



Greystones - Delgany & Kilcoole Draft LPF Amendment Stage Submission - Report

Who are you:	Agent
Name:	Lidl Ireland GmbH
Reference:	GDKLPF-151048
Submission Made	November 21, 2025 4:48 PM

Topic

LAP - Proposed Material Amendments No 4 Submission

Submission

See enclosed.

Our client welcomes some of this alteration and supports its adoption as part of the completion of the Variation process. They will support the deliverability / implementability of the Variation and Local Planning Framework.

The supported alterations include:

1. Proposed Material Alteration No. 4 in respect of the proposal to amend zoning of land measuring c. 0.65ha from RN2 'New Residential Priority 2' to TC 'Town Centre';
2. Proposed Material Alteration No. 4 in respect of the proposal to amend the Opportunity Site (no. 8) boundary;

Our client has significant concerns with other elements of this alteration and does not support its adoption as part of the completion of the Variation process. It will frustrate the deliverability / implementability of the Variation and Local Planning Framework.

The unsupported alterations include:

1. Proposed Material Alteration No. 4 in respect of the proposed written objective amendments to GDK OP8 (Opportunity Site 8 at Main Street, Kilcoole) - see enclosed cover letter with suggested alternatives.

Topic

LAP - Proposed Material Amendments No 20 Submission

Submission

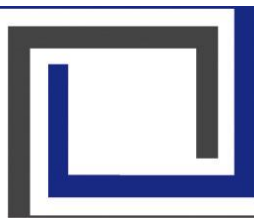
Our client welcomes some of this alteration and supports its adoption as part of the completion of the Variation process. They will support the deliverability / implementability of the Variation and Local Planning Framework.

The supported alterations include:

3. Proposed Material Alteration No. 20 in respect of the proposal to amend SLO5 - Bullford boundary

File

Lidl Kilcoole Submission to MatAlt pVAR dGDKLDF.pdf, 0.47MB



PROPOSED VARIATION NO. 4 OF THE WICKLOW COUNTY DEVELOPMENT PLAN 2022-2028
/
DRAFT GREYSTONES-DELGANY & KILCOOLE LOCAL PLANNING FRAMEWORK

PROPOSED MATERIAL ALTERATIONS

Proposed Variation No. 4 / draft GDK LPF,
Administrative Officer, Planning Department,
Wicklow County Council, County Buildings
Station Road, Wicklow Town, A67 FW96

Friday, 21st November 2025

[Via [Greystones Delgany Kilcoole Portal \(arcgis.com\)](https://arcgis.com)]

Dear Sir/Madam,

RE: SUBMISSION TO PROPOSED MATERIAL ALTERATIONS OF THE GREYSTONES-DELGANY & KILCOOLE LOCAL PLANNING FRAMEWORK (LPF) 2025 / VARIATION NO. 4 TO THE COUNTY DEVELOPMENT PLAN 2022 – 2028 ON BEHALF OF LIDL IRELAND GMBH

1.0 INTRODUCTION & SUMMARY

The Planning Partnership, Chapel Street, Castlebar, Co. Mayo have been retained by Lidl Ireland GmbH, Lidl Regional Distribution Centre, Littleconnell, Newbridge, Co. Kildare, W12 KT98, to make this submission to the *Proposed Material Alterations of the Greystones-Delgany & Kilcoole Local Planning Framework (LPF) 2025 / Variation No. 4 to the County Development Plan 2022 – 2028* in relation to lands at Main Street, Kilcoole.

We note that the lands are subject to a live planning application [Reg. Ref: 24/60545](#) (on Appeal, Ref: [ACP-323073-24](#)) for a Lidl Foodstore along with residential and café use. We refer to our previous 'pre-draft' and 'draft' submissions, which are taken as read for the purposes of this submission.

Extracts of the current Appeal are included under Appendix A insofar as they inform issues herein regarding the scale of development appropriate to the site, and the opportunity cost arising from an overly onerous and uneconomic development strategy.

In the first instance, we welcome a number of the proposed alteration (including adjustment of the Town Centre, *SLO5* and *OP8* boundaries, to more closely align with the intended phases of delivery of development in and around the subject site.

These changes will support the implementation of the plan as a whole. In the absence of the amendments proposed herein, the regeneration of the subject (and adjoining) lands would likely be undermined for the lifetime of the *LPF*.

Lidl Ireland GmbH are committed to the subject site, having made considerable efforts in recent years to locate a store in the town, and have a strong track record in delivery of stores nationally, where planning policy and site availability align, with successful schemes being delivered all across the country where a balance between viability and design, mix and scale can be found, including most recently in Baltinglass, where construction is underway following a recent An Coimisiún Pleanála decision (July 2025) permitting a (single storey with surface car park).

2.0 THE PROPOSED MATERIAL ALTERATIONS OF THE DRAFT LPF

2.1 Supported Material Alterations

As noted above, our client welcomes these alterations and supports their adoption as part of the completion of the Variation process. They will support the deliverability / implementability of the Variation and Local Planning Framework.

The supported alterations include:

1. Proposed Material Alteration No. 4 in respect of the proposal to amend zoning of land measuring c. 0.65ha from RN2 'New Residential Priority 2' to TC 'Town Centre';
2. Proposed Material Alteration No. 4 in respect of the proposal to amend the Opportunity Site (no. 8) boundary; and,
3. Proposed Material Alteration No. 20 in respect of the proposal to amend SLO5 - Bullford boundary.

2.2 Unsupported Material Alterations

As noted above, our client has significant concerns with these alterations and does not support their adoption as part of the completion of the Variation process. They will frustrate the deliverability / implementability of the Variation and Local Planning Framework.

As noted by the Draft LPF: *"The role of a land use plan or framework is to put in place a policy framework within which development can occur, but does not decide what works actually get done by either private individuals or public bodies. The delivery of objectives will be determined by the initiation of private development..."*

As such it is crucial that the local authority adopt a plan that is in fact deliverable in the lifetime of the plan. Unimplementable / unrealisable aspirations would serve to prevent the achievement of the strategy which the LPF seeks to promote.

The unsupported alterations include:

1. Proposed Material Alteration No. 4 in respect of the proposed written objective amendments to GDK OP8 (Opportunity Site 8 at Main Street, Kilcoole) as follows (*red* = insertions, *blue* = deletions):
 - *To support the development of these lands for mixed use development including commercial, retail, retail services, residential, community and cultural uses; in this regard, a 'single' use e.g. retail only or residential only will not be permitted and any commercial uses shall be accompanied by both residential and community / cultural uses;*
 - *Higher density development with no or limited car parking, that makes the best use of this serviced urban land, will be ~~expected~~ required on these lands. In particular, any ground level commercial or retail development proposed shall include upper floors of residential use.*
 - *High quality frontage onto all streets and open spaces will be required, that provides for passive supervision and connectivity to the street. Any development of these lands shall include the development of an outdoor community meeting space / pocket park and the highest quality and design, including appropriate park furniture and seating;*
 - *While access into these lands may be via a direct access onto Main Street (R761) any such access point shall not provide a through route to lands beyond this site, in particular lands to the west of this site.*

2.3 Further Alterations Required

As an alternative to the above *Proposed Material Alteration* No. 4 amendments to *GDK OP8*, we propose as follows:

Table 1: Material Alteration Alternative Proposal

No.	Material Alterations Text	Our Suggestion
1	<i>To support the development of these lands for mixed use development including commercial, retail, retail services, residential, community and cultural uses; in this regard, a 'single' use e.g. retail only or residential only will not be permitted and any commercial uses shall be accompanied by both residential and community / cultural uses;</i>	<i>To support the development of these lands for retail-led (medium scale Supermarket) mixed use with associated facilities and services.</i>
2	<i>Higher density development with no or limited car parking, that makes the best use of this serviced urban land, will be expected required on these lands. In particular, any ground level commercial or retail development proposed shall include upper floors of residential use.</i>	<i>Appropriate density and land utilisation will be expected, whilst providing for a proportionate provision of car parking (which would be of wider benefit to the town centre).</i>
3	<i>High quality frontage onto all streets and open spaces will be required, that provides for passive supervision and connectivity to the street. Any development of these lands shall include the development of an outdoor community meeting space / pocket park and the highest quality and design, including appropriate park furniture and seating;</i>	<i>High quality frontage / materiality onto all streets will be required, that provides for passive supervision / animation and connectivity to the street. Opportunities for areas of public realm amenity should also be considered.</i>
4	<i>While access into these lands may be via a direct access onto Main Street (R761) any such access point shall not provide a through route to lands beyond this site, in particular lands to the west of this site.</i>	<i>While access into these lands will be via a direct access onto Main Street (R761) any such access point shall not provide a substantial or uncontrolled through vehicular route to lands to west of this site.</i>

The rationale for the above suggested alterations is set out in the below Table 2. For the avoidance of doubt, we submit that the above further alterations would not be material thus are compatible with Section 13 (6)(c)(1) of the *Planning & Development Acts, 2000-2025*.

An overarching consideration however, applicable to all of the above, is the level of specificity in the current Material Alteration OP8 text, being particularly explicit which runs counter to the purpose of a Plan which is to set the strategy rather than itemise the scheme to be delivered.

The scale of ambition is also restrictive, and leaves no scope for the Planning Authority to exercise its own Development Management judgement in the consideration of otherwise reasonable proposals.

The Development Plan Guidelines emphasise that Plans should not be overly prescriptive in this regard, stating they should have: "Sufficient flexibility in the application of zoning and development management policies and standards (e.g. enabling compatible mixed uses, reduced car parking requirements), to ensure that development plans actively promote rather than inhibit regeneration".

Restriction of reasonable and balanced development proposals due to inflexibility in policy, would be a poor outcome of the adoption of the *LPF*.

At the least, the Planning Authority should be able to exercise its own Development Management judgement on a case by case basis, without being hampered by an overly prescriptive written statement.

We reiterate that the Draft LPF states: *"The role of a land use plan or framework is to put in place a policy framework within which development can occur, but does not decide what works actually get done by either private individuals or public bodies. The delivery of objectives will be determined by the initiation of private development..."*

The necessary realities of delivery of objectives must therefore be considered in the Plan making process, hence the proposed alterations outlined above.

Table 2: Alternative Proposal Rationale / Justification

No.	Our Rationale
1	The wording suggested in the Proposed Material Alterations is overly specific and ambitious, and would not be realistically deliverable (see Appendix A which elaborates on the availability of realistic alternatives to the current live scheme, which does include a mix of uses). More importantly however, the elements specified in the Proposed Material Alterations would not serve any particular planning objective other than density and mix for its own sake. A mix of use within each site / planning application is not an inherent necessity within the town centre, particularly in the town centre, which by its own nature has an existing dynamic mix. The suggested wording provides a more balanced approach, aimed at delivery.
2	As per no. 1, the wording suggested in the Proposed Material Alterations is overly specific and ambitious, and would not be realistically deliverable (see Appendix A which elaborates on the availability of realistic alternatives to the current live scheme). More importantly, the text does not take account of the physical capacity of the site for height, considering the topography and roofscape within Kilcoole. Furthermore, the 'living over the shop' concept should not be promoted to the detriment of proper planning. As set out in Appendix A, 'living over the shop' is only one (and not necessarily an optimal) form of inclusion of residential use within a given site. The proposed development (on Appeal) does include residential development, albeit in a different format. Separately, the balance of the OP8 site (outside of Lidl control, to the south) is envisaged as being developed for residential use independently of the Lidl scheme (as outlined in our previous submission). The suggested wording provides a more balanced approach, aimed at delivery.
3	The inclusion of a suggestion of an <i>outdoor community meeting space / pocket park</i> is problematic from a delivery / implementation perspective, as it suggests that a portion of the site may be sterilised from beneficial development. In the context of a site with a small footprint such as the subject site, such a burden is significant, in terms of the uncertainty it creates as much as the actual physical burden of any eventual space. The suggested wording provides a more balanced approach, aimed at delivery. We also note that any residential element to the South, would necessarily include its own public open space provision in line with development standards for housing schemes.
4	For the avoidance of doubt, our client has no intentions with respect to 'through traffic' hence the wording would not impact their proposed development (on Appeal) to any extent. As such, the alternative wording suggested is from a perspective of avoiding an overly prescriptive approach, to allow the Planning Authority to exercise its own Development Management judgement over time.

5.0 CONCLUSION

In summary, we welcome much of the *Proposed Material Alterations* in terms of their support for the delivery of development in Kilcoole, and as such will be a positive for the town and investment therein.

Concerns arise however in relation to *Proposed Material Alteration* No. 4 and associated amendments to *GDK OP8*, and as such we request that Wicklow County Council modify the *Proposed Material Alterations* (as set out in Table 1 above) in order to enable the achievement of its strategic objectives in relation to retailing and the town centre.

In their current form, there are a number of conflicting / counter-productive elements which could detrimentally impact on the town centre and private investment therein.

This would also run counter to the realisation within the draft LPF that: *"The role of a land use plan or framework is to put in place a policy framework within which development can occur, but does not decide what works actually get done by either private individuals or public bodies. The delivery of objectives will be determined by the initiation of private development..."*

With the inclusion of the further amendments proposed herein, we consider that the potential of the subject lands and the designated role and function of the town centre as a whole (as envisaged by the overall thrust of the *LPF*) can be realised.

Lidl Ireland GmbH are committed to the subject site, having made considerable efforts in recent years to locate a store in the town, and have a strong track record in delivery of stores nationally, where planning policy and site availability align.

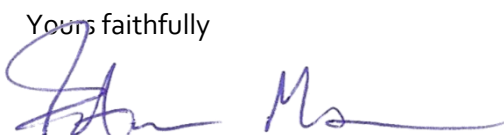
In summary, we note that successful schemes have been delivered all across the country where a balance between viability and design, mix and scale can be found, for instance:

1. Lidl Moycullen, Co. Galway – Ref: ABP-309636-21;
2. Lidl Claregalway, Co. Galway – Ref: ABP-315980-23;
3. Lidl Portumna, Co. Galway – Ref: ABP-315409-22;
4. Lidl Loughrea, Co. Galway – Ref: ABP-321771-25;
5. Lidl Dunboyne, Co. Meath – Ref: ABP-315651-23; and,
6. Lidl Tubbercurry, Co. Sligo – Ref: ABP-312062-21.

Notably also, An Coimisiún Pleanála recently (July 2025) permitted a (single storey with surface car park) Lidl store in Baltinglass under ABP-319363-24 which is currently under construction.

In the absence of the amendments proposed herein, the regeneration of the subject (and adjoining) lands would likely be undermined for the lifetime of the *LPF*.

Yours faithfully



Fintan Morrin
Principal
The Planning Partnership

Appendix A

Appeal Extracts

3.1 The Purported Alternative (e.g. Undercroft) Scheme

At its core, a significant motivation for the refusal appears to be the presumption by elements of the local Planning Authority that there is a readily developable alternative scheme, such as an undercroft type format in multiple storeys.

The Greystones Municipal District Engineer for instance states that: *"a three storey solution to the west of the subject site could easily provide the surface level car park to the size proposed, a first floor level food market store with a third storey apartment level. Leaving the footprint of the current store to be available for a two storey development of ground floor retail spaces and first floor apartments; all the while keeping the road frontage for either the proposed town houses or further ground floor retail space and first floor apartment accommodation"*. The Planners Assessments referenced above make similar assumptions.

Whilst the above suggestion could deliver some positives, it would also undoubtedly result in impacts and consequences, which would most likely be criticised by elements of the local Planning Authority and/or other stakeholders.

For the avoidance of doubt also, we note that a three storey building as described above would have a massing of up to five storeys in height as ground and first floor (parking/ancillary commercial and supermarket levels respectively) would be up to 'double height' in nature given the operational requirements of such buildings. This does not appear to have been considered by the above comments of the Greystones Municipal District Engineer.

Separately, the above suggestion ignores economic and viability realities. It is not in the Applicant's interests to obtain planning permission for unimplementable schemes, if such a scheme could in fact secure planning permission (which has not been demonstrated).

The Applicant was challenged by the local Planning Authority to demonstrate that the proposed design was appropriate and well considered (in comparison with alternatives) as a result of the previous refusal, the request for further information and the request for clarification of further information.

The Applicant addressed all of these challenges.

Whilst elements of the local Planning Authority may not agree with the Applicant's position, such disagreement does not undermine the validity of the information provided. In addition, the negative commentary of the local Planning Authority carries no greater weight than the earlier positive commentary of the local Planning Authority.

Overall, the Applicant has demonstrated through the voluminous information provided at all stages that the proposed design concept / format is appropriate for the subject site, and that alternatives, including an undercroft arrangement, are not appropriate for the subject site.

An undercroft arrangement would be wholly disproportionate both in terms of scale and massing in the street but also in terms of the function and role of the town of Kilcoole being a relatively small and lower density and hinterland settlement.

Undercroft stores generally only arise in metropolitan and city areas, where higher density and shopping patterns lend themselves to this format, as explained as part of the planning process (i.e. the previously submitted planning application cover letter, responses to further information / clarification and design statement iterations).

We do not propose to restate all the justifications provided as part of the planning process to date, however we reiterate that the initial Planning Assessment by the local Planning Authority appears to have been supportive of the proposed scheme, which support subsequently faded.

Furthermore, we note that the 'single storey Foodstore with surface parking' arrangement, with or without complementary ancillary units (e.g. the café and dwellings) has been repeatedly granted by the Coimisiún in many recent instances in similarly small towns around the Country, where more intensive / dense schemes have not been deemed necessary or proportionate.

For example, we note most recent examples include:

1. Lidl Moycullen, Co. Galway – Ref: ABP-309636-21;
2. Lidl Claregalway, Co. Galway – Ref: ABP-315980-23;
3. Lidl Portumna, Co. Galway – Ref: ABP-315409-22;
4. Lidl Loughrea, Co. Galway – Ref: ABP-321771-25;
5. Lidl Dunboyne, Co. Meath – Ref: ABP-315651-23; and,
6. Lidl Tubbercurry, Co. Sligo – Ref: ABP-312062-21.

In each of the above instances, the Coimisiún granted permission for central or edge of centre locations for single storey Foodstores with surface parking, some with ancillary buildings / uses, some without.

The Coimisiún did not consider that undercroft and/or multi-storey schemes were warranted in such areas.

We respectfully submit that the same conclusion should be arrived at in this instance, as an undercroft type approach of three storey scale (equivalent to 4-5 storey massing) would be neither viable nor proportionate to the site context or town function.

We also note the dismissal by the local Planning Authority of the design team's rationale regarding the undercroft approach for instance stating: *"The applicant has made no great effort to look at alternative layouts. It is clear that the applicant is not in favour of an undercroft scenario and has sought to intentionally skew the pros and cons of the various layouts with their proposed layout appearing to have no cons."*¹

In response, we respectfully submit that the Applicant's rationale has been thoroughly communicated to the local Planning Authority, and significant effort has been made by the Applicant to accommodate reasonable requests and suggestions by the local Planning Authority (as confirmed by the local Planning Authority in the initial Planning Assessment in terms of addressing the previous refusal).

In this regard it is apparent that elements of the local Planning Authority have a particular 'undercroft' objective for the subject site, which is their entitlement, however the Coimisiún are free to take an alternative view, and the Applicant does not seek to skew or mislead any party, rather seeks to point out realistic and material considerations from their perspective, which is their entitlement.

The proposed scheme is considered to be proportionate and deliverable, and supported by extensive precedent in other similar settlement contexts as noted above, whereas the local Planning Authority preference is not economically viable, or proportionate to the site context.

Finally, we note that the Applicant is in the business of delivering Foodstores to underserved populations, hence the rationale for the subject application. To do so, schemes must be commercially feasible, and of a suitable format for operational requirements and customer convenience.

¹ The Planning Assessment also criticises the graphic used in illustrating an Undercroft scenario in that the surface car park element was not reduced to account for the 'internal' parking provided. For the avoidance of doubt, whilst an undercroft arrangement could allow a reduced surface car park (perhaps in the order of 50%), it would not allow the omission of surface parking entirely. Adding additional floors above, i.e. 'living over the shop', would also increase the need for parking, thus at least partially offsetting any reduction in surface parking requirements. In any event, we respectfully submit that this is a non-issue in that the constraints to the undercroft arrangement apply irrespective of the extent of residual surface parking.

The suggested undercroft arrangement fails in all three respects, in that it would be economically unviable, would not be of an appropriate scale and massing, and would provide a materially diminished customer experience. In relation to the latter, customers will where possible avoid multi-storey or undercroft parking, favouring surface parking, whilst accessing retail space at above ground level is also less appealing to customers.

These challenges are more surmountable in metropolitan or city areas, where the prevailing urban structure and associated shopping habits have more of a tradition of multi-storey or undercroft parking and retail space at above ground level, however such features are incongruous and unusual in smaller and hinterland settlements such as Kilcoole. Providing same in such locations would place the Applicant at a significant competitive and attractiveness disadvantage to incumbent offerings.

Where viable schemes are granted, the Applicant has a strong track record of delivery, resulting in significant urban renewal, employment and other benefits. An unviable and thus unimplementable scheme however is of no benefit or value to the client (or the town and its residents).

3.2 The Issue of Surface Car Parking / Compact Development

The commentary associated with the refusal also questions the presence of surface car parking in terms of efficiency of layout and design / density, etc. As noted above, irrespective of the potential presence of an undercroft element, a substantial form of surface parking would be necessary.

Furthermore, a larger scale / height of development and addition of further residential or commercial floorspace would also increase the parking requirement of any scheme, thus in turn increasing the extent of surface parking required (as any undercroft element would be relatively fixed).

Separately, with regard to the principle of surface parking, we submit that it is the 'default' approach for residential, retail and commercial uses in most urban areas and town centres, with the exception of metropolitan and city locations.

As noted above, in locations such as Moycullen, Claregalway, Portumna, Loughrea, Dunboyne and Tubbercurry, amongst others, surface parking was deemed to be entirely appropriate and acceptable to the Coimisiún. There is no reasonable or proportionate rationale for a different position on the matter in this instance.

The proposed development, whilst including surface parking, will nonetheless deliver an efficient and effective layout and scale of development that is compatible with the character of Kilcoole town centre.

A multi-storey/undercroft arrangement on the other hand would not in our opinion be consistent with the well established principles of town centre Foodstore delivery across the country, where surface parking has not been an obstacle or constraint to planning consent.

3.4 Scale and Typology of Residential Use Proposed

The refusal reason also refers to the issue of "*the small number of residential dwellings proposed relative to the site area, the lack of 'living over the shop' accommodation and the lack of a mix of housing types*" and lists various objectives of the Development Plan that would be affected (see Table 1 below).

In short, we submit that having a requirement for a mix of typologies within the *settlement* does not necessarily translate into a variety of forms in each and every scheme, or each phase of a masterplan.

In the case of the subject scheme, by its nature, it can only deliver a relatively small scale of residential development, and as such a wide range of typologies is not possible.

In this regard we submit that the delivery of variety and mix of height and typologies is more appropriately directed towards the district or masterplan area as a whole, where a strong variety of height and typology can occur.

Section 3.8 discusses the indicative masterplan for the wider landbank, which we understand is to form a planning application to be lodged to the local Planning Authority imminently.

In our opinion, this illustration serves to demonstrate that the subject development does contribute to the provision of a variety and mix of typologies.

The primary function of the subject scheme is not to deliver housing at scale, but to provide an urban design response suitable for the site location and context, whilst accommodating an anchor and ancillary elements. In this instance the residential component of 5 no. units is an ancillary element.

The issue of a greater 'mix' in the subject scheme is therefore not reasonable or proportionate, nor would it serve any practical purpose in our opinion.

Having regard to the foregoing, and below Table 1, we submit that the mix of typologies provided is wholly appropriate to the site context.

Table 1: Development Plan Objectives

No.	Objective	Our Comment
CPO 5.3	To particularly promote and facilitate residential development in town and village centres: Promote the 'active' use of above ground floor levels, and in particular to promote the concept of 'living over the shop' in centres. Where a 'living over the shop' use is proposed, a relaxation in density, car parking and open space standards will be considered, where the development meets very high quality of design and accommodation.	Residential development will be provided, hence this objective is achieved. As demonstrated at application / further information stages (and Section 3.5 below), a living over the shop format does not arise in this instance.
CPO 6.13	To require that new residential development represents an efficient use of land and achieves the minimum densities as set out in Table 6.1 subject to the reasonable protection of existing residential amenities and the established character of existing settlements...	The proposed development, of which residential is an ancillary component, does represent an efficient and densified use of land and will avoid material impacts on the character and amenities of the area.
CPO 6.14	To densify existing built-up areas subject to the adequate protection of existing residential amenities.	
CPO 6.27	To require new multi-unit residential development to provide an appropriate mix of unit types and sizes to ensure that there is a range of unit types available to suit the needs of the various households in the county, in accordance with the Design Standards for new Apartments, Guidelines for Planning Authorities (2020).	The residential component is not of itself large enough in terms of scale to allow a wide variety, however in the wider context of the adjoining masterplanned landbank, the subject scheme will provide a meaningful contribution to mix, variety and placemaking.

3.5 The Issue of 'Living over the Shop'

The concept of living over the shop appears to be a particular preference of the local Planning Authority, above all other development formats.

The applicability / suitability of this format was discussed at length as part of the planning application / further information process, where the chosen format of townhouse was explained, restated *in italics* for example as follows.

The Applicant and design team have considered this issue at length as part of an extensive design review process, with a number of scenarios considered.

The proposed solution addresses the substance of the concern, in terms of providing both a mix of uses along Main Street and also a two storey façade. In addition, this format facilitates a proportion of façade and roof structure that is more in keeping with the prevailing urban grain of the area.

In terms of the option of residential above commercial, this was considered however ultimately the preferred design solution was that of two storey town houses with a Café unit holding the corner of the new access road, which we consider will deliver on the objectives of the Planning Authority.

A single storey Café was deemed most appropriate in terms of following the slope of the street. A two storey arrangement would likely have punctuated the ridge line of the streetscape at this location. Section 3.12 below and the enclosed Architectural Design Statement elaborates on design issues further.

...

In relation to the issue of height, whilst the public house is two storey in height, the floor to ceiling height is likely much lower than would be required to achieve modern standards of a 'living over the shop' type arrangement.

As such a mixed use two storey profile could be a number of metres taller than the existing public house, thus appearing disproportionate. Coupled with same is the slope of the street, and the adjoining single storey premises to the south, which would exacerbate the disproportionate nature of a 'full' two storey development, as illustrated below.

The proposed solution is therefore a domestic two storey arrangement which is more proportionate, albeit with some increase in height, however mitigated by the narrow plot grain allowing for a step in levels.

The Café unit reduces to single storey to continue the pattern of a step in levels and to respect the opposite site of the access route gap, which itself has been narrowed compared to the previous scheme.

...

With regard to the issue of living over the shop and the provision of residential development in town centres, we note that the former is simply one means of achieving the latter, rather than the former being the core objective.

The Applicant has considered a myriad of layout and mix configurations (as set out in the enclosed Design Statement) including 'living over the shop' scenarios. These however were not deemed optimal or preferable to the subject proposal for varying reasons (as set out in the enclosed Design Statement).

Nonetheless the proposed scheme achieves the underlying objective of delivering residential development in the town centre, in a positive way, providing a high level of residential amenity to future residents, and matching the pattern of townhouses on the street itself, opposite and to the North and South.

As such, we respectfully submit that townhouse dwellings are not a lesser form of town centre residential, and are equally appropriate to the subject site as upper level apartments.

...

With respect to 'living over the shop' we note that first and foremost this concept relates to regeneration of existing buildings, rather than new build scenarios.

Secondly, it is focused on increasing the resident population on urban streets.

Townhouses are an equally valid form of delivering on this objective. Whether housing is provided above commercial uses, or in townhouses, is immaterial to the principle of delivering a mix of uses, urban regeneration and additional housing.

Ultimately, the Applicant has determined that a townhouse configuration is the optimal approach in this instance, not least as this reflects the prevailing pattern on the street including directly opposite the subject site.

Excessive deference or literality to a particular colloquialism or phrase should not obscure the ultimate planning gain deliverable under the proposed development, which is to deliver a mix of uses, urban regeneration and additional housing.

In reiterating the 'living over the shop' phrase, the Request for Clarification of Further Information has at no point identified any advantage that apartments above commercial would have compared to the proposed townhouse scenario. As such the Planning Authority are requested to consider the proposed development and its configuration on its particular merits.

In relation to potential widespread multi level development such that would provide 'living over the shop' in terms of the overall development footprint, thus providing passive surveillance etc. towards the parking area to the rear, we respectfully submit that this is a wholly unfeasible scenario, as borne out in the Design Statement (for instance in terms of the Undercroft scenario, which has similar characteristics and limitations). The local Planning Authority generally dismisses the above responses, suggesting that "the applicant has not made any effort to provide a 3 storey building or to provide 'living over the shop' above the supermarket."

As demonstrated above, the Applicant has made all reasonable efforts to examine various options including *living over the shop* formats however those efforts have determined that a *living over the shop* format is not suitable in this instance. Secondly, the Applicant has highlighted that the *living over the shop* format is not a panacea for approaches to urban development in smaller town centres and that other formats are equally valid, such as the proposed arrangement. In this regard, it appears that the merits of the proposed arrangement have been dismissed merely because the format does not align with a *living over the shop* format preference.

We request that the Coimisiún affirm that the *living over the shop* format is only one of many potential design approaches, and ultimately to conclude that the proposed arrangement is on balance the optimal scheme for the subject site. Finally, we note that emerging policy (see Section 3.9) places significantly less emphasis on the concept of *living over the shop* thus reducing its relevance from a policy perspective.

3.6 Consolidation / Maximising Potential of the Town Centre and Infill Sites

The latter assessments by the Planning Authority question the efficiency of the design and layout in terms of scale, density and maximising the potential of this town centre infill site. In the first instance, we submit that the test should not only be to maximise, but rather should in many instances be to optimise the lands, given the need to balance a myriad of often conflicting or differing objectives and viewpoints.

Furthermore, in terms of maximising and/or optimising, this relates to the actual real world economically deliverable potential, rather than some conceptual potential. In this regard, the adage that 'perfection is the enemy of progress' is particularly apt.

In support of the refusal, the decision references a number of objectives, as noted in Table 1 above, and Table 2 below. As demonstrated by the accompanying commentary above and below, those objectives are not contravened, directly or indirectly, by the subject proposal.

Table 2: Development Plan Objectives

No.	Objective	Our Comment
TC Town Centre Zoning	To protect, provide for, and improve the development of a mix of town centre uses including retail, commercial, office and civic use, and to provide for 'Living Over the Shop' residential accommodation, or other ancillary residential accommodation. To consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and promote urban design concepts and linkages between town centre activity areas'	The proposed development will deliver on the zoning objectives of the site. The objective relates to the town as a whole and each and every site is not obliged to contain each and every component of a healthy town centre mix. Rather, each site should contribute to enhancing the town centre in the scale and form and mix of development offered. The subject scheme achieves this.
CPO 4.2	To secure compact growth through the delivery of at least 30% of all new homes within the built-up footprint of existing settlements by prioritising development on infill, brownfield and regeneration sites and redeveloping underutilised land in preference to greenfield sites.	The proposed development will meaningfully contribute to increasing residential options and liveability within the town centre.
CPO 4.3	Increase the density in existing settlements through a range of measures including bringing vacant properties back into use, reusing existing buildings, infill development schemes, brownfield regeneration, increased building height where appropriate, encouraging living over the shop and securing higher densities for new development.	The proposed development will optimise and densify the town centre by bringing forward a realistic and deliverable scheme for the subject site, which is preferable to a larger but undeliverable scheme. The scheme will contribute to the overall enhancement of the town centre.

As such, the proposed scheme does maximise the (realistic) potential of the subject town centre and infill site and will result in a significant improvement of the *quality, vibrancy and vitality* of the town centre. The refusal should be overruled in this regard.

3.9 The Draft Local Planning Framework

Separate to the issues raised in the refusal, we also note the emerging policy framework for Kilcoole intends to replace the pre-existing Local Area Plan by way of variation to the County Development Plan.²

In broad terms, we submit that the proposed development is wholly compatible with the Draft Local Planning Framework (LPF) which continues to propose that the majority of the subject site be zoned town centre.³ Notably, the LPF acknowledges the long standing vacuum in the town centre, stating:

*"Kilcoole has experienced significant housing growth over the last 20 years and is now in need of catch-up investment particularly with respect to improvement of **the town centre which has somewhat 'hollowed-out' and is suffering from vacancy and dereliction**. There is potential to pursue public realm and placemaking improvements within the town centre to create a stronger urban structure, deliver improved community and recreation facilities, strengthen the town's identity and sense of place, and provide for a high quality of life.*

Kilcoole has developed in manner that has resulted in some hollowing-out of the centre, leaving a number of central vacant sites along the Main Street, and it is crucial during this LPF period and beyond that this is addressed and town centre regeneration is a priority.

² A draft Local Planning Framework was published in May 2025 and is currently going through the statutory process.

³ A degree of encroachment beyond the town centre boundary may result (if the town centre boundary is not extended as part of the ongoing statutory process (which has been requested as part of public consultation to date). In such event, we would note that the Coimisiún has on numerous occasions upheld the principle of flexibility in zoning boundaries and allowed such overlaps as non-material contraventions of plans. Specifically we note Lidl Maynooth, Co. Kildare (ABP-310230-21 refers); Lidl, Enniscorthy, Co. Wexford (ABP Ref: PL26 .304025); Lidl, Bohernasup, Ballina, Co. Mayo (ABP Ref: PL 16.244269); Lidl Portumna ABP-315980-23); and, Tesco, Ashe Road, Mullingar, Co. Westmeath (ABP Ref: PL25M.241303).

*The residential, employment and retail growth that has occurred in Kilcoole over the last 20 years has generally been located around the periphery of the historic town centre (the Main Street between the Newtownmountkennedy Road Junction and Catholic Church). **The centre has become 'hollowed out'** with a significant number of vacant sites and buildings, which are degrading the overall appearance, identity and usability of the centre. It is essential that a regeneration programme for this area is developed; such a programme needs to consider the regeneration of the vacant sites, a reduction of the dominance of the car, enhanced sustainable movement and transportation options including improved infrastructure for walking, cycling and accessing public transport (including links to the train station) and improved public realm / public recreation etc."* [Our Emphasis]

It is therefore apparent that the town centre is failing, both in terms of maintaining the towns traditional vitality and viability, and also failing to live up to the demands of modern residential expansion in recent decades. It appears that it is the emerging objective of the Planning Authority to address such, however in order to achieve this, barriers to same should be avoided – including any insistence for overly ambitious and unrealistic / unviable scales of development, such as undercroft arrangements.

Notably also, the emerging LPF places significantly less emphasis on the concept of 'living over the shop', being referenced more in passing as one possible scenario than being the default approach to town centre regeneration. The TC: Town Centre zoning objective is for instance a more purposive wording, being: "to provide for the development and improvement of appropriate town centre uses including residential, retail, commercial, office and civic use" with a similarly progressive description.⁴

Table 3: Draft LPF Strategy & Objectives

No.	Objective	Our Comment
	2. To build on the dynamism between the settlements of Greystones-Delgany and Kilcoole, so that each settlement develops in a mutually dependent and complementary manner as a prosperous and growing community. Each settlement shall have a distinct identity and shall perform a function in sustaining its own local community and in providing enhanced opportunities for the creation of new local enterprise.	The proposed development will enhance Kilcoole as a functioning centre, providing a service that it is supposed to provide, and reversing the long standing 'hollowing out' of the centre.
	5. To focus on the dense, mixed use regeneration and development of town and village centre infill sites (particularly vacant or under-utilised sites) that are currently served or proximate to public transport services, as a priority above edge of centre or peripheral, greenfield locations.	The proposed development is at the epicentre of the town, and is of a suitable and feasible scale and mix.
GDK7	To promote Kilcoole town centre as the priority location within the settlement of Kilcoole (above edge of centre or peripheral location, even where zoned) for new residential, retail / retail services, community, cultural and employment development, through the development of vacant or underutilised sites and via the reconfiguration / redevelopment of existing low density development, while at all times respecting the character and heritage of the town centre. In particular, to support the development of opportunity sites in accordance with the specific criteria set out for each identified area within this LPF.	The proposed development will enhance Kilcoole as a functioning centre, providing a service that it is supposed to provide, reversing the long standing 'hollowing out' of the centre, at a density that can be delivered commercially and that will fit within the site context.

⁴ "To develop and consolidate the existing town centre to improve its vibrancy and vitality with the densification of appropriate commercial and residential developments ensuring a mix of commercial, recreational, civic, cultural, leisure and residential uses, while delivering a quality urban environment, with emphasise on regeneration, infill town and historic centre conservation; ensuring priority for public transport where applicable, pedestrians and cyclists, while minimising the impact of private car based traffic and enhance and develop the existing centre's fabric."

GDk9	<p>To support and facilitate improvements to the public realm in Kilcoole town centre to provide an attractive, comfortable environment for pedestrians, cyclists and users of public transport. In particular, the following improvements shall be supported and promoted:</p> <ul style="list-style-type: none"> - Reduction in the dominance of private vehicles and space dedicated to private vehicles in the public realm, and in particular in the area between the Main Street – Sea Road Junction and the Church, thereby facilitating the enhancement of space to be devoted to the improvement of pedestrian and cyclist infrastructure and for social interaction and potential use for community and business uses; - Improvements in walking and cycling connections within the town centre, from the town centre to the coast / train station, to local amenity areas / heritage assets (such as the 'mass path' and 'Kilcoole Rock') and to edge of centre residential areas; - The development of additional public parks and squares in the town centre, and other places where the community can interact and avail of community services and enhancement of biodiversity overall; - Improvement of quality and consistency of the public realm including more consistency road surface treatments, paving materials, signage and street furniture. 	<p>The proposed development will considerably enhance the public realm in the town centre, both in terms of creating new movement networks with an emphasis on active travel modes (e.g. the link to the wider landbank) and also providing greater legibility in terms of urban form and scale, filling a notable gap in the street.</p>
GDk10	<p>To require the design of all new developments in Kilcoole town centre to be of the highest architectural quality, that reflects the traditional scale / massing, unique design features, materials, format / patterns of development in the town centre. All new developments (of any scale) shall include a Design Statement showing how the features of the existing town centre have been considered and addressed in the design of any new development.</p>	<p>The design and scale of the proposed development will align with this objective, as has been broadly acknowledged by the local Planning Authority, not least in terms of the improvement compared to the previously refused scheme.</p> <p>The alternative 'undercroft' scenario however would not in our opinion align with this objective.</p>
GDk OP8	<ul style="list-style-type: none"> - To support the development of these lands for mixed use development including commercial, retail, retail services, residential, community and cultural uses; - Higher density development with no or limited car parking, that makes the best use of this serviced urban land, will be expected; - High quality frontage onto all streets will be required, that provides for passive supervision and connectivity to the street. - While access into these lands may be via a direct access onto Main Street (R761) any such access point shall not provide a through route to lands beyond this site, in particular lands to the west of this site. 	<p>The proposed development represents an appropriate and balanced solution to the characteristics of the subject site and operational requirements of the proposed development.</p> <p>The proposed development will deliver a significant enhancement to the public realm in the area, thus achieving the underlying goals of this objective.</p> <p>In relation to car parking, meaningful development would not be remotely conceivable in the absence of commensurate parking infrastructure.</p>
GDk11	<p>To permit the nature and scale of retail development appropriate to enable each centre to perform its role and function as defined within the County Retail Strategy. The nature and scale of a development proposed (either by themselves or cumulatively in conjunction with other developments) in a centre shall not compromise the role or function of any other centre within the hierarchy, in particular the role and function of a centre that is of a higher level in the hierarchy above that which is being considered.</p>	<p>As confirmed by the local Planning Authority, the proposed scale of retail is appropriate to the site location and settlement function, and will not lead to impacts on this or other retail centres.</p>

GDk12	To vigorously protect and promote the vitality and viability of town and village centres. Development proposals not according with the fundamental objective to support the vitality and viability of town / village centre sites must demonstrate compliance with the 'sequential approach' before they can be approved. The 'sequential approach' shall be applied and assessed in accordance with the 'Retail Planning Guidelines, (DoECLG, 2012)' ¹⁵ . The Planning Authority will discourage new retail development if they would either by themselves or cumulatively in conjunction with other developments seriously damage the vitality and viability of existing retail centres within the County.	As acknowledged by the local Planning Authority, the Kilcoole centre has been hollowed out.
GDk15	The priority for housing growth shall be the existing built up area of the settlements, on lands zoned 'town centre', 'village centre', 'mixed use' and 'existing residential'. Development shall extend outwards from the centres of Greystones, Delgany and Kilcoole with undeveloped land closest to the centre and public transport routes given priority. 'Leapfrogging' to peripheral areas shall be strongly resisted. In cognisance that the potential of such regeneration / infill / brownfield sites is difficult to predict, there shall be no quantitative restriction inferred from this LPF or the associated tables on the number of units that may be delivered within the built up envelope of the towns / villages.	The proposed development will reverse this trend, providing an important enhancement to the town centre area, in the epicentre of the town centre.
GDk47	To protect the historic and traditional rural character of the 'Kilcoole Town Centre Character Area' through the implementation of the following requirements: - All new developments shall provide a high standard of urban design that is reflective of and is influenced by Kilcoole's historic and traditional rural character. - In the consideration of new development, particular attention shall be paid to ensuring that the character and setting of both protected structures and non-protected but vernacular buildings are maintained and enhanced.	The design and scale of the proposed development will align with this objective, as has been broadly acknowledged by the local Planning Authority, not least in terms of the improvement compared to the previously refused scheme. The alternative 'undercroft' scenario however would not in our opinion align with this objective.