

Forward Planning Section  
Louth County Council  
Town Hall  
Crowe Street  
Dundalk  
Co. Louth

22/12/20

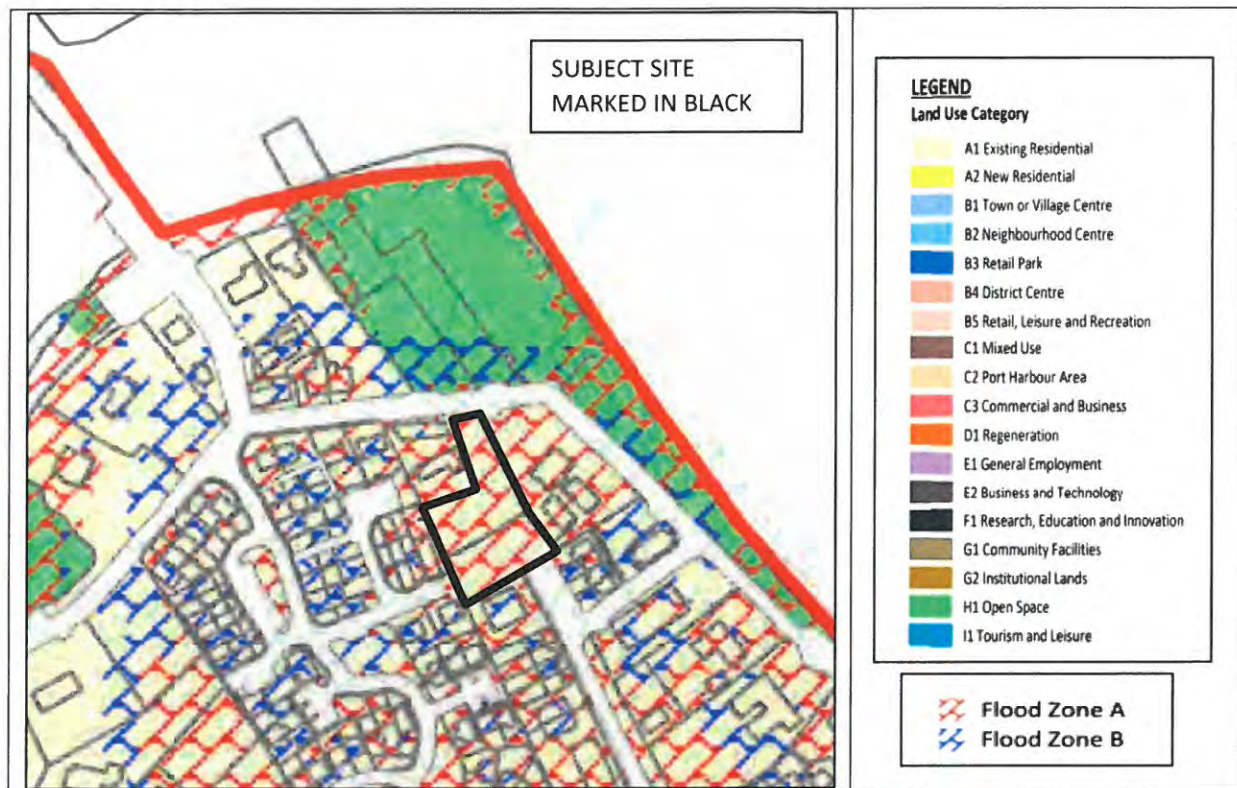
**Re: Draft Louth County Development Plan 2021-2027**

Dear Sir, Madam

P. Herr & Associates wish to make the following submission in relation to the Draft County Louth Development Plan 2021-2027 on behalf of Mr Kevin Woods,

**1.0 BACKGROUND DETAILS**

- 1.1 Our client, Mr Kevin Woods, is the registered owner of 0.23 Ha of lands at Ghan Road, Carlingford, Co. Louth under Folio LH4900F
- 1.2 The landownership map and Folio details are attached as Appendix 1
- 1.3 The lands form part of a larger swathe of lands located in the eastern portion of Carlingford zoned as Existing Residential (A1) on the Carlingford Draft Zoning and Flood Zones Map (Map 1.1)
- 1.4 An extract from Map 1.1 with the subject lands marked thereon is shown on Fig.1.1



**Fig.1 – EXTRACT FROM MAP 1.1 WITH EXTENT OF SUBJECT SITE MARKED THEREON**

**2.0 REQUESTED AMENDMENT TO THE DRAFT DEVELOPMENT PLAN**

2.1 To amend the zoning of the lands from ‘Existing Residential’ to ‘Tourism and Leisure’

**3.0 CASE IN SUPPORT OF THE REQUEST**

3.1 The suitability of the site for residential development is stymied by the inclusion of the lands within a Flood Zone A as highlighted on the Carlingford Draft Zoning and Flood Zones Map

3.2 A residential development is designated a ‘Vulnerable Development’ in the Flood Risk Management Guidelines for Planning Authorities (OPW). The placing of a vulnerable development within a Flood Zone A is considered ‘inappropriate’ unless it can be demonstrated that the development can satisfy a Justification Test.

3.3 The extent of infill required to raise ground levels within the site to an acceptable level (4.7m floor level) shall exceed 2.5m in depth. It shall not be possible, given the infill nature of the site within adjoining lands on all sides, to raise levels to such an extent without adversely impacting on the surrounding lands.

3.4 A further obstacle to the development of the site for residential development is the absence of a clear unobstructed pathway from the site to/from higher grounds that are not liable to flooding. Persons shall not be able to make a safe emergency evacuation from the site, nor shall emergency services be able to access the site, during a flood event

- 3.5 Both of these issues prevent a residential type development from satisfying the Justification Test
- 3.6 Applications by immediate family members of the applicant for residential development on the lands have proven unsuccessful on these flood risk related grounds (Planning Ref: 19/193)
- 3.7 Furthermore, no practical solution has been found to overcome these flood risk related obstacles to the development of the site for residential purposes despite extensive pre-application consultation between the applicant and the Engineering Section of Louth Co. Co.
- 3.8 The proposed zoning of the lands for residential use does therefore not reflect the fact that permission for residential type development is highly unlikely to be obtained given the unacceptable residual flood risk to persons
- 3.9 The issues associated with placing residential developments within a Flood Zone are recognised by the Planning Authority and Policy Objective CAR 18 sets out a policy to avoid highly vulnerable development on lands at risk of flooding as follows:

Policy Objective	
<b>CAR 18</b>	To avoid land uses or development identified as 'highly vulnerable development' in Table 3.1 of <i>'The Planning System and Flood Risk Management Guidelines (2009)'</i> on lands at risk of flooding and where development in floodplains cannot be avoided, take a sequential approach to flood risk management based on avoidance, reduction and adaptation to the risk.

- 3.10 The current zoning contradicts a stated policy of the Draft Plan and represents an inefficient and wasteful designation of the scarce resource of zoned lands within the Carlingford Village settlement.
- 3.11 The applicant has played a significant role in advancing Carlingford Village as a tourist centre over the past decades. These roles include:
- Owner of the Shalom B&B /Self Catering apartments facility at Ghan Road
  - Creator and main organiser of the National Leprechaun Hunt
  - Owner and operator of the Leprechaun Cavern at Ghan Road
- 3.12 Mr Woods has also recently obtained planning permission to construct a Visitors Centre with Coffee Dock on lands adjacent to the Leprechaun Cavern (Planning Ref: 19/82) and intends to commence construction shortly
- 3.13 The applicant has, in essence, created a small tourism based hub in this area of the Ghan Road
- 3.14 The zoning of the lands as Tourism would allow Mr Woods to provide further small scale tourism related developments at this location which would integrate with and complement the existing tourist facilities.
- 3.15 In particular, Mr Woods has identified a need for the provision of an overnight/ short stay parking facility for Camper Vans/ RVs/Motor homes within in the Carlingford area.

- 3.16 Lands used for short-let caravans and camping are designated as 'Less Vulnerable Developments' in the Flood Risk Guidelines on the basis that no persons shall reside permanently on the lands and that persons staying at the facility are in a position to quickly evacuate the site in response to a flood warning.
- 3.17 The proposed re-zoning of the lands would represent a valid adoption of the Sequential Approach as set out in the Flood Guidelines and Policy Objective CAR 18 by substituting a higher vulnerability land use with a less vulnerable use.
- 3.18 Furthermore, coastal flooding generally takes place outside of the normal holiday season (October – March) when the facility shall be the facility would be closed.
- 3.19 The need to raise existing ground levels within the site so as to protect property and people from flood risk is not a critical requirement in the case of non-residential developments.
- 3.20 It would be possible to generally retain existing ground levels within the site under a non-residential zoning with associated minimal impact on surrounding lands. Any flooding of the lands that may take place would be short-lived and likely to have limited economical or environmental damage given the absence of permanent structures.
- 3.21 Overall a tourism based non-residential development would represent a superior land-use from a flood risk perspective than the current residential zoning.

#### **4.0 SUMMARY**

- 4.1 Mr Kevin Woods is the owner of 0.27Ha of lands located along the Ghan Road, Carlingford
- 4.2 The lands are zoned as 'Existing Residential' in both the current and draft Development Plan
- 4.3 Members of the Woods family have had a number of unsuccessful attempts to obtain planning permission to construct a house on the lands.
- 4.4 The primary reason for these unsuccessful attempts to obtain permission is the location of the site within a Flood Zone A
- 4.5 The extent of infilling (> 2.0m) required to achieve a safe floor level for a house (4.7m) and the absence of a practical safe evacuation escape route from the site, mean that it has not been possible to satisfactorily demonstrate that a residential based development meets the required 'Justification Test'
- 4.6 The current zoning of the lands as Residential also contradicts Policy CAR 18 which seeks to avoid highly vulnerable development on lands at risk of flooding
- 4.7 Retaining the current Residential zoning of the lands shall effectively sterilise the lands over the lifetime of the new Plan.
- 4.8 Non-residential tourist based developments are deemed to be 'less vulnerable developments' from a flood risk perspective. The provision of a tourism based development on the site would represent a more acceptable development from a flood risk perspective given the lower risks to persons and property.
- 4.9 The re-zoning of the lands for less vulnerable land use shall be in full compliance with the Sequential Approach set out in the Flood Guidelines and in Policy CAR 18

- 4.10 Mr Woods already owns and operates a number of small scale tourism facilities within the general Ghan Road area, including the Shalom B&B and Leprechaun Cavern . He has also obtained planning permission for a visitor centre and coffee dock on lands adjacent to the Leprechaun Cavern at Ghan Road
  - 4.11 The provision of a small scale tourism facility on the subject site would integrate with and complement these existing tourism facilities and create a small tourism hub in this area.
  - 4.12 One possible use of the site would be as an overnight/ short stay parking facility for Camper Vans/ RVs/Motor homes in the Carlingford area for which Mr Woods has identified an expanding niche market.
  - 4.13 The modest size of the site shall ensure that any tourism based development would be low key and unlikely to have any adverse impact on the surrounding residential areas
  - 4.14 Amending the zoning to a less vulnerable land use such as Tourism offers the opportunity to develop the lands in a meaningful way that fully supports Policy Objective CAR 9 in 'supporting and the development of Carlingford as a sustainable tourism hub'
  - 4.15 We consider the submission identifies an anomaly with the proposed zoning of the lands and proposes an alternative zoning which fully supports the continued development of Carlingford as a tourist hub in a meaningful and sustainable manner. We therefore request that the Planning Authority and elected members give due consideration to the submission
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## APPENDIX 1 – LAND OWNERSHIP DETAILS



<b>Folio Number</b>	LH4900F
<b>Title Level</b>	Freehold
<b>Plan Number</b>	725
<b>Property Number</b>	1
<b>Area of selected plans</b>	0.23 hectares.
<b>Number of Plans</b>	1

### Folio

LH4900F

### Owner Details