

# O'Callaghan PLANNING

Adding Value Through Quality Design

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

23<sup>rd</sup> September 2020

Dear Sir / Madam,

**Local Development Plan 2030 – Draft Plan Strategy - Representation**

I refer to the above-mentioned Draft Plan Strategy and to your invitation for the submission of representations as part of the public consultation process.

We wish to make the following comments on behalf of:

<b>Company Name</b>	Eurosprings
<b>Contact</b>	C/o O'Callaghan Planning
<b>Address</b>	Unit 1, 10 Monaghan Court, Monaghan Street, Newry



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Our comments in relation to the Draft Plan Strategy relate to the following:

	<b>Title</b>	<b>Text</b>	<b>Sound / Unsound</b>
(i)	Paragraph	4.10	Unsound
		4.12	Unsound
		4.14	Unsound
(ii)	Objective		
(iii)	Growth Strategy / Spatial Planning Framework	SPF 2 – Focus growth within the three main towns/hubs of Cookstown, Dungannon and Magherafelt and strengthen their roles as the main administrative, trade, employment and residential centres within the District;	Unsound
(iv)	Policy	ECON 2c	Unsound
		ECON 2e	Unsound
		ECON 2h	Unsound
		ECON 2i	Unsound
		Econ 3	Unsound
		AFR 1	Unsound
		FLD 5	Unsound
(v)	Proposals Map	Map 1.2	Sound
		Map 1.4	Sound
		Map 1.5	Sound
		Map 1.6	Sound
(vi)	Site Location		

Having regard to Development Plan Practice Note 6, we consider the following test(s) have not been met

Issue	Soundness Test (No.)	Reason for unsoundness
Para. 4.10	C4, CE4	Current wording does not make it clear that account will be taken of the need for a coherent edge to the settlement limit; Current wording does not make it clear that sites on the urban fringe, with relevant planning history, may be more appropriate than a more centrally-located site, for example.
SPF 2	C4, CE4	The Plan proposes to focus growth in the 3 main towns. This could be to the detriment of smaller settlements / villages in the Plan area.
Para. 4.12	C4, CE4	Land should not be allocated evenly. Land should be allocated based upon local need, and should be considered in villages (where there are significant enterprises already operating).
Para. 4.14	C4, CE4	Does not include Ballynakilly, which appeared to have been under consideration at one point in time (and which is the subject of a pending planning application for a small business park).
ECON 2c	C4, CE4	Does not include Ballynakilly, which appeared to have been under consideration at one point in time (and which is the subject of a pending planning application for a small business park).
ECON 2e	C4, CE4	Requires an applicant to demonstrate relocation is not possible when expanding outside established curtilage regardless of major or minor applications, and regardless of the size of the original holding.
ECON 2h	C4, CE4	Site specific requirements needed to justify a countryside location.
ECON 2i	C4, CE4	Operations are not necessarily linked with their closest settlement.
ECON 3	C4, CE4	Environmental benefits appear to be mandatory – this does not allow for community or other benefits; does not appear to provide for the alternative use of sites that have previous or pending applications for alternative uses; does not provide for alternative use of sites that have not been used or proposed for economic development for a sustained period of time.

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AFR 1	C4, CE4	Does not provide for the first building on a unit, or a building on an outlier farm.
FLD 5	C4, CE4	FAILS TO RECOGNISE THAT CULVERTING IS NOT ALWAYS DETRIMENTAL. FAILS TO RECOGNISE THAT APPLICANTS MAY ALREADY BE IN POSSESSION OF A STATUTORY CONSENT TO CULVERT A WATERCOURSE; FAILS TO DISTINGUISH BETWEEN THE SIZE OF THE WATERCOURSE; FAILS TO DEAL WITH SITES WHERE CULVERTING HAS ALREADY TAKEN PLACE TO EITHER SIDE OF A SITE.

In addition to the foregoing we believe the following aspects of the DPD are sound and our comments are set out accordingly

Issue	Soundness Test (No.)	Reason for support
SPF 4	CE2	This proposes to maintain and consolidate the role of the villages as local service centres. This support would be withdrawn in the event there was any intention to retract settlement limits in villages.
Para. 4.37	CE2	The designation of Rural Industrial Policy Areas is appropriate because of the tradition of rural entrepreneurship in the District. There are a large number of medium and large sized employment uses in the countryside for whom relocation to an urban area is not a viable option, hence there needs to be some rural provision. Would support the designation of additional zonings of this nature, with a better geographic spread throughout the District.
Map 1.2 Granville and Dungannon Economic Development Zones	CE2, CE4	These zonings are supported because of the potential to provide a better spread of industrial land, in more appropriate locations than are currently provided for. The zonings will help address current problems associated with the availability of lands and / or the appropriateness of current economic development zonings.
Map 1.4 Opportunity Site for Recreation with Supporting Economic Mixed-Use Development	CE4	This Zoning is supported owing to the potential for employment and investment.
Map 1.4	CE4	As above – the area of land shown already benefits from planning approval. Mixed use on the site has the potential to redress current imbalances. The availability of such land may help deliver affordability in industrial units – land costs are high at present owing to the shortage of alternative developments, so encouraging ownership may help businesses divert rents towards further investment.
Map 1.5 / Map 1.6	CE4	The designation of Rural Industrial Policy Areas is appropriate because of the tradition of rural entrepreneurship in the District. There are a large

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Rural Industrial Policy Area		number of medium and large sized employment uses in the countryside for whom relocation to an urban area is not a viable option, hence there needs to be some rural provision. Would support the designation of additional zonings of this nature, specifically at Ballynakilly, with a better geographic spread throughout the District needed.
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Whereas we consider the DPD to be unsound, we believe that it could be made sound if account was taken of the following:

Issue	Suggested amendments
Para. 4.10	To make it clear that account will be taken of the need to round off and consolidate development edges with a coherent line, particularly where edges are irregular or unnatural; To make it clear that a site with a relevant planning history, on the urban fringe, may be as appropriate within the new settlement limit, if it can be developed, as a centrally located site that is stymied / over encumbered with constraints To show consideration to the inclusion, within settlement limits, of currently developed lands that are on the outer edge of an existing settlement limit.
SPF 2	To allow for appropriate growth of all settlements across the Plan area, particularly villages; To allow for appropriate growth of villages where large economic development enterprises are operational in close proximity to a settlement limit.
Para. 4.12	Economic land distributed with weight given to planning histories or sites which are subject to increased economic development pressure.
Para. 4.14	Make alternative supply available at Ballynakilly also
ECON 2c	Make alternative supply available at Ballynakilly also
ECON 2e	The requirement to prove relocation is not possible to be engaged only for major applications or significant expansions.
ECON 2h	To remove the site-specific requirement; To allow for development where applicants can show evidence of a comprehensive attempt to find an alternative site.
ECON 2i	To remove the requirement that the use will be associated with the settlement.
ECON 3	Permit the change of use of industrial land in settlement limits where there is no need to protect it for employment purposes and / or redevelopment would result in environmental and / or economic benefits and / or there have been previous applications for alternative use(s) and / or where there has been a sustained period of non-use on the site.
AFR 1	To provide for a building on an outlier farm with no existing buildings, or on a farm with no existing buildings.
FLD 5	Provide for exceptions:



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	<p>Where an applicant already has consent for culverting from Rivers Agency, regardless of whether the reasons for so doing are connected to the planning process;</p> <p>Where the development would have no adverse impact (on landscape quality / ecology / biodiversity / flooding elsewhere);</p> <p>Where the watercourse is minor or undesignated;</p> <p>Where the maintenance of the watercourse will have a disproportionate effect on the development potential of the site</p> <p>Where the land to either side of the site has already been culverted.</p>
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Whereas we are seeking a change to the DPD, we would be grateful if our representation can be dealt with by

Written Representation

Oral Hearing

Signed

Position

Date