

DRAFT CITY AND COUNTY DEVELOPMENT PLAN

Planning Department
Kilkenny County Council
County Hall, John Street
Kilkenny, Co. Kilkenny
R95 A39T

Friday, 12th March 2021

[By Email: ourplan@kilkennycoco.ie]

Dear Sir/Madam,

RE: SUBMISSION TO KILKENNY DRAFT CITY AND COUNTY DEVELOPMENT PLAN 2021-2027 ON BEHALF OF LIDL IRELAND GMBH

1.0 INTRODUCTION

The Planning Partnership have been retained by Lidl Ireland GmbH, Lidl Regional Distribution Centre, Littleconnell, Newbridge, Co. Kildare, W12 KT98 to prepare this submission in respect of their existing property in Kilkenny City, and in relation to Retail Planning issues affecting the City and County in general.

Lidl currently operate 3 no. stores in Kilkenny, in the City (at Waterford Road and Johnswell Road) and in Thomastown, employing a substantial number of staff. In line with ongoing expansion plans nationally, Lidl intend to broaden their offering in the City and County over the lifetime of the forthcoming Development Plan.

In terms of issues arising from a review of the Draft City & County Development Plan, we summarise as follows:

1. Realign the zoning boundaries at Lidl, Waterford Road;
2. Change the (realigned) zoning objective at Lidl, Waterford Road from *General Business* to *Neighbourhood Centre*;
3. Change the zoning objective at Lidl, Johnswell Road from *General Business* to *Neighbourhood Centre*;
4. Modify the *Neighbourhood Centre* zoning objective; and,
5. Modify the Retail Hierarchy in respect of convenience / food shopping to align with the Kilkenny City Core Strategy and the well established concept of the four neighbourhoods based around the medieval city core, where they are currently in conflict / at cross purposes.

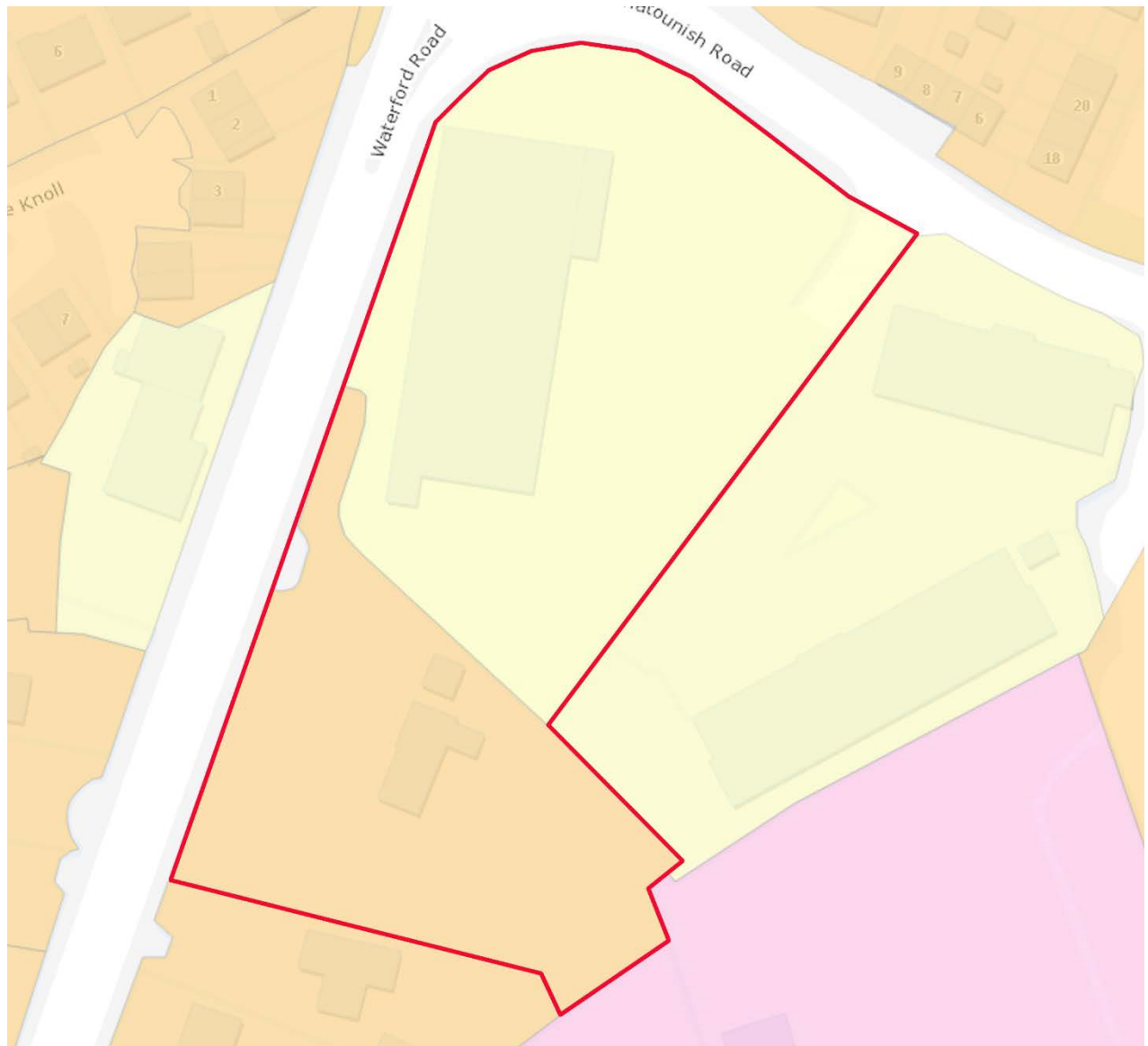
The below elaborates on these issues, setting out a rationale for each. We consider that the modifications proposed are not significant in nature, rather relate generally to relatively minor changes to the general thrust and spirit of the policies and objectives of the Draft City & County Development Plan as published.

2.0 WATERFORD ROAD LANDS

Lidl currently operate an existing Discount Foodstore at the junction of the Waterford and Bohernatounish Roads, R95 KVo6as, illustrated below.

Lidl have also purchased an adjoining property (R95 WFKo) to facilitate the expansion of the existing store, primarily in terms of allowing a rationalisation of the existing southern site boundary which follows an inefficient alignment, as illustrated in Figure 1 below.

Figure 1: Lidl Ownership (Outlined in Red – Boundaries Approximate)



Source: Draft City Development Plan, annotated by The Planning Partnership

The existing *General Business* and *Existing Residential* zoning objectives are set out matching this boundary alignment, resulting in a relatively immaterial 'extension' of the intended Lidl curtilage / demise, into the adjoining *Existing Residential* zone, as illustrated in Figure 2 below.

In terms of the intended Lidl curtilage / demise, Lidl have separately sought planning permission for the redevelopment of the existing store and provision of a new enlarged store, on an enlarged site footprint (Reg. Ref: 20/619), which includes for a scheme of 12 no. proposed dwellings on the balance of the *Existing Residential* lands.

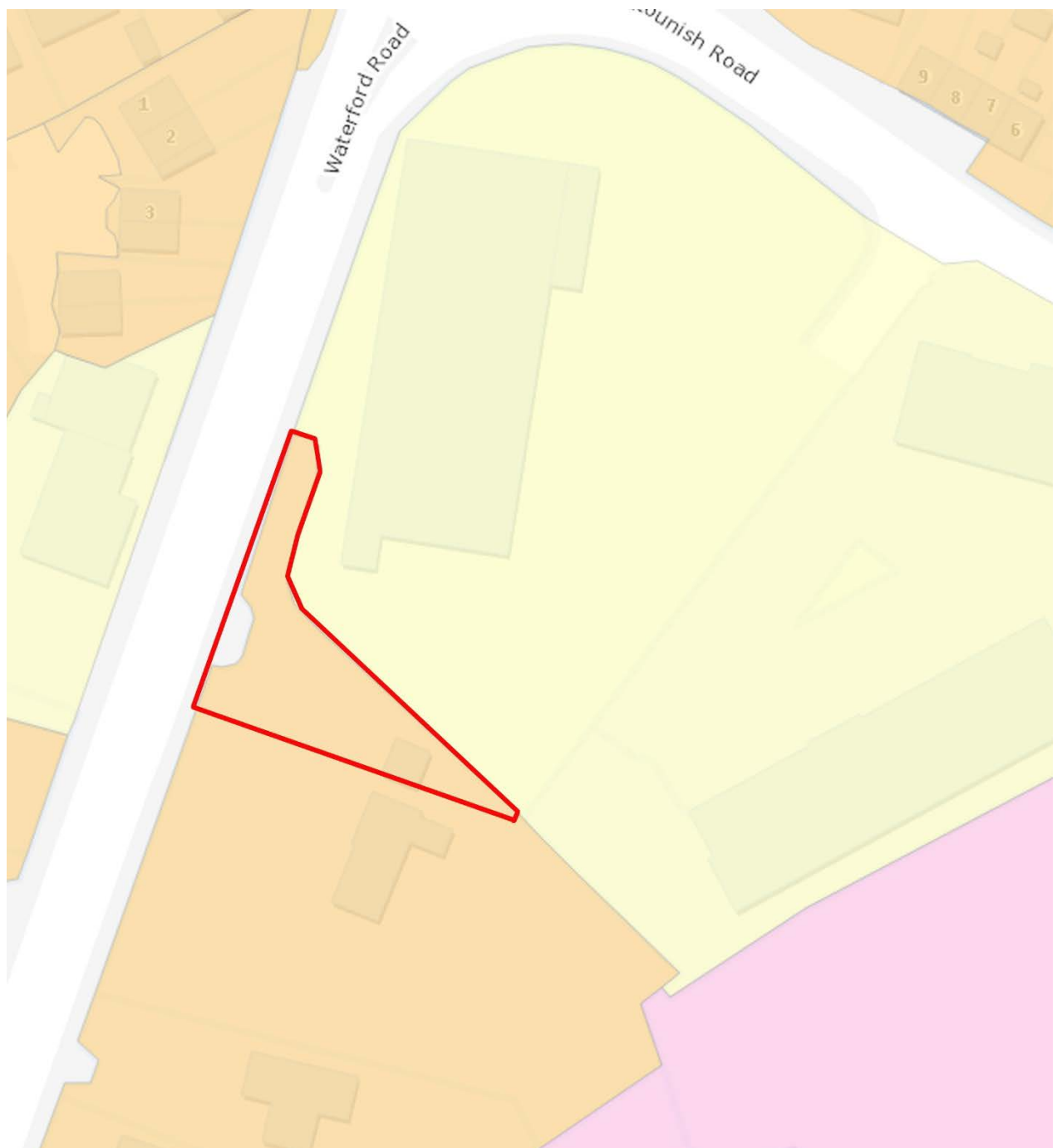
This current proposal will most likely be determined prior to the adoption of the new Development Plan, and this process will therefore have no material bearing on the application process.

Nonetheless, and whilst the extension / overlap is not considered to be material in nature, the Planning Authority are requested to amend the zoning boundary to reflect the proposed expansion of the Lidl site, to ensure that the forthcoming plan accurately reflects intended Lidl curtilage / demise.

Furthermore, the proposed realignment is appropriate in terms of enabling the efficient use and/or development of land, in terms of removing an existing inefficient alignment which could otherwise lead to a wasteful under utilisation of scarce urban land.

We submit that there is no obstacle to the expansion of the zoning objective as sought herein, not least as the remaining *Existing Residential* lands are more than adequate in size to provide a meaningful infill development, e.g. as demonstrated by a net increase of 11 no. units as proposed under *Reg. Ref: 20/619*.

Figure 2: Proposed Zoning 'Extension' Area (Outlined in Red – Boundaries Approximate)



Source: Draft City Development Plan, annotated by The Planning Partnership

In addition to the extension of the zoning area, the Planning Authority are also requested to change this zoning, i.e. of the whole (extended) Lidl site. We consider that a similar change on the adjoining Smithslands demise would be similarly logical however such is outside of the scope of this submission.

The Planning Authority are requested to change the zoning objective to that of *Neighbourhood Centre* to more accurately reflect the use of the site, as *General Business* is not considered optimal in this regard.

The existing use (and adjoining Smithslands demise, along with other lands in the area) act as part of a Neighbourhood Centre, serving an identified neighbourhood (Loughboy), as part of the City Development Plan Core Strategy, i.e. along the concept of the four neighbourhoods based around the medieval city core, as elaborated on in Section 5.0 below.

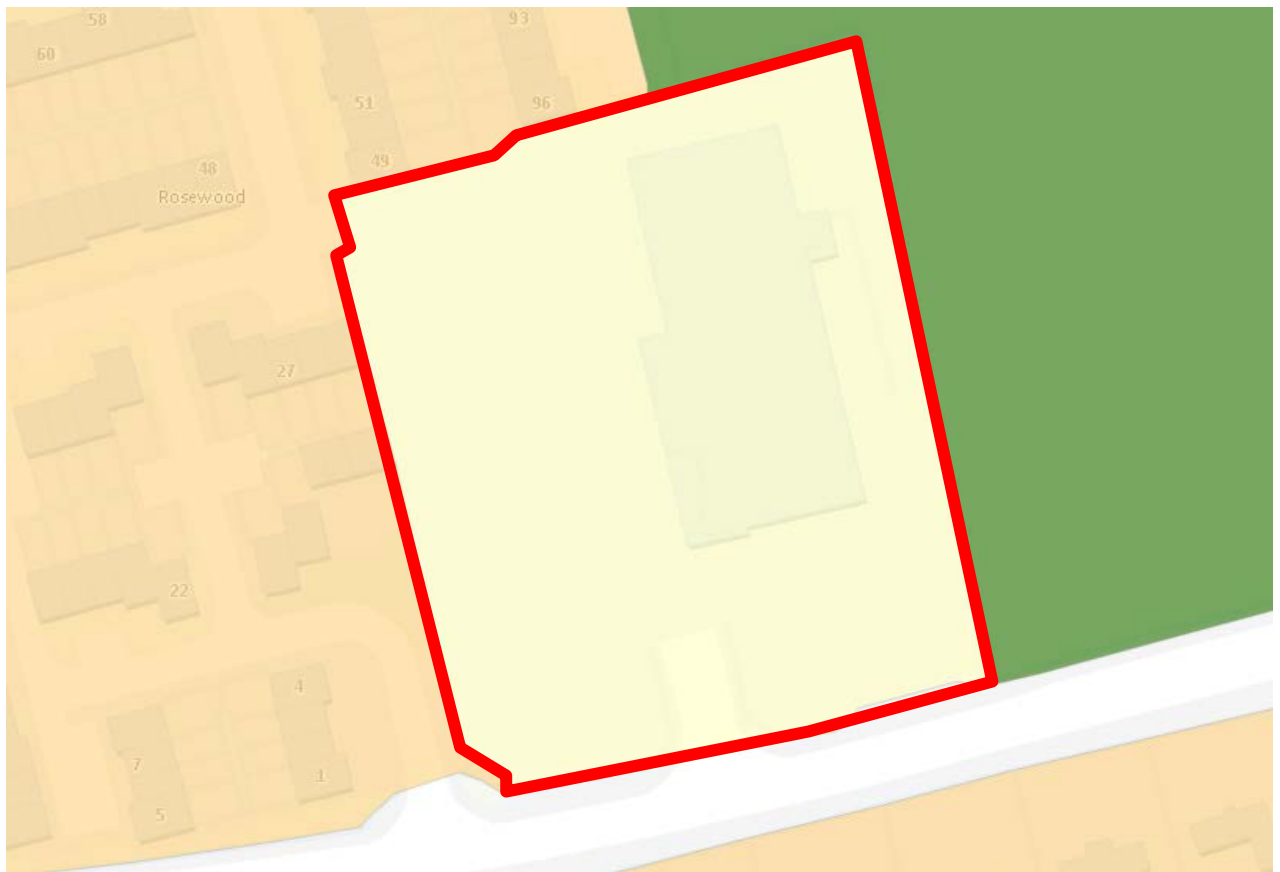
In relation to the *Neighbourhood Centre* zoning objective it is also considered that the reference to 'local', in both the Objective wording and permitted uses wording, is unnecessary and potentially misleading, as elaborated on in Section 4.0 below.

3.0 JOHNSWELL ROAD LANDS

Lidl currently operate an existing Discount Foodstore at Johnswell Road, R95 A329, as illustrated below. Similar to the Waterford Road store, the existing zoning objective at this location is *General Business*. Similar to the Waterford Road store, we submit that the zoning objective should be changed to *Neighbourhood Centre* (as proposed to be modified in Section 4.0 below).

This store also functions as part of a city Neighbourhood (Newpark), and should similarly be formally recognised as playing a role in providing convenience / food facilities in the area, complemented by the adjacent Newpark Shopping Centre.

Figure 3: Lidl Ownership (Outlined in Red – Boundaries Approximate)



Source: Draft City Development Plan, annotated by The Planning Partnership

The Lidl store at Johnswell Road provides the primary source of supermarket facilities in Newpark. The existing Development Plan notes that the existing Lidl stores effectively form part of the Loughboy and Newpark Neighbourhood Centres, where it states: *"During the 2008 – 2014 plan period, the main focus for retail development in the City & Environs has been the delivery of additional convenience floorspace in the form of discount retailers (Aldi and Lidl). Each of these retailers has now a presence in and around the neighbourhood centres of Newpark and Loughboy..."*

The Johnswell Road location is also at the centre of a substantial residential cluster to the north and south of the Johnswell Road and west of the N77, and adjoins a large district / neighbourhood park and an associated network of green routes.

As such it is ideally located to be designated as a Neighbourhood Centre, or part of Neighbourhood centre, complementing the adjacent Newpark Shopping Centre.

4.0 NEIGHBOURHOOD CENTRES

As noted above, the *Neighbourhood Centre* zoning objective reference to 'local', is considered unnecessary, potentially misleading and somewhat misaligned to the Core Strategy.

Section 5.0 sets out commentary in relation to the Retail Strategy and issues arising (both the standalone document and the relevant chapters of the County and City Plan's), elaborating on the role of the Neighbourhood Centre in Kilkenny City, which is interlinked with the existing concept of the four neighbourhoods based around the medieval city core.

These Neighbourhoods act almost as District Centres in terms of the Core Strategy, and whilst Neighbourhood Centre remains an accurate / appropriate designation, we consider that policy relating to each centre should confirm the appropriateness of the provision of a number of convenience supermarkets / outlets, alongside the City Centre providing no more than an equal role in terms of food shopping.

In this regard it is suggested that the Neighbourhood Centre zoning would be worded as follows (omissions in ~~strikethrough~~, additions underlined):

"Neighbourhood Centre

Objective: To provide for ~~local~~ convenience / food shopping, non-retail services, community and social needs.

Permitted Uses: Supermarket (for ~~local~~-neighbourhood needs in accordance with the Core Strategy), part off licence, newsagents, car park, office above street level, place of worship, library, public building or place of assembly, cultural or recreational facility, leisure centre, medical consultancy, playgroup or crèche, restaurant, public house, hotel / motel, guest house, coffee shop, travel agents.

Open for Consideration: open space, workshop or light industry above street level, off license, residential."

5.0 DRAFT CITY & COUNTY RETAIL STRATEGIES

As noted above, it is considered necessary to modify the Retail Hierarchy in respect of convenience / food shopping to align with the Kilkenny City Core Strategy and the well established concept of the four neighbourhoods based around the medieval city core.

In this regard whilst the Core Strategy adopts a polycentric neighbourhood approach, the Retail Hierarchy does not, therefore creating a mismatch in terms of policy, with resultant objectives that could work in opposition to one another. For the avoidance of doubt, the primacy of the City Centre Core is not questioned in terms of leisure / recreation, and medium to high order retailing, in particular Comparison and Speciality retailing.

Food / convenience retailing is however a different category and should be provided with a different policy framework accordingly, if Objectives 5M and 3.4.4 (i) of the County and City Retail Strategies are to be realised, i.e. *"To ensure that Kilkenny County possesses a clear policy framework that can adequately meet the retail needs of the County's residents over the plan period"*. At present, we consider that this is not the case.

Not least due to the terms of Objectives 5U and 3.4.4 (v) of the County and City Retail Strategies which state: *"To ensure a town centre first approach is adopted for all future retail development across the County, whereby the order of priority for the sequential approach will be City and Town Centre sites first, then edge-of-centre sites, and then out-of-centre sites."*

Similarly, Section 5.4.5 / 3.4.3 of the County and City Retail Strategies refer to the City neighbourhood retail provision as being 'out of centre' retailing. Furthermore, the Strategies state that *"their growth should continue to be carefully managed so as to ensure that they would never have the opportunity to compete with Kilkenny City Centre."* [Our Emphasis]

A somewhat conflicting statement is also included thereafter, stating: *"These local centre locations provide an important convenience goods offer and, in most cases, a limited range of services for local residents and should continue to be supported albeit given limited opportunity to expand."* [Our Emphasis]

We submit that these facilities are not 'out of centre' nor should they be classified as same, rather they should be classified as being other designated centres within the overall core / settlement strategy for the city.

'Releasing' the City Centre Core from a perceived / implied role of being the primary source / location of food shopping facilities in the overall settlement will also enable the fulfilment of other policies and objectives for the City Centre, for instance Objectives 5R and 3.4.4 (ii) of the County and City Retail Strategies which are *"To enhance and promote the vitality and viability of Kilkenny City Centre, and to support the centre's role as the dominant retail destination within the County."*

Also Objectives 5S & 3.4.4 (iii) to *"Promote Kilkenny City Centre as a shopping destination that is competitive with other comparable shopping destinations in the South East and further afield."* And Objectives 5P & 3.4.4 (ixia) *"To ensure that the synergies between tourism and retailing are taken advantage of."*

At present, the City Centre Core is designated as the default location for all retailing facilities, including food / convenience, regardless of the role it plays in terms of the primary function of the City Centre Core, which we submit is more related to higher order retailing and leisure / recreation / tourism uses and experiences.

The provision of large scale convenience floorspace in the City Centre Core can therefore be somewhat of an opportunity cost in terms of failing to exploit the best opportunities that arise for the city, and achieving retail objectives such as Objectives 5S & 3.4.4 (iii) and Objectives 5P & 3.4.4 (ixia).

In this regard, explicit delegation of the somewhat 'lower order' of retailing that is convenience retailing, to Neighbourhood Centres (equal to the City Centre in terms of the convenience retail hierarchy) is essential if Objectives 5M and 3.4.4 (i) of the County and City Retail Strategies are to be realised.

In addition, as noted in the Draft County Retail Strategy refers (Section 5.4.1) to the impact of the COVID-19 pandemic has had on different types of retailers and notes that: "*Retailing has always been subject to change and that the main streets of towns and villages are constantly adapting and evolving as a result*" and "*places that accept and plan for change will fare best*".

As widely recognised, the ongoing pandemic has demonstrated the critical role of the Foodstore (Corner shop, Neighbourhood Shop, Discount Foodstore, Supermarket, Superstore, etc.) as a strategic service, and one which is needed locally and not on a centralised basis.

If all food shopping were provided within / directed to the city centre, it would lead to unnecessarily excessive concentrations of people, whereas during the periods of restricted of movement, local shopping has played an important role in facilitating the minimisation of travel.

In addition, we note that a key action outlined in IBEC's 'Reboot & Reimagine' campaign is to: "*Ensure fair competition: We must support and maintain the domestic retail sector's competitiveness and ability to grow, sustain jobs and deliver great choice and value to consumers...*"

Covid-19 has also demonstrated that Convenience shopping is now highly exposed to change and a potential shift to online shopping platforms. Limiting local access to physical stores will only encourage and accelerate the transition to online shopping options. For instance, online food sales have increased from pre-pandemic level of 2.7% to 6.3% of all sales in February 2021, more than doubling in a year, according to Kantar.¹

Having regard to the foregoing, we submit that the following specific changes should be made to the Draft City & County Development Plan and accompanying retail strategy (along with other consequential changes throughout the documents, as appropriate):

1. The Retail Hierarchy (e.g. Table 3.1 of City Development Plan) should clarify that Kilkenny City Centre is at Level 1 in relation to Comparison / high order goods and Level 4 in relation to Convenience / lower order goods;
2. Policy 4 of the City & County Development Plan should be amended to refer to a 'retail centre' first approach (i.e. be it City or Neighbourhood Centre, dependent on the type of retail proposed), to recognise that numerous centres exist and no one centre should be prioritised over another (in the case of Convenience / lower order goods);
3. To insert a new Retail Objective in Section 5.4.6 / 3.4.4 (5na / iia) of the City & County Development Plan, with the following wording, or similar wording, as appropriate: "*To sustain and enhance the vitality and viability of the four Kilkenny City Neighbourhoods and their convenience retail offer, alongside the City Centre core, and to support their continued growth in accordance with the Core Strategy and the Sequential Approach.*"; and,
4. Amend Section 5.4.5 / 3.4.3 of the County and City Retail Strategies where they refer to the City neighbourhood retail provision as being 'out of centre' retailing, and change commentary therein as follows (omissions in ~~strikethrough~~, additions underlined):"*... their growth should continue to be carefully managed in line with the concept of the four neighbourhoods based around the medieval city core so as to ensure that they would never have the opportunity to compete with Kilkenny City Centre.*" and "*These local centre locations provide an important convenience goods offer and, in most cases, a limited range of services for local residents and should continue to be supported in line with the concept of the four neighbourhoods based around the medieval city core albeit given limited opportunity to expand.*"

¹ <https://www.rte.ie/news/business/2021/03/08/1201651-kantar-supermarket-figures/>

6.0 CONCLUSION

We trust the above is of interest and will be considered by the Planning Authority and look forward to the publication of the *Kilkenny City & County Development Plan 2021-2027* in due course.

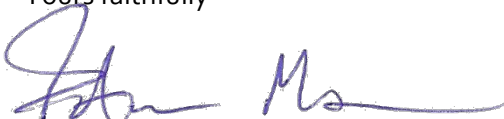
We reiterate the proposed alterations sought herein, as follows:

1. Realign the zoning boundaries at Lidl, Waterford Road;
2. Change the (realigned) zoning objective at Lidl, Waterford Road from *General Business* to *Neighbourhood Centre*;
3. Change the zoning objective at Lidl, Johnswell Road from *General Business* to *Neighbourhood Centre*;
4. Modify the *Neighbourhood Centre* zoning objective; and,
5. Modify the Retail Hierarchy in respect of convenience / food shopping to align with the Kilkenny City Core Strategy and the well established concept of the four neighbourhoods based around the medieval city core, where they are currently in conflict / at cross purposes.

In our opinion, the proposed modifications are in line with the core principles of both local and national policies, and primarily seek to modify the Development Plan to increase its level of accuracy in terms of reflecting existing patterns, and to provide greater clarity as to the intent of the key policies and objectives of the Development Plan.

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

Yours faithfully



Fintan Morrin
Associate
The Planning Partnership