



QUESTIONNAIRE TO INFORM REVIEW OF THE RETAIL PLANNING GUIDELINES
REVIEW OF THE RETAIL PLANNING GUIDELINES (2005)

SCS WORKING PARTY RESPONSES TO REQUESTS FOR SUBMISSION

The following should be read in tandem with the questionnaire (pg.9 of the review document) copy attached.

Question 1.

In general, do you think that the Retail Planning Guidelines have struck the right balance in accommodating new retail development that is projected to be required in a way which is efficient, equitable and sustainable?

No – the guidelines themselves are reasonable however, they have been applied in a haphazard manner with little consistency of application between councils. RPG's are a useful guide for planning authorities and ABP and have largely worked well. The review offers an opportunity to refresh and up-date Retail Planning Policy to reflect current circumstances, future growth, and new guidelines (e.g. flooding)

Negatives arising in relation to the RPG are primarily due to the manner of implementation of the Retail Planning Guidelines by Local Authorities. The application has been generally haphazard with a distinct lack of "joined up thinking". Little account has been taken of Regional Planning Guidelines or indeed the National Spatial Strategy. In themselves the Retail Planning Guidelines provide a useful framework for Planning Authorities but it is essential that the mistakes of the last decade are not repeated. Examples include developments in Limerick, Drogheda, Athlone and Waterford. In some instances, one Authority has granted planning permission for retail development where the catchment is predominantly located

in another Authority's area. The RPGs must be implemented if they are to be successful rather than the current situation where many local authorities 'have regard to' the Guidelines but do not actually implement them in their decisions leading to over-development and development in the wrong locations.

Question 2.

Should the retail floor space caps be retained?

a/ For convenience goods

Yes. we do not see that there is a compelling reason for the removal of these upper limits to store sizes, except in exceptional circumstances as discussed below. The difficulty with the cap on retail floor space has been in the interpretation thereof. Different Local Authorities have interpreted these differently and there needs to be strict definition as to what in fact is included.

There is merit in retaining the caps subject to defining exactly what the cap relates to and how it is to be applied, particularly with clear guidelines on the definition and calculation of floor areas. For example with regards to the cap element relating to Superstores, maybe it should apply to the convenience element as per hypermarket definition. The present guidelines do not allow Superstores in the range of 3,000 m² – 5,000 m² outside the GDA (3,500 m² – 5,000 m² inside the GDA) – this is the interpretation consistently used by ABP.

We believe that for various reasons, including competition, that there will be exceptional cases as was the situation with IKEA and there should be some standard mechanism, on a proven need basis, for such exceptions.

b/. For retail warehouses

Yes. again, there is no reason for its removal but there is strong evidence for the need to remove/reduce the minimum to, say, 300 m². This could be combined with a strict enforcement of the "bulky goods" use for such space.

Question 3.

The sequential approach (see paras. 58-63) aims to protect the vitality of city and town centres. Do you think that this approach should be retained?

Yes. But there is a need for the sequential approach to be applied evenly and fairly. There is anecdotal evidence of differing approaches from individual Local Authorities. A proper application of the sequential approach could be combined with the Local Authority invoking CPO powers and the creation of appropriate sites for development.

The sequential test approach should also reflect practical development issues and have cognisance of the probability and capability of available sites ever being developed. If, for whatever reason, say poor accessibility etc, a site has only a slim chance of ever being developed it should have a lower ranking within a sequential test than a site that is very capable of being developed.

There should be a greater recognition of the constraints existing in many town centres (especially heritage towns) where suitable sites are often unavailable to accommodate modern format convenience retailing with the adequate provision of servicing and car-parking.

There are two aspects to the sequential approach: the identification of sites through the development plan making process and adjudication on retail planning applications. In the first instance, realistic sites identified for specific formats of retail should be identified. Too often opportunity sites are designated for generic retail, when inevitably they will only be suitable for specific formats. In considering the sequential approach at development management stage planning authorities must be realistic in its application.

Question 4.

Has the application of the Guidelines discriminated against discount grocery retailers such as Aldi and Lidl in terms of floorspace and/or site location?

No. Because generally they have not been strictly applied. This use was not captured in Development Plans originally and many have been allowed on edge of centre locations and retail parks. The rate of store openings of these discount grocers indicates that this type of retail operation has not been discriminated against in that the RPGs have not been applied in many instances for this type of use.

Question 5.

Should the quantitative method for estimating future retail capacity needs continue to be used, given the drawbacks such as the lack of certain key data? If yes, what safeguards would you suggest?

Yes. Data in use is completely out of date e.g. household budget survey figures are 5 years out of date while projected demographics and population figures have changed considerably due to the economic downturn and resulting outward migration and emigration. Estimates for future retail capacity should be based on up-to-date household budget surveys and a more critical and revised application of population growth. The capture of more regular and up-to-date household budget survey data should be made a priority by the Government through the assistance of the CSO.

Data inputs for compiling quantitative assessments are generally out dated. Moreover, there is no truly consistent application of basic data. There is a real need for a good practice guide to the preparation of quantitative assessments and for retail impact analysis and sequential approach, which is suitable for the prevailing information in the State.

Question 6.

Has there been over-emphasis placed by some Planning Authorities on the impact of the proposed new or expanded shopping centres on existing outlets?

No. In fact little emphasis has been placed by most Planning Authorities on the impact of proposed new or expanded shopping centres on existing outlets. Consideration of the impact of new retail developments on town centres by Planning Authorities throughout Ireland has been sporadic and inconsistent; while some examples of new retail schemes have been very successful there are also numerous examples of Irish towns where the development of out-of-town retailing has had a significant detrimental impact on the trading activity and economic survival of the town centre.

The majority of Planning Authorities, have to date, ignored the current RPG recommendation that they should not simply prepare policies to protect town centres but that they should ***promote town centres***. Promotion ranges from identifying and securing suitable sites; attracting investment; marketing and managing the town centre. There is no real appreciation that town centres need to be managed and promoted as though they are traditional shopping malls.

As in the UK, town centre managers who understand property, marketing, environment and community need to be inserted to drive town centres forward.

Question 7.

Should edge of centre and out of town retail outlets be required to charge for on-site parking?

No. At least not in the short term given the prevailing economic conditions facing such schemes, and not for existing developments. Implementation of charges in current schemes could cause major legal problems for existing owners given the complexity of many lease arrangements with regard to provision of car parking. In the medium term for new developments, a basic or flat rate could potentially be agreed and implemented as part of the planning conditions to discourage the over-reliance on private cars for these types of developments and which could be used to fund local shuttle bus services; such an initiative would be in accordance with sustainable development objectives. Alternatively many out-of-town centres will require free parking as a means of attracting shoppers, driving footfall and maintaining their competitiveness with other retail schemes. Car parking charges for out of centre retail outlets should not be applied retrospectively for existing developers.

Question 8.

Should the range of goods permitted to be sold in retail parks be more tightly controlled?

Yes. Clear guidelines are needed. The application currently varies from one Local Authority to another, certain Local Authorities allow sportswear and toy stores within retail parks whereas others don't. There needs to be clear definitions and guidelines as to what is considered an acceptable use in a retail park. One potential suggestion is that the RPGs include a list of 'acceptable' and 'open for consideration' uses for retail parks.

There needs to be consistent enforced guidelines on what constitutes 'bulky goods'. The use of the term bulky may no longer be an appropriate definition and may need to be revised as many appropriate goods sold in retail parks can in no way be considered bulky in nature.

If it is decided to follow a 'percentage of space used' as a control mechanism and to define a relevant retail park user clear guidelines must be provided within the RPGs as to its application. While enforcement is required to ensure that the relevant percentage breakdown is applied in all cases so as not to compete with town/city centre retail, the practical execution of such enforcement may be difficult.

The proliferation of retail parks, many with high levels of vacancy will be a blight on the landscape for the foreseeable future. A useful model for retail parks could be one whereby the standard bulky goods is supplemented by such uses as drive-thru restaurants; petrol stations and leisure (cinema; bowling; family entertainment).

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