

**Roisin McAllister**

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**Sent:** 24 September 2020 15:05  
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**Cc:** Tom Stokes  
**Subject:** 2187B - Representation to Draft Plan Strategy - DI 05  
**Attachments:** 2187B R001 Mid Ulster DPS Rep DI 05 September 2020.pdf

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Dear Sirs,

Please find attached the below representation to the Mid Ulster Draft Plan Strategy made on behalf of our client **Lotus Homes (UK) Ltd.:**



- 2187B – Representation to Mid Ulster Draft Plan Strategy – Industrial Lands DI 05

I would be grateful if you could confirm receipt of this representation at your earliest convenience.

Kind Regards,

**EMMA MCILWAINE**  
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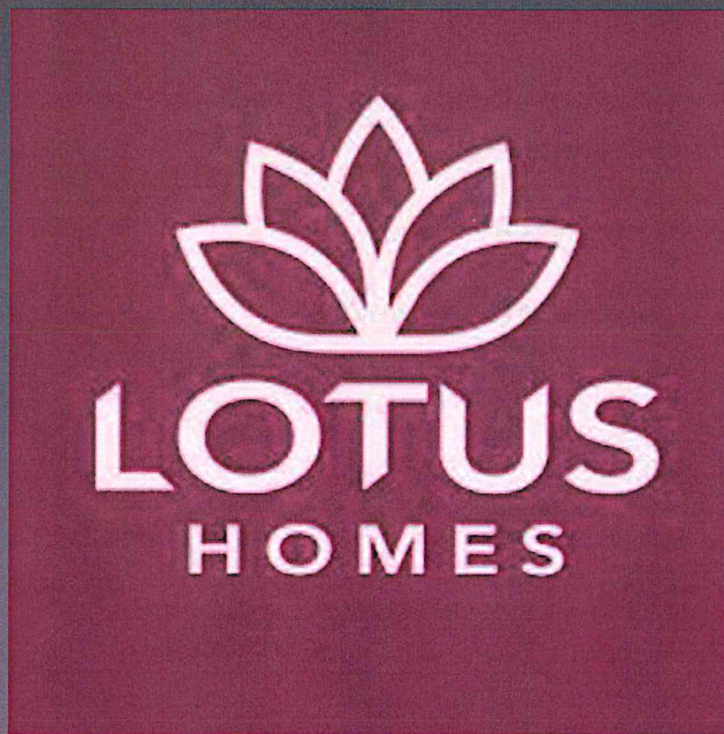


# Mid Ulster Local Development Plan Draft Plan Strategy Representation

Zoned Industrial Lands DI 05,  
Dungannon

Lotus Homes (UK) Ltd.

September 2020



20 May Street  
Belfast, BT1 4NI

**TSA**  
PLANNING



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ANNEX 1:	Site Location Plan
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## **1. Introduction**

- 1.1 This representation has been prepared on behalf of our client, **Lotus Homes (UK) Ltd.** in respect of the Mid Ulster Local Development Plan 2030 – Draft Plan Strategy.
- 1.2 In its current form, we believe the Draft Plan Strategy to be unsound in respect of the LDP Timetable; the DPS Growth Strategy and Spatial Planning Framework; and Accommodating Growth and Creating Places. Our reasons are set out within this representation as well as our proposed amendments, in order to make the Plan both sound and sustainable.
- 1.3 We would respectfully request this representation to be dealt with by **oral hearing**.

## **2. Local Development Plan Timetable**

- 2.1 The Draft Plan Strategy is unsound under soundness test P1 which requires LDP documents to be prepared in accordance with the Council's Timetable.
- 2.2 We note that the most recently published Mid Ulster LDP Timetable is dated November 2018. According to this Timetable, the Local Policies Plan is due to be adopted at Winter 2022/23. However, due to an identified procedural error under the original Draft Plan Strategy Consultation (February 2019 to April 2019) the Council has issued a fresh consultation on the DPS. As such, the publication of the Draft Plan Strategy and consultation period is currently c.15 months behind schedule.
- 2.3 Furthermore, when compared to the LDP Timetable published in 2016, the publication of the Draft Plan Strategy is over 3 years behind the anticipated date (Spring 2017). Whilst we appreciate that the original Timetable is no longer relevant, it provides significant evidence in illustrating the potential delays which can be experienced in the preparation of Local Development Plans. It is therefore reasonable to anticipate that the full adoption of the Plan will be further postponed past the Winter 2022/23 timeframe. This could result in less than 5 years between the adoption of the Plan and the end of the Plan period. Given these delays, and therefore the limited time for review and amendment of the Plan prior to 2030, it would be appropriate to amend the Plan Period to reflect the years 2020 to 2035 to allow for adequate flexibility and time to review in the event of a newly amended timetable.
- 2.4 Due to the above mentioned delays, the Draft Plan Strategy is unsound under soundness test CE2. The evidence upon which the DPS is based is now inappropriate and out of date, and more recent data is now available. Amendment of the Plan Period will allow for the Local Development Plan to take into account the most relevant and up to date evidence which is now available during this consultation, rather than relying on inaccurate data prepared in 2014/15. This is an approach which has been taken by a number of Council's who are at a similar stage in the preparation of their Local Development Plan including Belfast City Council, Lisburn and Castlereagh City Council, and Derry City and Strabane Council.

### **3. Growth Strategy and Spatial Planning Framework**

#### **3.1 Overview**

- 3.1.1 The housing allocations and figures contained within the growth strategy are incoherent and do not logically flow throughout the overall Draft Plan Strategy. It is unclear as to how the full housing allocation will be managed across towns, smaller settlements, and countryside over the course of the plan period.
- 3.1.2 Furthermore, the growth strategy and spatial framework are based on inaccurate, inappropriate and insufficient evidence, particularly within Appendix 1. This evidence will also inhibit the allocations within the Local Policies Plan to logically flow from the Plan Strategy.
- 3.1.3 The allocation of housing growth to settlements has not taken account of the RDS 2035 or the requirements of the SPPS.
- 3.1.4 Our discussion of the above against the tests of soundness and our supporting evidence is set out within the remainder of this Section. A summary of our recommendations to ensure the Growth Strategy and Spatial Planning Framework are sound are identified below. These amendments are fully detailed within the relevant subsections.

#### *SPF 2*

- Further consideration needs to be given to the overall plan to ensure all housing allocations read together coherently.
- The growth figure of 11,000 dwellings should reflect an uplift to accommodate dwellings in the countryside, resulting in an overall growth figure for urban and rural housing of 15,400 dwellings.
- The housing allocation for Main Towns/Hubs should be amended to allow for 60% of the original housing growth figure (6,600 dwellings) within Phase 1 lands. This represents 43% of the amended housing growth figure and an additional 17% outside of the housing growth figure should be used to allocate Phase 2 housing lands.
- The supporting tables at Appendix 1 of the DPS should also be updated to reflect a 60% (6,600 dwellings) allocation for Main Towns/Hubs.

#### *Appendix 1 of the DPS*

- Appendix 1 tables need updated to reflect the amended Plan Period of 2020 – 2035.
- The 7% discrepancy between the housing growth figure and housing allocations should be allocated to the housing growth figure for Local Towns, Villages and Small Settlements.



- Appendix 1 tables need updated to reflect the revised housing growth figure of 15,400 dwellings.
- The detailed local housing allocations between settlements should be revised to reflect relevant and up to date evidence.
- Committed units should be amended to reflect April 2019 housing monitor figures.
- Accurate and up to date data should be used to ensure the committed units/residual zonings figures within Appendix 1 accurately reflect the best available evidence.

#### *SPF 4*

- The statement “the villages are not seen as key service centres or locations in which to direct people used to living in the open countryside” should be removed.
- Additional text should be added to SPF4 to identify that existing settlement limits will be extended where necessary and appropriate to facilitate flexible opportunities for development proposals over the plan period.

#### *SPF 6*

- As per our recommendations for **SPF 2**, amendments are required to ensure all elements of the Plan Strategy are coherent and consistent.
- Rural housing is required to be given a formal allocation of the housing growth figure.
- The number of dwellings allocated to the countryside should be reviewed based on a robust evidence base.
- Should the evidence prove that there has been a significant reduction in dwellings recently built in the countryside, the countryside allocation could be amended to provide additional dwellings within Villages and Small Settlements.

### **3.2 SPF2 – 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; and**

#### **Appendix 1 Housing Local Indicators over Plan Period 2015-2030**

3.2.1 Whilst we find the overarching principle to focus growth within the three main towns and to strengthen their role within the district to be sound, there are a number of points within the overall strategy and delivery of this principle which are currently unsound based on the following tests of soundness:

- Soundness Test C1: Did the Council take account of the Regional Development Strategy (RDS);
- Soundness Test C3: Did the Council take account of policy and guidance issued by the Department?;

- Soundness Test 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; and
- Soundness Test CE2: The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base.

3.2.2 For coherence, our consideration below is set out in respect of specific topics, however, the above tests of soundness are interlinked and are prevalent throughout.

#### Housing Growth and Allocations

- 3.2.3 Paragraph 4.15 of the DPS states that “Focussing growth in the three hubs means that opportunities should be provided in the Local Policies Plan for 60% of the Districts HGI to be located within the three towns”. We would agree with this statement and believe it to be sound as it takes due regard of the RDS and promotes a sustainable form of development in line with the SPPS.
- 3.2.4 However, the following paragraph, 4.16 identifies that “in order to ensure land availability over the plan period at a level not below 30% of the Districts HGI, Mid Ulster Council will ensure that additional land is made available over the plan period to meet this provision. In order to facilitate this a phased approach to land release is adopted in this plan”. The two statements within Paragraphs 4.15 and 4.16 do not represent a coherent strategy and indicate that only 30% of the housing growth could be allocated to the Main Towns in the first instance.
- 3.2.5 In addition, paragraph 4.19 of the DPS refers the reader to Appendix 1 of the Draft Plan Strategy for information on Housing Growth Local Indicators. In line with Paragraph’s 4.15 and 4.16 of the DPS, Appendix 1 sets out the allocation of housing between all settlements and allocates 30-60% of housing growth to the Main Hubs. The difference in the range of housing growth allocated to the Main Towns is substantial. The allocated housing is between 3,285 and 6,589, which is a difference of 3,284 dwellings. As a third of the Borough’s stated housing allocation, this represents a significant amount of the total growth figure with no clear direction on how this is to be managed. For example, if the Main Towns only achieve 30% growth during the plan period, the additional growth of 3,284 dwellings is lost, as the other towns, villages and settlements have been capped at 32.62% (3,562) of the allocation, or 40% (4,400) as we have recommended below. The failure to ensure all of the housing growth figure is allocated undermines the soundness of the Housing Growth Strategy within the DPS.
- 3.2.6 It is unclear whether this stated 30%-60% allocation is to allow for a phased approach, for example 30% zoned in Phase 1 lands and an additional 30% in Phase 2. Should this be the case, we wish to identify that Phase 2 lands should be zoned to act as a land reserve, accounting for changing need over the plan period and as such should be additional to the stated housing growth figure. If the Local Development Plan does not allow for adequate zoning of lands



within Phase 1 (in this case 60% or 6,600 dwellings) there is a risk that there will be an under provision of housing lands over the plan period. In order to meet the aims of the RDS, SPPS, SPF 2 and to provide a coherent strategy, the Council should aim to facilitate at least 60% of housing growth in the main hubs, through zoning 60% of the allocation (6,600 dwellings) as Phase 1 land in Cookstown, Dungannon and Magherafelt. This will ensure there is not an under supply of housing over the plan period and will still allow for monitoring and review should further Phase 2 housing lands be required. Phase 2 lands are further discussed in **Paragraph 3.2.17** of this response.

- 3.2.7 This is supported by Policy R8: "Manage housing growth to achieve sustainable patterns of development" of the RDS which sets a regional target of 60% of new housing to be located in appropriate brownfield sites within the urban footprints of settlements greater than 5,000 population. Although it may not be possible to achieve this figure on brownfield sites within Dungannon, Cookstown and Magherafelt (and as such a small extension to the development limit may be required), the Council should allocate at least 60% of housing growth within these settlements in the first instance, in order to take account of the RDS and to meet the aims of SPF 2 which are to focus growth in the three Main Towns and strengthen their role as the main residential centres.
- 3.2.8 Regarding the countryside allocation, Paragraph 4.34 of the DPS references that the countryside will not be subject to an allocation of the HGI but will be monitored so as not to exceed 40% (4,400 dwellings) of the HGI figure. The Council therefore do not give the Countryside a formal allocation of the Housing Growth Figure. Our assessment of SPF 6 is further set out within **Section 3.4**.
- 3.2.9 If this is the strategy taken by the Council, the Draft Plan Strategy allocates 30%-60% of its housing growth to Main Towns (Dungannon, Cookstown, Magherafelt) and 33% to the remaining settlements. Taking the maximum allocation of 60% to Main Towns as set out above, this only represents 93% of the 11,000 housing growth figure. As the DPS states that there is no allocation to the countryside, 7% of the housing growth figure remains unallocated and has the potential to result in an under provision of housing over the Plan Period. It must therefore be the case that the allocation for the other towns, villages and settlements should be 40%, and not the 33% (3,562) that is stated. This would amend the number of dwellings allocated to these settlement tiers to 4,400.
- 3.2.10 However, the RDS states that housing growth should take account for urban and rural housing and as such the Plan requires amendments to reflect this.
- 3.2.11 The countryside gets a higher cap on housing growth at up to 4,400 dwellings than the listed 2 Local Towns, 48 villages and 34 small settlements in the District which is wholly unsound. From this, it is clear the biggest losers in the Council's Housing Growth strategy are the many



mid-tier towns, villages and smaller settlements, with the growth heavily skewed top and bottom towards the 3 main towns and the open countryside.

- 3.2.12 Should the outcome of the plan process be that the full stated countryside quota of 4,400 dwellings must be accounted within the stated housing growth figure, in line with the RDS, then this would result in an unjustified over provision of 40% over the stated Housing Growth Figure, or come at the expense of the housing allocation stated for the smaller settlements. That proposition in light of the thrust of regional policy to direct growth to settlements and not the countryside, as well as promoting sustainable development, means the DPS appears illogical and unsound notwithstanding the clear errors in allocations.
- 3.2.13 It is therefore recommended that should the Council wish to direct such a high level of housing growth to the open countryside, then the overall housing growth figure must be uplifted to take account of this so it is not at the expense of the sustainable growth of the district's towns, villages and smaller settlements that could quite easily sustain the projected growth and support the objectives of strengthening the rural community.
- 3.2.14 In allocating 11,000 new dwellings for housing growth, the Draft Plan Strategy focusses solely on the revised Housing Growth Indicator figures published in May 2016. Paragraph 6.139 of the SPPS identifies that HGI figures are provided as an estimate and guide for housing allocation. We acknowledge the Council's position that the Countryside currently represents a large proportion (40%) of existing households in the District and as such the Council are reluctant to reduce the Countryside allocation to facilitate housing in Main Towns and other settlements. Due to this exceptional circumstance experienced in Mid Ulster District, the Council should therefore use the HGI figure published in May 2016 as a *guide*, and review whether the total housing growth for the District should be uplifted to sustain their rural communities.
- 3.2.15 Taking the desired number of additional dwellings over the Plan period for each settlement category, this would result in a revised housing allocation total of 15,400 as set out in **Table 1**. The third column represents the allocated housing figures calibrated to represent 100% of the housing total

	<b>Current % Allocation</b>	<b>Current Dwelling Allocation Based on DPS and revised Settlement figure</b>	<b>Revised % Allocation under uplifted HGI</b>
<b>Main Towns</b>	30% - 60%	6600	43%
<b>Settlements</b>	40%	4400	28.5%
<b>Countryside</b>	40%	4400	28.5%
<b>Total</b>	110 - 140%	15,400	100%

**Table 1: Potential amendments to Housing Growth Figure**

3.2.16 Overall, Table 1 illustrates that the percentage allocation to settlements is reduced under the new figures. However, the actual number of dwellings in Main Towns and Smaller Settlements under the original Housing Growth figure of 11,000 dwellings is protected at the levels stipulated within the DPS at 60% and 40% (6,600 and 4,400 respectively) whilst allowing for the exceptional circumstance of dwellings in the countryside to be considered.

3.2.17 To meet the RDS objective of achieving 60% of housing growth across the 3 Main Towns; the allocation of additional land reserve equating to 17% could be included within the Local Policies Plan as Phase 2 lands in line with the Council's strategy for Main Towns. The 17% of the allocation forming Phase 2 in the Main Towns means that this does not come at the expense of the allocation for other town, villages, small settlements, and countryside so that they can sustain their expected levels of growth and would guarantee the 43% of housing growth for immediate release across the 3 Main Towns (which represents 60% of the originally quoted HGI figure). The Phase 2 Land review would be able to take account of the most up-to-date housing position at time of review. If the Phase 2 lands are required at that stage this could be handled in one of 2 ways: -

1. The re-distribution of the housing growth that will be agreed in the Plan Strategy, whereby any unused allocation within the towns and villages and open countryside allocation is re-directed to the Main Hubs to facilitate the additional 17% lands identified as "Phase 2" housing lands; or
2. Allocate additional housing growth specific to the release of these additional lands should there not be any scope remaining within the original allocation. This mechanism for later release is perfectly acceptable considering the whole purpose of the Area Plan is to provide sufficient 5 year housing land supply, and to keep this under review.

3.2.18 We wish to identify that the Countryside figures we have set out within **Table 1** are only indicative at this stage, based upon the desired number of dwellings set out within the Draft Plan Strategy. We believe this figure requires further research and a more robust evidence base to support it, as detailed in **Paragraphs 3.4.3 to 3.4.6** of this response.

#### Housing Allocation to Individual Settlements

3.2.19 Appendix 1 of the DPS also sets out the housing local indicators which identify the split of housing growth between individual settlements. Within Appendix 1, the approach to housing allocation for each settlement is solely based upon the split of existing households. This household approach is an overly simplistic numeric approach which does not take into account the overarching regional policies and sustainable development. Retaining this approach to housing allocation will result in growth being directed to settlements that may not have



available capacity, to the detriment of settlements which represent more sustainable locations for additional housing.

- 3.2.20 Firstly, in line with our recommendations in **Section 2** in respect of the Plan Period, basing allocations on number of households in 2015 does not represent a robust evidence base, as the percentage split between settlements will have changed due to build rates over the past 5 years. As such, household split should be amended in line with up to date evidence.
- 3.2.21 Take the village of Donaghmore as an example. The Housing Local Indicators at Appendix 1 of the DPS sets out the allocation of growth to settlements based upon the current number of households. For Donaghmore the Table identifies the approximate number of households as 403, making up a percentage share of 0.84% of all households (48,072). This percentage share of the HGI (10,950) works out as a growth figure of 92 dwellings between 2015 and 2030. As a result of the figure of committed units (at 1<sup>st</sup> April 2015) standing at 212, the Housing Allocation Paper and Strategic Settlement Evaluation Framework Paper suggests there is no need for any additional housing lands in Donaghmore.
- 3.2.22 The current position regarding undeveloped land in Donaghmore is that it has been significantly depleted over the last 5 years. There has been c.75 dwellings constructed and sold since the beginning of 2019 and there is a significantly high need/demand remaining, with Estate Agents evidencing a strong waiting list for housing within Donaghmore arising from a catchment area that covers the surrounding rural area and larger settlements such as Dungannon, Omagh and Cookstown. The position has clearly shifted since 2015 and the Settlement Evaluation Framework indicates a good degree of services, excellent transport links, sewerage capacity and available land for expansion if there is a housing need (which there clearly is!). The build rate in Donaghmore in the intervening 5 years illustrates that the evidence base for which the housing allocation is derived is out of date and as a result undermines the conclusions reached. As such those conclusions are unsound.
- 3.2.23 Secondly, solely basing allocations on household split is not in accordance with the RDS 2035, the SPPS or a robust evidence base. Under Policy RG8 of the RDS, it is stated that a broad evaluation framework should be used to assist judgements on the allocation of housing growth based on the following tests:
- Resources;
  - Environmental Capacity;
  - Transport;
  - Economic Development;
  - Urban and Rural Character; and
  - Community Services



This is expanded within Paragraph 6.139 of the SPPS which identifies that housing allocations in Local Development Plans should be informed by RDS HGIs; use of the RDS housing evaluation framework; allowance for existing housing commitments; urban capacity studies; allowance for windfall housing; application of a sequential approach; housing needs assessment; and transport assessments.

- 3.2.24 Whilst we recognise that the Council has carried out a Strategic Settlement Evaluation which forms part of the LDP supporting information, this document has not been used to inform the allocation of dwellings to settlements, as required by the RDS and SPPS. This information should provide a robust evidence base which can be utilised to direct growth to specific settlements which have capacity to grow, community services to support growth and which represent accessible locations. Using the Strategic Settlement Evaluation to inform housing allocations within the Plan Strategy will ensure growth is targeted to the most sustainable locations.

*Committed Housing Sites*

- 3.2.25 Once the overall housing growth figures and settlement allocations have been finalised, the Council should assess the current availability of housing land to inform their housing strategies in line with paragraph 6.139 of the SPPS. The Tables within Appendix 1 of the DPS set out committed units/residual zonings for each settlement at April 2015. In their current form these figures are inappropriate and incorrect and as such do not form a robust evidence base.
- 3.2.26 In the first instance, the committed units set out within Annex 1 are based on out of date evidence. We appreciate that the 2015 data may have been the most up to date evidence during the first DPS consultation in 2019. However, the requirement for a new DPS consultation has significantly delayed the overall progress of the Local Development Plan and as such, the most relevant and up to date information should be used to inform the Plan Strategy. This also aligns with our comments in respect of the Plan Timetable and the requirement for a revised Plan Period.
- 3.2.27 April 2019 Housing Monitor Information was recently published in August 2020 and provides a more accurate evidence base for determining committed units within settlements. This evidence has not contributed to the preparation of the Draft Plan Strategy and reconsideration of the Draft Plan Strategy should not have been instigated without consideration of this material evidence.
- 3.2.28 In light of the DPS reconsideration and the requirement to amend the plan period, this most recent evidence should be used to set committed units within settlements for the Local Development Plan as they reflect construction over the past 5 years. The April 2019 figures represent the most appropriate evidence to inform the Local Policies Plan and will provide consistency between the two documents forming the Local Development Plan.

- 3.2.29 However, it is important to note that the information at Appendix 1 (April 2015) *and* the published April 2019 Housing Monitor require review as both sets of data are inaccurate in respect of committed units.
- 3.2.30 As an example, in respect of the Village of Donaghmore, Appendix 1 of the DPS identifies there is remaining potential for 212 no. dwellings at 1<sup>st</sup> April 2015. When analysing the housing monitor information for this date, there are a number of monitored sites which are deemed as carrying a potential dwelling yield, which did not benefit from live planning permission on the monitoring date and as such these units are not committed. Relying on this data to inform whether additional housing lands are required is illogical and unsound as the committed unit figures within Appendix 1 (and the April 2019 Housing Monitor) are not based on robust evidence and are flawed on the basis that expired planning permissions have been treated as committed. As such this has the potential to infect the Local Policies Plan.
- 3.2.31 Furthermore, in respect of Main Towns, the committed units within Appendix 1 do not take account of the evidence base provided by the “survey of zoned housing lands” referenced at Page 21 and Appendix 3 of the Preferred Options Paper Public Consultation Report. For example, in Dungannon, Appendix 1 identifies a committed units/residual zoning figure of 2,697 additional dwellings. However, this figure does not take account of the research carried out.
- 3.2.32 The Public Consultation Report identified that within Dungannon, there were two negative responses received in respect of bringing lands forward for housing. The corresponding map, or related text, do not reference the size, location or potential yield of these sites and therefore it is unclear how many of these committed units will not be delivered. Furthermore, the text states that to date 92% of all responses received were positive. We believe this to be misleading as the overall response rate for Dungannon is only 30.5% and therefore positive responses only represent 28% of sites (92% of 30.5%). These survey results need to be further examined, including the impact of negative responses to the landowner survey on committed units/residual zonings. In addition, the densities of currently zoned housing sites should be assessed in further detail as these could represent inappropriate densities previously granted on sites prior to the introduction of PPS 7 Addendum, curtailing densities. This evidence should be used and reflected within the committed units figure of Appendix 1. Only once committed unit figures have been accurately amended will Appendix 1 form a robust foundation for which to base allocations and zonings within the Local Policies Plan. Without such reassessment the conclusions are unsound.



Changes Required

*SPF 2*

- 3.2.33 In order to make SPF 2 sound, further consideration needs to be given to the overall plan to ensure all housing allocations read together coherently.
- 3.2.34 The growth figure of 11,000 dwellings should reflect an uplift to accommodate dwellings in the countryside, resulting in an overall growth figure for urban and rural housing of 15,400 dwellings.
- 3.2.35 The housing allocation for Main Towns/Hubs should be amended to allow for 60% of the original housing growth figure (6,600 dwellings) within Phase 1 lands. This represents 43% of the amended housing growth figure and an additional 17% outside of the housing growth figure should be used to allocate Phase 2 housing lands (subject to review).
- 3.2.36 The supporting Tables at Appendix 1 of the DPS should also be updated to reflect a 60% (6,600 dwellings) allocation for Main Towns/Hubs as further detailed below.

*Appendix 1 of the DPS*

- 3.2.37 Appendix 1 Tables need updated to reflect the amended Plan Period of 2020 – 2035.
- 3.2.38 The 7% discrepancy between the housing growth figure and housing allocations should be allocated to the housing growth figure for Local Towns, Villages and Small Settlements;
- 3.2.39 Appendix 1 Tables need updated to reflect the revised housing growth figure of 15,400 dwellings.
- 3.2.40 The detailed local housing allocations between settlements should be revised to reflect relevant and up to date evidence in respect of up to date household numbers and should be influenced by the Strategic Settlement Evaluation carried out by the Council, whereby the settlements most capable of sustaining growth are targeted and given a greater allocation rather than every settlement being allocated a pro-rata portion of the housing growth figure.
- 3.2.41 Committed units should be amended to reflect April 2019 Housing Monitor figures.
- 3.2.42 The detailed results of the zoned housing lands survey, updated Housing Monitor Information and existing live permissions should be used to ensure the committed units/residual zonings figures within Appendix 1 accurately reflect the best available evidence. This should take into consideration the negative responses received to the housing lands survey and expired planning permissions.
- 3.2.43 These amendments will allow for a more coherent strategy which will accurately inform the Local Plan Policies stage and represents a more sustainable strategy whereby the majority of



future housing growth is located within Main Towns in line with the RDS and SPPS. In addition, the amendments will ensure the Plan Strategy is founded on a robust evidence base.

**3.3 SPF4 – Maintain and consolidate the role of the villages as local service centres providing opportunity for housing, employment and leisure activities in keeping with the scale and character of individual settlements.**

3.3.1 We appreciate and agree with the Council’s position that there is not a requirement to reserve land specifically for housing or economic development. This will provide appropriate flexibility within villages, determined by the specific requirements of each settlement. We also accept that main growth in villages needs to be proportionate to their current size and the level of services on offer.

3.3.2 However, we believe in its current form SPF 4 is unsound based on the following tests:

- Soundness Test 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;
- Soundness Test CE2: The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base;
- Soundness Test C3: Did the council take account of policy and guidance issued by the Department

3.3.3 The supporting text for SPF 4 states “the villages are not seen as key service centres or locations in which to direct people used to living in the open countryside”. As previously identified, we agree with the Council that growth in villages should be proportionate to their current size and the level of services on offer. However, this statement is contrary to the principles of sustainable development which form the basis for the SPPS and Strategic Policy SPF 1 of the Draft Plan Strategy. Whilst residents should not be directed, rural growth within settlements rather than the open countryside should be encouraged and Villages provide the most sustainable location for such.

3.3.4 Furthermore, the Council’s strategy in respect of development in the countryside is further examined within **Section 3.4** below. As identified, the strategy is not based on up to date robust evidence and as such it is not possible to determine at this stage whether there is already an existing trend of rural residents moving from the open countryside into settlements.

3.3.5 In respect of a coherent strategy, SPF4 does not set out the Council’s aims in respect of facilitating development lands within Villages. As such, the DPS does not provide a cogent strategy from which the designations of the Local Policies Plan will be able to flow. We note that within SPF1 the Council identify that in defining limits for settlements consideration will be given to achieving compact urban forms whilst providing a choice of development opportunities

appropriate to the size and role of the settlement. We believe this should be carried through to SPF4 in order to demonstrate the specific strategy for Villages, in lieu of specific residential or economic zonings which are set out under the strategy for Towns.

#### Changes Required

- 3.3.6 The statement “the villages are not seen as key service centres or locations in which to direct people used to living in the open countryside” should be removed from SPF4 as this is not in accordance with the principles of sustainable development and does not allow appropriate flexibility for a change in trends from the open countryside to rural settlements.
- 3.3.7 Additional text should be added to SPF4 to identify that existing settlement limits will be extended where necessary and appropriate to facilitate flexible opportunities for development proposals over the plan period. This will ensure that SPF4 will be coherent and a robust base from which the Local Policies Plan will flow and has the ability to provide for additional lands once a robust evidence base for remaining dwellings in settlements and dwellings in the countryside has been established.

### **3.4 SPF6 – Accommodate development within the countryside that supports the vitality and viability of rural communities**

3.4.1 We have acknowledged the exceptional circumstance of Mid Ulster District Council previously in this response in respect of its rural community and the requirement to support its vitality and viability. However, we believe the wider text in support of SPF 6 to be unsound based on the following tests of soundness:

- Soundness Test 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;
- Soundness Test CE2: The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base;
- Soundness Test C1: Did the council take account of the Regional Development Strategy?;
- Soundness Test C3: Did the council take account of policy and guidance issued by the Department; and
- Soundness Test P2: Has the council prepared its Preferred Options Paper and taken into account any representations made?

#### Housing Allocations

3.4.2 Paragraph 4.34 of the Draft Plan Strategy states that “The countryside will not be subject to an allocation of the Districts HGI, however housing development will be monitored...accordingly, for review purposes if the number of houses being approved in the countryside exceeds 40%



of the Districts HGI this will trigger the need to change policy at the Plan Review". However, the RDS identifies that Housing Growth Figures should allow for both urban and rural housing. Therefore, the housing allocation for the countryside will be required to be brought into the overall housing growth figure and should be coherent with the allocation for Main Towns and Small Settlements in order to total 100%. Our suggestion for how this should be facilitated was outlined in **Section 3.2**. However, allocation of dwellings to the countryside, and the Council's justification for such, requires further examination.

#### *Dwellings in the Countryside*

3.4.3 In respect of Soundness Test C1, the allocation of 4,400 dwellings to the countryside is inappropriate in respect of sustainability goals and the SPPS (and as such does not conform with soundness test C3); and although the Council make an argument for such, the evidence provided is flawed. The consideration within the POP Public Consultation Report states that "looking at current approval rates (2012-2014) in the rural area...and extrapolating this over the plan period, the rural area housing would equate to 34% of the HGI". Firstly, this is a particularly short period of time and we would suggest that the survey period should be from June 2010 to April 2019, in line with the publication date of PPS 21: Sustainable Development in the Countryside to present day. Furthermore, the analysis does not take account of approvals for replacement dwellings, which do not contribute to housing growth. Finally, the results represent planning approvals and not build rates. Using this method further skews the evidence base in favour of additional growth within the Countryside as not all planning approvals will be brought forward and constructed. As such, the justification for 4,400 additional dwellings in the countryside over the Plan Period is not founded on a robust evidence base and has the potential to promote inappropriate and unsustainable levels of growth in the open countryside.

#### *Changes Required*

3.4.4 As per our recommendations for **SPF 2** above, in order to make the Plan Strategy coherent, amendments are required to ensure all elements of the Plan Strategy are coherent and consistent. Rural housing is required to be given a formal allocation of the housing growth figure as per the RDS and as such the Draft Plan Strategy will be required to reflect this. Our recommendations for amendments to housing allocations were set out within **Section 3.2**.

3.4.5 However, in addition, we believe that the number of dwellings allocated to the countryside should be reviewed based on a more robust evidence base. This evidence base should take account of the following elements, which will allow for a more accurate reflection of housing growth in the countryside:

- A revised survey period of June 2010 to April 2019, in line with the publication of PPS 21;

- Assessment of the number of approvals which represented replacement dwellings; and
- Number of dwellings *built* during the survey period.

3.4.6 Basing the allocation for dwellings in the countryside on a robust evidence base will ensure the Draft Plan Strategy reflects the extent of the rural population within the District and the need to support this, while accurately taking account of recent housing growth in the countryside, appropriate to the forthcoming Plan Period. Should the evidence prove that there has been a significant reduction in dwellings built in the countryside over the period 2010 to 2019, the allocation could be reduced accordingly and the difference used to provide additional dwellings within Villages and Small Settlements. This provides a sustainable approach which continues to support the rural community but will ensure there is a lesser impact upon the open countryside and environmental assets which the Council aim to protect.



## **4. Social Policies: Accommodating Growth and Creating Places**

### **4.1 "Our Strategy" Page 64-65**

- Soundness Test CE4: Is it reasonably flexible to enable it to deal with changing circumstances

4.1.1 Paragraph 7.11 of the Draft Plan Strategy states "Key to our strategy is zoning land in two phases in Cookstown, Dungannon and Magherafelt, thus allowing for current needs to be met whilst setting the direction of future growth." We agree that a phased approach to the release of housing land can be an effective strategy to ensure that there is not an oversupply of housing. However, the second phase of lands should not be allocated at the expense of ensuring there is adequate housing initially zoned within Phase 1 lands. Phase 2 zonings should act as a land reserve to account for changing need over the plan period and as such should be additional to the housing growth figure. If the Local Development Plan does not allow for adequate zoning of lands within Phase 1 (in this case 60% or 6,600 dwellings), there is limited flexibility afforded to landowners, who may not show a dedication to develop in the first 5 years but plan on doing so by the end of the Plan period.

4.1.2 Whilst we acknowledge the intention of the Council to review zonings in order to ensure delivery doesn't drop below 30%, this is not reasonably flexible and does not provide locational options for housing growth. As identified within paragraph 7.10 of the DPS, under provision [of housing land] can lead to price rises which will bring about a reduced level of access to the housing market and this is a real risk under the current Plan Strategy. The requirement for flexibility is recognised by the Council in respect of employment lands. Page 23 of the POP Public Consultation Report states "However this would ensure a degree of flexibility allowing the plan to provide a choice of sites at different locations and of different sizes to encourage economic growth". Therefore, the same flexibility should be afforded to housing land in order to provide a choice of sites.

#### Changes Required

4.1.3 As per our recommendations for SPF 2, **Table 1** sets out how the housing allocations could be amended in order to make the Plan Strategy coherent and consistent.

	<b>Current % Allocation</b>	<b>Current Dwelling Allocation Based on DPS and revised Settlement figure</b>	<b>Revised % Allocation under uplifted HGI</b>
<b>Main Towns</b>	30% - 60%	6600	43%
<b>Settlements</b>	40%	4400	28.5%
<b>Countryside</b>	40%	4400	28.5%
<b>Total</b>	110 - 140%	15,400	100%

**Table 1: Potential amendments to Housing Growth Figure**

- 4.1.4 However, in addition to this and in respect of the phased approach to land, the Council should ensure that Phase 1 lands within the Main Towns represent the full allocation of 6,600 dwellings which will reduce the risk of an under provision of housing land and promote sustainable development in line with the RDS and SPPS.
- 4.1.5 As previously identified, Phase 2 lands should be additional to the initial growth of 6,600 dwellings envisaged for Main Towns. Taking account of the revised percentage allocation (adjusted to take account of the Countryside being brought within the housing growth quota); the Main Towns now have 43% of the allocation. Phase 2 lands should therefore comprise enough scope to make up an additional 17% of projected growth. This 17% could be in addition to the stated housing growth figure; or if there remains a degree of uncommitted allocation within other settlements that is not expected to come forward, this could be clawed back in order to take account of changing circumstances over the plan period. As Main Towns represent the most sustainable location for housing growth in respect of service provision, sustainable transport and protecting the natural landscape, this approach to phasing housing lands will not result in a dangerous over supply of housing lands.

## **5. Subject Lands – DI 05**

- 5.1 We welcome the Council's economic strategy, identified within paragraph 2.10 of the DPS, to provide an equitable split of economic land across the three hubs of Cookstown, Dungannon and Magherafelt, approximating 55-60 hectares within each. We also agree with the conclusions within the POP Public Consultation report that provision of serviced sites for economic development is deficient in Dungannon and as such welcome the zoning of additional economic lands within the Town in the Draft Plan Strategy. Although the hectarage of these lands is not identified within the Draft Plan Strategy, we would consider this zoning to allow for the re-zoning of less suitable industrial sites within the town.
- 5.2 We note that the Council wrote to the owners of zoned industrial lands which have not been developed and to this end we wish to identify that our client The Lotus Group, are the owners of zoned industrial lands Ref: DI 05 (**Annex 1 and Annex 2**) and at this time do not have any intention to bring these lands forward for industrial use during the plan period. The remainder of the zoning benefits from a historic planning permission under Reference M/2008/0496/F for the development of 15 no. light industrial units, 1 no. warehouse/storage unit and 97 no. units of social housing and as such this representation embodies the lands to the south east of the overall zoning.
- 5.3 The subject lands benefit from an existing access from Ballygawley Road which is shared with the existing Willow Grove Care Home which is located opposite the site. As such, we wish to identify that the development of an industrial proposal at this site would conflict with the existing adjacent development in respect of noise and traffic levels of large HGV vehicles.
- 5.4 When taking account of the above recommendations outlined in this response, we believe the conclusion will be that further housing lands will be required to be zoned within Dungannon which will also assist in providing an adequate workforce for the planned economic development within the Town.
- 5.5 In addition, we have undertaken a desk top assessment of the subject lands against some of the criteria for zoned housing lands identified within paragraph 4.17 of the Draft Plan Strategy, the conclusions of which are stated below. A residential feasibility study is also included at **Annex 3** for reference.
- *Have access to existing community facilities and services* – The subject lands are located 0.5 miles from Dungannon Town Centre and Dungannon Youth Resource Centre and 0.7 miles to Dungannon United Youth and O'Neill Park as well as a number of schools, churches and healthcare facilities;
  - *Avoid Flood Risk* – A review of DfI Rivers Flood Maps indicates the subject site is not located within a flood plain;

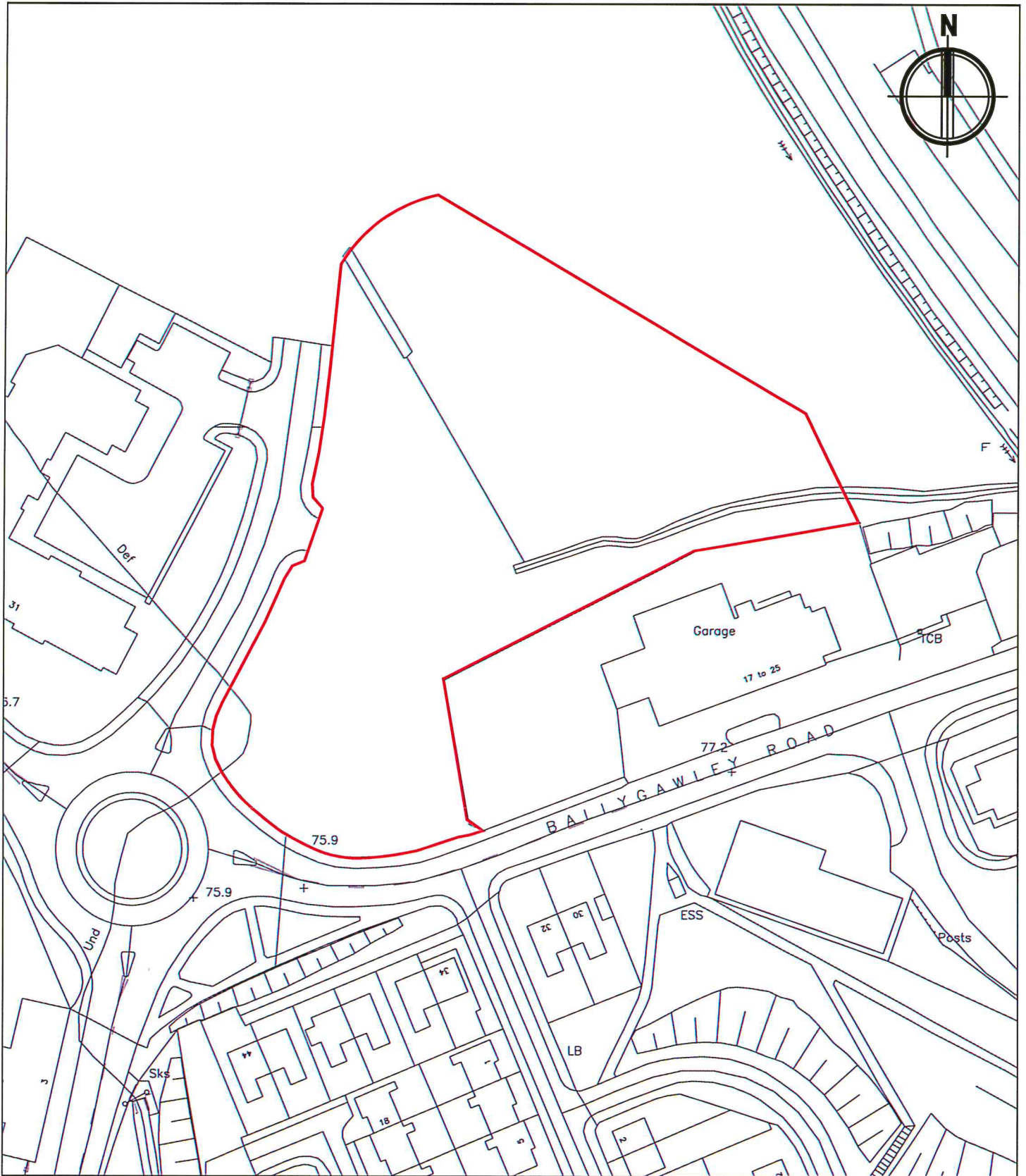


- *Have access to public transport* – The subject lands are located 0.5miles from Dungannon Bus Station with services to Belfast, Derry, Omagh, Enniskillen and Armagh among others. In addition, local buses servicing Dungannon is situated at the entrance to the Cloneen residential development;
- *Do not impact on the character of the town or any heritage assets* – The subject lands are currently situated within the Settlement Development Limit for Dungannon and are zoned for industrial use, therefore residential development on the site will not impact on the character of the town. The historic environment map viewer indicates that there are no heritage assets located within the vicinity of the site.

5.6 Finally, when considering the historic planning permission on the remainder of the lands, the subject site would be ideally located to help meet the social housing demand within Dungannon. We note the DPS states that Phase 2 lands could be brought forward if they meet social housing need. As the Council is now aware that these lands could be brought forward for Social Housing development, we would respectfully request these lands are brought forward as Phase 1 lands and allocated for social housing in the first instance.

**ANNEX 1**

**Site Location Plan**

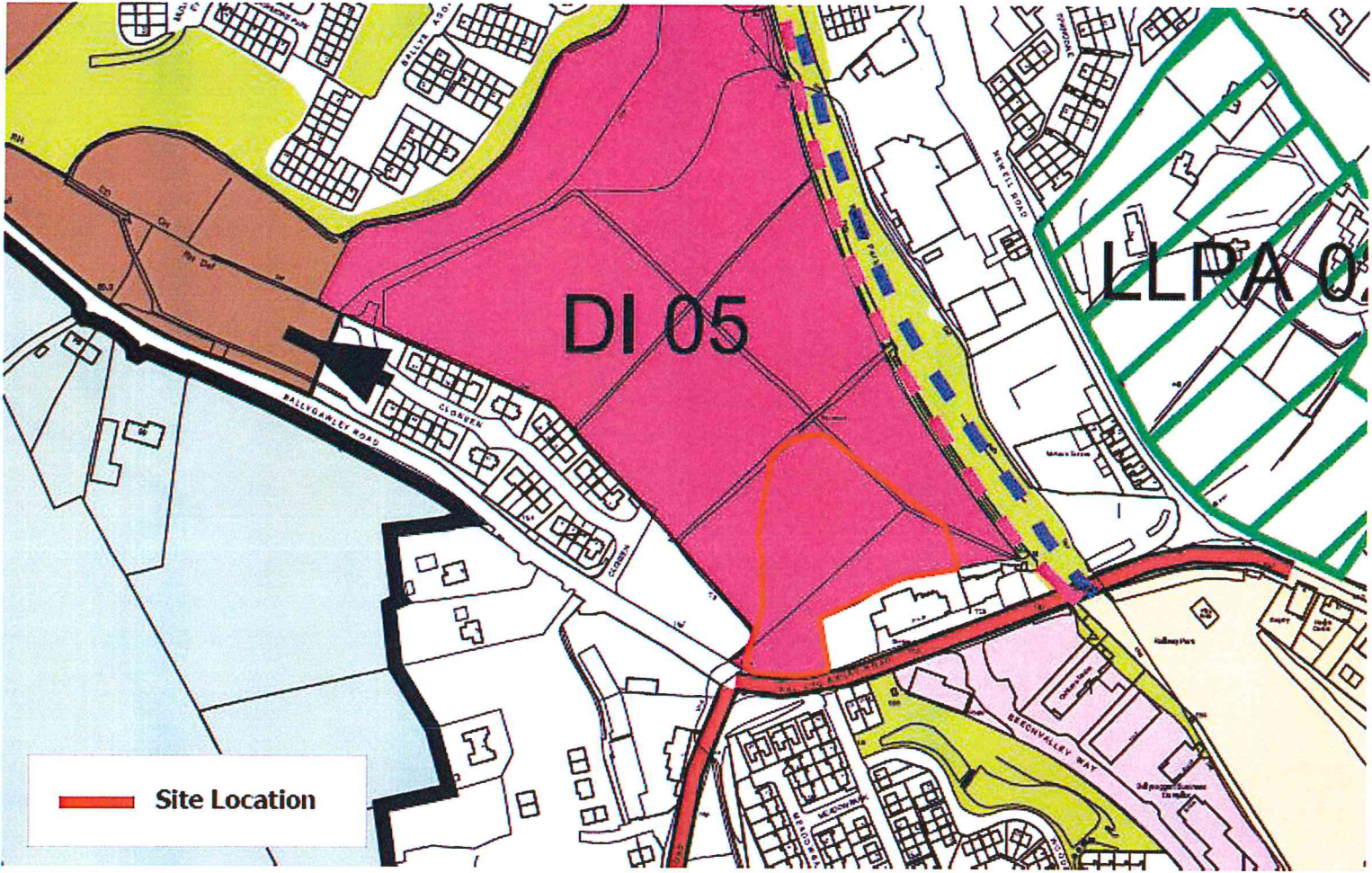


PROJECT.	Ballygawley Rd, Dungannon	SCALE.	1:1250	JOB.	1905
TITLE.	SITE LOCATION PLAN Approximate Site Area 1.94 acre	PAGE.	A4	DWG.	M03.1
		DATE.	--	REV.	--



**ANNEX 2**

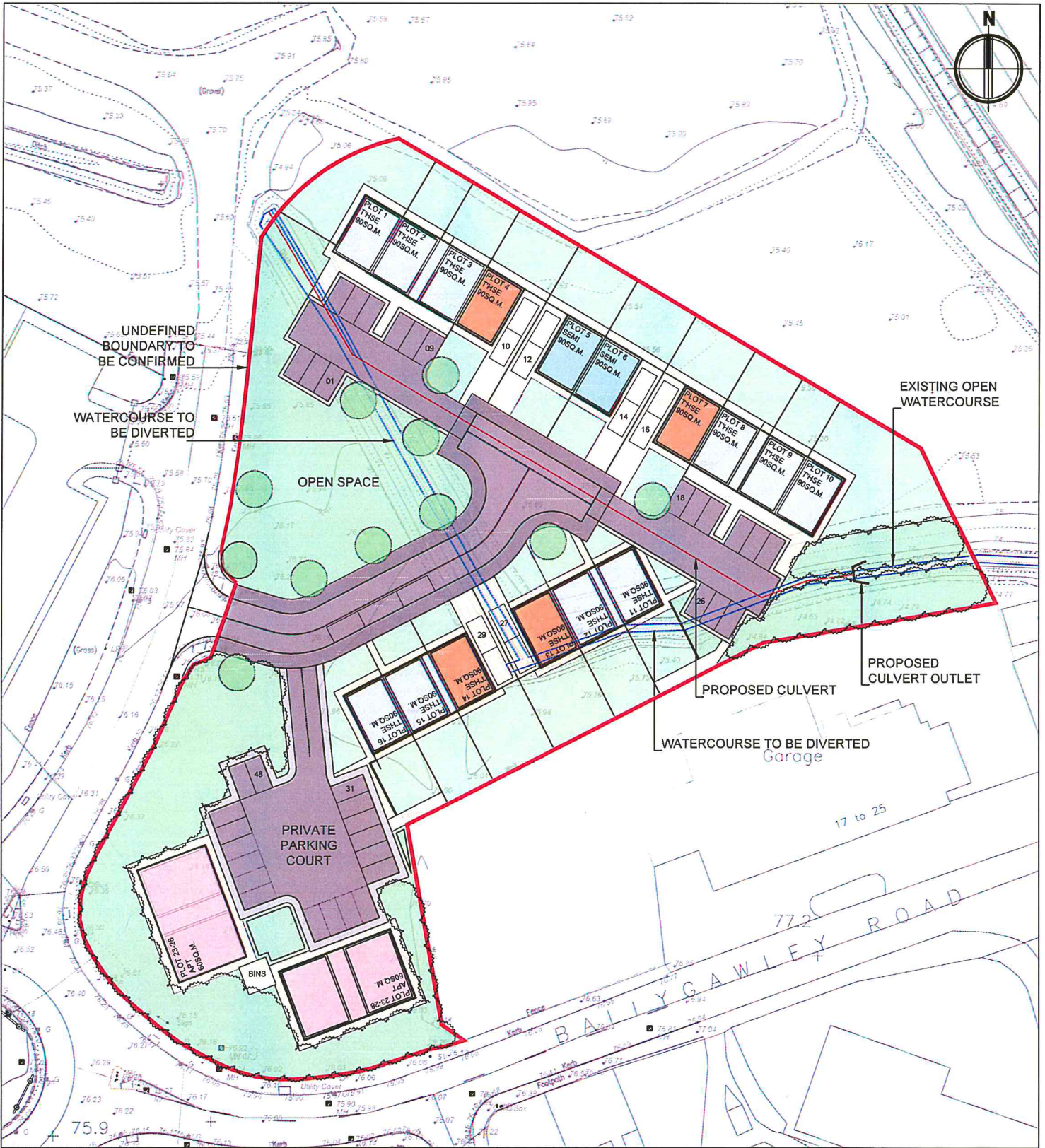
**Area Plan Extract**



**ANNEX 3**

**Residential Feasibility Study**





DEVELOPMENT & PARKING SCHEDULE				
HOUSE TYPE	SIZE	QUANTITY	RATIO	TOTAL
2 BED APT	60 SQ.M.	12	1.50 (CU)	18.0
3 BED THSE	90 SQ.M.	10	1.75 (CU)	17.5
3 BED THSE	90 SQ.M.	4	2.50 (I)	10.0
3 BED SEMI	90 SQ.M.	2	2.50 (I)	5.0
PARKING REQUIRED				50.5
PARKING PROVIDED				51.0

- ISSUES**
- ACCESS/ADOPTION
  - GROUND CONDITIONS
  - WATERCOURSE DIVERSION
  - AREA PLAN ZONING
  - HOUSING MIX (SOCIAL REQUIREMENTS?)
  - EXISTING SERVICES



LOTUS HOMES (UK) LTD.  
 THE FACTORY  
 184 NEWRY ROAD  
 BANBRIDGE  
 Co. DOWN  
 BT32 2NB

PROJECT: Ballygawley Road, Dungannon

TITLE: INITIAL FEASIBILITY

SCALE: 1:500

JOB: 1905

PAGE: A3

DWG: M01.1

DATE: Feb'19

REV: --