

Development Plan Submission,
 Strategic and Economic Development
 Cork City Council
 City Hall
 Anglesea Street
 Cork
 T12 T007

Monday, 4th October 2021
 [By Online submission]

-: CORK CITY DRAFT DEVELOPMENT PLAN 2022 – 2028:-

Dear Sir/Madam

RE: SUBMISSION TO THE CORK CITY DRAFT DEVELOPMENT PLAN 2022 – 2028 IN RESPECT OF EXISTING LIDL FOODSTORE LANDS AT ELM/HAZEL ROAD, TOGHER, CORK

Lidl Ireland GmbH – Site Specific Zoning Submission to extend the proposed *Z0 9 Neighbourhood and Local Centre* zoning of the existing Lidl Foodstore Lands at Elm/Hazel Road, Togher, Cork

1.0 INTRODUCTION

The Planning Partnership, The Coach House, Dundanion, Blackrock Road, Cork City are instructed by **Lidl Ireland GmbH**, Head Office, Main Road, Tallaght, Dublin 24, to prepare this *Site Specific Submission* in relation to the ongoing Cork City Development Plan Review process and the publication of the subsequent *Cork City Draft Development Plan 2022-2028*.

1.1 Focus of the Submission

The purpose of this submission is to seek the extension of the proposed *Z0 9 Neighbourhood and Local Centre* zoning of the existing Lidl Foodstore Lands to reflect the existing permitted pattern of established retail provisions at Lidl Foodstore Lands at Elm/Hazel Road, Togher, Cork, and that such be reflected/presented within the new *Cork City Development Plan 2022 – 2028*.

Restricting the proposed *Z0 9 Neighbourhood and Local Centre* zoning to the current Lidl Foodstore Site does not facilitate for redevelopment/expansion opportunity of the existing Togher Lidl Foodstore, inhibits competition, preserves existing commercial interests, and prevents innovation, which is contrary to the *Retail Planning Guidelines (2012)*.

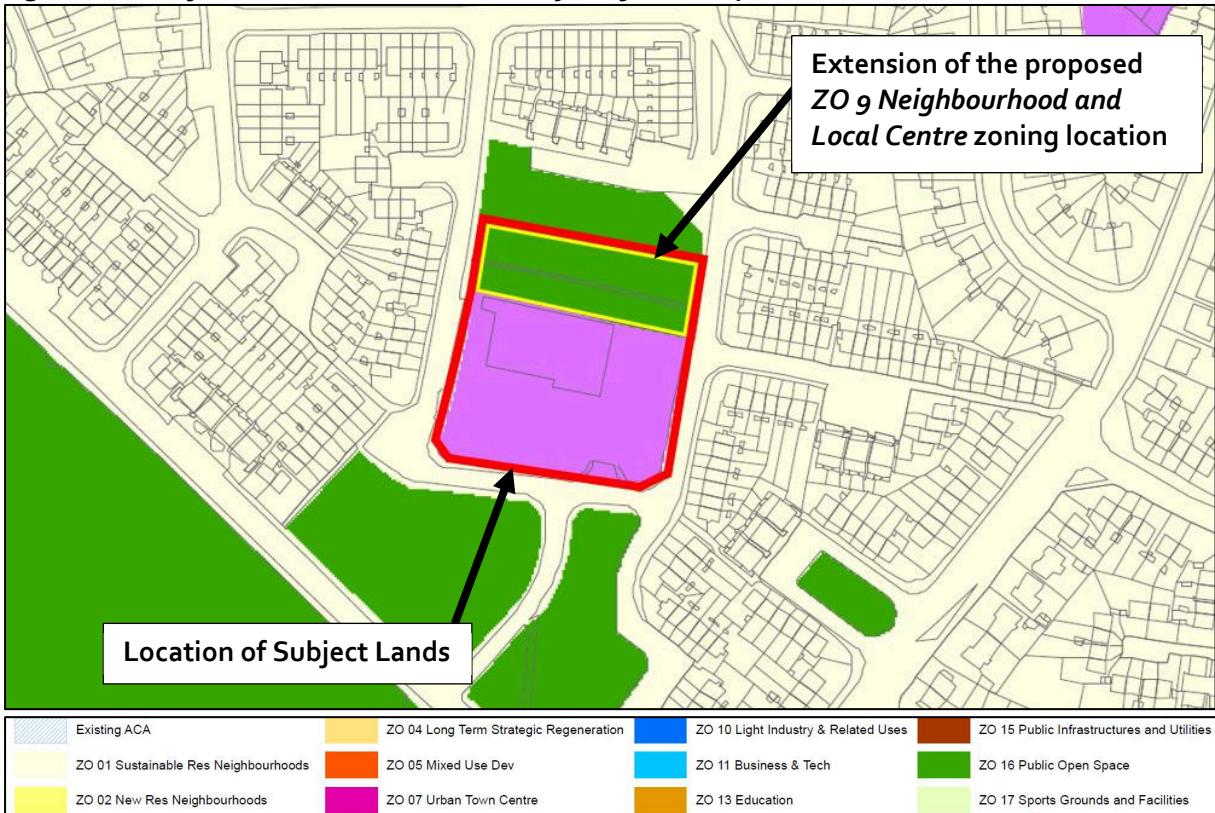
The location and extent of the subject lands, of which the majority are in the ownership of Lidl Ireland GmbH, and part in that of Cork City Council, is identified within **Figure 1.1** below, and within the *Cork City Draft Development Plan 2022 – 2028* as presented within per **Figure 1.2** below.

Figure 1.1: Location of the Subject Lands



Source: ESRI ArcGIS, Annotated and Reproduced under Licence by The Planning Partnership, October 2021

Figure 1.2: Subject Lands within the Cork City Draft Development Plan 2022 – 2028



Source: Cork City Draft Development Plan 2022 – 2028, Zoning Map – extracted, annotated and reproduced by The Planning Partnership under OS Licence No. AR0114721

The configuration of the current *Z0 16 Public Open Space* line northwards within the Subject Lands, retaining a significant extent of *Z0 16 Public Open Space*, will continue and function as a park. The significant extents of *Z0 16 Public Open Space* lands to the south and southwest of the existing Togher Lidl Foodstore is unaffected and provides for extensive Urban Parkland to the benefit of the Togher community and surrounding residents.

Extending the proposed *Z0 9 Neighbourhood and Local Centre* of the existing Lidl Togher Foodstore to reflect the existing permitted pattern of established convenience retail provisions, will facilitate redevelopment/expansion opportunities of the existing Lidl Togher Foodstore, provide for more competition, will not preserve existing commercial interests, and promote innovation, which is all in line with the *Retail Planning Guidelines (2012)*.

Figure 1.3: Emerging Concept to redevelop/expand the existing Lidl Togher Foodstore



Source: Clarman Architects October 2021

1.2 Planning History

The following presents the Planning History summary associated with the Subject Lands as identified, confirms the principle of convenience retail established on the subject site as established by the Planning Authority and An Bord Pleanála decisions in 2000 which included for the demolition of existing buildings and construction of a discount food store and associated car park.

Extending the proposed *Z0 9 Neighbourhood and Local Centre* zoning of the existing Lidl Togher Foodstore Lands within the *Cork City Draft Development Plan 2022 – 2028* would accord with the development principle established and reflect the existing permitted pattern of established retail provisions of the Lidl Foodstore Lands at Elm/Hazel Road, Togher, Cork.

File Ref No:	Cork County Council Planning Reg. Ref. No. 10/34483
Applicant:	Lidl Ireland GmbH
Date Lodged:	1 st July 2010
Development Description:	For modifications to previously approved extensions to licensed discount foodstore (plan ref no T.P. 09/34247) at Elm Road, Clashduv, Togher, Cork to include: a) proposed additional extension of 27 sqm to previously approved store (total 48 sqm), b) revised entrance canopy to include modular panels, c) relocation of previously approved 2 no building mounted, back lit illuminated signs
Decision Date:	25 th August 2010
Outcome:	Planning Permission Granted subject to 4-Condition by Cork County Council.

File Ref No:	Cork County Council Planning Reg. Ref. No. 09/24247
Applicant:	Lidl Ireland GmbH
Date Lodged:	23 rd December 2009
Development Description:	For extensions and modifications to existing Lidl discount foodstore at Elm Road, Clashduv, Togher, Cork to include: a) single storey pitched roof extension (324 sqm) to existing approved retail and store areas and associated internal modifications. b) new flat roofed entrance portico and integrated storage room (21 sqm) c) 2 no building mounted, back-lit illuminated signs. d) replacement of existing gable and fascia cladding with zinc cladding. e) Modified carparking layout to provide 100 no car spaces. f) All associated site development works.
Decision Date:	25 th February 2010
Outcome:	Planning Permission Granted subject to 8-Condition by Cork County Council.

File Ref No:	Cork County Council Planning Reg. Ref. No. 09/34103
Applicant:	Lidl Ireland GmbH
Date Lodged:	16 th September 2009
Development Description:	To construct an extension to existing discount foodstore at Elm Road, Clashduv, Togher, Cork by Lidl Ireland GmbH. This application also seeks demolition of existing entrance lobby, trolley bays, toilets, office/welfare area and relocation in the proposed extension. Addition of a new fire escape doorway to the existing structure and additional external signage to include 2 no building mounted internally illuminated signs, 3 no billboard signs. This application also proposes revisions to ancillary landscaping and parking layout including resurfacing of car park, addition of timber acoustic panels to western boundary by loading bay, services in connection with aforementioned works and all ancillary site works
Decision Date:	10 th November 2009
Outcome:	Planning Permission Granted subject to 9-Condition by Cork County Council.

File Ref No:	Cork County Council Planning Reg. Ref. No. 00/23899
Applicant:	Lidl Ireland GmbH
Date Lodged:	31 st January 2000
Development Description:	Demolition of existing buildings and erecting of discount food store, associated carparking, relocated site entrance, signage and site development works.
ABP Ref. No.:	PL 28.119101
Outcome:	Planning Permission Granted subject to Condition by An Board Pleanála.

2.0 NATIONAL AND LOCAL PLANNING CONTEXT

The following relevant extracts from national and local policy supports the current submission.

2.1 National Planning Framework – Project Ireland

NPO 4: *Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.*

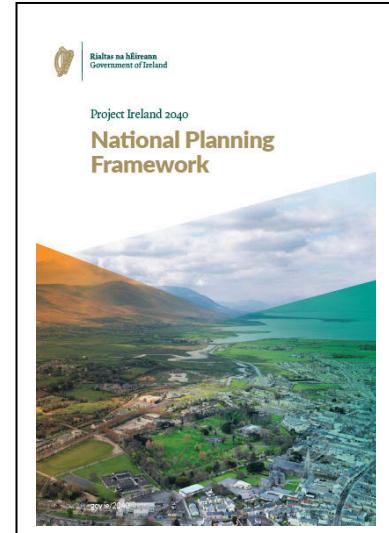
NPO 5: *Develop cities and towns of sufficient scale and quality to compete internationally and to be drivers of national and regional growth, investment and prosperity.*

NPO 6: *Regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets, that can accommodate changing roles and functions, increased residential population and employment activity and enhanced levels of amenity and design quality, in order to sustainably influence and support their surrounding area.*

NPO 11: *In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.*

NPO 27: *Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activities for all ages.*

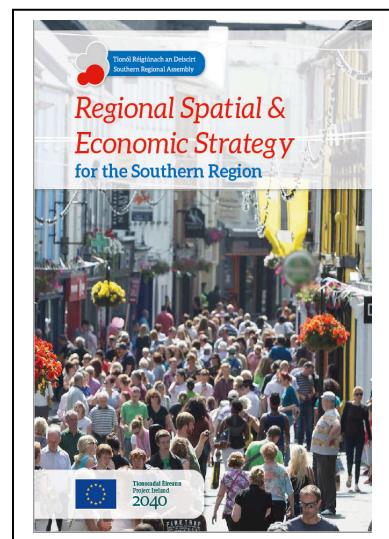
NPO 28: *Plan for a more diverse and socially inclusive society that targets equality of opportunity and a better quality of life for all citizens, through improved integration and greater accessibility in the delivery of sustainable communities and the provision of associated services.*



2.2 Regional Spatial Economic Strategy for the Southern Region

RPO 2 Planning for Diverse Areas: *The RSES recognises the strategic role played by all areas, both urban and rural, in achieving the set regional and national targets and objectives. The RSES supports sustainable enterprise growth, services, physical and social infrastructure investment and the sustainable growth of all communities in the Region. The overall strategy builds on cities and their associated metropolitan areas as engines of growth and seeks, in parallel, to re-position the Region's strong network of towns, villages and diverse rural areas in an economically resilient, imaginative and smart way to foster sustainable competitive advantage.*

RPO 10 Compact Growth in Metropolitan Areas: *To achieve compact growth, the RSES seeks to:*



- a. *Prioritise housing and employment development in locations within and contiguous to existing city footprints where it can be served by public transport, walking and cycling.*
- b. *Identify strategic initiatives in Local Authority Core Strategies for the MASP areas, which will achieve the compact growth targets on brownfield and infill sites at a minimum and achieve the growth targets identified in each MASP. Such strategic initiatives shall comply with MASP Goals to evolve innovative approaches for all MASP. Initiatives may include:*
 - *Support the creation and role of Active Land Management Units with a remit to focus on the metropolitan areas and compact growth targets;*
 - *Partnerships with the Land Development Agency to progress housing and employment delivery in city and town centres, focusing on co-ordinating and developing large, strategically located, publicly owned land banks, reducing vacancy and increasing regeneration of key sites;*
 - *Support the role of the local authority as a development agency to kick start regeneration processes;*
 - *Seek design competitions for key strategic sites that deliver greater density, mixed uses where appropriate, sustainable design, smart technology, green infrastructure and public gain through good design;*
 - *The identification of public realm and site regeneration initiatives which combine, on an area wide basis, opportunities for regeneration of private owned underutilised sites, public owned underutilised sites, private and public buildings and upgrade of parks, streetscapes and public realm areas; and*
 - *Creation of continually updated databases identifying brownfield, infill sites, regeneration areas and infrastructure packages to enable progress towards achieving compact growth targets. Through active land management initiatives, identify strategic locations for residential growth responding to the growth targets and achievement of compact growth and employment growth.*

RPO 55 Retail: *It is an objective to:*

- a. *Improve the physical appearance, vitality and vibrancy of city centre, town centre and village locations through collaboration between Planning Authorities and Retail Traders Associations in regeneration / public realm projects and other measures;*
- b. *Ensure that retail development is focussed on urban and village centres with the application of a sequential approach to consideration of retail development which does not fall into this category;*
- c. *Prepare Retail Strategies in accordance with the Retail Planning Guidelines including Joint Retail Strategies where applicable. Proposed public realm or urban regeneration projects should be assessed for potential impacts on the receiving environment including capacity of existing services at project level. Where public realm or urban regeneration projects would significantly increase shopper/visitor numbers, planning authorities should ensure that projects include sustainable management of increased demand for access to city/town centre locations.*

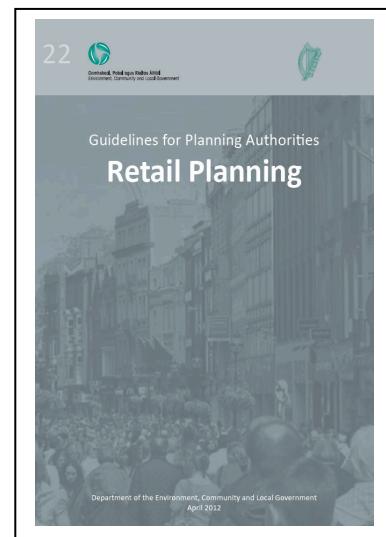
RPO 62 Location for Employment Development: *It is an objective to:*

- b- *Identify future locations for strategic employment development having regard to accessibility by sustainable transport modes and environmental constraints.*

2.3 Retail Planning Guidelines (2012)

2.5.3 Competitiveness in the Retail Sector: Strong competition is essential to reduce retail costs and ensure that savings are passed on to retail customers through lower prices. Competition also promotes innovation and productivity.

The planning system should not be used to inhibit competition, preserve existing commercial interests or prevent innovation. In interpreting and implementing these Guidelines, planning authorities and An Bord Pleanála should avoid taking actions which would adversely affect competition in the retail market. In particular, when the issue of trade diversion is being considered in the assessment of a proposed retail development, planning authorities and An Bord Pleanála should assess the likelihood of any adverse impacts on the vitality and viability of the city or town centre as a whole, and not on existing traders.



2.5.4 Encouraging Sustainable Travel: While the private car tends to be attractive for activities such as more substantial convenience goods shopping or bringing home bulky goods, careful location of retail developments and attention to detail in terms of how they are connected by footpaths and cycle facilities to surrounding areas can substantially boost trips on foot or bicycle for smaller purchases and make a substantial difference in encouraging smarter travel in line with the Smarter Travel strategy.

2.5.5 Retail Development and Urban Design: Quality design aims to create attractive, inclusive, durable, adaptable places for people to work in, to live in, to shop in, or pass through.

Planning authorities should promote quality design in retailing in their development plan and/or retail strategies and then implement this through the development management process. This is of particular importance for retail development because of the dominant visual and use role it plays in a city, town or village streetscape.

3.3 Development Plans and Retailing: The function of the development plan is to establish an overall strategy for the proper planning and sustainable development of its area.

Specifically in relation to retailing, the development plan must be:

- Evidence-based through supporting analysis and data to guide decision making;
- Consistent with the approach of these guidelines; and
- Clear and concise with regard to specific objectives and requirements.

5- Set out strategic guidance on the location and scale of retail development to support the settlement hierarchy, including where appropriate identifying opportunity sites which are suitable and available and which match the future retailing needs of the area;

7- Mobility management measures- that both improve accessibility of retail areas while aiming to develop a pedestrian and cyclist friendly urban environment and vibrant street life.

4.4 Sequential Approach to the Location of Retail Development:

City and Town Centres: The centres of cities and towns are the most suitable locations for the higher order fashion and comparison goods and are the most accessible locations for the majority of the catchment population. They should be

supported in maintaining and expanding their retail offer to serve that population in a sustainable way which will also help to reduce the need to travel.

4.9 Retail Impact Assessment: However, where a planning authority considers an application for planning permission to develop a new retail development to be particularly large in scale compared to the existing city/town/district centre, or where a retail strategy or development plan has allocated a specific type and quantum of retail floorspace to a particular settlement and a proposed development absorbs on one site the bulk of that potential retail floorspace, the planning authority may request the applicant, by way of a Retail Impact Assessment (RIA) as set out in Annex 5, to demonstrate compliance with the development plan and that there will not be a material and unacceptable adverse impact on the vitality and viability of any existing centre. This is a matter for careful technical assessment and professional judgement.

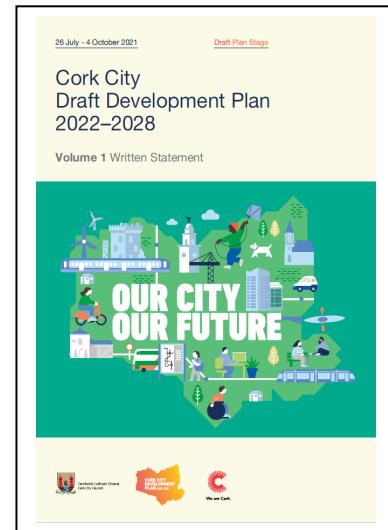
4.11.5 Retailing in Small Towns and Villages: The role of small towns and villages in the provision of retail services to their local urban and rural populations should be defined in development plans. Where appropriate, the maximum size of store, consistent with maintaining a variety of shops in the centre of these towns and villages and protecting an appropriate level of retail provision in the rural area, should be identified. In general there should be a clear presumption stated in favour of central or edge-of-centre locations for new developments.

4.11.6 Local Retail Units: Local retail units such as corner shops or shops located in local or neighbourhood centres serving local residential districts perform an important function in urban areas. Where a planning authority can substantiate the local importance of such units in defined local centres, they should safeguard them in development plans, through appropriate land-use zoning. Development management decisions should support the provision of such units, particularly where they encompass both food-stores and important non-food outlets such as retail pharmacies, and have significant social and economic functions in improving access to local facilities especially for the elderly and persons with mobility impairments, families with small children, and those without access to private transport.

2.4 Cork City Draft Development Plan 2022 – 2028

Objective 2.8 The 15-Minute City: To support the delivery of a 15-Minute City delivering Compact Liveable Growth through walkable neighbourhoods, towns and communities with a mix of uses, house types and tenures that foster a diverse, resilient, socially inclusive and responsive city. Strategic infrastructure and large-scale developments shall demonstrate how they contribute to a 15-minute city and enhance Cork City's liveability.

Objective 2.10 Mix of uses: Support the delivery of a diverse mix of suitable uses that enhance Cork City's network of neighbourhoods, towns and communities as places to live, work, provide, care, learn and enjoy.



Objective 7.30 Neighbourhood and Local Centres: To support, promote and protect Neighbourhood and Local Centres which play an important role in the local shopping role for residents and provide a range of essential day to day services and facilities. It is also aimed to support and facilitate the designation of new Neighbourhood and Local Centres where significant additional population growth is planned or where a demonstrable gap in existing provision is identified, subject to the protection of

residential amenities of the surrounding area and that they are adequately served by sustainable transport. Proposals should demonstrate the appropriateness of the site by means of a Sequential Test, demonstrate retail impact and provide for a mix of uses appropriate to the scale of the centre.

Objective 7.36 Vibrant and Mixed-use Centres: a- To encourage a vibrant mix of uses, while retaining a healthy mix of retail uses within the designated centres and ensure they appropriately serve their population catchments.

b- To invest in and activate the public realm, while promoting accessibility and encouraging sustainable modes of transport as a means to travel to designated centres. This would encourage multi-purpose shopping, business and leisure trips as part of the same journey.

c- To support the independent retailing sector by continuing to provide financial support, skills training and education through the Local Enterprise Office and other means.

e- It is an objective to support and promote the use of on-street / outdoor markets in appropriate City Centre locations and the suburban District Centres and to pursue the development of a Market Strategy

2.5 Extending the proposed ZO 9 Neighbourhood and Local Centre zoning of the existing Lidl Foodstore Lands to reflect the existing permitted pattern of established retail provisions at Lidl Foodstore Lands at Elm/Hazel Road, Togher, Cork

As detailed within the *Cork City Draft Development Plan 2022 – 2028*, the objective and vision for **Neighbourhood and Local Centres** land use zoning are:

ZO 9 – Neighbourhood and Local Centres: To protect, provide for or improve local facilities.

ZO 9.1: Neighbourhood and Local Centres contribute to sustaining liveable communities and neighbourhoods by fulfilling a **local convenience retail**, employment and service function, **providing a mix of uses and range of services**, at an appropriate local scale, to **the local population often within a 5- or 10- minute walking distance**. Chapter 7 Economy and Employment sets out further objectives for Neighbourhood and Local Centres.

ZO 9.2: Neighbourhood and Local Centres provide for local convenience shopping, however lower-order comparison shopping may also be open for consideration commensurate to the scale and character of the local centre and its function in the neighbourhood. Neighbourhood and Local Centres also provide a focus for other uses, including but not limited to local services, community facilities, cultural uses, educational uses, medical and healthcare uses, places of public worship, innovation or enterprise centres and limited retail offices. Neighbourhood and Local Centres should also include residential uses, particularly at higher densities that contribute to sustainable compact growth. These can be delivered particularly above ground floor level.

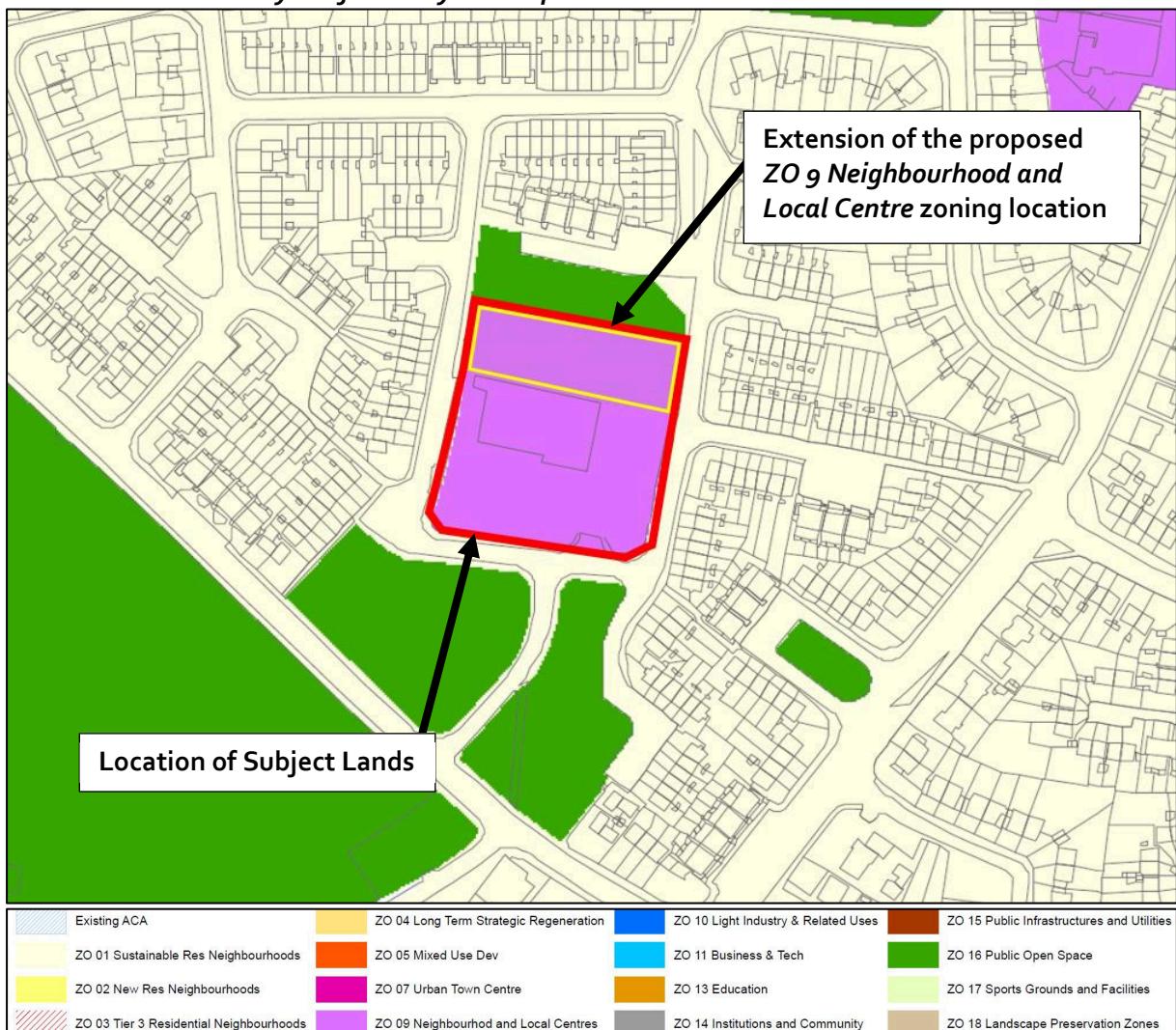
ZO 9.3: Development proposals in this zone must serve local needs and must demonstrate how the proposal would respect, reflect or contribute to the character and vibrancy of the particular Neighbourhood and Local Centre, commensurate with the nature and scale of the development. Developments must deliver a quality urban environment and public realm with a focus on accessibility and permeability.

Having regard to the foregoing and noting the established principle of Retail Development at the subject lands, we request the extension of the proposed ZO 9 *Neighbourhood and Local Centre* zoning of the existing Togher Lidl Foodstore Lands northwards within the Subject Lands, to reflect the existing permitted pattern of established retail provisions and facilitate for redevelopment/expansion opportunity of the existing Lidl Foodstore Lands at Elm/Hazel Road, Togher, Cork, and that such be reflected/presented within the new *Cork City Development Plan 2022 – 2028*.

Extending the proposed ZO 9 *Neighbourhood and Local Centre* of the existing Togher Lidl Foodstore Lands northwards within the Subject Lands will provide for more competition, will not preserve existing commercial interests, and promote innovation, which is all in line with the *Retail Planning Guidelines (2012)*.

Retaining a significant extent of ZO 16 *Public Open Space*, which will remain unaffected and function as a park, with significant extents of ZO 16 *Public Open Space* lands to the south and southwest of the existing Togher Lidl Foodstore being unaffected, providing extensive Urban Parkland to the benefit of the Togher community and surrounding residents.

Figure 2.1: Illustrating the Subject Lands with the extension of the proposed ZO 9 *Neighbourhood and Local Centre* zoning of the existing Lidl Foodstore Lands within the context of the *Cork City Draft County Development Plan 2022-2028*



Source: Cork City Draft Development Plan 2022 – 2028, Zoning Map – extracted, annotated and reproduced by The Planning Partnership under OS Licence No. AR0114721

The subject lands are in close proximity to a significant extent of *Sustainable Residential Neighbourhood* within the immediate surrounding area, to “*support the delivery of a 15-Minute City delivering Compact Liveable Growth through walkable neighbourhoods, towns and communities with a mix of uses, house types and tenures that foster a diverse, resilient, socially inclusive and responsive city*” available for the residents in the surrounding neighbourhood.

3.0 CONCLUSION

In summary, we request the extension of the proposed *Z0 9 Neighbourhood and Local Centre* zoning of the existing Togher Lidl Foodstore Lands northwards within the Subject Lands, to reflect the existing permitted pattern of established retail provisions and facilitate for redevelopment/expansion opportunity of the existing Lidl Foodstore Lands at Elm/Hazel Road, Togher, Cork, and that such be reflected/presented within the new *Cork City Development Plan 2022 – 2028*.

The presence of a permitted Licensed Discount Foodstore confirms the principle of convenience retail established on the subject site and as part of the existing Lidl Togher Foodstore Lands and will facilitate redevelopment/expansion opportunities of the existing Lidl Togher Foodstore Lands, provide for more competition, will not preserve existing commercial interests, and promote innovation, which is all in line with the *Retail Planning Guidelines (2012)*.

Should you have any queries or require any further information in relation to the above please do not hesitate to contact me.

Yours faithfully



Wessel Vosloo
Principal
The Planning Partnership