

Sinead McEvoy

From: 2 Plan NI - Sheila Curtin <info@2planni.co.uk>
Sent: 19 April 2019 10:13
To: DevelopmentPlan@midulstercouncil.org
Subject: Plan representation on behalf of Cookstown Consortium of Land Owners
Attachments: Cookstown consortium 17.04.19.pdf; Representation-Form Consortium.pdf

Dear Area Plan Team,

Thank you for the opportunity to provide the attached representation on behalf of Cookstown Consortium of Land Owners in relation to the Mid Ulster Development Plan -Draft Plan Strategy.

Attached are two documents as follows:

- Completed Representation Form
- Accompanying Representation document

Kind Regards,

Sheila Curtin MRTPI

47 Lough Fea Road, Cookstown, Co Tyrone, BT80 9QL

t: 028 8676 4492 | m: [REDACTED]

e: info@2planni.co.uk | w: www.2planni.co.uk



RTPI

Chartered Town Planner

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.



Virus-free. www.avast.com

Submission of a Representation to Mid Ulster District Council Local Development Plan 2030 - Draft Plan Strategy



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Local Development Plan
Representation Form
Draft Plan Strategy

Ref:
Date Received:
(For official use only)

Name of the Development Plan Document (DPD) to which this representation relates

Mid Ulster Development Plan 2030 -Plan Strategy

Representations must be submitted by 4pm on 19th April 2019 to:

Mid Ulster District Council Planning Department
50 Ballyronan Road
Magherafelt
BT45 6EN

Or by email to developmentplan@midulstercouncil.org

Please complete separate form for each representation.

SECTION A

1. Personal Details

Title

First Name

Last Name

Job Title
(where relevant)

Organisation
(where relevant) Consortium of land owners Cookstown

2. Agent Details (if applicable)

Mrs.

Sheila

Curtin

Principal

2Plan NI

Address Line 1		47 Lough Fea Road Cookstown
Line 2		
Line 3		
Line 4		
Post Code		BT80 9QL
Telephone Number		028 8676 4492
E-mail Address	info@2planni.co.uk	

SECTION B

Your comments should be set out in full. This will help the independent examiner understand the issues you raise. You will only be able to submit further additional information to the Independent Examination if the Independent Examiner invites you to do so.

3. To which part of the DPD does your representation relate?

- (i) Paragraph Please see attached document in relation to Q3-Q6
- (ii) Objective _____
- (iii) Growth Strategy/
Spatial Planning Framework _____
- (iv) Policy _____
- (v) Proposals Map _____
- (vi) Site Location _____

4(a). Do you consider the development plan document (DPD) is:

Sound Unsound

4(b). If you consider the DPD to be unsound, please identify which test(s) of soundness your representation relates, having regard to Development Plan Practice Note 6 (available on the Planning Portal Website at <https://www.planningni.gov.uk/index/advice/practice-notes/development-plan-practice-note-06-soundness-version-2-may-2017-2a.pdf>).

Soundness Test No.

5. Please give details of why you consider the DPD to be unsound having regard to the test(s) you have identified above. Please be as precise as possible.

If you consider the DPD to be sound and wish to support the DPD, please set out your comments below:

(If not submitting online and additional space is required, please continue on a separate sheet)

6. If you consider the DPD to be unsound, please provide details of what change(s) you consider necessary to make the DPD sound.

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.

(If not submitting online and additional space is required, please continue on a separate sheet)

7. If you are seeking a change to the DPD, please indicate if you would like your representation to be dealt with by:

Written Representation Oral Hearing

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.

Signature: [REDACTED] Date:

Representation to the Mid Ulster District Council's
Local Development Plan 2030
Draft Plan Strategy

On behalf of a consortium of land owners Cookstown

April 2019

By Email

1. Introduction

We act on behalf of a consortium of land owners within Cookstown. We wish to make the following representation in response to the Draft Plan Strategy (DPS). This representation relates to the overarching Growth Strategy and the proposed economic policies provided within the DPS. The representation considers the policies proposed within the Draft Plan and details areas where further work is considered necessary. The representation also provides the consortium's response as to whether various aspects of the draft plan meet the necessary soundness tests.

To ensure that this representation is set within the appropriate planning context, we have reviewed all legislative, regulative and policy requirements/guidance associated with preparing local development plans in Northern Ireland and all supporting documents associated with the DPS and the preferred Options Paper, which are relevant to the topics/policies which we make comment on.

The representation is structured as follows:

- Section 2- Legislative and Procedural Context
- Section 3 -Soundness of Growth Strategy
- Section 4- Soundness of Economic Policies

2. Legislative and Procedural Context

Sections 6 (1) and (2) of the Planning Act (Northern Ireland) 2011 (the 2011 Act) set out that in Northern Ireland, the local development plan (LDP) for each of the 11 local authorities comprises a plan strategy (PS) and a local policies plan (LPP).

The PS represents the first formal stage of the two stage LDP process and Section 8(1) of the 2011 Act requires all Councils in Northern Ireland to prepare a PS for their districts.

In preparing its DPS, Mid Ulster District Council (MUDC) is required to adhere to the provisions of the Planning Act (Northern Ireland) 2011 ('Act') and the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 ('Regulations').

The keystone of the local development plan system is the principle of 'soundness'. Section 10(6) of the 2011 Act provides that the purpose of the Independent Examination (IE) is to determine, in respect of the development plan document:

- whether it satisfies the requirements of sections 7 and 8 or, as the case may be, sections 7 and 9, and any regulations under section 22 relating to the preparation of development plan documents; and
- whether it is sound.

Although not legislation, Development Plan Practice Note 6, sets out 3 main tests of soundness for Local Development Plans, with each test having a number of criteria, as follows:

Procedural Tests

- P1 Has the DPD been prepared in accordance with the council's timetable and the Statement of Community Involvement?*
- P2 Has the council prepared its Preferred Options Paper and taken into account any representations made?*
- P3 Has the DPD been subject to sustainability appraisal including Strategic Environmental Assessment?*
- P4 Did the council comply with the regulations on the form and content of its DPD and procedure for preparing the DPD?*

Consistency Tests

- C1 Did the council take account of the Regional Development Strategy?*
- C2 Did the council take account of its Community Plan?*
- C3 Did the council take account of policy and guidance issued by the Department?*
- C4 Has the plan had regard to other relevant plans, policies and strategies relating to the council's district or to any adjoining council's district?*

Coherence and Effectiveness Tests

- CE1 *The DPD sets out a coherent strategy from which its policies and allocations logically flow and where cross boundary issues are relevant it is not in conflict with the DPDs of neighbouring councils;*
- CE2 *The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base;*
- CE3 *There are clear mechanisms for implementation and monitoring; and*
- CE4 *It is reasonably flexible to enable it to deal with changing circumstances.*

3. Soundness of Growth Strategy and Economic Policies

SPF 1 - Manage growth based on sustainable patterns of development balanced across Mid Ulster, in accordance with the Regional Development Strategy with settlement limits defined for all settlements to provide compact urban forms and to protect the setting of individual settlements;

We are generally supportive of SPF2, with the exception of the allocation of additional interim economic development lands in Dungannon detailed within para. 4.14. We strongly contest the allocation of new site specific zonings within the DPS as it does not meet the test of soundness.

The amplification text contained within 4.14 states '*in recognition of the shortage of economic development land in Dungannon an additional interim supply has been identified at Dungannon and Granville*'. The provision of additional lands for economic development at Dungannon and Granville at this stage of the plan process we feel prejudices against land owners, employers and employees elsewhere within the District. The draft plan and the accompanying background papers, including the *Economic Development Policy Review* (February 2016) and *Employment and Economic Development* (February 2015) provide no robust evidence of the shortage/immediate need for economic lands at these locations.

In compliance with The Planning Act (Northern Ireland) 2011 and Development Plan Practice notes, the purpose of a PS is to provide the strategic policy framework for the plan area as a whole across a range of topics, whereas the purpose of the LPP is to set out the local policies and site specific proposals in relation to the development and use of land in its district. The legislative purpose of the PS is therefore not to zone additional lands, but to await the LPP for particular site zonings.

Evidence Base

Invest NI have on numerous occasions commented that the gestation period for industrial land to become fully occupied is, significantly longer than for other development uses, and that this should be borne in mind when considering whether there is any market interest in a site. The Council's assessment of economic land availability based on physical uptake, is therefore not the most effective test of actual economic land availability within the Plan Area.

Soundness

The inclusion of new proposed zonings for economic development deems the PS unsound for the following reasons:

- Fails the Procedural Test (P4)– the Council did not comply with regulations when proposing the new zonings during Plan Strategy Stage.

- Fails the Consistency Test (C4)-the proposed zonings lack consistency, as the zonings are proposed for one settlement only and do not accurately relate to the entire district.
- Fails the Coherence and Effective Test (CE2) -the baseline evidence is not realistic and accurate, given the lack of consideration given to lengthy gestational periods associated with the development of economic lands.

Remedy

Remove the proposed new economic zonings at Dungannon and Granville, to be considered at Local Policies Plan stage only.

POLICY ECON 1 – ECONOMIC DEVELOPMENT IN SETTLEMENTS

Within towns, proposals for economic development on land zoned for such purposes will conform with the Plan, subject to meeting any Key Site Requirements. In all other cases, proposals will be determined on their individual merits.

Within villages and small settlements, proposals that are of an appropriate scale, nature and design such as compatibility with nearby residential use, will be given favourable consideration.

The Draft PS recognises the need for economic land zoning within the Districts towns, and we very much welcome this. However, we have concerns regarding the inconsistency of the current and proposed economic zonings.

On the basis of consistency across settlements, we question the existing economic development land zoning within Ardboe. In compliance with RDS guidance, in particular;

- RG1 – Ensure an adequate supply of land to facilitate sustainable economic growth
- SFG11 - Promote economic development opportunities at Hubs

We also question the baseline information on which the total job creation figure of 8,500 jobs has been formulated. In particular, we question the ratio of jobs to hectare required, used in the Council's *Position Paper Three Employment and Economic Development* (2 February 2015). The baseline evidence used dates back to 2006. Extract from position paper as follows:

A survey of employment on industrial estates in Omagh and Strabane (Planning Service, 2006) suggests that for every hectare of operational industrial land, 50 jobs are provided. This figure has been supported by earlier studies in Craigavon and was used as a basis for quantifying industrial needs in the Cookstown and Dungannon Area plans. It also complements parking requirements. Assuming 8500 new jobs were to be provided on economic zonings this would mean that a minimum of 170 hectares is needed.

To assume employment density figures based on a 2006 survey is inadequate and outdated. It does not reflect advances in technology, for example advances in robotics and automation, which has resulted in lower employee to land requirements densities.

The proposed figure of 8,500 jobs required over the plan period is a minimum figure, however an associated table contained in Appendix 1 (Housing Local Indicators and Economic Development Local Indicators over plan period 2015-2013), denotes a total hectare requirement, and not a minimum hectare requirement. We have concerns that this figure sets an inflexible threshold for the allocation of economic land at subsequent Local Policies Plan stages.

Soundness

The PS is considered unsound for the following reason:

- Fails the Coherence and Effective Test (CE2) -the baseline evidence is not realistic and accurate, and are not founded on robust evidence base.

Remedy

New survey required to establish more up to date employment density numbers.



Chartered Planning & Engineering Consultancy

W: www.2planni.co.uk E: info@2planni.co.uk

T: 028 86764492

47 Lough Fea Road, Cookstown. BT80 9QL

M: [REDACTED]