

Forward Planning Unit.
Development Plan Review.
Louth County Council,
Town Hall,
Crowe Street,
Dundalk A91W20C
Co. Louth.

15th December 2020

Dear Sir/Madam,

DRAFT LOUTH COUNTY DEVELOPMENT PLAN 2021-2027

**RE: SUBMISSION TO DRAFT LOUTH COUNTY DEVELOPMENT PLAN 2021 – 2027 ON
BEHALF OF NEWLANDS FOOD MARKET LIMITED, LANDS AT DONORE ROAD,
DROGHEDA, COUNTY LOUTH**

Newlands Food Market Limited

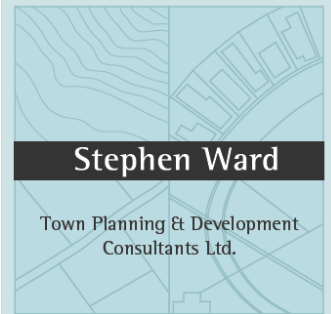
has retained Stephen Ward Town Planning and Development Consultants Limited of Jocelyn House, Jocelyn Street, Dundalk, County Louth to make this submission relating to lands at Bloomsbury Centre, Donore Road, Drogheda, County Louth.

Please address all correspondence to Stephen Ward Town Planning and Development Consultants Limited, Jocelyn House, Jocelyn Street, Dundalk, County Louth.

To assist Louth County Council in complying with the provisions of the Data Protection Act full details of our submission on behalf of Newlands Food Market Ltd is attached.

Yours Faithfully,

Stephen Ward



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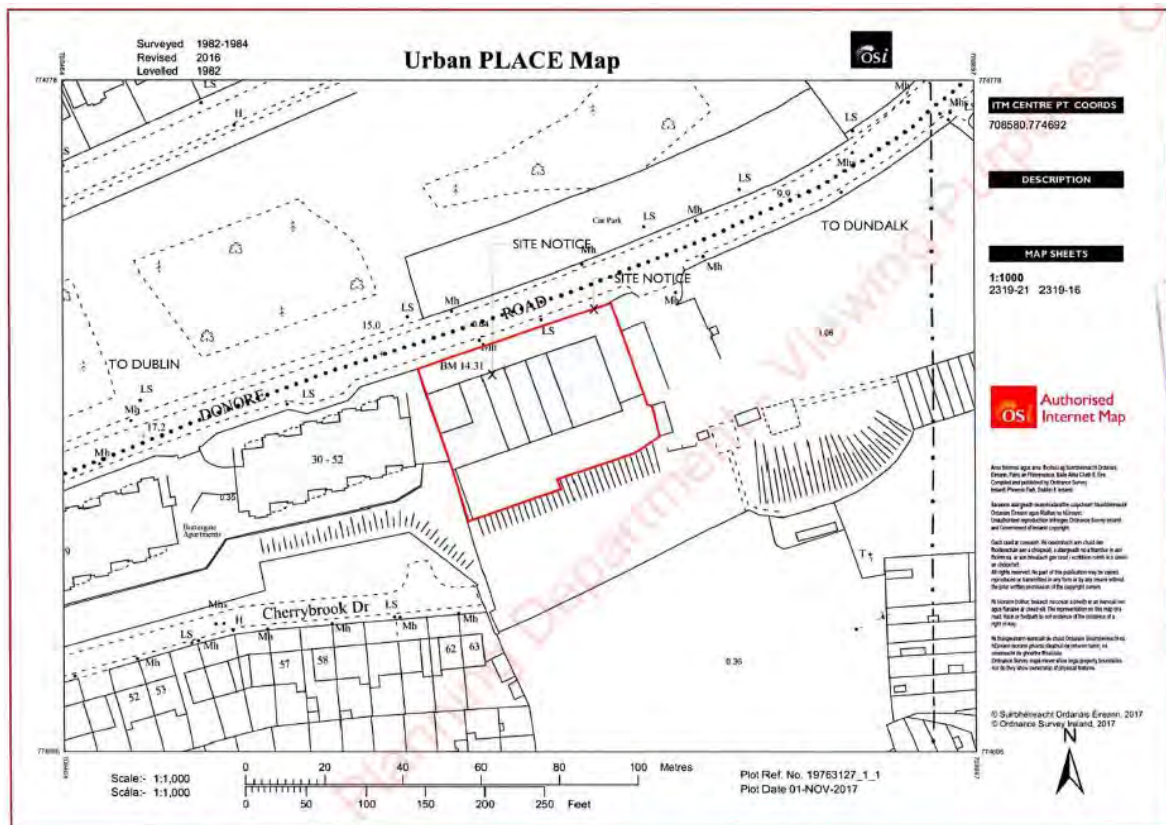
1.0 INTRODUCTION

This submission seeks the rezoning of the lands edged red on the Site Location Map below from A1 – Existing Residential to B2 Neighbourhood Centre in the new Development Plan. The site has a permitted use for retail but the type and extent of retail permitted is constrained by the residential zoning that affects the site. At 0.2ha the site is small and self-contained and would accommodate neighbourhood shops of limited scale to serve the existing and emerging new residential developments in the immediate area, including the residential permission for 66 dwellings on the former Roadstone quarry site immediately east of the submission lands (PA Ref 18/176).

The development of neighbourhood shops fronting the Donore Road would assist in presenting much needed active frontage to this part of Donore Road. The existing residential zoning does not reflect the retail uses that are permitted on the site.

1.1 The submission lands extend to c0.2 hectares and are identified edged red on the site location map below. Presently accommodated on site are a small supermarket (Unit 1), a small shop (Unit 2), a veterinary hospital and a tyre repair centre. Overall, the building on the site has a footprint of c880 square metres. There are 24 on-site car parking spaces available on the site.

Figure 1 – Site Location Map



1.2 The site is on the south side of the Donore Road, c350 metres west of Drogheda Bus Station and the junction between the Donore Road and the R132. The site is directly opposite the western end of the car park serving the bus station.

Figure 2 – View from Donore Road



1.3 Being a developed site, all services including drainage, infrastructure and utilities are available to the site and the site has permitted and established accesses to the adjoining public road. We also note that whilst a planning application was refused on the lands in 2020 (PA Ref 20/462) the Report of the Planning Officer notes that the Infrastructure Section of the Council recommended that permission be granted subject to conditions.

1.4 It is also noted that at Section 9.0(iv) of Assessment Section under the heading “Residential Amenity” the Report of the Planning Officer on 20/462 states –

“The subject site front onto the Donore Road and there are apartment blocks to the south-west of the site fronting on the Donore Road 4 storeys high. To the north east there is an old disused roadstone quarry where a planning permission has been granted under 18/176 to bring it into residential use. There is also residential to the back of the subject site albeit on higher ground at Cherrybrook. The existing building has been in retail use for a long number of years and while there is an issue with the unauthorized nature of the use that are presently in some of the units I do not consider that this fact alone causes any devaluation of the residential amenity of the area which can be controlled by imposition of conditions restricting operating hours”.

2.0 PLANNING HISTORY

2.1 Under PA Ref 02510176 planning permission was granted for the following development – *“(a) Change of use of the existing retail/workshop to retail, single storey extension to rear, new pitch roof and new shopfront, (b) conversion of the existing 2 no. retail units to 4 no. retail units with new shopfronts and (c) alterations to existing car parking to the front and part removal of the existing bank to the rear to provide additional car parking”.*

2.2 Notwithstanding the above permission, under PA Ref 20/462 planning permission was refused for the following proposed development –

*“Permission for development for provision of an off-license for the sale of alcohol within the existing retail unit
2. Remove existing separating wall between unit 1 and unit 2 incorporating the retail unit 2 as part of retail unit
1. Proposed shop front over combined unit 1 and unit 2 with associated lettering and all related works at unit 1
and unit 2”.*

2.3 By order dated the 13th August 2020 planning permission was refused for the proposed development for two stated reasons as follows –

“1. The development for which permission is sought will provide an off-license and an extended floor area within an existing convenience store which does not have the benefit of planning permission. The Planning Authority is therefore precluded from considering granting permission for the subject development in this instance”.

“2. The proposed development is located on land that is zoned residential for purposes in the Drogheda Borough Council Development Plan 2011-2017 where local shops with a floor area of not more than 200sq.m are open for consideration. The floor area proposed would be some 470sq.m. As such the proposed development would materially contravene the said zoning objective of the Plan and would be contrary to the proper planning and sustainable development of the area”.

2.4 The Report of the Planning Officer on 20/462 states as follows –

“I have reviewed previous permission Ref. No. 02/510176 and confirm that this permission allowed the conversion of the existing retail workshop to retail and conversion of the existing 2 no. retail units to 4 no. retail units with new shopfronts. The planner’s report confirms that the lands are zoned to protect and or improve the developed residential communities. Neighbourhood shops were open for consideration in this zoning; however ‘shops other’ are not permitted. The Report advised that Tilesavers were an existing commercial business operating in the units. The development was considered acceptable in principle subject to a planning condition (no. 2) restricting the use of the retail units to comparison goods only save for motor car sales and pet shop”.

“Details of the proposed uses were to be submitted to the Planning Authority prior to the commencement of development and before the occupation of any of the units. Correspondence on planning file stated that a post office use was considered acceptable, use as a chemist was also advised as being acceptable while use of unit no. 3 for the supply of hairdressing products and equipment was also deemed acceptable uses. I note that in correspondence the planner had advised that the subdivision of units is not permitted unless granted by way of a separate planning permission”.

2.5 As noted above it is clear, even in refusing planning permission under 20/462 that the Planning Authority accepts that the site has a permitted and established retail use for 20 years or more and that retail use can be accommodated without harm to the residential amenities of the surrounding area and without giving rise to traffic hazard.

2.6 The refusal of permission relates primarily to the retail floorspace on site and that floor space exceeding that permitted under the residential zoning of the site. A change of zoning to B2 Neighbourhood Centre would remove that restriction and would also allow neighbourhood scale convenience retail uses on the site.

3.0 THE ZONING PROPOSALS AND COMPLIANCE WITH THE POLICIES OF THE DRAFT PLAN

3.1 Strategic Objectives - Drogheda is a designated Regional Growth Centre and the town is planned to grow to a population of at least 50,000 by 2031. Small and contained neighbourhood areas such as that proposed in this submission will form an essential part of the support system for the expected population and housing growth in the settlement. As noted the site as a permitted and established retail use for more than 20 years and whilst a recent application was refused permission, that refusal was grounded on a material contravention of the zoning provisions of the Development Plan. The infrastructure section of the Planning Authority recommended a grant of permission subject to conditions. Equally, it is submitted that the Report of the Planning Officer did not consider the site unsuited to neighbourhood uses per se.

3.2 Strategic Objective SO2 of the Draft Plan states –

“SO2 – Support and promote the role of Drogheda and Dundalk as key designated Regional Growth Centres with high levels of self-sustaining employment and services, to act as regional economic drivers, playing a significant role for a wider catchment area to help achieve a more coordinated and sustainable settlement and travel pattern across the region”.

3.3 Clearly, the intention of the Development Plan is to see rapid housing growth in Drogheda and an increase in the provision of services is necessary to mirror this population and housing growth. As noted, the area around the submission lands has a local population that requires neighbourhood services, including the proposed development of 66 residential dwellings to the south (PA Ref 18/176).

“SO8 – Develop and support vibrant, inclusive, sustainable and healthy communities in Louth where people can live, work, invest and visit, enjoying access to a wide range of community, health and educational facilities and amenities, suitable for all ages and needs, in both urban and rural locations, thereby supporting a high quality of life for all to enjoy”.

3.4 The Role of Brownfield Land – In line with national and regional policy the Development Plan strongly promotes efficient use of land within urban areas and in particular promotes development on Brownfield lands. The submission lands are well suited for use as a neighbourhood centre.

3.5 Policy Objective SS10 – *“To manage the growth of Drogheda in a manner that will achieve the creation of a compact settlement with attractive and inclusive sustainable neighbourhoods where there is a choice of affordable homes for all”.*

3.6 Sustainable Neighbourhoods – Section 3.6 of the Draft Plan deal with sustainable neighbourhoods and communities. It notes –

“The Draft Plan seeks to support the continued development of sustainable neighbourhoods and communities throughout the County. It will facilitate employment creation and economic investment in locations that would reduce journey times to work. It will promote healthy living by encouraging compact growth and the development of infill and brownfield sites in preference to edge of centre greenfield locations, and promote quality residential developments with a suitable mix of housing in proximity to local services and community and recreational facilities”.

3.7 The following policy objectives are derived from the below supporting text –

Policy Objective HOU10 – *“To continue to support the creation of sustainable communities throughout the County by facilitating the creation of attractive neighbourhoods where there are strong links and connections to local services, community facilities and employment areas and where walking, cycling and public transport is prioritised”.*

3.8 Social Inclusion – Chapter 4 of the Draft Plan considers community facilities and social inclusion. It is submitted that the rezoning of the lands as sought in this submission would also contribute towards increased levels of social inclusion in the area. This is because the mix of uses that would be facilitated at the site would act as a better focal point for community interaction in the area.

3.9 For example Para 4.2 of the Draft Plan states – *“Social inclusion is a key objective at National Regional and Local level. It refers to the way in which everyone in a community is integrated in an equal manner by reducing the barriers to participation”.*

4.0 SUMMARY AND CONCLUSION

4.1 It is contended that the submission lands are ideally suited to act as a neighbourhood centre for the surrounding area as well as the emerging population within 1km of the site.

4.2 In the case of the recent planning application on the site (PA Ref 20/462) the Report of the Planning Officer noted that the site could be developed without causing harm to the residential amenities of the area. In addition, the Infrastructure Section of the Council had no objection to the proposed development and recommended permission subject to conditions indicating that all services, utilities and infrastructure are available at the site and that the site can be developed with safe entrance and exit for traffic.

4.3 In the case of 20/462 the Planning Authority also recognises that the site has a permitted and established use for retail and that goes back over 20 years. The existing residential zoning does not reflect the permitted and established development on the site. Furthermore, the existing residential zoning also constrains the provision of a reasonable level of retail on the site to reflect a small scale neighbourhood centre.

Yours faithfully,

Stephen Ward