

DOWNEY

DRAFT DEVELOPMENT PLAN SUBMISSION

**DRAFT FINGAL DEVELOPMENT PLAN 2023-2029
(STAGE II CONSULTATION)**

**Proposed Re-zoning to “GE -General Employment”
of
Lands at Food Central, St. Margaret’s, Co. Dublin**

Client: Food Central Development UC

May 2022



FINGAL DEVELOPMENT PLAN 2023-2029

DRAFT PLAN
24TH OF FEBRUARY 2022

WRITTEN STATEMENT

EXECUTIVE SUMMARY

This submission is made by Downey, on behalf of our client, Food Central Development UC, and is submitted to Fingal County Council in the context of the pre-draft Fingal County Development Plan 2023-2029, which is currently on public call for submissions.

Swords is the County Town in Fingal and is a major town with a young and growing population of over 39,000 people in 2016, and which provides a strong economic and service function for its catchment. Due to its strategic location in proximity to Dublin City, the airport, national road network and with the planned Metrolink, Swords acts as a Key Town for the metropolitan area.

Swords initial success was due to the GE Zoned lands in Swords Business Park, Motorola and other areas. These are have subsequently being rezoned ME (Metro Economic) to allow for mix use schemes in anticipation of the forthcoming Metro System linking Swords with Dublin City via Dublin Airport.

On that basis most the GE lands have being removed from Swords. Coupled with this, Food Central Development UC original vision was to develop a food park adjacent to Swords but the vision has not delivered due to issues as set out in this submission including changes to economics created by such events as Brexit and others.

This is also hampered by the fact that other councils have “jumped” on the bandwagon and certain other major operators (for example Kerry Foods) relocating to places such as Nass.

On that basis, given the sites strategic location to Dublin Airport, the erosion of GE uses in the vicinity of the site and the changes to business including flattening of operations, our client is asking to change part of the park to GE uses which will create a synergy of uses and assist the development of the Food Park over the forthcoming plan period.



Subject Site

Swords

Malahide

**Dublin
Airport**

M1

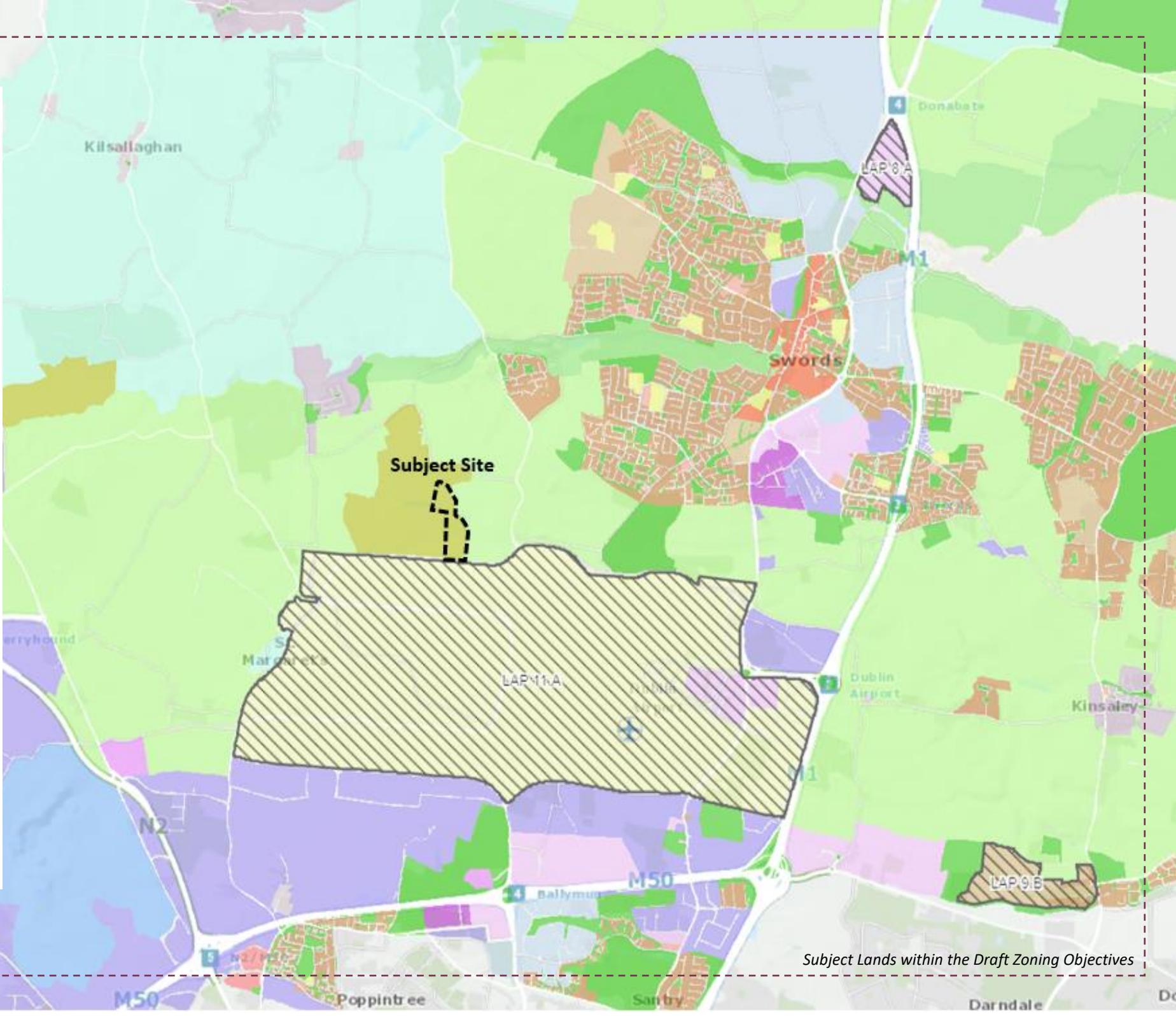
M50

Dublin

Location of the Lands

LEGEND

- C1.1 - Commercial, retail
- C1.2 - Retail warehouse
- C2.1 - Industrial, enterprise, employment
- C2.2 - General industry
- C3 - Office, business technology park
- C4 - Warehouse (excl. retail warehouse)
- C5 - Tourism and related
- C6 - Mixed general commercial industrial enterprise
- C7 - Other commerce industrial enterprise uses
- G1 - Open space, park
- G2 - Walkway, cycleway, bridle path
- G3 - Conservation, amenity or buffer space
- G4 - Active open space
- G5 - Mixed general 'green' recreation/conservation
- M1 - Mixed Use, general dev, proposal
- M2 - City/Town/village Centre, central
- M3 - District, neighbourhood centre
- M4 - Built up areas
- M5 - Other mix of uses
- N1.1 - Road Transport
- N1.2 - Rail
- N1.3 - Airport
- N1.4 - Seaport/Harbour
- N1.5 - Mixed general transport uses
- N1.6 - Other transport/general uses
- N2.1 - Water
- N2.2 - Wastewater
- N2.3 - Mixed general water/wastewater uses
- N2.4 - Other water/waste water uses
- N3.1 - Gas
- N3.2 - Electricity
- N3.4 - Other gas and electricity uses
- N4 - Telecommunications
- N5 - Solid waste
- N6 - Other networks and basic infrastr./util
- O1 - Strategic reserve, White land
- O2 - General
- P1 - Agriculture
- P2 - Forestry
- P3 - Aquaculture and Fishing
- P4 - Quarrying/Mining
- P5 - Mixed general primary sector uses including rural
- P6 - Other primary sector uses
- R1 - New/proposed residential
- R2 - Existing residential
- R3 - Residential, mixed residential and other uses
- R4 - Strategic Residential Reserve
- S1 - Education
- S2 - Health and related
- S3 - Community facilities
- S4 - General public administration
- S5 - Mixed general community services facilities
- S6 - Other community services facilities uses



Subject Lands within the Draft Zoning Objectives

TABLE OF CONTENTS

1.0	INTRODUCTION.....	6
2.0	LEGISLATIVE BASIS	6
3.0	SITE LOCATION & DESCRIPTION.....	8
4.0	PLANNING HISTORY	9
5.0	PLANNING CONTEXT	12
5.1	Project Ireland 2040: National Planning Framework.....	12
5.5	Regional Spatial and Economic Strategy.....	12
5.7	Fingal Development Plan 2017-2023	13
6.0	DRAFT FINGAL DEVELOPMENT PLAN 2023-2029	15
7.0	JUSTIFICATION & GROUNDS OF SUBMISSION	15
7.1	Low-pace Development of the Lands	15
7.2	Ambiguity of the Zoning Objective	17
7.3	Adverse Impact of Zoning Objective on Attracting Investors.....	18
7.4	Agri-business and FP Zoning Objective	19
7.5	Supply Chain and FP Zoning.....	20
7.6	Implication of Brexit on the Irish Food Market.....	20
8.0	CONCLUSION.....	22

This planning submission is made in response to the statutory review of the Fingal County Development Plan. Stage 2, known as the ‘Draft’ stage, requires submissions to be of a site-specific nature. Accordingly, this submission has been prepared in the context of “Draft Fingal Development Plan” which sets out the vision for how Fingal should develop over the life of the Plan while ensuring compliance with national and regional policy. The Development Plan presents an opportunity for the public to shape Fingal for the future when it comes to important issues such as housing, economic development, community, and heritage. We would therefore respectfully request that Fingal County Council consider the content within this planning submission. Downey Planning would like to thank the Council for the opportunity to make this submission, on behalf of our clients whom are strategic landowners, business operators and residents of Fingal. © Downey 2022

Downey Planning Document Control			
	Name	Date	Version
Prepared by	Elahe Saki Consultant Planner	07 May 2022	V_01_ DRAFT
	Donal Duffy Consultant Planner / Director	11 May 2022	V_02_ DRAFT
Approved by	John Downey MIPI Director	12 May 2021	V_02_ DRAFT

1.0 INTRODUCTION

Downey, Chartered Town Planners, 29 Merrion Square, D02 RW64, have prepared this submission to the Draft Fingal County Development Plan 2023-2029. This submission is made on behalf of our client, Food Central Development UC, in relation to the zoning objective of the lands at Food Central, St. Margaret's, Co. Dublin. This written submission is made in response to an invitation for comments from interested parties by Fingal County Council. This submission is being made within the specified timeframe for submissions i.e., 12th May 2022, as set out on the Draft Development Plan's public notice. This submission sets out the justification and rationale for the proposed rezoning of approximately 58 hectares of lands at Food Central, St. Margaret's, Co. Dublin, from **Objective FP – Food Park to Objective GE – General Employment** under the new Fingal County Development Plan 2023-2029, in order to facilitate the on-going operation of the existing business.

2.0 LEGISLATIVE BASIS

Section 9 of the Planning and Development Act 2000 (as amended) provides that, subject to the requirements set out in Section 9, 10 and 11 of the Act, that a planning authority must adopt a new Development Plan every six years. The contents of the Development Plan are set out within Section 10 of the Planning and Development Act 2000 (as amended) and must include a strategy for the proper planning and sustainable development of the area of the Development Plan and shall consist of a written statement and a plan or plans indicating the development objectives for the area in question.

The process for the preparation of the draft Development Plan is contained within Section 11 of the Planning and Development Act 2000 (as amended) which states:

“11.—(1) Not later than 4 years after the making of a development plan, a planning authority shall give notice of its intention to review its existing development plan and to prepare a new development plan for its area.

(2) A notice under subsection (1) shall be given to the Minister, any prescribed authorities, any adjoining planning authorities, the Board, any relevant regional authority and any town commissioners and city and county development boards within the functional area of the authority and shall be published in one or more newspapers circulating in the area to which the development plan relates and shall—

(a) state that the planning authority intends to review the existing development plan and to prepare a new development plan,

(b) indicate that submissions or observations regarding the review of the existing plan and the preparation of a new development plan may be made in writing to the planning authority within a specified period (which shall not be less than 8 weeks),

(c) indicate the time during which and the place or places where any background papers or draft proposals (if any) regarding the review of the existing plan and the preparation of the new development plan may be inspected.

(3) (a) As soon as may be after giving notice under this section of its intention to review a development plan and to prepare a new development plan, a planning authority shall take whatever additional measures it considers necessary to consult with the general public and other interested bodies.

(b) Without prejudice to the generality of paragraph (a), a planning authority shall hold public meetings and seek written submissions regarding all or any aspect of the proposed development plan and may invite oral submissions to be made to the planning authority regarding the plan.

(c) In addition to paragraphs (a) and (b), a planning authority shall take whatever measures it considers necessary to consult with the providers of energy, telecommunications, transport and any other relevant infrastructure and of education, health, policing and other services in order to ascertain any long-term plans for the provision of the infrastructure and services in the area of the planning authority and the providers shall furnish the necessary information to the planning authority.

(4) (a) Not later than 16 weeks after giving notice under subsection (1), the manager of a planning authority shall prepare a report on any submissions or observations received under subsection (2) or (3) and the matters arising out of any consultations under subsection (3).

(b) A report under paragraph (a) shall—

(i) list the persons or bodies who made submissions or observations under this section as well as any persons or bodies consulted by the authority,

(ii) summarise the issues raised in the submissions and during the consultations, where appropriate,

(iii) give the opinion of the manager to the issues raised, taking account of the proper planning and sustainable development of the area, the statutory obligations of any local authority in the area, and any relevant policies or objectives for the time being of the Government or of any Minister of the Government, and (iv) state the manager's recommendations on the policies to be included in the draft development plan.

(c) A report under paragraph (a) shall be submitted to the members of the planning authority, or to a committee of the planning authority, as may be decided by the members of the authority, for their consideration.

(d) Following the consideration of a report under paragraph (c), the members of the planning authority or of the committee, as the case may be, may issue directions to the manager regarding the preparation of the draft development plan, and any such directions must take account of the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or of any Minister of the Government, and the manager shall comply with any such directions.

(e) Directions under paragraph (d) shall be issued not later than 10 weeks after the submission of a report in accordance with paragraph (c).

(f) In issuing directions under paragraph (d), the members shall be restricted to considering the proper planning and sustainable development of the area to which the development plan relates.

(5) (a) The manager shall, not later than 12 weeks following the receipt of any directions under subsection (4)(d), prepare a draft development plan and submit it to the members of the planning authority for their consideration.

(b) The members of a planning authority shall, as soon as may be, consider the draft development plan submitted by the manager in accordance with paragraph (a).

(c) Where the draft development plan has been considered in accordance with paragraph (b), it shall be deemed to be the draft development plan, unless, within 8 weeks of the submission of the draft development plan under paragraph (a), the planning authority, by resolution, amends that draft development plan.”

This submission to the draft of the Development Plan is being made in accordance with Section 11(2)(b) and 3(b) of the Planning and Development Act 2000 (as amended) and is being submitted within the specified timeframe (12th May 2022) as set out in the Draft Fingal Development Plan 2023-2029 public notice.

3.0 SITE LOCATION & DESCRIPTION

The subject lands are located within the Food Central, St. Margaret’s, Co. Dublin, approximately 6km to the west of M1 motorway. The Food Central is an established park extending to c. 113ha and housing a number of growing companies such as Keelings, Donnellys, and HPP Tolling. With a notable number of employees amounting to c. 1,000, the Food Central is located beside Dublin Airport and close to the Dublin Port Tunnel, and the motorway network.



Figure 1. Strategic Location of the Subject Lands

The lands are bounded to the south by Dublin Airport, to the north by the glasshouses and associated packhouses of Keeling, to the east and by greenfield lands. Despite several applications of the site, in particular northern portion, as can be seen on the aerial map below, the majority of the lands are currently un-developed, which is suggested to be a result of the restrictive zoning objective designated for the lands, making the potential investors hesitant regarding further development of the lands.

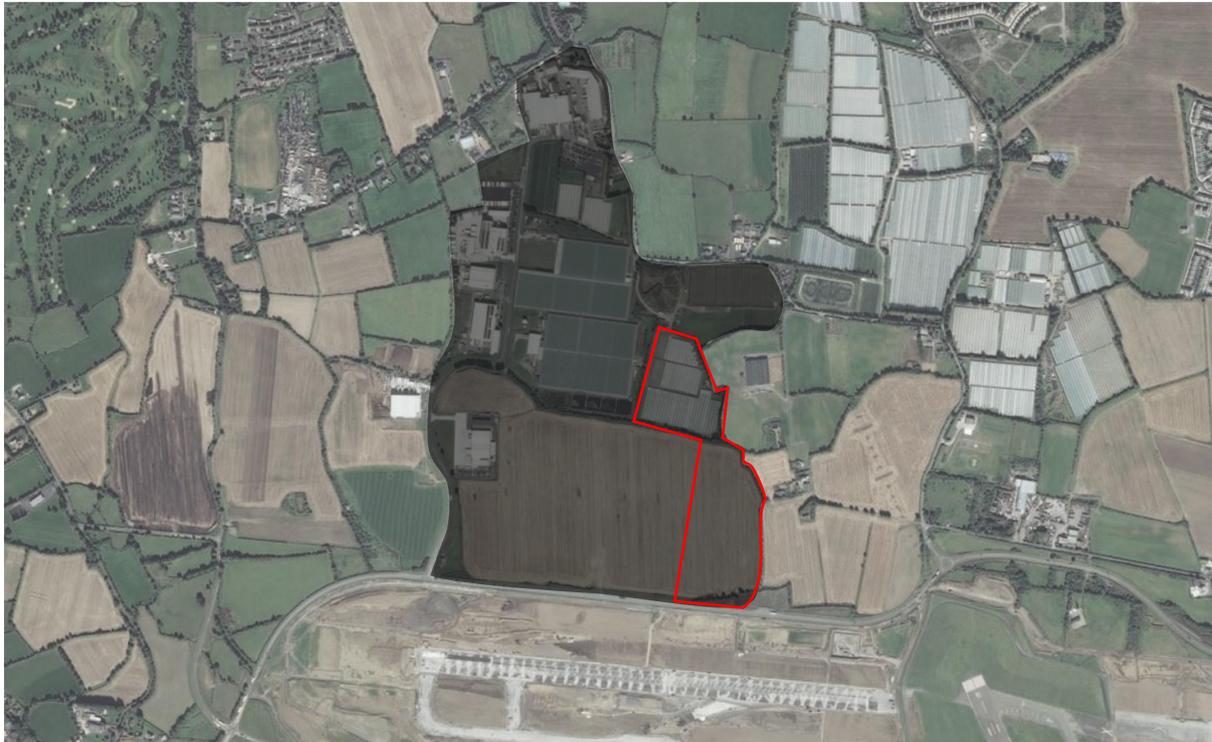


Figure 2. Aerial View of the Subject Lands (approximate boundaries of the lands are outlined in red on the overall Food Central shaded in black)

The lands subject to this application is located to the most eastern end of the landholding, the north vicinity of Dublin Airport, as illustrated above. With an approximate area of 58ha, the lands are mainly un-developed, however, there are a few glasshouses in the northern portion of the subject land.

4.0 PLANNING HISTORY

Downey have carried out a detailed examination of the planning history of the subject site, which determined that there have been no planning applications made on the subject lands. However, there are a number of applications made on the overall landholding, which are summarised as follows:

- **Reg. Ref. FW21A/0187** - By order dated 13th January 2022, Fingal County Council granted permission to Keelings UC for “construction of a warehouse unit (c. 8,617sqm) including ancillary office space (457sqm), staff facilities and associated development. The warehouse will have a maximum roof level height of 11.8 metres and a maximum plant height of 13.1 metres. The development will also include the provision of a new vehicular, pedestrian and cyclist entrance off the Food Central Access Road; internal roadways; 69 No. ancillary car parking spaces; bicycle parking; HGV parking spaces; trailer parking spaces; van parking spaces; dock levellers; hard and soft landscaping; boundary treatments; external canopy; smoking shelter;

external stairs; pump house; water tank; compost storage area; waste storage area; lighting; signage; and associated site development works above and below ground” on lands at Food Central, St Margaret's, Co Dublin.

- **Reg. Ref. F17A/0513** - By order dated 20th November 2017, Fingal County Council refused permission to Keeling UC for “a new food market building for the preparation, packaging, storage, sale and distribution of seasonally sourced (local and imported) fruit, vegetables, food and fresh produce. It will include a single storey portal frame refrigerated warehouse structure 12.5m in height with ancillary two storey facilities and office building. Also included are loading dock levellers and yard area, 83 car spaces including 2 accessible spaces, 41 cycle spaces, surface water attenuation, water storage, boundary fencing, plant and plant rooms, a new vehicular entrance off the main access road, vehicle parking and enclosed van loading area. The works will include landscaping, kerbs, hard and permeable surfaces, footpaths, railings and soft landscaping. All the above includes associated ancillary works and services” on lands at Food Central (off the main internal access road), Roslin, St. Margaret's, Co. Dublin.
- **Reg. Ref. F06A/0796** - By order dated 26th October 2006, Fingal County Council granted permission and retention permission to W.P. Keeling & Sons Ltd. for “development consisting of 6.2 hectares of glasshouse, associated packhouse and plantrooms, ancillary siteworks including car parking and surface water storage and revised entrance off St. Margarets Bypass” on lands at Roslin, Killeek, St. Margaret’s, Co. Dublin.
- **Reg. Ref. F04A/0345** - By order dated 9th June 2004, Fingal County Council granted retention permission to W.P. Keeling & Sons Ltd. for “development consisting of 5.1 hectares of glasshouses and associated packhouse and plant, along with ancillary site works including car parking and surface water storage and attenuation” on lands at Roslin, Killeek, St. Margaret’s, Co. Dublin.
- **Reg. Ref. F07A/0889** - By order dated 18th October 2007, Fingal County Council granted permission to W.P. Keeling & Sons Ltd. for construct a CHP (combined heat and power) building (554 sqm) with ancillary plant and associated site works at existing facility” on lands at Roslin, Killeek, St. Margaret’s, Co. Dublin.
- **Reg. Ref. F01A/1310** - By order dated 8th December 2001, Fingal County Council granted permission to W.P. Keeling & Sons Ltd. for “development of a Distribution Centre to provide for the storage, processing and distribution of food, fruit and agriculture products along with ancillary uses on a site of 11.14 Ha. (27.54 acres). The proposed development will comprise three principal units including a centralised distribution warehouse of 26,517 sqm (285,420 sq. ft.); 18,082 sqm (194,625 sq. ft.) of warehouse space is proposed to be constructed as part of Phase One and 8,435 sqm (90,800 sq. ft.) to be constructed as part of Phase Two; a Vehicle Maintenance Unit (1,065 sqm/11,460 sq. ft.), a recycling facility (of approx. 7,430 sqm/80,000 sq. ft. gross to be constructed on foot of a separate planning application), office accommodation, plant room generator compounds and transformer compounds, gatehouses, vehicle parking and circulation areas and other ancillary features including surface water attenuation measures (0.29 Ha./0.72 acres), cycle shelters, vehicle services and compactor

facilities. This planning application is accompanied by an EIS” on lands at Killeek, Co. Dublin. Subsequently, an appeal was lodged on 17th January 2002 and a decision to Appeal Withdrawn was made by An Bord Pleanála on 8th February 2001.

- **Reg. Ref. FW20A/0202** - By order dated 8th December 2001, Fingal County Council granted permission to AGRO Merchants Dublin RE Ltd. for “the provision of a food processing warehouse facility (11,696 sqm) comprising a cold store (10,955 sqm) with a maximum roof level height of 18.65 metres and a fire escape stairs extending to 19.8 metres; an ancillary office building (610 sqm) with a maximum height of 8 metres, including office space, meeting rooms, canteen locker rooms, toilet facilities and associated facilities; and 4.3 metre high driver welfare facilities building (131 sqm). The proposed development will also include the provision of a new vehicular entrance off the Food Central Access Road; internal roadways; traffic barriers; pedestrian access; 90 No. ancillary car parking spaces; bicycle parking; 52No. HGV parking spaces; 33 No. trailer parking spaces level access goods, hard and soft landscaping; smoking shelter; boundary treatments; ESB substation; signage; PV panels a truck wash; a diesel tank; 2 No. diesel pumps with a layby for 8 No. trucks; weighbridge; waste storage area; lighting and associated site development works above and below ground. The scheme also includes retention permission for 33 No. trailer parking spaces (providing a total of 66 No. trailer parking spaces)” on lands at Food Central, Kingstown, St Margaret's, Co. Dublin.
- **Reg. Ref. FW21A/0122** - By order dated 8th December 2001, Fingal County Council granted permission and retention permission to AGRO Merchants Dublin RE Ltd. for “amendments to previously approved permission FW19A/0215 & F17A/0158. It includes the reduction of site area from 2.3452 Ha to 1.9413 Ha. The omitted land of 0.03867 Ha is now included in the adjacent site granted permission under FW20A/0202. The amendments include omission of the office building and welfare facilities which will now be incorporated in the adjacent site. It will include a reduction in Car Parking Spaces from 78 (Permitted under FW19A/0215) to 45 spaces with 33 spaces proposed to be omitted and associated redesign of the parking layout to the Southeast corner of the site. Retention is sought for one additional 7 sqm dock leveller/loading bay to bring the total to 16 loading bays/dock levellers. The retention works include an electrical generator, access steps at the side entrance and a 23m² driver check-in cabin. The air handling units and plants are to be retained as built. The development will also include a new footpath and steps to the west of the site” on lands at Food Central, Kingstown, St Margaret's, Co. Dublin.
- **Reg. Ref. FW20A/0056** - By order dated 18th August 2020, Fingal County Council granted permission and retention permission to AGRO Merchants Dublin RE Ltd. for “proposed new signage to the front of the existing warehouse building (facing the road) at high level” on lands at Food Central, Kingstown, St Margaret's, Co. Dublin.

The above-mentioned planning history which essentially pertains to the overall landholding illustrates that the business owners are actively seeking planning permissions as to efficiently develop the lands; however, comparing this against quantum of lands being developed over the past few years, it is evident that the majority of the lands are still un-developed. This is further discussed in the following submission.

5.0 PLANNING CONTEXT

5.1 Project Ireland 2040: National Planning Framework

The National Planning Framework (NPF) is “*the Governments high-level strategic plan for shaping the future growth and development of our country out to the year 2040*”. It is a Framework to guide public and private investment, to create and promote opportunities for our people, and to protect and enhance our environment- from our villages to our cities and everything in between. It is stated within the NPF that, “*a major new policy emphasis on renewing and developing existing settlements will be required, rather than continual expansion and sprawl of cities and towns out into the countryside, at the expense of town centres and smaller villages.*”

It is also stated that there will be an ongoing shift in population and jobs to the east within the Dublin Region in particular. The NPF will support the future growth and success of the Dublin Region as Ireland’s leading global city of scale, by better managing the Dublin Region’s growth to ensure that more of it can be accommodated within and close to the city.

According to the National Planning Framework, the Dublin Region needs to accommodate a greater proportion of the growth it generates within its metropolitan boundaries and to offer improved housing choice, transport mobility and quality of life. Dublin’s continued performance is critical to Ireland’s competitiveness.

One of the National Strategic Outcomes detailed within the NPF prioritises “*a strong economy, supported by Enterprise, Innovation and Skills*”:

*“This will depend on **creating places that can foster enterprise and innovation and attract investment and talent**. It can be achieved by **building regional economic drivers** and by **supporting opportunities to diversify and strengthen the rural economy, to leverage the potential of places**. Delivering this outcome will require the coordination of growth and place making with investment in world class infrastructure, including digital connectivity, and in skills and talent to support economic competitiveness and enterprise growth.”*

Chapter 10 further describes how this Outcome can be achieved through supporting entrepreneurialism and building competitive clusters:

“Supporting entrepreneurialism and building competitive clusterings in key sectors and activities through collaborative actions at regional and local level, by realising a significant uplift in the performance of indigenous enterprises in terms of innovation, export potential and productivity, supporting technology-led start-ups and by attracting further investment to the regions.”

5.5 Regional Spatial and Economic Strategy

Regional Spatial and Economic Strategy (RSES) is a strategic plan and investment framework to shape future growth and to better manage regional planning and economic development throughout the Region up to 2031. It identifies regional assets, opportunities and pressures and provides appropriate policy responses in the form of Regional Policy Objectives.

One of the three Key Principles of the RSES relates to Economic Opportunity:

“To create the right conditions and opportunities for the Region to realise sustainable economic growth and quality jobs that ensure a good living standard for all.”

The subject site is located within the Dublin-Belfast Economic Corridor:

“The Dublin-Belfast Economic Corridor is the largest economic agglomeration on the island of Ireland with the cities and towns along the Corridor home to a population of around 2 million. The Corridor connects the large towns of Drogheda, Dundalk and Newry by high-capacity national road and rail links, major airports of Dublin Airport, Belfast International Airport and Belfast City Airport and Belfast and Dublin ports. The Eastern Corridor extends south to Rosslare Europort, which is an important economic and transport link, particularly in the post Brexit scenario.”

Supporting the growth of the Dublin-Belfast Economic Corridor is identified as a key Growth Enabler for the Region.

5.7 Fingal Development Plan 2017-2023

In terms of zoning objective of the lands subject to this submission, it is submitted that the lands are currently zoned as “FP Food Park”, which seeks to “Provide for and facilitate the development of a Food Industry Park”. The vision for this zoning objective, as per the Development Plan is as follows:

“Facilitate the development of a state-of-the-art Food Park incorporating the growing, preparation, processing, ripening, packaging, storing, distribution and logistics relating to food, drink, flowers and related products on lands adjacent to major transport infrastructure, operating at a national and international scale and optimising its strategic value to the regional economy. The Park will be primarily devoted to developing value added opportunities within the food sector.”

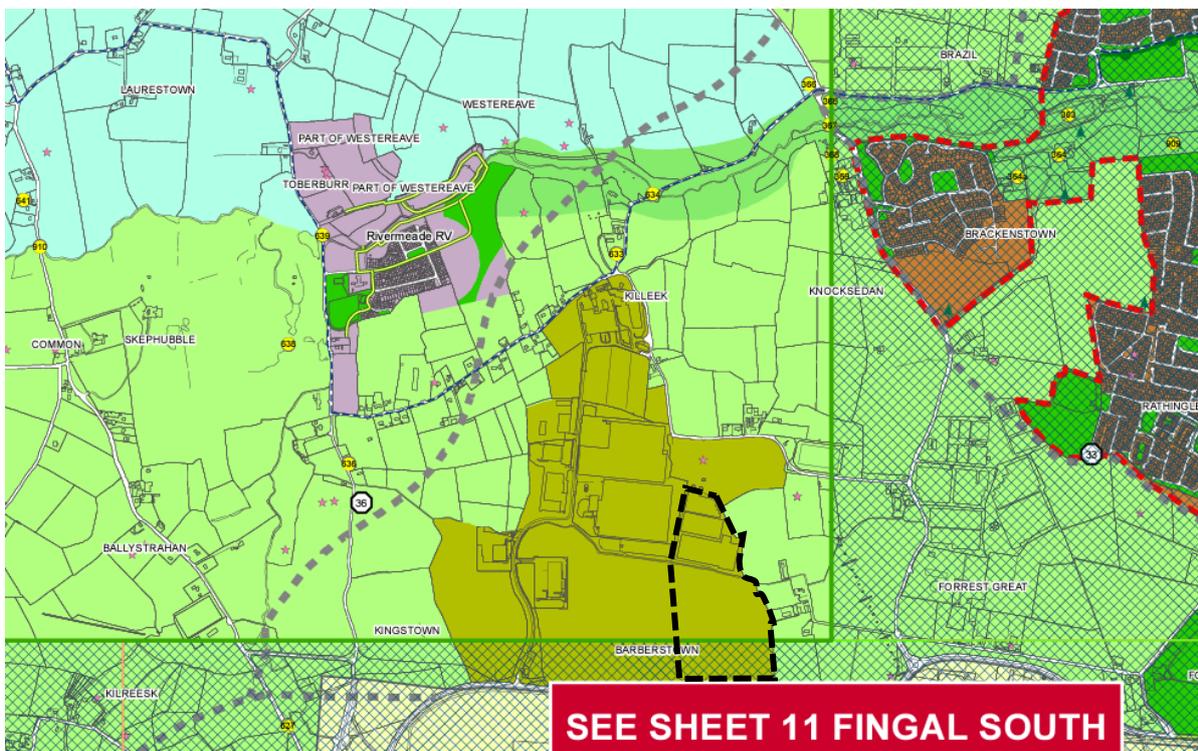


Figure 3. Subject Lands within Zoning Objective of the current Development Plan

The use classes which are principally permitted under FP zoning objective are summarised in the Table below, extracted from the Development Plan.

Exhibition Centre ¹⁶	Farm Shop ¹	Food, Drink and Flower Preparation/Processing
Logistics ¹⁶	Office Ancillary to Permitted Use	Office < 550 sqm ¹⁶
Research and Development ¹⁶	Restaurant/Café ⁵	Open Space
Sustainable Energy Installation	Telecommunications Structures	Retail - Local < 150 sqm nfa ⁵
Utility Installations	Wholesale ¹⁶	Training Centre ¹⁶
	Warehousing ¹⁶	Residential ⁴

¹ Farm shop of up to 500sq m. Any increase on this size will have to be justified in terms of overall zoning vision for the lands, traffic implications and public transport linkages.

⁴ Seasonal Workers Accommodation only, subject to compliance with the Rural Settlement Strategy for Seasonal Workers.

⁵ To serve the local working population only

¹⁶ Foodpark related only

Figure 4. Use Classes Permitted in Principle under GB Zoning Objective

Most uses are not permissible in these lands, given the restrictive nature of the FP zoning:

Not Permitted		
Abattoir	Aerodrome/Airfield	Agricultural Farm Supplies
Agricultural Machinery Sales and/or Maintenance	Air Transport Infrastructure	Amusement Arcade
Bed and Breakfast	Betting Office	Boarding Kennels
Builders Provider/Yard	Burial Grounds	Car Hire Holding Area
Caravan Park – Holiday	Caravan Park – Residential	Cargo Yards
Carpark - Non-Ancillary	Casual Trading	Civic Waste Facility
Community Facility	Concrete/Asphalt	Conference Centre
Cultural Facility	Dancehall/Nightclub	Education
Extractive Industry/Quarrying	Fast Food Outlet/Take-Away	Funeral Home/Mortuary
Garden Centre	General Aviation	Golf Course
Guest House	Health Centre	Health Practitioner
Heavy Vehicle Park	High Technology Manufacturing	Holiday Home/Apartments
Home-Based Economic Activity	Hospital	Hotel
Industry – General	Industry – Light	Industry - High Impact
Office ≥ 1,000sqm	Park and Ride Facilities	Petrol Station
Place of Worship	Plant Storage	Public House
Public Transport Station	Recreational Facility/Sports Club	Residential Care Home/ Retirement Home
Residential Institution	Retail - Convenience ≤ 500 sqm nfa	Retail - Comparison ≤ 500 sqm nfa
Retail - Comparison >500sqm nfa	Retail - Supermarket ≤ 2,500 sqm nfa	Retail - Superstore > 2,500 sqm nfa
Retail - Hypermarket > 5,000 sqm nfa	Retail - Factory Outlet Centre	Retail Warehouse
Retail - Warehouse Club	Retirement Village	Road Transport Depot
Sheltered Accommodation	Taxi Office	Traveller Community Accommodation
Vehicle Sales Outlet - Small Vehicles	Vehicle Sales Outlet - Large Vehicles	Vehicle Servicing/ Maintenance Garage
Veterinary Clinic	Waste Disposal and Recovery Facility (Excluding High Impact)	Waste Disposal and Recovery Facility (High Impact)

Figure 5. Use Classes Not Permitted in Principle under GB Zoning Objective

6.0 DRAFT FINGAL DEVELOPMENT PLAN 2023-2029

In relation to the proposed zoning objective of the lands in the draft Development Plan, similar to the current Development Plan, the lands are zoned as “FP – Food Park” which seeks to “*Provide for and facilitate the development of a Food Industry Park*”. The vision for this zoning objective, as per the Development Plan is as follows:

“Facilitate the development of a state-of-the-art Food Park incorporating the growing, preparation, processing, ripening, packaging, storing, distribution and logistics relating to food, drink, flowers and related products on lands adjacent to major transport infrastructure, operating at a national and international scale and optimising its strategic value to the regional economy. The Park will be primarily devoted to developing value added opportunities within the food sector.”

The use classes which are principally permitted under FB zoning objective are summarised in the Table below, extracted from the Development Plan.

Exhibition Centre ¹⁶	Farm Shop ¹	Food, Drink and Flower Preparation/Processing
Logistics ¹⁶	Office Ancillary to Permitted Use	Office < 550 sqm ¹⁶
Open Space	Research and Development ¹⁶	Restaurant/Café ⁵
Retail – Local < 150 sqm nfa ⁵	Sustainable Energy Installation ³⁵	Telecommunications Structures
Training Centre ¹⁶	Utility Installations	Warehousing ¹⁶
Wholesale ¹⁶		

Figure 6. Use Classes Permitted in Principle under GB Zoning Objective

In light of the above, it is submitted that FP Zoning is too restrictive in regards to uses and these have expanded out over the last few years.

7.0 JUSTIFICATION & GROUNDS OF SUBMISSION

This submission is proposing a re-zoning of the lands at Food Central, St. Margaret’s, Co. Dublin to “**GE – General Employment**”, which seeks to “**Provide opportunities for general enterprise and employment**”. The following provides the grounds and justifications to the proposed submissions.

7.1 Low-pace Development of the Lands

The subject site forms part of the Barberstown “FP – Food Park” zoned landbank. There are three other such landbanks within Fingal County, including Coolatrath to the west, as well as Wolganstown and Ballymaguire further to the north of the County. This zoning was introduced with the adoption of the County Development Plan 2011-2017. While there has been great national demand for industrial floorspace in recent years and an accelerated development of many major tracts of enterprise and employment, warehousing and logistics lands in the Greater Dublin Area can be observed, the development of the Barberstown Food Park area has been particularly slow.

As shown on the timelapse maps of the area below, it is clear that despite availability of the lands and active engagement of the business owners with the local authority in pursuing development of the lands in order to facilitate business, there is a lack of progression.



Figure 7. Timelapse Maps of the Food Central

Furthermore, as illustrated in the planning history section, there have only been two applications for greenfield development within this area in recent years, including FW20A/0202 and F17A/0513, which is further indicative of the area's stagnant growth. This suggests restrictive zoning objective of the lands appearing as a barrier to further development of the lands.

It is important to note that the proposer fully supports the vision of the Food Park land use zoning objective, to create an agglomeration of compatible food uses in a singular area close to major transport links, however, this submission seeks to demonstrate that the current form the zoning is too restrictive to attract many foods related uses and thus the entire vision for 'State of the Art' Food Parks is not being achieved. Thus, Food Park zoned lands are failing to capture the opportunity to optimise their strategic value to the regional economy.

Therefore, it is submitted that the development potential of objective 'FP' zoned lands has not been realised during the lifetime of the current Development Plan. The vision for these lands refers to 'the growing, preparation, processing, ripening, packaging, storing, distribution and logistics relating to food, drink, flowers and related products' yet the extent of development permitted on 'FP' zoned lands does not reflect this and not to the scale envisaged for a 'state of the art' Food Park. The

development of Barberstown over the duration of the current Development Plan has been examined as a singular case example.

7.2 Ambiguity of the Zoning Objective

It is submitted that the misleading wording of the zoning objective appears as a main barrier in interpreting the development and how it can take place. While both current and adopted Fingal Development Plans set out that the purpose of the Food Park (FP) zoning objective is: *“to facilitate enterprise opportunities associated with preparation, processing, packaging, storage and distribution of **mainly** horticultural products”*. The vision of the Food Park zoning objective states: *“...The Park will be **primarily** devoted to developing value added opportunities within the food sector”*. Also, as shown on the extract from the Development Plan below, Development Plan lists the ‘permitted in principle’ and ‘non-permitted’ use classes relating to the ‘FP’ zoning objective. However, we draw Fingal County Councils attention to the uses underlined in purple which are subject to the ‘**Foodpark related only**’ footnote.

Exhibition Centre ¹⁶	Farm Shop ¹	Food, Drink and Flower Preparation/Processing
Logistics ¹⁶	Office Ancillary to Permitted Use	Office < 550 sqm ¹⁶
Research and Development ¹⁶	Restaurant/Café ⁵	Open Space
Sustainable Energy Installation	Telecommunications Structures	Retail - Local < 150 sqm nfa ⁵
Utility Installations	Wholesale ¹⁶	Training Centre ¹⁶
	Warehousing ¹⁶	Residential ⁴

¹ Farm shop of up to 500sq m. Any increase on this size will have to be justified in terms of overall zoning vision for the lands, traffic implications and public transport linkages.

⁴ Seasonal Workers Accommodation only, subject to compliance with the Rural Settlement Strategy for Seasonal Workers.

⁵ To serve the local working population only

¹⁶ Foodpark related only

It is our understanding that the ‘Foodpark related only’ footnote has caused concerns for potential companies wanting to locate on ‘FP’ zoned lands given the ambiguity of the zoning objective, specifically what is defined as ‘Foodpark related only’ and the associated planning risks in proceeding with a lease/purchase of lands given this objective.

The above review of the Food Park Objective makes it apparent that the ambiguity between the objective (which refers to ‘mainly horticulture’), vision (refers more generally to ‘food sector’) and land use zoning matrix (refers to ‘Foodpark related only’ permitted uses) creates difficulties for potential development on ‘FP’ zoned lands.

There is also precedent on the ambiguity caused by misleading wording of this zoning objective. Accordingly,

Permission was sought for the part demolition of an existing vehicle maintenance unit and construction of a new separate vehicle maintenance unit, an extension of the existing warehouse with 5 No. docking bays and retention of car park and temporary parking area for trucks on FP zoned lands in Food Central (FCC Reg. Ref. F20A/0549). Fingal County Council raised concerns over the proposed use of the warehouse and logistics on the ‘FP’ zoned lands. The Planning Officer in their assessment of the scheme stated that: *‘Insufficient detail has been submitted to demonstrate that the development to be retained is/has been used exclusively associated with the primary logistics, office < 550 sq m and*

warehousing uses permitted on Food Park zoned lands. These permitted uses can only be Foodpark related. It is noted that from the applicant's application and website that very few of their clients are linked to Food Park zoned lands in Roslin.'

Furthermore, stating that: *'There does not appear to be a prima facie case in the application that the development for which retention permission is sought or the significant intensification for which permission sought, is consistent with the 'FP' land use zoning objective with particular reference to footnote 16 on this regard.'*

In assessing the Response to the Request for Further Information the Planning Officer stated that the Applicant demonstrated that *'approximately 25% of the applicant's customers operate from the foodpark, but state that this varies as contracts are tendered and awarded.'*

The Planning Authority in their assessment of the additional information stated: *'The planning authority accepted the principle of the use of the subject site for logistics beyond that which is related to the food park in consenting to the existing permitted development for reasons set out in the consideration of that permission. The current application proposes an intensification and extension of that permitted use which if considered under Objective Z05 of the Fingal Development Plan 2017 – 2023 would require a judgement on the extent to which the intensification could be considered reasonable. In accepting the nature and scale of the proposal under F15A/0145 a precedent was set in this regard. Taking account of the rationale presented and accepted in F15A/0145 the Planning Authority now accept that the scale and nature of the intensification proposed is a reasonable intensification.'*

On 28th April 2021, Fingal County Council granted permission and retention for the scheme. It is our professional planning opinion that the aforementioned recent application clearly demonstrates the lack of clarity on what Fingal County Council consider to be acceptable in terms of 'foodpark related only' uses.

7.3 Adverse Impact of Zoning Objective on Attracting Investors

With regards to the above-mentioned, there is evidence that the ambiguity of the FP zoning objective has led to many companies declaring the risks and restrictions associated with locating on 'FP' zoned lands too significant. During the lifetime of the current Development Plan there has been numerous applications granted on 'GE' zoned lands which in our opinion could be considered as 'Food related only' uses and suitable for 'FP' zoned lands however have been deterred as result of the ambiguity in the zoning objectives.

For instance, O'Toole Transport Limited was granted permission for a logistics (warehouse and distribution) complex building under FCC Reg. Ref. FW17A/0119 on 'GE' zoned lands. We note from review of the company website that: *'O'Toole Transport Ltd is a family-owned business.... specialises in national and international distribution for the FMCG sector.'*

Furthermore, noting that: *'...Our extensive range of high spec trucks and trailers include refrigerated, multitemperature controlled and ambient trailers that allow us to specialise in the transportation of temperature-controlled product...Working with some of the world's biggest food companies, our daily*

scheduled collections from all over Ireland offer our customers a cost-effective, market-focused logistics service.'

It is therefore our professional planning opinion that companies such as O'Toole Transport should be encouraged to locate on 'FP' zoned lands however 'footnote 16' and more recently the assessment of FCC Reg. Ref. F20A/0549, is essentially a deterrent for potential companies locating on these lands.

Food, Drink and Flower Preparation/Processing, in addition to Logistics, Warehousing, Wholesale, Industry-Light are 'permitted in principle' uses on General Employment (Objective GE) zoned lands thus there is no incentive for Food related companies to locate on Food Park (Objective FP) zoned lands where there is such a lack of clarity on the objective for these lands which creates significant planning risk.

7.4 Agri-business and FP Zoning Objective

The Fingal County Development Plan 2017-2023 states that: *'the agri-food sector continues to be one of the most important and dynamic indigenous manufacturing elements in the Irish economy'. In addition, in reference to Agri-business the Development Plan stipulates that: 'for the purposes of this plan, refers to a business which is directly related to the agricultural or horticultural sectors involving the processing of produce of which a significant portion is sourced locally. The creation of value-added products is an important aspect of agribusiness which can complement locally sources produce and increase competitiveness and innovation. This designation can also cover support services for agriculture and horticulture.'*

Despite above, the Agri-Business is not listed as a 'permitted in principle' use in Food Park (Objective FP) zoned lands. Agri-Business is a 'permitted in principle' use in accordance with other land use zoning objectives in the current Development Plan (e.g. 'RB' Rural Business). Furthermore, it is not clear as if there is an opportunity to allow pharmaceutical uses related to the food industry to be permissible on Food Park lands or not. An increasing convergence of the Food and (bio)pharmaceutical sectors has been observed globally, around biotechnology as a means of promoting health and wellbeing in consumers. There has been a growing interest in food and 'nutraceuticals' (also known as 'functional foods' - i.e. those with added health benefits) which reflects growing interest in consumers to making better dietary choices. Nutraceuticals may be defined as: *'Nutraceutical is a substance that may be considered a food or part of a food which provides medical or health benefits, encompassing prevention and treatment of disease. Products as diverse as isolated nutrients, dietary supplements and diets to genetically engineered "designer" foods, herbal products, and processed foods (cereals, soups, beverages) may be included under the umbrella of nutraceuticals.'*

Nutraceuticals meet the definition of a biopharmaceutical, i.e., any pharmaceutical drug product manufactured in, extracted from, or semi synthesized from biological sources. According to Dr James Curtin, Head of Food Science and Environmental Health in DIT, functional foods will be an important future growth market for Ireland and are mentioned specifically in National Strategy. The global functional food market is currently estimated at approx. US\$12bn, and this is growing at 10% to 15% per annum. In 2009, functional foods made up approx. €15m in Ireland, on a pro-rata basis to the US it should be €300M, demonstrating a capacity for significant growth.

In light of the above, it is submitted that Agri-business is fundamentally linked to the food industry and the operational uses envisioned in a Food Park. The inclusion of Agri-business use as ‘permitted in principle’ in ‘FP’ zoning objective would provide greater opportunity for Food Park lands to be developed with complementary food related uses. Furthermore, we note that aspects of the pharmaceuticals industry such as food supplements and nutraceuticals are highly compatible with a Food Park and thus request that pharmaceuticals be acknowledged as a suitable use.

7.5 Supply Chain and FP Zoning

It is clear that the FP zoning objective should be focused on accommodating development to facilitate each of the stages of the food supply chain. We refer to the below extract of the Annual Review and Outlook for Agriculture, Food and the Marine 20202 which clearly illustrates the food supply chain.



Figure 8. Diagram of the Food Supply Chain

Furthermore, the Government document clearly outlines that the: “food supply chain connects 3 main sectors: agriculture, the food processing industry and the wholesale and retail sector. Imported agricultural products must also be taken into consideration.” Also, acknowledging that “The food supply chain (from farm to consumer) consists of a wide range of products and companies in different markets”.

Therefore, it is our opinion that the forthcoming Draft Development Plan should have consideration of this government document which understands the complexity of relations associated with the food supply chain. It is our professional planning opinion that uses relating to the each of the 5 No. food supply chain stages identified about should be permitted in principle on food park zoned lands. Also, the Food Park zoned lands should have the flexibility to accommodate uses associated with these key stages. The retailing could be limited specifically to wholesaling (business-to-business) only to ensure its compatibility with the vision for ‘Food Park’ lands.

7.6 Implication of Brexit on the Irish Food Market

The Department of Enterprise, Trade and Employment recently published the Annual Employment Survey 20203 which reported that: ‘The Food, Drink & Tobacco sector accounts for 24.3% of employment (52,047 jobs) in the Manufacturing sector in 2020. The Food, Drink & Tobacco sector had an increase in employment of 0.4% since 2019 or 184 jobs. Since 2011, employment in the Food, Drink & Tobacco sector increased by 23.7% gaining an additional 9,984 jobs.’ This growth in employment demonstrates the continued growth of the industry over recent years. The below corroborates this demonstrating the growth in sales in the Food and Drink Sector over the period of 2000-2019.

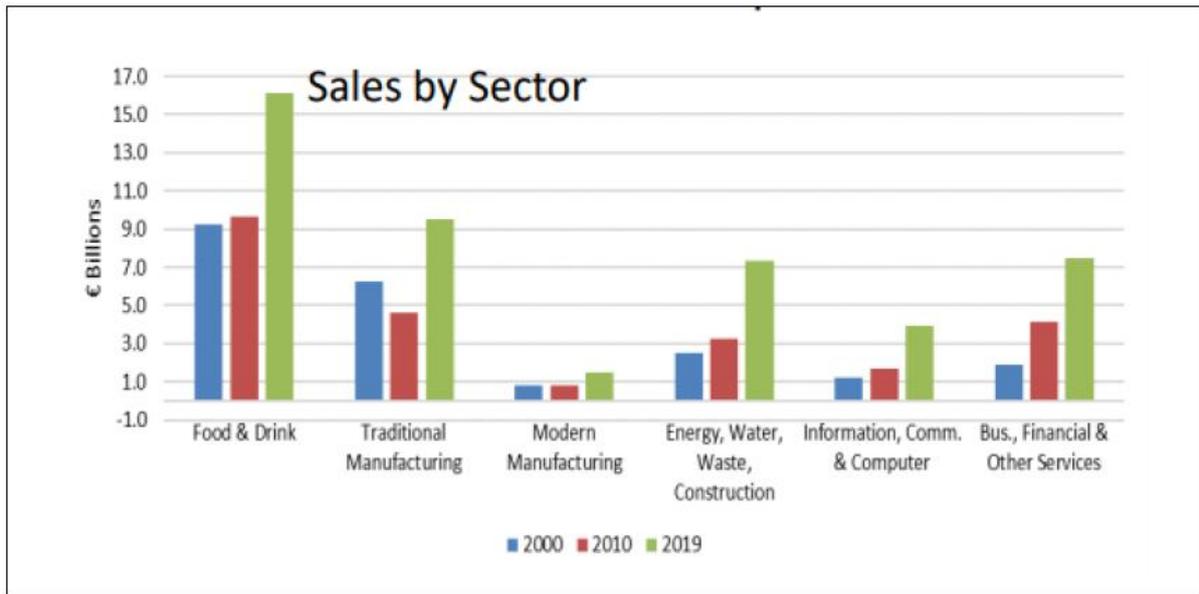


Figure 9. Growth of Sales Across Various Sectors over 2000-2019

It should be noted that the agri-food sector is one of the exposed markets to the resultant impacts arising from Brexit. The agri-food industry is now subject to customs and regulatory requirements, and it is anticipated that these changes could have implications for the cost of trade and result in the delay of movement of goods.

The Minister for Agriculture, Food and the Marine, Charlie McConalogue T.D. in his forward of the Annual Review and Outlook for Agriculture, Food and the Marine 2020/21 highlighted that: *'While the sector faces significant challenges such as COVID-19, Brexit and trade uncertainty in general, environmental concerns, and future CAP and CFP reform; the sector also has many opportunities to develop further and prosper'*.

Horticulture related uses as envisaged on Food Park zoned lands are intrinsically linked with the Agri-Food sector, as such we anticipate the effects of Brexit will also be seen in this sector of the food market. *'The Agri-Food sector is export-orientated, and we export almost ninety percent of the food we produce. In 2019 Irish food and drink was exported to over 180 markets worldwide. Exports of Agri-Food products in 2019 were valued at €14.5 billion, a 63% increase from €8.9 billion in 2010. In 2019 Agri-Food exports represented 9.5% of Irish merchandising exports.'*

Furthermore, noting that: *'...Brexit poses enormous challenges for the agri-food and fisheries sectors by virtue of their exposure to the United Kingdom (UK) market, as evidenced by various studies including those by the ESRI, Central Bank, Department of Finance and Copenhagen Economics. The UK is Ireland's largest export destination for agri-food products with the Central Statistics Office trade statistics valuing this trade at approximately €5.5bn in 2019, i.e. 38% of agri-food exports, while Ireland is also the UK's largest export destination with agri-food products imported into Ireland valued at €4.6bn in 2019. The most immediate impact of Brexit has been the difficulties caused by the significant volatility in the value of sterling against the euro.'*

Emerging research on the impacts of Brexit on the Food Industry highlight there could be an opportunity for Ireland to benefit from Brexit in this industry outline that it may force the Irish food

sector to shift secondary food processing to Ireland instead of exporting raw ingredients and importing prepared consumer foods.

8.0 CONCLUSION

Downey, Chartered Town Planners, 29 Merrion Square, D02 RW64, have prepared this submission to the Draft Fingal County Development Plan 2023-2029. This submission is made on behalf of our client, Food Central Development UC, in relation to the zoning objective of the lands at Food Central, St. Margaret's, Co. Dublin.

Given the strategic location of the site near Swords, Dublin, the Airport, the M1 and the Dublin-Belfast Economic Corridor, the client has been approached by many interested prospective companies looking to establish themselves within the subject lands; however, they were not able to take on these companies due to the limited scope of the "FP – Food Park" zoning. Due to the narrow zoning of the subject lands, there has been lack of investment from other companies, meaning that the subject lands haven't been developed, despite the fact they're fully serviced and in such an advantageous position relative to Dublin and transport links.

It is proposed that the subject lands should be rezoned from "FP – Food Park" to "GE – General Employment"; this broader zoning would encourage diverse industries to establish themselves within this strategically important location, thereby making the best use of the lands and establishing Fingal County as an economic driver within the Greater Dublin Metropolitan Area. This would also allow for the completion of the Park, which has been left largely undeveloped since its creation due to the poor take up by companies stemming from the Park's restrictive FP zoning.



Figure 10. Proposed Zoning Objective for the Lands

Lastly, there is a large area of undeveloped land a short distance to the west that is zoned "FP – Food Park" at Cooltrath East, as well as other small FP landbanks to the north. It is considered that as there is sufficient land zoned "FP" in more appropriate locations, fulfilling the economic potential of the subject lands by rezoning them to "GE" would be the most rational action to take.

With regards to the above-mentioned, Downey are of the professional opinion that the proposed re-zoning of the lands to “RA – Residential Area” would expedite delivery of an appropriate quantum of residential development in a high-profile area in terms of construction.

In light of the above, Downey respectfully request that Fingal County Council consider the grounds and justifications of this submission into consideration when preparing the draft Fingal Development Plan 2023-2029.