

**Elaine Mullin**

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**From:** Maghera Park Action Group <[REDACTED]>  
**Sent:** 18 April 2019 17:20  
**To:** DevelopmentPlan@midulstercouncil.org  
**Subject:** Representation for Maghera High School Site  
**Attachments:** MPAG Draft Plan response.docx

Development Plan Team

Please find attached in relation to the new Draft Plan Strategy.

Regards  
Jennifer

Maghera Park Action Group  
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Mid-Ulster District Council  
50 Ballyronan Road  
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BT45 6EN

## **Submission of a Representation to Mid Ulster District Council Local Development Plan 2030 – Draft Plan Strategy**

To Whom It May Concern:

**On behalf of our members, stakeholders and supporters, Maghera Park Action Group (MPAG) write to make representations to specific site, former High School Site, Maghera. We ask the Development Planning Team to take this representation as the concerns of a large section of the local community around any attempts to re-zone or re-categorise this area of Open Space.**

MPAG is a community advocacy group for equitable development and the protection of our green space. We operate on a voluntary basis, independent of any political or commercial interests. We act out of a desire to see the town thrive by retaining this site of huge ecological and public amenity value, protecting it from inappropriate and unnecessary development by creating a park with far-reaching benefits for the whole community.

Whilst we welcome investment and economic development in Maghera, we believe there are many other options other than the former High School site in maghera which do not require such devastating loss to our natural heritage and last significant area of open space. Recreation space provision in Maghera already falls far short of the Council's own minimum standard and the loss of this site would have a highly detrimental effect on the physical and mental wellbeing of the town's residents.

We acknowledge the council's good intentions for job creation and investment in Maghera. We would however, challenge the research methodology and evidence base which identifies the industrial development of this particular site as a key driver of economic development. Moreover, one which assumes priority over the loss of open space, natural heritage and their associated community benefits.

This beautiful site represents the last opportunity to develop a quality public park accessible by the most vulnerable sections of our community. Easily reached on existing footpaths, in close proximity to major housing areas and town centre businesses and with a history of use by all sections of the community for generations, it is ideally positioned to deliver a transformative effect on the town.

We raise our objections with the above proposal on a number of grounds relating to 1) Open Space; 2) Health & Wellbeing; 3) Natural Heritage; 4) Shared Space; 5) Flood Risk; 6) The Economy and 7) Traffic and Congestion. For further clarity, we will address each topic individually. However, due to the complexity of the issues, the principles may be overlapping at times.

The extant development plan for Mid Ulster is the MAP, we will draw on it for the purposes of this analysis, alongside the LDP POP, the Maghera Development Framework Plan and a wide range of planning policy, guidance and other material considerations that this scheme does not adhere to.

These objections are supported by policies relating to: a) a departure from zoned use; b) a breach of a wide range of planning policy and guidance; and c) a flawed economic case.

The response is further supported by a public petition and wide-ranging endorsements from the Community, Education and Business sectors in the town.

## 1. Open Space

The Former High School Site is incorrectly referred to as a brownfield site in the planning applications. The term may encompass vacant or derelict lands, infill sites, land occupied by redundant or underused buildings, a piece of industrial or commercial property that is abandoned or underused and often environmentally contaminated. The following are excluded from the definition of previously development land: open space of public value as defined in PPS8.

The Former Maghera High School meets the definitions of open space as outlined in PPS8. The majority of the site has been designated as such in successive local development plans and its historical and current pattern of use by the local community are evidence of its high public amenity value. Testimonials to this effect are included at the end of this letter. The majority of the subject lands are excluded from the definition of brownfield site and are afforded the protections of open space as per RDP, PPS8, the extant and emerging LDP. This definition is supported by the Preliminary Environmental Risk Assessment attached to the application which states "the Site is largely greenfield in nature". The proposed development on this site must therefore be assessed against the loss of greenfield and open space as opposed to a brownfield site.

While recognised as a Major Area of Open Space in the extant area plan, the language used to describe the site since the option of rezoning as Economic Development land was first presented to the public has been misleading. The LDP Preferred Options Paper misrepresents the site as "overgrown and quite inaccessible to the public", when the site was in active use by the public and permitted for use by local groups as a cultural and sporting events venue by Council during this period. While the presumption against the loss of existing open space in PPS8 will apply irrespective of its physical condition and appearance, it should also be noted that the site was partially maintained by the community during this period in order to facilitate these events. Accessibility has been reduced by council's fencing off of the site, but the grounds continue to be used safely in weekday hours when the site remains open for the Education Authority's access to property on the site. The site continues to be a popular recreation area for dog walkers, runners, families and children learning to ride bikes in a traffic-free environment.

We request that the subject site is correctly labelled and referred to as majority greenfield and open space in any assessment and resulting report on the planning applications.

1.1 Analysis of Proposal	1.2 Relevant Policy
<p>The majority of the Former Maghera High School site is designated as a Major Area of Existing Open Space in the current local development plan with associated protections. Additionally, the whole site lies within a Local Landscape Policy Area.</p> <p>It comprises mature parkland with sports pitches, all weather pitches, walkways and the Milltown Burn river corridor and wildlife habitat. It has been used by the local community as a park/recreation area and by local community groups as an events venue for generations.</p> <p>PPS8, Policy OS1 states that the Department will not permit development that would result in the loss of existing open space. The presumption against the loss of existing open space will apply irrespective of its physical condition and appearance.</p> <p>The Former High School Site is incorrectly referred to as a brownfield site across both applications. The site meets the definitions of open space as outlined in PPS8. The majority of the site has been designated as such in successive local development plans and its historical and current pattern of use by the local community are evidence of its high public amenity value. This usage spans the site's time as a private estate, school</p>	<p><b>Planning Policy Statement 8. Policy OS1 - Protection of Open Space.</b>            "The Department will not permit development that would result in the loss of existing open space. The presumption against the loss of existing open space will apply irrespective of its physical condition and appearance."</p> <p>"The use of land as open space is no less important than other uses. It is a valuable resource and the Department attaches great importance to its retention, for once built on it is almost certainly lost to the community forever."</p> <p><b>Regional Development Strategy for Northern Ireland 2035</b>            "the protection and enhancement of open spaces and playing facilities for the long term benefit of the whole community"</p> <p><b>Planning Policy Statement 8 'Open Space, Sport &amp; Outdoor Recreation'.</b>            "provision of outdoor playing space will be assessed against the NPFA recommended minimum standard of 2.4</p>

grounds through to the present day. Testimonials to this effect are included at the end of this letter.

The proposed industrial park development plan would result in the loss of vital open space within a town where recreation space provision already falls far short of the Council's own minimum standard. The shortfall in outdoor playing space provision in Maghera is -7.6 hectares (-18.78 acres). Protecting the Former Maghera High School Site's open space of 7.84 hectares (19.37 acres) and formalising its use as a public park would bring Maghera up to the minimum level of provision which Planning Policy Statement 8 (PPS08) considers local councils should aspire to.

Maghera's population is growing. The percentage of 65+ is estimated to double by 2037 in a population growing at a rate twice that of Northern Ireland. One in five will be under 16 and one in five will be over 65 (Mid Ulster Community Plan, 2017). PPS8 states that everyone, particularly children, the elderly and those with disabilities, should have easy access to open space and the opportunity to participate in sport and outdoor recreational pursuits. The proposed plan results in the loss of the last significant green space within easy access from the town. It is critical that we protect this space to meet even the minimum requirements of our growing population and establish a public park which meets the specific recreation needs of children and young people, older people and the disabled to allow them to live a more active and healthy lifestyle.

The site also falls within the definition of open space as per the Regional Development Strategy for Northern Ireland and subsequent Planning Policy Statements. Both regional and local policies recognise the importance of open space in promoting physical and mental health and a better quality of life. Government has attached great importance to the retention of our existing open spaces and has emphasised the strategic need to protect and enhance these spaces for the long term benefit of the whole community.

Exceptions to this policy exist whereby a development would produce such community benefit that this would decisively outweigh the loss of open space. The proposal demonstrates no such benefit. The shortcomings become only more stark if the proposed plan is assessed against the lost opportunity to develop the site as a public park accessible to all the community. The preferred option for Presumption Against the Loss of Open Space for the new LDP also states that a development will be required to have no significant detrimental impact on open space provision, amenity, character or biodiversity of an area. The proposed plan would have a vastly detrimental impact on open space provision, amenity, character and biodiversity of the area.

The current vacancy rate of industrial and commercial property in the area, pattern of storage/distribution usage along the A29/A6 arterial roads and lower level of job creation in such sites suggest the benefit to the local community will be limited. Particularly when weighed against the far-reaching cultural, social, economic and environmental benefits of green space provision and good quality parks.

In such cases seeking exemption from the protections around our crucial open spaces, proposals are also generally expected to demonstrate that they are supported by the local community. With overwhelming support in the town across a wide cross-section of residents, community groups, all education providers, sports clubs, religious organisations and businesses, a petition in excess of 1300 signatures, and over 500 objection letters submitted to the Pre Application Community Consultation, it is clear that the community of Maghera wholeheartedly rejects this proposal and wants this site to be retained as a public park.

hectares of outdoor playing space per 1000 population. This standard is intended to reflect a minimum level of provision of outdoor playing space that the Department considers should be aspired to, primarily by District Councils, and exceeded wherever possible."

**Magherafelt Area Plan 2015, Application of the NPFA Minimum Standard Outdoor Playing Space**  
Maghera (NI Census 2011)

Pop. 4220  
Current Provision Playing Space: 2.53ha  
Minimum Standard (2.4 per 1000): 10.13ha  
Deficiency of Provision: 7.6ha  
Former Maghera High School Site: 7.84 hectares.

**Magherafelt Area Plan 2015, Application of the NPFA Minimum Standard of Playing Space for Children**

Maghera (NI Census 2011) Pop. 4220  
Current Provision of Playing Space for Children: 0.08ha  
Minimum Standard (1.6 per 1000): 3.38 ha  
Deficiency of Playing Space for Children Provision: 3.3 hectares

**Mid Ulster Local Development Plan 2030 Preferred Options Paper - Strategic Guiding Principle 10**

"Facilitate the protection of vulnerable landscapes and conservation interests, from inappropriate and over dominant development while promoting adequate provision of open space."

**Mid Ulster Local Development Plan 2030 Preferred Options Paper - Protecting and Enhancing our Environment**

"strengthen protection of our open space and our main river corridors"

**Mid Ulster Community Plan, 2017 - Outcomes**

"We are better connected through appropriate infrastructure."  
"We will increasingly value our environment and enhance it for our children."  
"We give our children and young people the best chance in life."  
"We are better enabled to live longer healthier and more active lives."

**Maghera 2017-2030. A Physical Development Framework and Action Plan - Outcomes**

"Maghera will be known as a community which respects its natural and built assets, maintains them and adds value to them"

**Strategic Planning Policy Statement for Northern Ireland (SPPS) Regional Strategic Policy - Open Space, Sport and Outdoor Recreation**

"In plan making councils should bring forward an Open Space Strategy (OSS) that must reflect the aim, objectives and policy approach of the SPPS, tailored to the specific circumstances of the plan area."  
"Zonings for future needs should take into account the following...the contribution that open space can make

<p>The proposed plan breaches both the safeguarding principles of prevailing regional policy and the strategic planning guidelines of Mid Ulster council. An industrial park at this site will result in the “loss of existing open space to inappropriately sited development, resulting in a detrimental effect on well-being”. (Strategic Appraisal, Mid Ulster Local Development Plan).</p>	<p>to the quality of the environment, sense of place and community life;”</p>
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## 2. Health & Wellbeing

2.1 Analysis of Proposal	2.2 Relevant Policy
<p>In 2011, 19.86% of Maghera’s population reported having a long-term health problem or disability that limited their day-to-day activity (NI Census), with respiratory problems, cholesterol levels and childhood obesity the main problem areas. (MUDC, Health, Education and Community Uses, 2016)</p> <p>1 in 10 school pupils (5-16 years) suffer from a diagnosable mental health disorder. Half of all mental illnesses start by the age of 14 (Public Health England &amp; Assoc. for Young People’s Health, 2015). With the suicide rate in NI being the highest in the UK (S.T.E.P.S.), there is a real possibility this figure is higher in Maghera.</p> <p>Numerous research studies show that access to local, quality green space improves the physical and mental health and wellbeing of all sections of the community.</p> <p>The environment has a significant impact on mental health, social networks and sense of belonging. (Making Life Better, 2013-23). With only 5.2% of the health budget being spent on mental health, regular activity can increase self-esteem and reduce stress and anxiety. There is an approximately 20–30% lower risk for depression and dementia, for adults participating in daily physical activity. Promoting outdoor activity could save money through fewer medical interventions, prescription drugs and hospital admissions (Nursing Times, 2011).</p> <p>Park programmes impact positively on young people by improving confidence, self-esteem, self-efficacy, personal effectiveness; interpersonal and social skills such as social effectiveness, communication skills, group cohesion, teamwork and emotional resilience. Forest Schools consider children’s contact with nature from an early age to be an extremely important aspect of childhood development.</p> <p>Attention restoration theory states that natural environments allow people to distance themselves from routine activities, concentrate better and reduce stress levels.</p> <p>Parks and other green spaces not only enhance our sense of community, they help us live longer by providing meeting places and fostering social ties of a kind that have been disappearing. (Design Council)</p> <p>There is no public park within walkable access to residents of Maghera and lack of open space has been identified as a major issue by the Council. The constraints in the recreational and amenity development as identified by MUDC, (Maghera 2017-30): lack of public space; lack of green space; lack of play space; better provision for youth; lack of shared space, remain unaddressed.</p> <p>All Primary Schools in an 8-mile radius of Maghera said they would use a park regularly, and that the former High School site would be the ideal place to walk safely to and undertake shared education activities. The local, large comprehensive School also endorses the development of this site as a park to support students and families in Maghera.</p>	<p><b>Regional Development Strategy 2035</b> LDP’s must “meet the anticipated needs of the community, in terms of health... by safeguarding existing and facilitating quality open space.”</p> <p><b>NI Executive, Making Life Better 2013-23 Strategic Framework</b> “Communities should be fully involved in decision making on matters relating to health, and empowered to protect and improve their own health, making best use of assets.”</p> <p><b>MUDC, Health, Education and Community Uses, 2016</b> <b>Role of Planning in Promoting Health and Well-Being</b> <b>5.3 The LDP Process:</b> “Perhaps the most important thing we can do is protect existing areas of open space. By doing this, people are afforded more opportunity to exercise, play sport and interact with other members of the community. In order to create healthy and sustainable communities, it is necessary to improve the availability of good quality open and green spaces.” <b>5.8 Decision taking:</b> “Safeguard public health by not permitting development which would lead to unacceptable levels of noise pollution or air pollution.”</p> <p><b>Transforming Your Care, A review of Health and Social Care in N. Ireland, 2011</b> “for more elderly people to live and be cared for in their own home, they will need access to the ability to “get out and about” in their community.”</p> <p><b>MUDC, Health, Education and Community Uses, 2016</b> <b>Role of Planning in Promoting Health and Well-Being</b> <b>Implications of TYC for Mid Ulster and the Planning Systems</b> “There will be a greater need for protection of existing and provision of new, areas of open space in order to encourage health among the general public and decrease dependence on the health system.”</p> <p><b>CCEA KS1 Curriculum 2008 - Play</b> “Local communities should... provide opportunities to explore local amenities eg: council play area. Play keeps children healthy, active and helps deal with difficult or painful circumstances, such as emotional stress or medical treatments.”</p>

<p>Maghera remains in an appalling place on MUDC's deprivation tables. Of the seven indicators listed, few can be remedied by increased employment opportunities alone. The remaining domains of deprivation can all be addressed to the benefit of the entire community by way of developing this area as a Park.</p> <p>The Former Maghera High School site represents the last opportunity to deliver the above benefits and to develop a park accessible to the most vulnerable sections of our community. It is critical that we protect this space to provide for a growing and ageing population and the specific needs children and young people, older people and the disabled to allow them to live a more active and healthier lifestyle. There is an urgent need to address local problems in mental health, suicide, isolation, circulatory disease and overall health inequality. A core planning principle of regional policy and the local development plan is to improve health and wellbeing. Industrial development on this land would have a devastating impact on the physical and mental wellbeing of the town's residents and future generations. This lost opportunity must be considered when assessing the potential community benefit of the proposed plan.</p>	<p><b>Mid Ulster Council Corporate Plan , 2015-19, Growth</b>  "The Council will also structure and target its activities to 'grow' our communities by helping to address the educational, skills, health and well-being gaps in the district"</p> <p><b>Mid Ulster Council Corporate Plan , 2015-19, Environment</b>  3.4 Develop and enhance parks, play areas and open spaces</p> <p><b>Mid Ulster Council Corporate Plan , 2015-19, Building Unity</b>  Connecting communities and forming collaborative partnerships through community planning.</p> <p><b>Magherafelt Area Plan, 2015,</b>  objectives include: to protect and enhance the character, quality and biodiversity of natural and man-made environments.</p> <p><b>NI Executive, Making Life better, 2013-23, Strategic Framework CHAPTER 10 – DEVELOPING COLLABORATION</b>  Work should aim to "maximise the use of physical assets to increase access to and use of safe, sustainable, health nurturing spaces and places, and opportunities for social interaction in a way that builds health and community."</p> <p><b>Maghera, 2017-2030, Framework and Action Plan:</b>  It is important to recognise that the needs of our citizens from birth through to end of life are met and exceeded.</p>
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### 3. Natural Heritage

3.1 Analysis of Proposal	3.2 Relevant Policy
<p>The Former Maghera High School site is within a Local Landscape Policy Area (LLPA) as designated in the current local development plan with associated protections.</p> <p>The Magherafelt Area Plan 2015 (MAP) states that the features and areas that contribute to its environmental quality, integrity and character include the river floodplain, mature landscaping and the stream corridor and associated wetlands. The Milltown Burn stream corridor which runs through the Former High School Site and associated wetlands are recognised for their importance as a wildlife corridor and for their landscape, wildlife and heritage interest.</p> <p>Policy CON 2 of the MAP relates to LLPAs. It states that within designated LLPAs, planning permission will not be granted to development proposals that would adversely affect their intrinsic environmental value and character, which includes the features identified above.</p> <p>The Council's development proposal would involve the removal of a significant amount of mature landscaping and it would encroach on the stream corridor. It would have a significant adverse effect on the environmental quality and integrity of the site. It would be contrary to Policy CON2 of the MAP.</p> <p>A number of protected species have been recorded in the surrounding area including badgers, otter and a number of different types of bat (see Preliminary Ecological Appraisal in respect to the site to the north of the</p>	<p><b>Magherafelt Area Plan 2015, MA13 Local Landscape Policy Area (including the Former Maghera High School Site)</b>  "features and areas that contribute to its environmental quality, integrity and character include the river floodplain, mature landscaping and the stream corridor and associated wetlands"</p> <p><b>Magherafelt Area Plan 2015, Policy CON 2</b>  "Within designated Local Landscape Policy Areas (LLPAs) planning permission will not be granted to development proposals that would adversely affect their intrinsic environmental value and character"</p> <p><b>Regional Development Strategy for Northern Ireland 2035 - RG11</b>  "The environment, both in terms of natural and built heritage, is one of Northern Ireland's most important assets. Effective care of the environment provides very real benefits in terms of improving health and wellbeing, promoting economic development and addressing social problems which result from a poor quality environment...It is a basic</p>

High School Site). Given the mature vegetation and river corridor within the subject site, it is likely that these species are present on the site and their absence cannot be assumed. No evidence has been presented to demonstrate that the development proposal would not have an adverse impact on the species present.

Amongst the protected species which are known to be present on the site, several types of bats in particular are known to rely upon established vegetation. Removal of that vegetation to make way for internal roads and site development would result in a significant adverse effect on the species present. Therefore, the proposal would be contrary to Planning Policy Statement 2 'Natural Heritage'. PPS2 states that planning permission will not normally be granted for a development proposal that is likely to harm protected species. Exceptions to this policy exist where there are no alternative solutions; and it is required for the imperative reasons of overriding public interest. The proposal offers no such rationale for the development of a business park on this site over other available industrial zonings which do not present such risk to protected species and habitats. An exception also exists whereby the benefits of the proposed development outweigh the value of the habitat or species. The proposal demonstrates no such benefit against the loss of these important species and habitats.

The proposal has further identified a catastrophic loss of mature trees and vegetation, including those on the periphery of the whole site, to accommodate a concrete footpath. The largest of these trees have been known by generations colloquially as the 'Tallest trees in Derry' and their loss would change the nature, not only of the site, but of the Tobermore Road, the major feeder road into the town (A26). Felling or pruning of trees with bat roosting potential may result in the loss of result in the loss of a bat roost and/or the injury or death of bats, constituting an offence under The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), under which bats and their roosts are protected at all times. Several trees known to contain bat roosts are marked for felling within the proposal. Therefore, planning should not be granted for LA09/2019/0024/O and LA0920190025F as the appropriate impact assessments have not been carried out.

premise of the environmental justice agenda that everyone should have the right to, and be able to live in, a healthy environment, with access to sufficient and appropriate environmental resources for a healthy life."

**Planning Policy Statement 2 'Natural Heritage', Policy NH 5**

"Planning permission will only be granted for a development proposal which is not likely to result in the unacceptable adverse impact on, or damage to known: priority habitats; priority species; features of the landscape which are of major importance for wild flora and fauna; rare or threatened native species; wetlands (includes river corridors); or other natural heritage features worthy of protection."

**Mid Ulster Local Development Plan 2030 Preferred Options Paper - Strategic Planning Guideline 6 and 10**

"Facilitate the protection of vulnerable landscapes and conservation interests, from inappropriate and over dominant development while promoting adequate provision of open space and landscaping integrated with broader green and blue infrastructure systems."

**Mid Ulster Local Development Plan 2030 Preferred Options Paper - Protecting and Enhancing our Environment**

"The Plan will provide a blueprint for accommodating new homes, businesses and leisure activities to improve the quality of our lives and meet the needs of our growing population, whilst protecting our natural and built heritage for our children and our children's children."

**Mid Ulster Local Development Plan 2030 Preferred Options Paper - General Principles Planning Policy**

"planning permission will not be granted for development proposals which may meet the specific criteria but which have a negative impact on general principles such as: Being unacceptable in terms of scale and design in relation to their immediate environment; Having an adverse impact on the landscape character of an area; Having an adverse impact on the biodiversity of the area."

**Mid Ulster Community Plan, 2017 - Sustainable Environment**

"Mid Ulster is home to many precious environments which its people have fostered and cherished for generations. Added to the need to continue with this focus is the growing imperative of making a significant contribution to tackling global warming and climate change. The delivery of our Plan must produce sustainable actions that protect our environment and leave a legacy for future generations to benefit from."

**Maghera 2017-2030. A Physical Development Framework and Action Plan - Outcomes**

"Maghera will be known as a community which respects its natural and built assets, maintains them and adds value

	to them” “We will increasingly value our environment and enhance it for our children.”
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#### 4. Shared Space & Community Cohesion

4.1 Analysis of Proposal	4.2 Relevant Policy
<p>The Former Maghera High School Site occupies a unique position within Maghera, as both the last significant area of open space and as a central and neutral place within the town.</p> <p>With a high deficiency in public space provision in Maghera, it is the private and education sectors which supply much of the limited outdoor recreational opportunities to the town’s residents. Alongside issues around accessibility and suitability to the people of the town as a whole (see Factsheets 1 &amp; 2), these facilities are often viewed as belonging to one community.</p> <p>Segregation increases social division and tension and also inhibits economic development and the efficient delivery of public services. In a town recovering from historic division and lacking a focal point or town square, the Former High School Site has the potential to be developed as a truly shared space for all, a meeting place breaking down social and residential segregation as recognised by the range of churches, schools, community groups and businesses actively supporting its development as a public park.</p> <p>This potential is recognised by the Mid Ulster Community Plan under the theme ‘Vibrant and Safe Communities’ which holds the view that the success of the economy, the education system, health and wellbeing are all significantly influenced by the viability and vitality of local communities. The proposed plan would result in the loss of an existing shared space and have a detrimental impact on the viability and vitality of the local community.</p> <p>A fully inclusive civic space of this scale can deliver a transformative effect on the local area connecting all sections of the community, creating a more cohesive society and a stronger sense of place. Potential uses of the park suggested in our community survey and public meeting include volunteer-led initiatives like Park Run, Men’s Sheds and Timebanking which offer ways for our community to work together, sharing tasks and skills within the context of enjoying our local landscape and natural heritage and greatly enhancing community spirit.</p> <p>Creating and enhancing shared space is a core planning principal of the Strategic Planning Policy Statement for Northern Ireland (SPPS). It states that planning authorities should aim to use the range of planning powers they possess to create environments that are accessible to all and which enhance opportunities for shared communities. It also recognises the importance of passive spaces such as civic squares and public parks in achieving balanced communities and strengthening community cohesion.</p> <p>The Former Maghera High School Site has been used as a park and recreation space by all sections of the community for generations and has continued to foster connections and relationships in a neutral space since the school’s closure. It is a site of high cultural value and has hosted many cross-community events with hundreds of attendees. The proposed plan is therefore contrary to SPPS core planning principle ‘Creating and Enhancing Shared Space’. By rezoning this area of open space for industrial development and thus removing the last potential site for a public park within the town settlement limits, the council are using planning powers to destroy an existing shared space and drastically reducing opportunities for community integration within Maghera.</p>	<p><b>Regional Development Strategy for Northern Ireland 2035. RG6: Strengthen Community Cohesion</b>  “The right environment can help strengthen community cohesion, foster a stronger community spirit and increase our sense of place.”</p> <p><b>Strategic Planning Policy Statement for Northern Ireland (SPPS) Core Planning Principal - Creating and Enhancing Shared Space</b>  4.13 The Executive through its “Together: Building a United Community” strategy is committed to addressing all barriers that prevent or interfere with the creation and maintenance of shared space. Shared spaces are places where there is a sense of belonging for everyone, where relationships between people from different backgrounds are most likely to be positive, and where differences are valued and respected”.</p> <p>4.14 The planning system has an important role supporting Government with addressing these issues through its influence on the type, location, siting and design of development. Examples of such development include: passive spaces such as civic squares and public parks. Our society will not only benefit from the economic advantages of maximising shared space but can also reap the rewards that come with a more diverse, enriched environment.</p> <p>4.15 Planning authorities should utilise development planning, regeneration and development management powers to contribute to the creation of an environment that: is accessible to all and enhances opportunities for shared communities; has a high standard of connectivity, and supports shared use of public realm”.</p> <p><b>Mid Ulster Community Plan, 2017 - Theme 5 Vibrant and Safe Communities</b>  “We must address the divisions that still exist within our communities, working to ensure shared resources and spaces are created, while respecting the diversity of all. Promote and develop shared spaces across the area.”  “We hold the view that, the success of the economy, the education system, health and wellbeing are all significantly influenced by the viability and vitality of local communities. We must address the divisions that still exist within our communities, working to ensure shared resources and spaces are created, while respecting the diversity of all.”</p> <p><b>Mid Ulster Open Space, Recreation and Leisure Policy Review</b></p>



	<p>"The smaller towns of Coalisland and Maghera do have play areas however in terms of convenience, these would not be easily accessed by all sections of the community, particularly by foot."</p>
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## 5. Flood Risk

5.1 Analysis of Proposal	5.2 Relevant Policy
<p>A significant portion of the Former Maghera High School site is within the 1 in 100 year flood plain. Policy FLD1 of Planning Policy Statement 15 'Planning and Flood Risk' states that development will not be permitted within the 1 in 100 year fluvial flood plain unless the applicant can demonstrate that the proposal constitutes an exception to the policy. No exceptional circumstances have been identified as to why development should be permitted on this site. Consequently, the proposal must be considered contrary to PPS15 Policy FLD1.</p> <p>Construction of the proposed development would result in infilling of existing flood attenuation capacity which would most likely have a significant negative impact on the extent and frequency of flooding both upstream and down stream from the High School site.</p> <p>Down stream features that could be at risk from a change to the flood conditions here could include the water treatment works accessed from Mullagh Road. Upstream of the site the flooding impact could be worsened at the location of private dwelling along Cragadick Road and possibly also at the Watty Grahams GAA grounds.</p> <p>The Flood extents indicated on the maps attached to the PAN look to be based upon details sourced from the Rivers Agency mapping for Surface Water Hazard Data. It should be noted that the the rivers agency data is indicated as being strategic and should not be used to determine the hazard to individual properties.</p> <p>A planning assessment should not be undertaken on the site without a rigorous flood risk assessment based on detailed modelling, both up stream and down stream, to determine the impact of infilling of the flood attenuation capacity provided by the site in its current condition.</p> <p>The remainder of the proposed plan lies outside the predicted floodplain. However, paragraph 6.3 of PPS 15 stipulates that the strategic flood risk information and advice provided by Rivers Agency at development plan stage will take account of climate change, which is expected to worsen flooding. Accordingly, this would reduce the developable area of this residual area of of the Former High School Site.</p> <p>Given that a substantial landscape buffer would be needed on the site's boundary this would substantially eat into the amount of land available for development. Moreover this smaller area would offer less scope for designing buildings to minimise the development's impact on the nearby housing. This residual area comprises the most elevated part of the proposed industrial site so engineering works would be more difficult to visually integrate on the smaller site and the possibility of con ict with the LLPA designation is much greater. The Council states that site levels in certain areas of the site will be reduced. Levelling out the topography may have implications for exacerbating the potential of flood risk within the site.</p> <p>In assessing the industrial zoning of neighbouring land at Tobermore Road/Craigadick Road (Zoning MA 12) in the Magherafelt Area Plan, the same considerations and combination of factors resulted in that site being deemed not suitable for industry and the deletion of this zoning. There</p>	<p><b>Planning Policy Statement 15 - Planning and Flood Risk Policy FLD 1</b> "Development will not be permitted within the 1 in 100 year fluvial flood plain (AEP7 of 1%) unless the applicant can demonstrate that the proposal constitutes an exception to the policy."</p> <p><b>Strategic Planning Policy Statement for Northern Ireland (SPPS) - Mitigating and Adapting to Climate Change</b> 3.13 The planning system should therefore help to mitigate and adapt to climate change by: avoiding development in areas with increased vulnerability to the effects of climate change, particularly areas at significant risk from flooding.</p> <p><b>Mid Ulster Local Development Plan 2030 (LDP) - The Preferred Options Paper (POP)</b> Infrastructure – (ii) River and Drainage We wish to manage development so as to reduce the risks and impacts of flooding. We therefore support the adoption of the existing policy approach in relation flood risk in so far as we will;</p> <ul style="list-style-type: none"> <li>• Restrict development in river flood plains</li> <li>• Require drainage assessments for large developments, particularly in areas of surface water flooding</li> <li>• Restrict modification of watercourses</li> <li>• Promote Sustainable Urban Drainage systems (SUDs) in new developments.</li> </ul>

are few, if any, justifications for different treatment of the old High School site under the same factors.

Further to the above, maintaining the site as green space presents the Council with an opportunity to build a properly engineered flood management system that could have wide reaching benefits for the area. Creation of a pond, with properly designed inlet and outlet flow management, within the site of the Old High School could be used to further attenuate flood waters in the wider area leading to a significant reduction in the flood risk to surrounding properties and business's. Any consideration of changing the use of the site from green space to industrial use has to take into account the cost of this lost opportunity.

A drainage assessment report (DRA) dated 20/12/18 is included with application LA0920190025F. It is understood that this planning application is intended to cover the new internal road and access off the Tobermore Road only, (reference section 1.1 of DRA). Presenting data for a 5.83 hectare site (reference 3.2 of DRA) the DRA appears to present the results of calculations and recommendations based upon the full proposed development, internal roads plus the individual industrial developments. The report does not clearly document the drainage assessment for the new internal roads.

Granting of planning for LA0920190025F, including acceptance of this DRA, could be interpreted as providing implicit consent for the proposed drainage arrangements around the full development. Therefore LA0920190025F should be rejected until the DRA provided in support of the application is an accurate representation for the matters under consideration.

The DRA has been prepared with the intent of fulfilling the requirements of PPS 15. The stated aim of PPS 15 is *'to prevent future development that may be at risk from flooding or that may increase the risk of flooding else where'*.

The DRA notes that the proposed development would result in filling in the existing flood plain. The DRA considers the risk of flooding occurring within the site boundary only (reference section 4.6 and 4.7). The omission of consideration of the increased risk of flooding occurring outside of the site because of the development is considered to be a critical omission and the DRA is considered to be neither complete nor accurate. For example, infill of a flood plain may restrict flow rates from upstream catchments and this can lead to more sever upstream flooding than is currently experienced.

Any consideration of the development associated with the works covered under LA0920190025F must be supported by a flood risk assessment covering both the proposed site itself and the external areas, particularly those located upstream of the site. Granting planning permission on the basis of the documents supplied should not be considered as the supporting documents have not been prepared fully in accordance with the required procedures.

## 6. The Economy

6.1 Analysis of Proposal	6.2 Relevant Policy
<p>Mid Ulster District Council's (MUDC) report on the redevelopment of the Former Maghera High School Site claims a shortage of industrial development land in Maghera is a barrier to local business growth and is used as rational for the current industrial park proposal. The Magherafelt Area Plan 2015 (MAP) zoned a total of 7.6 hectares of land in Maghera for industrial use. The plan states that adequate sites were identified for industrial uses to meet the needs of industry and</p>	<p><b>SPPS Core Planning Principal 3: Supporting Sustainable Economic Growth</b>            4.21 Supporting sustainable economic growth through proactive planning does not mean compromising on environmental standards. The environment is an asset for economic</p>

business enterprises over the plan period. There has been 0% uptake in this land over the duration of the plan and there is approximately 10 hectares of industrial land still available within the settlement limit (according to the DOE planning survey 2014). Of these zonings, MA11 Industry Land at Moneysharvan Road (MAP 2015) has extant planning permission for the erection of 8 light industrial units mirroring the proposed plan and footprint of the Former Maghera High School Site and sharing many of the same benefits, yet remains undeveloped. The emerging Mid Ulster Local Development Plan (LDP) again states that there is sufficient available industrial land to meet the needs of the area and provide the necessary jobs over the duration of the plan up to 2030.

A lack of accessible serviced sites in Maghera has been suggested in the LDP as the reason for this slow uptake of available industrial land. There are four sites of existing industry within the settlement limit; two of which comprise industrial and business parks. Glenshane Industrial Park, neighbouring the High School site, and the 14 unit Maghera Business Park, less than one mile away. Both of these sites have current vacancy and turnover remains high in industrial sites in the local area with over 30,000 square feet of industrial and commercial space available at the time of writing. Indeed, economic justification for the proposal cites businesses in the adjacent industrial estate that closed down in 2016 and whose properties remain vacant.

The emerging LDP states that it is not anticipated that the manufacturing sector in the district will grow in the coming years and that the plan will need to support the growth of office-based/IT type jobs to supplement any decline in the traditional employment generating industries in Mid Ulster. This tertiary sector presents the greatest opportunity for economic growth and the plan recognises such businesses are best located within the town centre. The Maghera Development Framework Plan identifies four opportunity sites, including the High School site which if developed could contribute to the regeneration and long term sustainability of Maghera. Of these sites, two are within the town centre presenting greater potential for employment opportunities and economic development which does not require the loss of vital open space, nor adversely affect the environmental quality and integrity of the area.

A development with the potential to create hundreds of jobs, as has been claimed for the old High School Site, would generate a significant flow of new traffic to the area. Given the nature of the proposed development, this traffic would likely include both private cars and HGV vehicles. As the development is being justified partly as being on both an east west (A6) corridor and a North south (A29) corridor the addition of this traffic will have a significant impact on the junctions at the A29 connector to the A6 and at the junction of Hall Street, the Coleraine Road and Main Street in the town centre.

The development traffic could result in a significant increase in the number of right turns required to be accommodated at the A29 / A6 connector junction. It is highly likely that, in its current layout, the junction will not safely accommodate this increased volume of traffic when assessed against current design standards. This could result in a need for upgrade works to be undertaken at this junction to bring it in line with current standards.

Adding further congestion to the junction of Hall Street, the Coleraine Road and Main Street in the town centre will likely deter people from making trips to the town centre which would place existing businesses under further pressure.

Maghera's attempts to become vibrant shopping town with a strong independent business base and retail mix continue to successfully attract visitors from out of the region. A recognised constraint on the success of the town's primary economy is congestion and traffic bottlenecks at key junctions. While the proposal includes upgrades at Tobermore Road; it does not address the potential impact of the increased number of

growth in its own right and planning authorities must balance the need to support job creation and economic growth with protecting and enhancing the quality of the natural and built environment. Economic growth can also contribute to higher social standards and improve the health and well-being of our society overall.

#### **Planning Policy Statement PPS4 - Planning and Economic**

#### **Development Policy PED 9 - General Criteria for Economic Development**

A proposal for economic development use, in addition to the other policy provisions of this Statement, will be required to meet all the following criteria: (a) it is compatible with surrounding land uses; (b) it does not harm the amenities of nearby residents; (c) it does not adversely affect features of the natural or built heritage; (d) it is not located in an area at flood risk and will not cause or exacerbate flooding; (e) it does not create a noise nuisance; (f) it is capable of dealing satisfactorily with any emission or effluent; (g) the existing road network can safely handle any extra vehicular traffic the proposal will generate or suitable developer led improvements are proposed to overcome any road problems identified.

#### **Regional Development Strategy for Northern Ireland 2035 Regional Guidance - Economy RG1: Ensure adequate supply of land to facilitate sustainable economic growth**

Account should also be taken of turnover of existing sites due to relocation or closures. Both short/medium term and strategic provision need to be considered in this process.

#### **Mid Ulster Local Development Plan, Preferred Options Paper - Economic Development Growth**

Mid Ulster Council Area had 190 Ha available in 2014. With the indicated need to provide at least 8500 jobs by 2030, equating to 170 ha, the zoning allocations within the existing Area Plans have the capacity of land zoned to cater for employment up to 2030. With a high amount of jobs coming from the construction and manufacturing sectors, the amount of jobs in the service sector is relatively low compared to the Northern Ireland average. It is not anticipated that the manufacturing sector will grow in the coming years and this means that the Plan will need to support the growth of office based / IT type jobs to supplement any decline in the traditional employment generating industries in Mid Ulster.

Potentially the greatest opportunity for economic growth is in relation to service provision. Those services such as shops, financial and professional services and many leisure activities for which people need to travel are best located in our town centres, because these are the most accessible locations for everyone including those of us without a car. Therefore we support the town centre first approach to policy.

<p>HGVs/lorries exiting the site, adjacent, dangerous junctions accessing/egressing the Glenshane Road and traffic attempting to move north through the Town centre. The current road infrastructure and traffic management is insufficient to cope with increased numbers of HGVs/lorries exiting the site via an already congested area. Coupled with the resulting increase in noise, fumes and smell, this would have an adverse effect on existing business, neighbouring housing areas and current amenities within the town. Intensified 'rat run' usage, to avoid congestion, would be detrimental to the many local residential areas, endangering playing children, as well as posing a risk to other road users.</p> <p>Developing this site as a public park presents the opportunity to contribute to the economic development and long term sustainability of Maghera without undermining its existing businesses. The Regional Development Strategy for Northern Ireland recognizes "high quality landscape proposals have been proven to benefit the economy". Parks cost little in relation to their benefits. According to research by City of Edinburgh council, they return £12 in social, environmental and economic benefits for every £1 invested.</p>	<p><b>Magherafelt Area Plan 2015 - Objectives</b></p> <ul style="list-style-type: none"> <li>- To facilitate integration between land use planning and transportation in order to reduce congestion and the need for car journeys and to encourage a shift to more sustainable modes of transport, including walking, cycling and public transport.</li> <li>- To promote vital and viable town centres</li> <li>- To protect and enhance the character, quality and biodiversity of natural and man-made environments</li> </ul> <p><b>Mid Ulster Local Economic Development Plan 2015 – 2020</b></p> <p>"Maghera...recognised as vibrant shopping towns with a strong independent business base and retail mix which continues to successfully attract visitors from out of the region."</p>
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**7. Traffic and Congestion**

<p><b>7.1 Analysis of Proposal</b></p> <p>The proposed usage of the site indicates a significant number of HGVs/lorries visiting the site each day. While the council's proposal includes upgrades at Tobermore Road to allow vehicles entering the site to queue safely without blocking traffic travelling into Maghera town centre, it does not address the potential impact of the increased number of HGVs/lorries exiting the site and moving north through the town centre. The current town plan recognises the problems with congestion in Maghera and in particular on this route at Hall Street, Coleraine Road and their junctions with Main Street. The current road infrastructure and traffic management is insufficient to cope with increased numbers of HGVs/lorries.</p> <p>Vehicles using Meeting House Avenue as a 'rat run' through the town to avoid the above congestion is already problematic. Intensified 'rat run' usage, moving more traffic onto Meeting House Avenue would create a significant safety risk to local residential areas, endangering playing children, as well as posing a risk to other road users. An increased number of HGVs and associated noise and fumes would be detrimental to the local area and its residents as well as posing a risk to road and house foundations.</p> <p>The PACC suggests that as the site lies on the strategically important main arterial road between Belfast and the North West, it is envisaged that the majority of traffic flow to and from the proposed business park will be towards this route, resulting in minimal increases in traffic congestion and air pollution within Maghera town centre. However, the PACC, and indeed the broader planning proposal, notes Maghera's strategic location on the two main arterial routes; the A6 and A29, and uses this dual benefit as rationale for developing a business park at this particular site. It is also envisaged that the employees of the site's occupiers will travel from all directions, with some 90-95% making the journey via private car, the majority of which will be single occupancy. For this reason it can be assumed that a significant proportion of the site traffic will enter and exit via the North South (A29) corridor, through Maghera town centre on a road network entirely unable to accommodate this increased volume of traffic when assessed against current design standards. The resulting congestion (and associated noise and air pollution) would have an adverse effect on the town's existing retail centre, neighbouring housing areas and current amenities within the town.</p>	<p><b>7.2 Relevant Policy</b></p> <p><b>SPPS Core Planning Principal 3: Supporting Sustainable Economic Growth</b></p> <p>4.21 Supporting sustainable economic growth through proactive planning does not mean compromising on environmental standards. The environment is an asset for economic growth in its own right and planning authorities must balance the need to support job creation and economic growth with protecting and enhancing the quality of the natural and built environment. Economic growth can also contribute to higher social standards and improve the health and well-being of our society overall.</p> <p><b>Planning Policy Statement PPS4 - Planning and Economic Development Policy PED 9 - General Criteria for Economic Development</b> A proposal for economic development use, in addition to the other policy provisions of this Statement, will be required to meet all the following criteria: (a) it is compatible with surrounding land uses; (b) it does not harm the amenities of nearby residents; (c) it does not adversely affect features of the natural or built heritage; (d) it is not located in an area at flood risk and will not cause or exacerbate flooding; (e) it does not create a noise nuisance; (f) it is capable of dealing satisfactorily with any emission or effluent; (g) the existing road network can safely handle any extra vehicular traffic the proposal will generate or suitable developer led improvements are proposed to overcome any road problems identified.</p> <p><b>Regional Development Strategy for Northern Ireland 2035 Regional Guidance - Economy RG1: Ensure adequate supply of land to facilitate sustainable economic growth</b> Account should also be taken of turnover of</p>
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With nearly 10,000 vehicle movements per day the A29 Tobermore road currently has the highest traffic of the main roads into and out of Maghera, (Maghera, A Physical Development Framework and Action Plan, Appendix D). A properly prepared Transportation Assessment must 'identify the volume, distribution and assignment of vehicle trips related to the development and set this within the context of existing traffic movements in the locality' (Transport Assessment Guidelines for Development Proposals in NI). It is expected that a TA should be sufficient to identify significant traffic effects, and that these effects may be some distance from the development. In order to fully comply with these guidelines assessment of any new access onto or from this road should to consider the increased risk to road users both at the location of the new access and at the already congested junctions of the A29 to A6 connector, Tobermore road and Maghera Main Street and in Tobermore town. Therefore planning should not be granted for LA0920190025F as the supporting documents have not been prepared in accordance with the accepted guidelines.

The Transportation Assessment states in several locations that the future traffic volumes associated with the proposed industrial units are unknown. With out proper traffic modeling the impact on the surrounding junctions from the future development will remain unknown. The cumulative impact on the junctions from the completed development should be considered to demonstrate what additional works are necessary in order to maintain and improve road user safety at these junctions.

The Transportation Assessment accompanying LA0920190025F envisages such considerations will be undertaken separately by future applicants for individual plots. As such, while the proposed ghost island junction appears to follow DMRB guidance, the applicant cannot demonstrate that this will be a safe junction when the full development is complete as the actual vehicle movements on which LA0920190025F is based are assumed only, and do not appear to be based on a rigorous traffic model. LA0920190025F also fails to, and cannot, appraise the impact of the completed development on the surrounding junctions of the A29 to A6 connector, Tobermore road and Maghera Main Street and in Tobermore town.

LA0920190025F appears to address the absence of a rigorous traffic model and detailed assessment by indicating that restrictions may be imposed on individual applicants for each plot. A possible outcome of this strategy may be to prevent the completion of the envisaged individual plots within the proposed industrial park as it is entirely possible that accurate traffic model figures for the very first development alone could show an unacceptable traffic impact on the surrounding area.

The TA submitted in support of LA0920190025F cannot be considered to be comprehensive as it does not present impacts on the previously mentioned congested junctions or any plan to mitigate negative impacts. As the TA has not been prepared in accordance with the accepted guidelines the application should be rejected.

existing sites due to relocation or closures. Both short/medium term and strategic provision need to be considered in this process.

**Mid Ulster Local Development Plan, Preferred Options Paper - Economic Development Growth**

Mid Ulster Council Area had 190 Ha available in 2014. With the indicated need to provide at least 8500 jobs by 2030, equating to 170 ha, the zoning allocations within the existing Area Plans have the capacity of land zoned to cater for employment up to 2030. With a high amount of jobs coming from the construction and manufacturing sectors, the amount of jobs in the service sector is relatively low compared to the Northern Ireland average. It is not anticipated that the manufacturing sector will grow in the coming years and this means that the Plan will need to support the growth of office based / IT type jobs to supplement any decline in the traditional employment generating industries in Mid Ulster.

Potentially the greatest opportunity for economic growth is in relation to service provision. Those services such as shops, financial and professional services and many leisure activities for which people need to travel are best located in our town centres, because these are the most accessible locations for everyone including those of us without a car. Therefore we support the town centre first approach to policy.

**Magherafelt Area Plan 2015 - Objectives**

- To facilitate integration between land use planning and transportation in order to reduce congestion and the need for car journeys and to encourage a shift to more sustainable modes of transport, including walking, cycling and public transport.
- To promote vital and viable town centres
- To protect and enhance the character, quality and biodiversity of natural and man-made environments

**Mid Ulster Local Economic Development Plan 2015 – 2020**

"Maghera..recognised as vibrant shopping towns with a strong independent business base and retail mix which continues to successfully attract visitors from out of the region."

**The Planning Process**

The Pre-Application Community Consultation (PACC) Report notes that during the consultation for the Preferred Options Paper (POP) on the Local Development Plan 2030 (LDP), which highlighted the option of zoning economic development land at the site, there were no responses received specifically pertaining to the High School Site.

It should be noted that the same POP states under 'Economic Development Growth' for Maghera that 10 hectares of industrial land is still available within the settlement limit and that there is enough available industrial land to meet the needs of the District. The LDP POP also restates the majority of the site is zoned as Open Space and recommends enhanced protections under its objectives for such sites. With the combination of these statements in the most recent area plan, the Maghera community reasonably assumed there was no immediate threat of losing this important amenity. It is also important to note that the former High School's current

designation in the LDP and Maghera Development Framework as an 'Opportunity Site', or site which if developed could contribute to the regeneration and long term sustainability of Maghera, could be interpreted in a number of ways. There are other development options outside commercial interests, including a public park, which could deliver the same benefits to Maghera.

The Pre-Application Community Consultation (PACC) Report also notes an absence of any representations in the past for the provision of a park on the former high school site. Through consultations on the successive area plans, town plans and parks strategies, Council have received consistent representations for provision of public green space in Maghera. The most recent town plan, the Maghera Physical Development Framework notes strengths and constraints identified through community consultation under various themes to guide the principals of the action plan. Of the nine constraints identified under 'Recreation and Amenity', four relate to the lack of public space. As the last significant area of open space within the Maghera settlement limits, it is imperative that Mid Ulster Council responds to this feedback and develops an accessible public park at this site for the current and future needs of the Maghera community.

MUDC processes have consistently failed to engage with the community on the issue of development on the Former High School Site, despite claims in the PACC of reliable consultation feedback. The PACC report states that the original ambition (since the legacy Magherafelt Council commenced its purchase in 2013) was for the site to be used for economic development purposes. If so, this has not been communicated to the local community. The extant area plan and subsequent town plans have retained the site's Open Space zoning and enhanced its protections. The same plans have created additional industrial zonings within the town and maintained that sufficient industrial lands exist to meet the needs of the district throughout the course of the emerging area plan to 2030.

It is only in recent consultations, in June 2018, on this emerging plan that the subject site first began to be identified as a potential site for economic development in the public domain. It should be noted that the Preferred Options Paper presented for community consultation on this plan misrepresented the site as "overgrown and quite inaccessible to the public", when the site was in active use by the public and permitted for use by local groups as a cultural and sporting events venue by Council during this consultation period. While the presumption against the loss of existing open space in PPS8 will apply irrespective of its physical condition and appearance, it should also be noted that the site was partially maintained by the community during this period in order to facilitate the above events.

Accessibility has in no doubt been reduced since council's fencing off of the perimeter, but the site continues to be used safely in weekday hours when it remains open for the Education Authority's access to property within the grounds. The site continues to be a popular recreation area for dog walkers, runners and families learning to ride bikes in a traffic-free environment.

The consultation paper goes on to frame the option of rezoning Open Space as Economic Development land on by describing the site as "not in active use given that the site had been vacated by the School". Such distortion immediately before soliciting views on the zoning option renders any consultation feedback regarding the site unreliable and should not be used to determine the community's support for this zoning.

Crucially, when a specific proposal for industrialising the site was first put to the public via the PAN consultation, the Maghera community objected strongly in large numbers and with the endorsement of the majority of resident businesses, community groups, schools, sports clubs and religious organisations to reject the business park plan and instead develop the site as a public park.

A range of concerns raised by statutory consultees in the pre-planning process have not been resolved in responses by the developer. We also refer to the significant number of consultation responses, application comments and representations currently on the portal, highlighting the breadth of objection to this proposal from its inception.

Our aspiration is that Maghera be encouraged to thrive and we understand that economic development is one of the key strategies to ensure this. However, we believe that losing the last remaining significant green space in the town to this end is completely unnecessary and wholeheartedly object to this proposal.

Any proposal to industrialise this site would prevent the redevelopment of Maghera in a comprehensive and holistic way, undermining its long-term sustainability. It will be a step backwards in terms of quality for all the reasons outlined in this letter and will set a dangerous precedent for future planning decisions associated with open space and natural heritage being taken by Mid Ulster District Council.

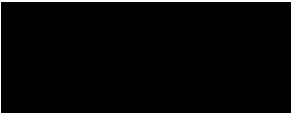
In light of the above, Maghera Park Action Group requests that alternative sites for the economic development of Maghera are explored by the Council for any party currently registered as having expressed interest in the business park proposal. Economically, socially, and environmentally, it is crucial that the subject site is protected, following the vision and principles the Council has already set out for the future success of the town. Development should begin with respect for what is already here, acknowledging vital natural heritage, integrity of

place and the community who use it. In 2015, the House of Commons Communities Committee said that parks and green space were at a “tipping point” and that “if the value of parks and their potential contribution are not recognised, then the consequences could be severe for some of the most important policy agendas facing our communities today”.

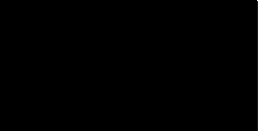
With overwhelming support in the town across a wide cross-section of residents, community groups, education providers, sports clubs, religious organisations and businesses, and with a petition in excess of 1300 signatures, and objections to the Planning Department in excess of 1,200 with more coming in, it is clear that the community of Maghera rejects the current proposal and wants this site to be a public park.

The loss of this open space for economic development is wholly unnecessary on this site while other industrial zonings and property remain vacant, and there are more suitable areas to develop.

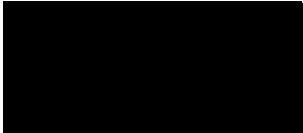
Sincerely,



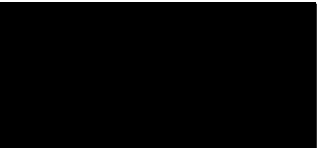
Katy McGlade



Ryan O'Reilly



Vanda Shiels



Jennifer Young

On behalf of **Maghera Park Action Group**

**Endorsed and supported by the following:**

<b>Schools &amp; Pre-Schools</b> St. Mary's Glenview Primary School, Maghera  St. Brigid's Primary School, Mayogall  St. Patrick's Glen Primary School, Maghera  Ampertaine Primary School, Upperlands  St. Patrick's College, Maghera  St. John's Primary, Swatragh	<b>Sports Clubs</b> Carn Wheelers  Maghera Cricket Club  Maghera Strollers FC  Watty Graham's GAC, Glen  Upperlands FC
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Maghera Primary School	
<b>Community Organisations</b> Maghera Cross Community Link  STEPS Suicide and Mental Health Awareness  Youth Centre Leaders	<b>Churches</b> Maghera Presbyterian Church  St. Mary's Maghera  St. Patrick's Maghera
<b>Maghera Businesses</b> B. McNally Car Sales  Glitz 'n' Gleam Cleaners  Kearney's Electronics  Perfect Touch Beauty Salon  Tommie McGrath Menswear  J.A McKee  P. Young & Sons  Glenshane Vets  The Catalogue Shop  Runway Hair Salon  The Bar Health & Fitness  TM Glass Pharmacy  Crilly's Paints  Grapevine Off License  McKees Butchers  The Laundry Box  Precision Hair Salon  Kearney's Bar  Maghera Physio  The Auction Room  Luna Boutique  Cassidy's Taxis  Convery Optometrists  Chloé's Beauty Bar  Minding Me Psychologists	Chris McGrath Footwear  Hidden Hair  McMasters Bar  Refresh Technology Repairs  Farrah Boutique  Shirley's Unisex Hair  Rinky Design  The Card Gallery  Bracken Windows & Doors  Much Publications  Tommy McAllister Personal Trainer  whatsonNI  Eclipse Hair  The Hideout Bar  Mid Ulster Properties  Sammy's Gym  Prim & Penny  Harley Quinns  Victory Chimp  Poochie Mamas  Memory Lane Photography Studio  McKennas Opticians  LMA Fitness & Nutrition  Stitchin' Crew  Bowies Chip Shop  Justin McGrath Barbering

### Testimonials

*"This is the ideal place for a park in Maghera. So many local people can remember Sunday afternoons spent in the grounds. My family and friends had wonderful adventures in all seasons. The mansion was empty but there were no restrictions on locals to wander through the gardens. I'm sure many remember going down the "Plantin". It was a magical place, there was a well down among the trees and we as children were told it was a fairy well. Create a special place for the children of today so that they too will have lovely memories."*

**Loreto Bradley**



*"Played there as a child, would so love to play there with my grandchildren."*

**Terence Regan**

*"I would love to see a bowling green. So many different clubs could form and we could become part of a community group & intermingle. I spend so much time on my own feeling isolated"*

**Marie McGill**

*"My husband and I both worked from the age of 15, and in this time we paid into the system. I was a business woman and my husband was an HGV driver, as a business woman I can appreciate the need for business growth in any town, but I feel the former Maghera high school is the wrong place for this.*

*In recent years my husband and myself have been diagnosed with various illnesses. I suffer from rhuatoid arthritis, c.o.p.d, anxiety and depression.*

*My husband has cerebral vascular disease, Parkinsons and cancer. His mobility is very poor and needs a wheel chair. We are both unable to drive now, so to have a park within our town would make our isolation less daunting and would give us more independence. I long to be able to go for an outing with my family, for picnics or cookouts, with wheelchair paths or just being in a beautiful park with like minded people. A place for functions and entertainment that could also boost tourism and finances.*

*I don't want a business park taking up what could be a beautiful serene haven for both the town and nature. I truly believe this would bring unity and boost moral for the town. This could be the lifeline Maghera has sorely needed."*

**Judith McGlade**

*"I have been using Maghera high school grounds since the school was closed a decade ago. I walk there every day weather permitting. I enjoy all the different species in that area, and along with the beauty of the place I grieve to see a business park dominating this wonderful place. I believe that this could be turned into a wonderful park that would bring benefits to this and future generations. There is so much potential for this place, and the amenities that could be placed here would be of immeasurable wellbeing to the towns folk of Maghera and beyond".*

**Sandie Graham**

*"I used to live in Maghera, but as time went on I came to realise that I felt very isolated. People just seemed to do what they had to do and then go back to their homes and close their doors. I wanted so much to belong, but it didn't happen. As a middle aged woman I felt that there was nowhere to go, no way to meet new people, so I left and moved to Ballymoney. Looking back I can now see that many of the people were depressedes, it seemed that they had just given up and were going through the motions. I recently heard that people are fighting for a park and I knww instantly that this was just what the people needed. This is what Maghera was lacking. I pray earnestly that they get this lovely site, with all my heart I pray for them."*

**Marie McVicker**

*"As children with nowhere else to play we spend many days playing and exploring here. I learnt to swim at the High School when they had a summer scheme at it. Running around the "Plantin'" brings back so many wonderful memories of my childhood. To turn this into a business park would be a sad day for the people who grew up with such wonderful times."*

**Pauline Stewart**

*"We'd love a diversity park. It would mean that all the cousins can play together (one is fully wheelchair dependent, one part-time wheelchair user, and two able children plus I'm a part-time wheelchair user too). We need this locally!"*

**Gemma Marie Martin**

*"Maghera needs a community park to relax, walk, run, sit and for children to play in. It is important for the health and wellbeing of everyone in the area."*

**Jean Dunne**

*"I have been using the park (former Maghera high school) for many years now. I love playing basketball there. I think this is a beautiful place and when I'm there I imagine how great it would be to play football and spend good quality time with my friends and family. I think this park would be great if we had a bowling green and an archery club, along with many other things that would benefit our community so that we can get to know each other and form everlasting friendships."*

**Cody Shiels**

*"If u want to go for a walk it's either walk around the town or jump in the car to enjoy the scenery somewhere else. Tobermore Road is a place of beauty and it would be ideal to have a park in Maghera for all to enjoy"*

**Ivor Linton**

*"In the 1970s in Maghera, the Hgh School and its facilities were thrown open to the town in the form of a summer school. Young adults were introduced to cricket and basketball, soccer, rugby, orienteering, canoeing and fishing as well as all manner of arts-related subject at that school and its site. The positive impact on that generation was immeasurable. This parkland can have an impact again, on the entire population of this town, if it's given a chance to."*

**Noel Young**

*"Maghera wants a Park, Maghera needs a Park! I attended Maghera High School, I played many sports there and learnt how to swim there. I have been a resident of Maghera my whole life, using this site as a source of education as a child and now as an escape place to walk by myself, with my dog or with family. This site is too precious to take away from our much loved town. A large industrial estate is not what Maghera needs or wants. We need and want an area where we can enjoy beautiful surroundings, activities even, to be on our own to think and escape lifes pressures or to be with our loved ones and enjoy the space we have on our doorstep. Mid Ulster Council, listen to the people and give us what we want and what we need!"*

**Mr. Johnston**

*"Due to having severe depression and anxiety, I am often told by my doctor, physio and CPN that i must get out and walk. It is not easy in a town filled with noisy traffic, I'd go as far as to say that Maghera has been turned into a drive-through from the usual build up of cars to the huge lorries that bombard our roads daily.*

*Due to hypersensitivity it makes me panic and fills me with fear, they make so much noise so close to the footpaths that I'm tense and trembling. My two dogs are getting on a bit now and I've always walked them on the former high school grounds, on days when I'm feeling good we could literally spend hours there. I have to say that I really enjoy the peace and quiet and enjoy the wildlife, so much so that I don't notice time going by.*

*To take this beautiful green area that's used by so many dog walkers from our community would have a devastating effect on so many people. In spring and summer evenings you will often find me sitting on the steps waiting for the bats to come out. I have witnessed a bird of prey that must live in that area, I've seen foxes, voles and rabbits. I know there are owls in the area which I never saw, but could hear clearly. The view is amazing and*

*away from the built up areas and traffic. Unless you have walked in my shoes, you will never understand what it's like to be depressed, isolated and without a car.*

*I know that this area would help those of us with mental health issues. It could be made into a place for young and old with great access for disabled. There is so much that could be done here that would bring communities together.*

*Please think about the people of Maghera, we are always being left behind, we feel like the forgotten town. There are a lot of people in ort communities that do not know how to mix. Please make this the place where we can build relations by arranging activities that could then create clubs so people can at last get to know each other and feel a sense of belonging."*

**Elaine White**

*"This would be a fantastic resource for our positive mental health group etc. Maghera needs this!!"*

**Fairhill Youth Centre**