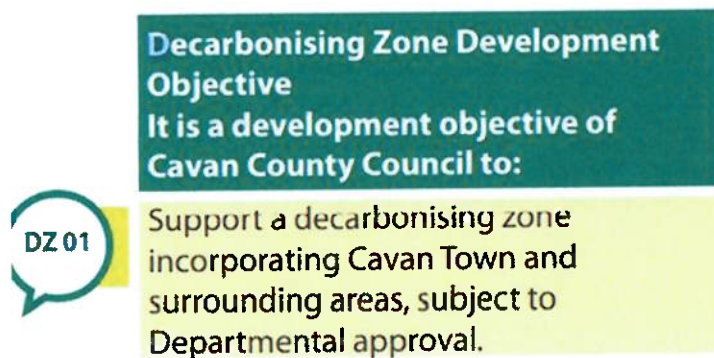
4. Climate Action/ Décarbonation Zone

Friends OF Killymooney request that An Bord Pleanála thoroughly examine the granting of planning permission with a specific focus on objectives NPO54 and NPO60 from the CDP. We are concerned about Cavan County Council's compliance with the Cavan County Climate Adaptation Strategy 2019 to 2024 and its alignment with national policies, particularly the Northern and Western Regional Assembly Regional Spatial and Economic Strategy 2020 and the Climate Action Fund National Development Plan 2018 to 2027 within the framework of Project Ireland 2040. It is essential to ascertain whether the awarding of planning permission underwent a comprehensive consultation process to ensure it adheres to the objectives and policies outlined in these critical climate and development strategies. This examination is vital to ensure that the decisions align with the collective commitment to sustainable development and climate action at the local, regional, and national levels. Notably, both planners' reports from Planning Application 238 do not mention or reference these policies.

Furthermore, we would like to draw attention to Section 5.5 of the Cavan County Development Plan, which outlines the development objective of supporting the decarbonizing zone, specifically incorporating Cavan Town and its surrounding areas, contingent upon departmental approval. Notably, the draft Climate Action Plan for Cavan has recently been published. It is imperative to inquire whether the local authority has thoroughly examined the proposed Tesco Superstore and filling station, situated within this designated decarbonization zone, to ensure their alignment with the objectives clearly outlined in the draft action plan and the development plan. This scrutiny is fundamental to confirm that development within the area is in harmony with the local authority's commitment to decarbonization and sustainable growth, as articulated in its official documents.

Has this development undergone an evaluation in alignment with the Climate Action Plan? Is the construction of a service station within a decarbonization zone in accordance with regulations? Does the presence of a drive-through café adhere to compliance requirements? Doesn't this aspect potentially encourage vehicular travel within the town centre, which is contradictory to the local authority's efforts to promote active transportation and climate action? This raises concerns when the local authority is striving to encourage sustainable and climate-conscious practices. We also note that the construction of a superstore on such a scale is inconsistent with SCCC 7, which supports the introduction of car restriction zones in close proximity to urban schools to encourage active travel.

Climate Action objectives from Chapter 5 of the CDP.



Decarbonising Zone Development Objective
It is a development objective of Cavan County Council to:

DZ 01 Support a decarbonising zone incorporating Cavan Town and surrounding areas, subject to Departmental approval.

NPO 54

Reduce our carbon footprint by integrating climate action into the planning system in support of national targets for climate policy mitigation and adaptation objectives, as well as targets for greenhouse gas emissions reductions.

NPO 60

Conserve and enhance the rich qualities of natural and cultural heritage of Ireland in a manner appropriate to their significance.

Schools and Educational Facilities: CDP chapter 4- 4.15

The proposed superstore is located in close proximity to St Clares NS and Gael Scoil Breifne. Per CDP chapter 4.15 CE04, 9 and 10, we note that this proposed site would provide an excellent location for the future extension of the School and playing facilities. CE5 and 7 also focus on providing sustainable travel modes such as safe walking and cycling for students- and building a superstore in close proximity to the school undoubtedly impedes this.



Childcare and Educational Development Objectives It is a development objective of Cavan County Council to:

CE
01

Encourage and support the provision of childcare facilities, with consideration to appropriate siting and design, in appropriate locations including residential areas, town and local centres, areas of employment, close to public transport throughout the County and in accordance with the needs identified by Cavan County Childcare Committee.

CE
02

Support the provision of childcare facilities and new and refurbished schools on well located sites within or close to existing built-up areas, that meet the diverse needs of local populations.

CE
03

Support play policies to address the play and recreation needs of children and young people and ensure the integration of play provision and child-friendly neighbourhoods.

CE
04

Ensure that appropriate and adequate lands are available in County Cavan for the provision, expansion and/or improvement of educational facilities and to prohibit development adjoining existing public educational facilities which could hinder the future development of such facilities and any associated ancillary infrastructure.

CE
05

Work collaboratively with the Department of Education to ensure a planned approach to education provision and to the location of school facilities with access to public transport and sustainable travel modes (i.e. walking, cycling).

CE
06

Ensure areas where significant new housing is proposed, an assessment of need regarding schools' provision is carried out in collaboration with the Department of Education.

CE
07

Develop a programme for existing schools to facilitate safe walking, cycling or ease of access to public transport alternatives.

CE
08

To facilitate the implementation of Department of Education programme of capital investment in schools in line with the proper planning and sustainable development of the area and in compliance with the following, or any subsequent relation publications, in terms of location, siting and design:

- (a) The Provision of Schools and the Planning System – A Code of Practice for Planning Authorities, Department of Environment, Heritage and Local Government, July 2008.
- (b) Technical Guidance Document TGD20-TGD25 Department of Education and Skills 2007
- (c) Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage and Local Government May 2009 (and the accompanying Urban Design Manual).

CE
09

Reserve sites for educational use in those areas where the younger population has increased and there is a demographic demand for further school places.

CE
10

Ensure the needs of communities including education facilities are appropriately provided for in the County.

CE
11

Encourage the use of existing educational facilities and school playing fields for other community purposes.

CE
12

Reduce the need to travel by car to schools. Applications for extensions to an existing school or a new school must be accompanied by a sustainable travel plan. The plan should indicate how pupils will access the school and provide for sustainable modes of travel to school and encourage alternatives to the car and have regard to road safety, good design and efficiency in accordance with the Department of Environment's Code of Practice on the Provision of Schools and the Planning System July 2008.

CE
13

Support in conjunction with the relevant agencies, the provision of Third Level facilities, Youth Outreach, Adult and Further Education facilities within the County.

Service Station: The service station for which planning permission has been granted must adhere to section 13.6.8 of the County Development Plan, which stipulates that service stations should be situated on the outskirts of a town or village and within the speed limits of 50km to 60km. I would like to raise the question of whether this site falls within the town core or not? Is it suitable to have a filling station in the town core, especially given its proximity to two large urban schools and the stop-and-go nature of a service station?



Service Stations Development Objectives
It is a development objective of Cavan County Council to:

**SERS
01**

Proposals for new or extended service stations will be carefully considered and will not generally be encouraged within the town/village centre areas of towns and villages or in rural areas outside of villages and community nodes and shall be located within the speed limit zones.

**SERS
02**

Service stations will not generally be permitted in/adjoining residential areas, unless it can be clearly demonstrated that there will be no significant effect on residential amenities by reason of noise, traffic, visual obtrusion, safety considerations or fumes and smells. Hours of operation will be limited where a service station is permitted in a residential area. Proposals to demonstrate the above will be required to be submitted with planning application.

Additionally, has the Local Authority considered all elements of SERS 03? SERS 03 outlines the comprehensive requirements for planning applications related to fuel forecourt developments. These requirements include considerations for high-quality design, integration with the surrounding environment, limitations on standard petrol station canopies and advertising, safe traffic flow, access points, and boundary definitions. Additionally, there are provisions for pedestrian access, rest facilities, EV charging points, and restrictions on retail space and lighting. The guidelines emphasize the need for a considerate approach to historic and architectural character and environmental impact, emphasising effective landscaping to blend the development into its surroundings.

We believe the local authority has not considered the Killymooney Lough Amenity area and biodiversity space correctly. There is a contradiction between the proposed Tesco superstore with a filling station and car wash and the council's own objectives, particularly Map based Objective 2.2.14, which aims to promote the amenity of Killymooney Lough and enhance the area's natural beauty. The development's non-stop nature and commercial nature will detract from the recreational and scenic value of the location, which is intended to serve as a public open space and amenity area with potential connections to the Greenway in the near future. This suggests that the proposed development may not align with the council's goals for the area and will have a negative impact on its surroundings.

The following shall be required to be submitted as part of planning application.

- A detailed design statement for the proposed development
 - A high-quality design including roof design, layout and external finishes to ensure it integrates and complements the surrounding environment
 - Standard petrol station canopies are not acceptable and should be replaced with more sympathetic canopies of light steel and glass or slated roofs with no attached advertising
 - Developments shall be located within the 60kph speed limit and are usually acceptable within the edges of designated settlements.
 - Proposed developments which have the potential to restrict traffic flow and/or create traffic hazard will not be permitted. Generally, two access points to a minimum width of 7.3 metres and a maximum width of 9.1 metres will be required, with appropriate turning curve based on road design speed and relevant standards
 - The frontage of the site shall be defined by a boundary wall, not exceeding 0.5metres in height. Footpaths and lighting to ESB standards shall be provided to the roadside boundary.
 - The layout should provide for safe pedestrian access to the shop and rest facilities.
 - Adequate provision of rest areas and toilets accessible by pedestrians and cyclists.
 - Where the development would be likely to have significant impact on the historic or architectural character of the area, the use of standard corporate designs and signage may not be acceptable.
 - Proposals for the service station including method of disposal of wastewater from car-wash areas, surface water outlet and oil interceptors. The development shall be designed and operated in such a manner that it does not adversely affect existing road drainage in the area.
 - No pumps shall be located within 7 metres of the roadside boundary and no other structures other than pumps, shall be located within 15 metres of the roadside boundary.
 - Retail uses not associated with the motor industry shall be considered in the context of the existing retail outlets in the vicinity. Only uses which contribute to the vibrancy and service level of the settlement shall be considered.
 - Any retailing component shall not exceed 100sq.m of retailing area and shall be restricted to convenience goods only. Where permission is sought for retail floorspace in excess of 100sq.m, the sequential approach to retail development shall apply.
 - Forecourt lighting, including canopy lighting, shall be limited.
-
- All external lighting shall be cowled and diverted away from the public roadway to prevent a traffic hazard.
 - The placing of signs on footpaths, grass verges or any part of a public roadway will not be permitted. No advertisements or other structures, whether temporary or permanent, shall be placed on the forecourt, which would interfere with the sightlines of motorists entering/ existing the site.
 - EV Charging points for electric cars shall be provided with every new/extended service station.
 - Detailed landscaping proposals in order to effectively integrate the proposed development into its surroundings.

2.2.14 Map Based Specific Objectives

Map based specific objectives have been created for several areas within the Development Boundary. Refer to zoning map.

- 1 Promote and provide for public realm improvements in Cavan Town centre to create a pedestrian/cycle friendly environment.
- 2 Ensure the delivery of the Abbeylands Masterplan.
- 3 Promote the amenity at Killymooney Lough taking advantage of its high point with views over Cavan town. Support the development of a public open space, amenity and recreational area, building on this area of natural importance. Identify a potential link from the existing Greenway to connect with Killymooney Lough.

Signage We are deeply concerned about the potential impact of signage associated with the proposed Tesco superstore, filling station, and car wash on the amenity area, specifically Killymooney Lough. The commercial signage that typically accompanies such developments has the potential to disrupt the natural beauty of the surroundings and the scenic vistas offered by Killymooney Lough. This disruption can detract from the area's intended purpose as a public open space, amenity, and recreational spot that is supposed to take advantage of its high points with views over Cavan Town. The goal of promoting the amenity and enhancing the natural importance of Killymooney Lough, as outlined in the council's own objectives, will be compromised by signage that does not blend harmoniously with the environment.

Furthermore, it is our contention that the council's assessment of the proposed signage, as it relates to the development, appears to be insufficient and lacks substantive backing. The visual impact of signage on the surrounding area, particularly Killymooney Lough, has not been adequately addressed in the current assessment. This raises concerns about the accuracy and comprehensiveness of the evaluation of the development's compatibility with the council's objectives for the area. We strongly recommend a more thorough and rigorous examination of the signage's impact and an in-depth assessment to ensure that it aligns with the intended goals of preserving the natural beauty and amenity value of Killymooney Lough.

13.6.7 Signage

The presence and location of signage can have a major impact on the visual amenity of an area. Poorly positioned and unnecessary signage can reduce the overall visual quality of an area.

Advertising signage, where permitted should be simple in design, sympathetic to its surroundings, non-illuminated and not unduly obtrusive.



Signage Development Objectives

It is a development objective of Cavan County Council to:

**SIGN
01**

Evaluate signage proposals in relation to the surroundings and features of the buildings and structures on which signs are to be displayed, the number and size of signs in the area (both existing and proposed) and the potential for the creation of undesirable clutter.

**SIGN
02**

Resist new billboard and other large advertising structures and displays.

**SIGN
03**

Have regard to Section 3.8 of the DOECLG Spatial Planning and National Roads Guidelines and TII's Policy on the Provision of Tourist and Leisure Signage on National Roads.

13.6.8 Service Stations

The role of service stations has become more diverse with the expansion from merely selling fuel to also providing convenience services and goods, including functioning as rest areas. Ancillary uses include tyre repair, collection points for online retail activity and self-service launderettes.

Service stations should be located on the outskirts of a town or village and inside the 50km to 60 km speed limits. Service stations and associated truck parking facilities in locations at or near national roads will be assessed having regard to Section 2.8 of the Spatial Planning and National Roads Guidelines for Planning Authorities (2012).



