



**ANNEX B – Response Pro-forma**

**Name: CARRIE MCDONAGH**

**Address: 1 Larkfield Avenue, Belfast, BT10 0LY**

**Original Representation Reference Number: MUDPS/14 (for administrative use only)**

**Please tick the applicable box below.**

a) I confirm that I wish for my original representation to be considered as my representation.

b) I confirm that I wish to amend or add to my original representation.

c) I confirm that I wish for my original representation to be withdrawn and that I no longer wish to make a representation.

**Signature:** [Redacted] .....

**Date:** ..... 30<sup>th</sup> March 2020 .....

If you require assistance when completing the above, please contact [developmentplan@midulstercouncil.org](mailto:developmentplan@midulstercouncil.org)

**Please ensure you return this completed Pro forma (along with any additional documents if you have ticked [b]) above) to Development Plan Team, Planning Department, Mid Ulster District Council, 50 Ballyronan Road, Magherafelt, BT45 6EN, by 5pm on 21st May 2020.**

# #12

**COMPLETE**

**Collector:** Web Link 2 (Web Link)  
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## Q1 Personal Details

**Title** Mr  
**Name** Peter O'Neill, Owen O'Neill and PJ O'Neill  
**Address Line 1** 27 Colliers Lane  
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**Postcode** BT71 4GP  
**Phone Number** [REDACTED]

## Q2 Agent Details (if applicable)

**Title** Mrs  
**Name** Carrie McDonagh  
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## Q3 To which part of the Draft Plan Strategy does your representation relate?

**Paragraph** 4.16- 4.24 and 7.09-7.19  
**Growth Strategy/Spatial Planning Framework** SPF 3 - Consolidate the role of the local towns of Coalisland and Maghera as service centres for their hinterlands  
**Policy** HOU 1-Protection of Land Zoned for Housing  
**Proposals Map** 1E ref Coalisland  
**Site Location** Colliers Lane and Mousetown Road

**Q4** Do you consider the development plan document (DPD) is: **Unsound**

**Q5** If you consider the draft Plan Strategy to be unsound, please identify which test(s) of soundness your representation relates, having regard to Development Plan Practice Note 6.

**Consistency test 1. Did the council take account of the Regional Development Strategy?**

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**Coherence and effectiveness test 1. The plan sets out a coherent strategy from which its policies and allocations logically flow and where cross boundary issues are relevant is it in conflict with the plans of neighbouring councils.**

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**Coherence and effectiveness test 2. The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base.**

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**Coherence and effectiveness test 3. There are clear mechanisms for implementation and monitoring.**

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**Coherence and effectiveness test 4. It is reasonably flexible to enable it to deal with changing circumstances.**

**Q6** Please give details of why you consider the Draft Plan Strategy to be unsound having regard to the test(s) you have identified above. Please be as precise as possible. If you consider the Draft Plan Strategy to be sound and wish to support the Draft Plan Strategy, please set out your comments below. Please note your representation should be submitted in full and cover succinctly all the information, evidence, and any supporting information necessary to support/justify your submission. There will not be a subsequent opportunity to make a further submission based on your original representation. After this stage, further submissions will only be at the request of the independent examiner, based on the matters and issues he/she identifies at independent examination.

C1 – Compliance with RDS

The RDS at Page 43 recognizes the need to manage housing growth to achieve sustainable patterns of residential development under RG 8. It also sets out that to sustain rural communities, new development should respect local, social and environmental circumstances.

It acknowledges that housing is a key driver of physical, economic and social change. Para 3.21 states that the allocation of housing growth to specific locations in a district is a matter for decision through the development plan process and due weight needs to be given to reinforcing the leading role of the Hubs and the clusters of Hubs.

It is appreciated that the district has 3 towns designated as hubs and the draft plan refers to 60% of new housing being directed to those hubs.

The RDS, for the purpose of its spatial framework, identifies those places outside of the principal cities and the main and local hubs as constituting the rural area (paragraph 3.90, page 73).

While it is appreciated that the recent trends of facilitating rural housing demand cannot be left unchecked; another important step in the allocation process is making judgements to achieve a complementary urban/rural balance to meet the need for housing in the larger and local towns of the district and to meet the needs of the rural community living in smaller settlements and countryside. On

On this basis it is inappropriate to include Coalisland and Maghera within the remaining 40% of the housing allocation, with no policy included in the plan to promote this tier over the villages, small settlements, DRC or rural housing.

Growth at this tier of the hierarchy is more sustainable and should be facilitated to reduce the demand for single dwellings in the open countryside in accordance with SPG 13.

The Spatial Framework also provides guidance and priorities for development. Its guiding principle is putting the person at the centre to help understand their relationship with places. In exploring the role and position of a settlement it recognizes that:

- It is not appropriate to define settlements by their population alone;
- Service centres are hierarchical;
- Access to services and facilities by the critical mass is important.

The RDS further states that 'The wheel provides a forward perspective, providing some understanding of the level of facilities and services anticipated at different spatial levels rather than necessarily reflecting the stock of services that are currently available in villages, towns, cities or regionally'. This embodies an aspiration that each settlement has a potential for growth, which should be encouraged to allow it to become a more successful place, for the people it serves.

The RDS Table 3.2, page 42, Housing Evaluation Framework sets out six tests to consider the distribution of future housing provision. It sets out how potential constraints on the future growth of a settlement may affect its position within the Settlement Hierarchy and are influential in the allocation of future development. Physical constraints would relate to the matters set out under the Resource, Environmental Capacity and Transport Tests and would include:

- Identified flood plains and areas at risk of flooding;
- Wastewater treatment works capacities; and
- Local road network capacities.

Other constraints relate to the Urban and Rural Character and Community Services Tests and include considerations such as the ability of the landscape to absorb development, impact on environmental designations and the accessibility of new development to a settlement's services and facilities.

In this context, it is the view that the local town tier and particularly Coalisland is ideally placed to facilitate an extension to its settlement limit – in terms of the identified housing evaluation framework, Coalisland is more sustainable than the villages in the borough; it has infrastructure capacity; an accessible road network via the North South corridor and mid Ulster spine and proximity to the strategic electricity network and proposed north south interconnector line. It operates as a strong service centre and can accommodate growth without any significant adverse impact on the environment, particularly at the northern area of the town at the Phase 2 lands close to Colliers Lane given the lack of landscape restrictions and infrastructure.

CE1 – The DPD sets out a coherent strategy from which its policies and allocations logically flow.

SPF 3 - Consolidate the role of the local towns of Coalisland and Maghera as service centres for their hinterlands providing appropriate development opportunities for housing, employment and leisure activities, in keeping with the scale and character of these settlements;

The Growth strategy and spatial planning framework includes SPF 3 as set out above. It refers to opportunities for housing, however there is internal tension given the use of the word 'Consolidate' indicates that there is some element of disbanding or reorganisation envisaged within this settlement tier.

The Plan states that 'Maghera and Coalisland are recognised in the plan as important, both as residential centres and for providing employment. Given the range of services available in them they are capable of accommodating further growth, but only proportionate to their size and function. The plan states that they are not seen as key centres for growth as they do not offer the range of services and facilities found in the three main towns.

At Para 4.23 it states that:

'In zoning land for housing it is intended to provide opportunities for new housing estates. Coalisland is home to just over 4% of the Districts households while Maghera is home to just over 3%. Accordingly, the level of growth in both will be proportionate to the number of households within them in order to consolidate their role and function'.

It is unclear however how the policies and allocations then flow from this part of the strategy. While it is correct that they are not as large as the 3 main towns, they are larger service centres than the villages and the existence of designated Phase 2 lands for Coalisland within the Dungannon and South Tyrone plan is omitted.

It is unclear from the draft policy how the local town tier of the hierarchy is being promoted above the villages, small settlements and individual houses in the rural area or how (or of) the plan intends at local policies stage to provide opportunities for new housing estates in Coalisland.

CE2 – The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on robust evidence

At Para 7.10 it is noted that the plan recognises the importance of providing the right amount of housing land in the right location to meet housing need and states that in order to achieve a sustainable housing supply, the plan will ensure an appropriate amount of land is available at a choice of locations across the main towns and that opportunities are also provided in the local towns and smaller settlements.

At 7.11 it notes that key to the strategy is zoning land in two phases in Cookstown, Dungannon and Magherafelt, thus allowing for current needs to be met whilst setting the direction of future growth.

However there is no mention or acknowledgement of the opportunities in the local towns and in particular the Phase 2 lands within Coalisland.

Policy HOU1 states that the development of phase 2 housing land will conflict with the plan except:-

- I. It has been re-designated as phase 1 land in Local Policies Plan/ a result of Plan review;
- II. It is for social/affordable housing to meet an identified social housing need;
- III. It is for a single dwelling in accordance with our policy for dwellings in the countryside;
- IV. It is to meet an overriding need for a health, education or community facility.

The supporting text notes: that by avoiding over-provision it is possible to avoid urban sprawl and ensure development takes place in a more sequential manner with priority given to accessibility to services, public transport and to the town centres.

It is unclear how this potential for land release will be decided on. As an example what is the sequential approach referred to – This does not appear to be set out in the draft plan definitions/appendix. This is typically a test for retail proposals based on distance. A plan review should consider more than distance and the proper test as based on the evaluation matrix. It is unclear how the phase 2 lands within the local town tier sit in respect of those in the higher tier hubs, no indication of how or if they can be released ahead of the higher tier towns or if the release can be considered across both tiers as part of the monitoring process.

In addition policies relating to dwelling in the countryside should not be applied to land located within a settlement limit. This is consistent with the approach within the PPS 21 CTY 10 test which explicitly limits the policy application to outwith settlements. This is particularly relevant for the infill policy for single dwellings wherein buildings inside the limit cannot contribute to a substantial built up frontage and more clarification is required for Phase 2 sites.

The Need for an Accurate Evidence Base when Producing New Local Development Plans: as noted the plan states that 60% of housing should go to the three main towns and 40% the rural area. Given only 30% of the plan areas population currently live in the 3 main towns some analysis would have been expected as to how the Council consider doubling the current proportion to be achievable. Without this it cannot be determined that there is no need for policy interventions to make the three main towns more attractive than other settlements in the plan area.

Current best practice in housing and economic land availability assessments includes the need for scored assessments based on:

- Suitability based on emerging policy and the regional policy that will be in place in the future and market or industry requirements in the local housing or employment land market.

- Availability as related to timescale and dependent on an assessment of legal or ownership problems, such as unresolved multiple ownerships, ransom strips, tenancies, expressions of interest to sell, or a history of unimplemented permissions.
- Achievability i.e. whether there is a reasonable prospect that a site will be developed includes a judgement about the economic viability of a site including the alignment between delivery and infrastructure investments and dealing with fragmented land ownership.

An assessment based on the above parameters would require a thorough reassessment of existing zoned sites but the appendix refers only to committed site; the evidence to show the HGIs can be achieved within the current Phase 1 zonings is too simplistic.

In lieu of any such assessment of the current zonings it is also unclear if de-zoning of Phase 2 lands is proposed. The appendix shows the Coalisland share of the HGI at 468 units but refers to 1234 being committed with no commentary on whether this will result in de-zoning. If it is, it is a fundamental aspect of the growth strategy that should be explicit in the plan strategy.

CE4 Flexibility to deal with changing circumstances

In the explanation of Policy HOU 1 at Para 7.16 the plan notes that:

In deciding whether to release phase 2 land, account will be taken of the latest Housing Growth Indicators, the allocations contained in our Growth Strategy, current housing land availability and the rate of house building. In determining which land should be released to phase 1, account will be taken of its position in relation to the town centre, overall accessibility to health, community and other facilities and the availability of infrastructure, thus, ensuring a sequential approach to urban development.

At Local Policies Plan stage and during reviews of the Plan, consideration will be given to the degree of commitment and investment made by landowners to release and progress delivery of phase 1 housing land. Where no demonstrable progress has been made on the delivery of a Phase 1 zoning, consideration will be given to re-designating the land in the Local Policies Plan or as the consequence of a subsequent review.

This cross references with other grounds of objection in that it provides no indication of how the Council will select one settlement over another. Phase 2 lands are located across both tiers of the hierarchy and the policy provides no indication of how they will select which of the settlements are the most appropriate for release of Phase 2 land. The monitoring section at Page 250 should be clearer on how the intend on reacting in a timely manner to changing circumstances and demand within specific areas.

#### Summary

Policy support for the growth of housing at the local town tier should be included and in particular Coalisland. This tier is more sustainable the villages and should be reflected as a preference within the rural housing allocation. If Phase 2 lands are to be de-zoned that should be explicit in the growth strategy as it is fundamental to the delivery of housing opportunity in the future. It should be more explicit with regards to the existence of Phase 2 lands in Coalisland given those to north of the town between Colliers Lane and Mousetown Road should be supported as an area of sustainable growth.

**Q7** If you consider the Draft Plan Strategy to be unsound, please provide details of what change(s) you consider necessary to make the Draft Plan Strategy sound.

SPF 3 should be amended to read 'Expand the role of the local towns of Coalisland and Maghera as service centres for their hinterlands providing appropriate development opportunities for housing, employment and leisure activities, in line with their role in the settlement hierarchy and the principles of sustainable development;

"HOU1 I should be amended to read: 'It has been re-designated as phase 1 land in Local Policies Plan/ a result of Plan review of suitability, availability and achieveability of Phase 1 sites'. III should be amended to read 'It is for a single dwelling which does not compromise the comprehensive development of the Phase 2 lands"

**Q8** Please note that the Department will expect the independent examiner to give the same careful consideration to written representations as to those representations dealt with by oral hearing. If you are seeking a change to the Draft Plan Strategy, please indicate if you would like your representation to be dealt with by:

**Oral Hearing**

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**Q9** Signature

[Redacted Signature]

**Q10** Date

Date / Time

09/04/2019