

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



Comhairle Ceantair  
**Lár Uladh**  
**id 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

**Representations must be submitted by 4pm on 19<sup>th</sup> April 2019 to:**

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

Or by email to [developmentplan@midulstercouncil.org](mailto: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) COMHA ARCHITECTS

**2. Agent Details (if applicable)**

MS

THERESA

CASEY

PLANNING CONSULTANT

TC TOWN PLANNING

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Line 3	64-66 MAIN ST.,	80-82 RAINEY ST.,
Line 4	COALISLAND.	MAGHERAFELT
Post Code		B745 5AJ.
Telephone Number		
E-mail Address	<u>info@tctamp.laming.co.uk.</u>	

**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 \_\_\_\_\_
- (ii) Objective \_\_\_\_\_
- (iii) Growth Strategy/  
Spatial Planning Framework SPF 2
- (iv) Policy How 1
- (v) Proposals Map \_\_\_\_\_
- (vi) Site Location ICLUYMEAL RD, DUNGAUNON

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.pdf](https://www.planningni.gov.uk/index/advice/practice-notes/development_plan_practice_note_06_soundness_version_2_may_2017_-2a.pdf.pdf)).

Soundness Test No. CE3 + CE4

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:

PLEASE REFER TO APPENDED PAGES

*(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.

PLEASE REFER TO APPENDED PAGES

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

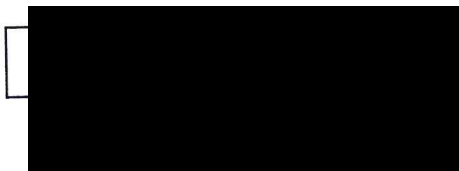
7. If you are seeking a change to the DPD, please indicate if you would like your representation to be dealt with by:

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:



Date:

19/04/19

**Part 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.**

The following comprises a two prong approach on Spatial Planning Framework 2 and Policy HOU 1 of the draft Plan Strategy (dPS) addressing where it would appear to meet and fail Soundness Test No.'s CE3 and CE4. In the interest of attempting to provide clarity SPF 2 and Policy HOU 1 of the dPS will be addressed in turn.

**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.**

SPF 2 of the dPS is in general conformity with the Regional Development Strategy (RDS) with regards to the compact urban form as it seeks to provide for up to 60% of the districts households within the three major towns i.e. Dungannon, Cookstown and Magherafelt.

Paragraph 2.4 of the dPS states:

*“We are also a very rural District with 72% (NISRA, Statistical Classifications and Delineation of settlements), of the population living in a rural area, as defined by the inter-departmental rural urban definition group. This definition of rural means that everywhere in the District is classed as rural apart from Cookstown, Dungannon, Magherafelt and Coalisland. Additionally, 40% of our households are located within the countryside.”*

Currently only 27.4% of households are located within these settlements as per Annex 1 of the dPS and this is consistent with the totals outlined in the Preferred Options Paper (POP). It would appear that the preferred option i.e. Option 1 – Equitable Split outlined in the POP has been changed to meet the upper limits set out by the RDS. This would not be wholly reflective of the established settlement pattern for the population of the district as of the remaining 70% of households, approximately 40% of these live in the open countryside.

With the foregoing in mind, the current extant area plans fall short of the compact urban forms advocated by the RDS and SPF 1 of the dPS. This is most likely due to the lack of zoned residential land being released by the various landowners due to whatever reasons but may comprise of being too close to established industrial enterprises, used for open space associated with adjoining schools/clubs, form green lungs and natural corridors for biodiversity etc.

It is commendable that the SPF 2 of the dPS does intend to ensure that land for housing, at a level not below 30%, is made available throughout the plan period in a phased approach as per paragraph 4.16 of the dPS. Clearly much land has been sitting idle for too long with no intent of development.

Although planning history is only retrieved from 2010 as per the planning portal map viewer and with reference to Spatial NI for the same lands, as of the 17<sup>th</sup> April 2019 the following parcels of land, or part thereof, zoned for housing as per Map No. 6a of the extant Dungannon and South Tyrone Area Plan 2010, have no planning permission attached:

DH 05;  
DH 06;  
DH 07;  
DH 08;  
DH 10;  
DH 12;  
DH 13;  
DH 15;  
DH 20;  
DH 21;  
DH 22;  
DH 23;

The same number of households still needs to be provided for as per the Housing Growth Indicators (HGI's); the goal of 11,000 new homes by 2030 can only be achieved where land is released. The unavailability of residential land for development or intent to develop has compromised the provision of housing allocation within Dungannon. This has stymied development for Dungannon throughout the lifetime of the extant area plan which coincidentally was published in draft form in May 2000, almost 20 years ago. SPF 2 needs to consider more mechanisms and flexibility to ensure adequate housing land supply is indeed provided with a real intent of release and development prospect throughout the new Local Development Plan (LDP) to accord fully with soundness tests CE 3 and CE 4.

### **Policy HOU 1 – Protection of Land Zoned for Housing**

It would appear the current level of Phase 1 housing land for Dungannon town has restricted the release of Phase 2 land for development potential as it would appear none of the latter has been developed or committed planning permission attached throughout the duration of the extant area plan.

With respect to Annex 1 of the dPS, it states the number of "*Committed units still to be developed and residual zoning*" equates 2,697 for Dungannon as per the figures calculated at 2015. However what percentage/number of these units fall within land zoned for housing where there has been no attempt made to develop e.g. no extant permission as per the planning portal 17<sup>th</sup> April 2019? The phased approach has not necessarily delivered the residential units expected for the extant plan.

Notwithstanding, phasing development would seem the most sensible and less intrusive approach on the natural environment ensuring a coherent and sequential growth for the town.

The current phase 1 lands for Dungannon where no recent attempt has been made to develop (e.g. since 2010) should be seriously considered for de/re-zoning depending on the land use that has enveloped around them. Consideration should also be given to the proximity to settlement limits and/or whether they could be removed from the urban setting altogether in lieu of realistic sites that will be developed honouring the overarching spatial planning framework objectives set out in the dPS and conformity with the RDS.

The attached site location map and concept plan appended have been submitted as a parcel of land that adjoins extant Phase 2 lands along Killymeal Road, Dungannon. Inclusion of these lands within the settlement limits would welcome the opportunity for development within a highly desirable location.

It is accepted that this part of the LDP process is not site specific but the arguments presented herein and the willingness of the landowner to recommend their land for inclusion will ensure that the overarching objectives and policies of the new LDP are delivered; the objective of this public consultation. Further detail on the acceptability of the land for inclusion within the limits will be submitted at the draft Local Policies Plan stage.

However, without other options being made available or presented to the council at this stage, no purpose or justification to challenge or replace the current zoned residential land within Dungannon may be substantiated.

### **Part 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.**

Alternative measures could be considered as part of the coherence and effectiveness for soundness tests CE 3 and CE 4.

Re-examining current zoned land, de/re-zone in accordance with paragraph 7.17 of the dPS is progressive. However additional assessment to consider removing, where practicable, stagnant land from the existing settlement limits may be necessary to realise the compact urban form desired by the RDS is met without compromising the housing allocation for the open countryside. Acknowledged by the POP and the dPS 40% of households live in the countryside and this should not be compromised while upholding sustainable development principles.

The council should also consider replacing existing Phase 2 housing land to Phase 1 especially within Dungannon and give preference to adjoining lands, as described in the appended plan, to form a Phase 2 option in an attempt to attract rural dwellers into the towns.

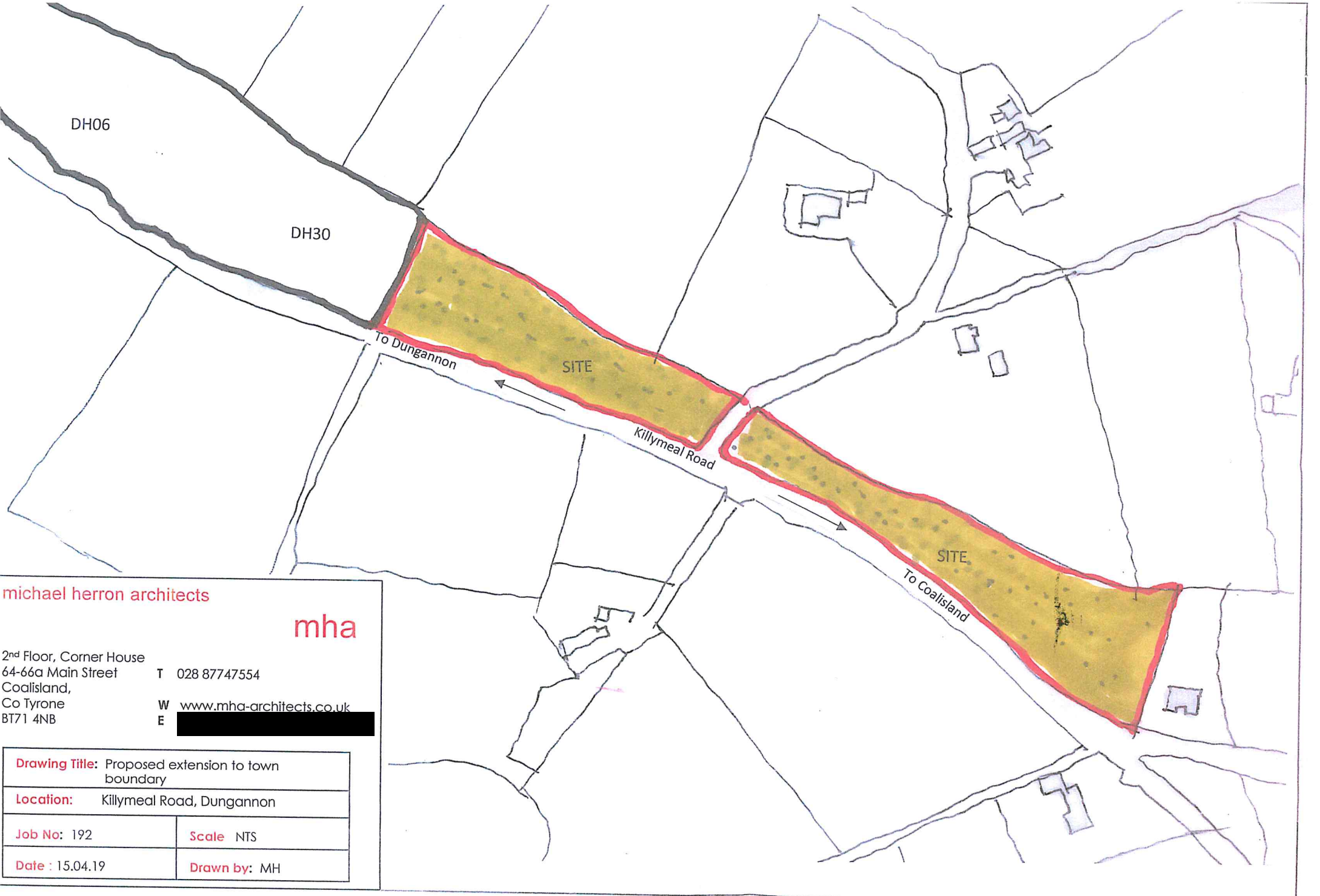
There is clearly a desire to live in the countryside. Lands adjoining settlement limits could prove a feasible alternative to high density housing development, as it provides a sense of rural living while still providing direct links to the town and associated services. This could act as a stimulus for attracting rural dwellers to an urban location while still respecting the rural ideal preferred by so many in the district.

Alternative development options enticing more households into the urban setting are required by the council so that the lower level of 30% of households, as a minimum, is located within the three main towns. Clearly the current plan has not been successful in conforming to the RDS objectives.

Low density development on the attached site will soften the impact transitioning from the rural landscape to the compact urban form along this approach to the town. It will consolidate the line of development that will form once the extant Phase 2 zoning i.e. DH 30 has been constructed with development clustered around the Killymeal Road and Edendork Road junction.

To ensure that zoned residential land is developed within the main town, this should be subject to ongoing monitoring whereby within 5 years it is required that intent is demonstrated to release the land for development purposes or risks re/de-zoning and alternative/reserved land considered for development. This would form part of the ongoing implementation and monitoring process for soundness test CE 3 and allows the council to apply flexibility where there is a change to circumstances in accordance with soundness test CE 4. This will also satisfy "*Monitoring of Our Plan*" aims set out in section 24 of the dPS.



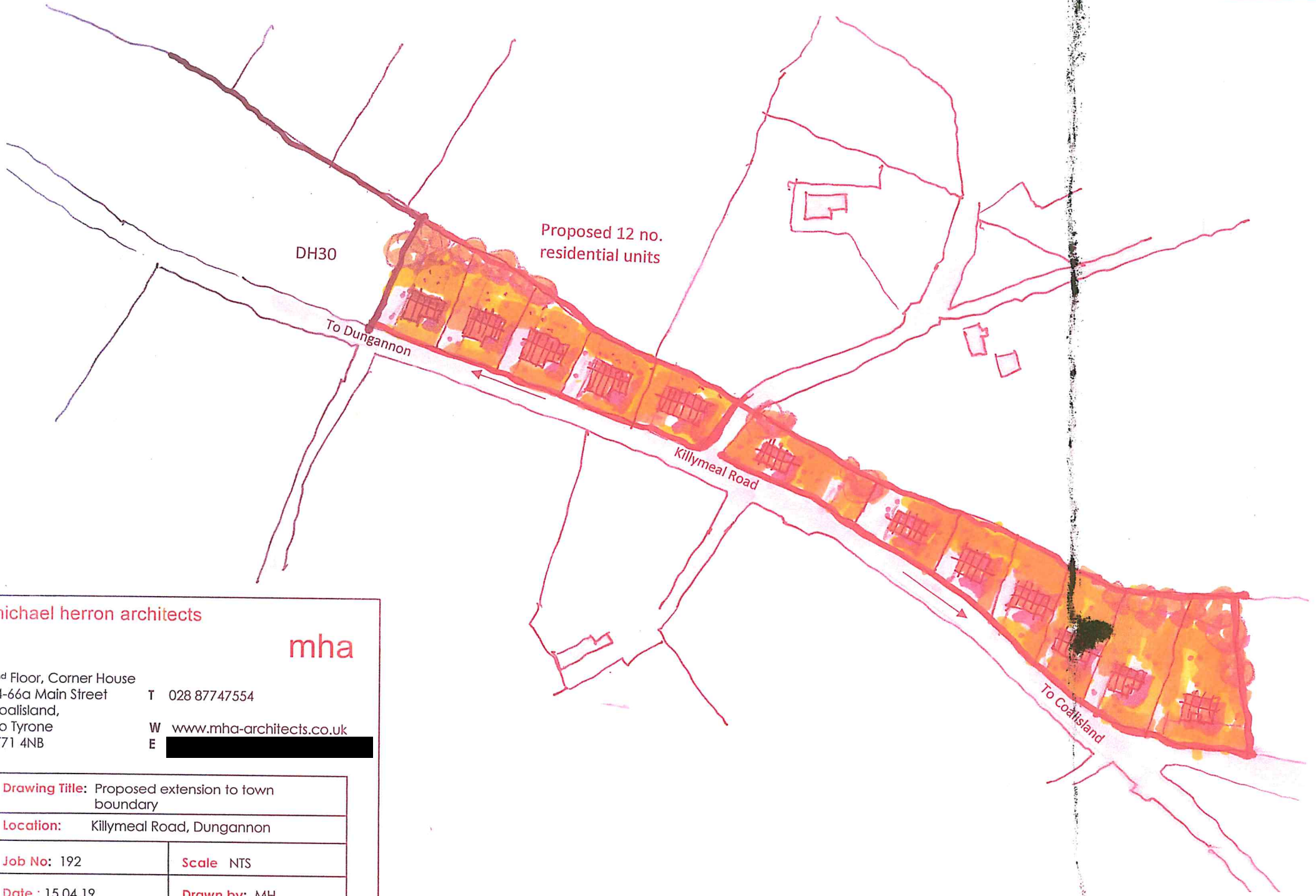


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BT71 4NB E [REDACTED]

<b>Drawing Title:</b> Proposed extension to town boundary	
<b>Location:</b> Killymeal Road, Dungannon	
<b>Job No:</b> 192	<b>Scale:</b> NTS
<b>Date:</b> 15.04.19	<b>Drawn by:</b> MH



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