

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

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

2. Agent Details (if applicable)

Title

First Name

Last Name

Job Title (where relevant)

Organisation (where relevant)

Address Line 1	24 LISGORGAN LANE	UNIT C12
Line 2	UPPERLANDS	THE BUSINESS CENTRE
Line 3	MARHERA	80-82 RAINEY ST.,
Line 4		MARHERA FELT.
Post Code		B745 5AJ
Telephone Number		
E-mail Address	info@tctownplanning.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 \_\_\_\_\_
- (ii) Objective \_\_\_\_\_
- (iii) Growth Strategy/
  - Spatial Planning Framework SPF 6
- (iv) Policy ECON 2
- (v) Proposals Map 1.2 + 1.3
- (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.pdf>).

Soundness Test No. CE 3 + CE 4

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

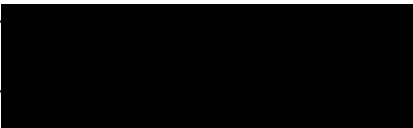
*(If not submitting online and additional space is required, please continue on a separate sheet)*

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 6 (SPF 6) with regards to Rural Industrial Policy Areas (RIPA's) and Policy ECON 2 of the draft Plan Strategy (dPS) addressing where it would appear to meet and fail Soundness Test No.'s CE 2, CE3 and CE4. In the interest of attempting to provide clarity SPF 6 and Policy ECON 2 of the dPS will be addressed in turn.

**SPF 6 – Accommodate development within the countryside that supports the vitality and viability of rural communities without compromising the landscape or environmental quality and whilst safeguarding our natural and built heritage**

The dPS highlights that 8,500 new jobs are to be created throughout the plan period; current employment rates also need to be sustained.

Paragraph 2.5 – Economic Trend outlines the various industries providing a wealth of employment for the district and states:

*“...The District is significantly more dependent on the construction and manufacturing sectors than the rest of Northern Ireland. For instance, 27.5% of all jobs in Mid Ulster are in manufacturing and 8% are in construction, compared to regional figures of 11% and 4.2% respectively (Census for Employment, NISRA, July 2014). The high prevalence of manufacturing is in part linked to a thriving minerals industry in the District, particularly the extraction of sand and gravel. As a spin off to this extraction activity, there is a very strong manufacturing sector specialising in crushing and screening equipment. It has been estimated that Northern Ireland provides 40% of the world's screening and crushing equipment and undoubtedly, a large proportion of this is supplied by companies within Mid Ulster.”*

Paragraphs 4.13 & 4.14 of the dPS states:

***“A generous supply of economic development land should be maintained across the life of The Plan and where uptake of industrial land is high additional land will be zoned in the Local Policies Plan or at plan review.***

*“In recognition of the shortage of economic development land in Dungannon an additional interim supply has been identified at Dungannon and Granville. Maps 1.2 – 1.3 identify the sites and Key Site Requirements (following the maps) identify those issues to be addressed in*

*respect of each. The sites are also identified on the wider District Proposals Map.” (my emphasis)*

Option 2: More Flexible approach tailored to Mid Ulster, was the preferred option identified in the Preferred Options Paper (POP) and this seems to have been carried into the Draft Plan Strategy (dPS) with the introduction of the Rural Industrial Policy Areas (RIPA’s) forming part of the overarching principle behind SPF 6.

The RIPA policy is in response to paragraphs 4.35 to 4.37 of the dPS and is an innovative and progressive approach by the council. It clearly states that the council has listened and understands the needs of the local people and is prepared to safe guard, where appropriate, established enterprises in the countryside ensuring economic growth and prosperity operate sufficiently and smoothly throughout the plan period. This approach is commendable and should be upheld and adopted into the Plan Strategy.

It is appreciated that RIPA’s in addition to those identified in the dPS may emerge at the Local Policy Plan (LPP) stage of the new Local Development Plan (LDP), however, no economic growth nodes/zonings have been identified for the northern section of the council area. The draft RIPA’s and Economic Development Zones identified in Maps 1e and 1f – District Proposals of the dPS are concentrated in and near the catchments of Cookstown and Dungannon.

The northern part of the council area is underrepresented for established enterprise centres. In the interest of spatial development and to ensure that this is applied fairly and proportionately throughout the whole of the district, the appended map is indicative of land typical of RIPA’s designation suggested by the dPS.

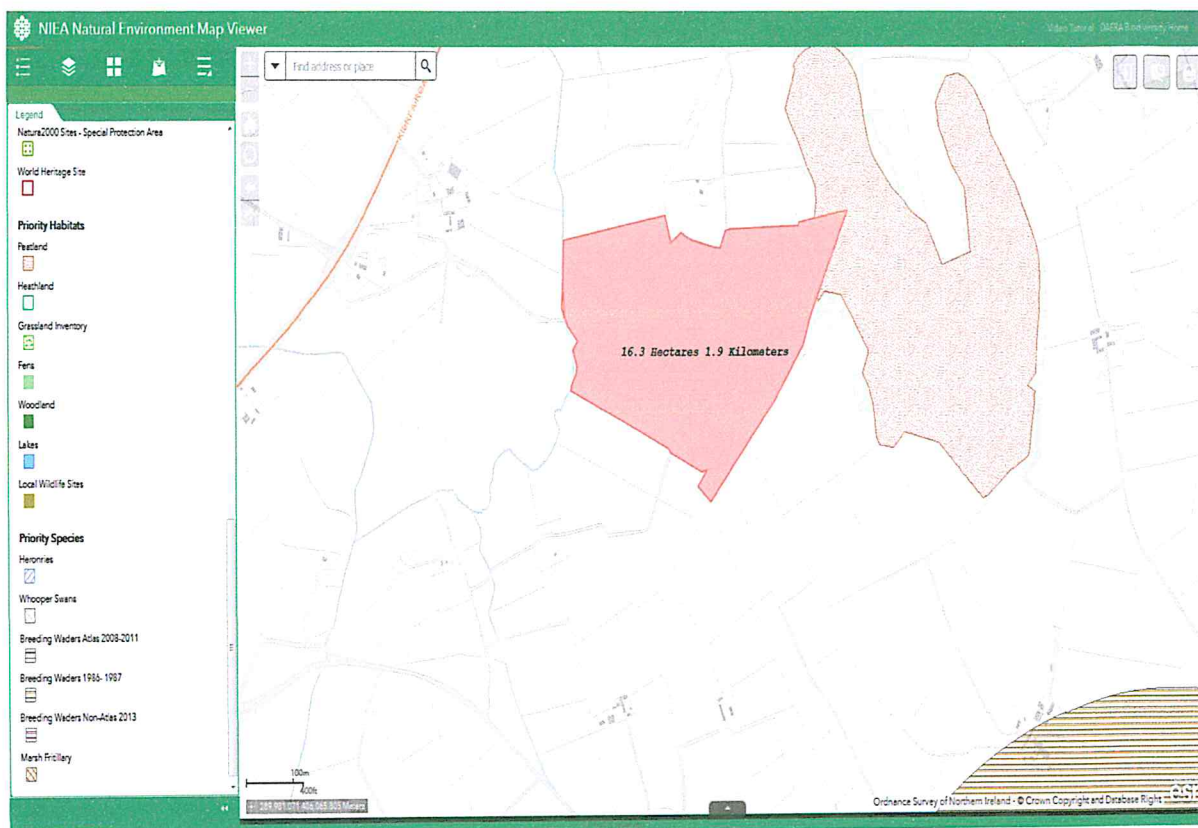
The scale of established businesses may vary across the council area as the same level of engineering/quarrying is not necessarily commonplace throughout the northern part of the council area when compared to Cookstown, Coalisland and Dungannon. Notwithstanding, this should not preclude smaller established enterprises from benefitting from the proposed RIPA designation.

The appended land equates to approximately 16.31 hectares, considerably smaller when compared to proposed RIPA’s Desertcreat and Tullyvannon which measure at approximately 100 and 46 hectares respectively. However, the attached site involves an established business enterprise within the countryside. It is located off the main Kilrea road and to the north east and south west lie the towns of Maghera and Kilrea respectively. With reference to the criteria listed for RIPA’s in SPF 6, the said land meets each of these in that it is:

- wholly located within the rural area;
- is not within or close to a RAMSAR, SPA, SAC, ASSI or SLNCI as confirmed by Map No. 1 – Countryside of the extant Magherafelt Area Plan 2015 (MAP), Map 1d – District Proposals of the dPS and the Northern Ireland Environment Agency – Natural

Environment Map Viewer; the site as retrieved from the latter source is included in Figure 1. Although a small north eastern portion is within a priority habitat, this could be addressed at LPP stage;

- industrial use has been deemed lawful by granting certificate H/2014/0191/LDE. Furthermore, an extension to the established planning unit was deemed acceptable by the council when granting application LA09/2017/0837/F which involved the development of a building with a 3570m<sup>2</sup> floorspace, associated yard and parking. The council accepted that the extension was in accordance with prevailing planning policy based on the lawful planning unit established on site which set the benchmark to assess the extension application against; it was not considered a substantial increase. A further application has just been submitted to the council for consideration of additional large industrial buildings comprising of a gross floorspace of 3572m<sup>2</sup> and associated yard and parking. The site is continuing to grow and prosper and additional land is required to meet this demand. A brief overview of the economics attached to the existing site is included later in this representation for consideration;
- the site is economically viable and additional buildings/space is required as each of the existing structures are occupied;
- there is an existing access to Kilrea Road to the west, known as Lisgorgan Lane, which is owned by the landowner for the said land. This lane also extends beyond the said lands with access leading to the Dunlady Road to the south. Passing bays already exist along the Lisgorgan Lane;
- the Kilrea road to the west is a main B Class road leading to the town of Kilrea to the north and access to the A29 located approximately 4km's to the south west. The site is in close proximity to major transport corridors linking the main towns and cities of Northern Ireland. The site also benefits from three phase electricity supply and other infrastructure provisions;
- the land is set well back from the main road and is not readily distinguishable within the open landscape due to the surrounding topography. This is further supported in the Case Officer's report for LA09/2017/0837/F;
- the said lands are a considerable distance from surrounding properties. The existing business uses do not cause detriment to surrounding amenity and again this could be addressed at the LPP stage.



**Figure 1** – Site outlined in red in proximity to priority habitat: peatland. No other environmental designations adjoining the site (Map not to scale)

Source: NIEA – Natural Environment Map Viewer

A programme of works for the disused transport corridor annotated on Map 1d of the dPS which traverse the north westerly section of the lands could be resolved at the LPP stage.

SPF 6 acknowledges in paragraph 4.35 that:

*“Mid Ulster also differs from other areas due to the successful economic developments located within the countryside. This success is because the industry is linked to the countryside by way of agriculture or mineral development or related engineering.”*

The appended site should be given due consideration as it is compliant with the economic objectives advocated throughout the dPS. These lands further support soundness test CE2 for RIPA’s as the introduction of this new policy is a realistic and appropriate response to the findings of the POP and representations made to date. RIPA’s will safeguard economic development in the countryside implementing a more streamline process for these established enterprise centres enabling expansion, prosperity and economic growth.



With respect to the attached lands, the established unit consists of 4 businesses comprising of:

- Drennan Transport, 14 employees and turnover of £1.5million;
- McIntyres, 20 employees and turnover of £5million;
- EMC Trailers, 10 employees and turnover of £700,000; &
- Mullan Auto Electrics, 5 employees and turnover of £600,000.

At present there are 49 employees in total on site and collectively the four businesses generate £7.8million turnover.

This is a significant enterprise centre within the rural countryside making substantial contributions to the local and regional economy and sustaining almost 50 jobs.

Identifying appropriate land for inclusion within a RIPA at this stage substantiates the Councils justification for proposing the policy quantifying the soundness of the approach.

To what scale does existing industrial activity need to operate at to meet the RIPA designation?

RIPA policy does not identify a threshold, is this then a subjective test?

The RIPA's policy needs to consider how it will assess any potential increase to established RIPA's that emerge through the plan process. Once land within the designation has been exhausted would any proposal for expansion then need to be considered against Policy ECON 2 of the dPS?

RIPA policy may therefore not fully meet soundness tests CE 3 and CE 4 in this regard.

### **Policy ECON 2 – Economic Development in the Countryside**

More clarity needs to be given with respect to RIPA's if expansion is to occur within these locations.

**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.**

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With respect to RIPA's providing a degree of clarity on site selection would prove useful for the next stage of the plan process. Ongoing monitoring would be an option to determine how each potentially adopted designation is progressing throughout the plan period. Each could be assessed on its own merit and identifying any need for possible extension to the site boundary. This would enable the council to justify extension whereby this is not speculative and is attached to an established business on site with genuine need for an extension.

Criterion (e) of Policy ECON 2 does not distinguish between an expansion for isolated business sites or potential RIPA's. Possibly the criterion should differentiate between the two types of development schemes as these could vary considerably in scale and need.

**Comment**

The introduction of RIPA's is commendable. By proposing this innovative policy the council realises the importance of economic activity in the countryside and aims to safeguard and sustain, where appropriate, established business centres that contribute to the rural and wider economy, providing skilled employment normally within short travel time of homes. This reduces the need to commute long distances for work and retains expenditure within the locality.

Acknowledging the rural economy by proposing RIPA's is not dissimilar to recognising the importance Dispersed Rural Communities (DRC's) play as custodians for the countryside. Safeguarding established business centres will ensure that rural communities are sustainable and conserved.

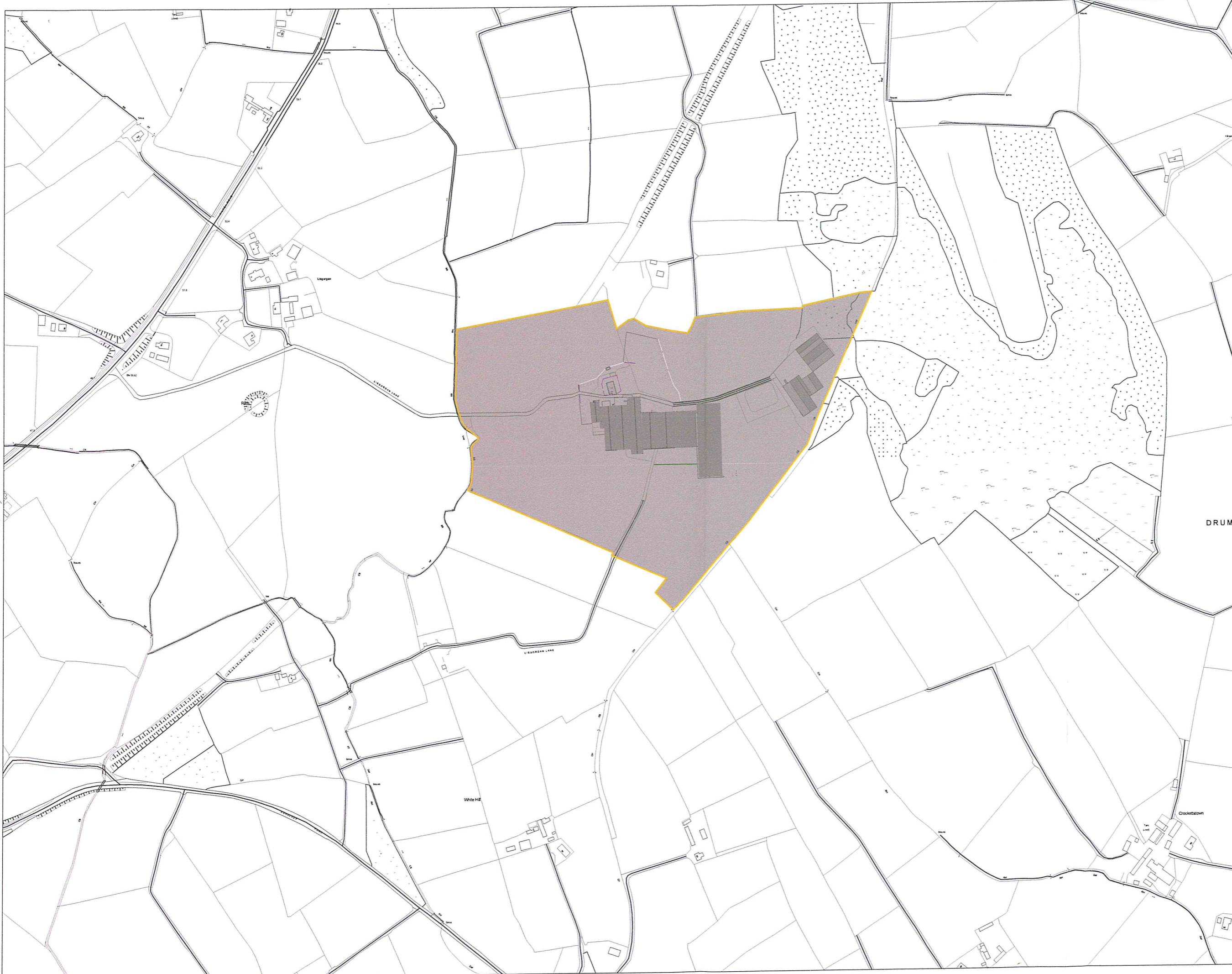
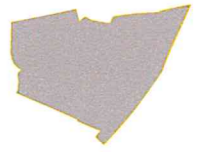
# Site Location Plan



Scale = 1:2500

OS Map Reference =  
065-03 SE & SW  
053-15 NE & NW

Site Area = 163128 m<sup>2</sup> / 16.31Ha / 40.3 Ac  
Proposed Industrial Zoning



DRUMNACANON

J			
I			
H			
G			
F			
E			
D			
C			
B			
A			
Rev	Amendment	By	Date



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**PROJECT TITLE**  
Local Development Plan, Written Representation for site @ 24 Lisragran Lane to be Zoned for industrial use within the New Area Plan 2030

**DRAWING TITLE**  
Planning Drawings  
Proposed Industrial Zoning

PROJECT No.	DRG. No.	REVISION
886-19	RD-01	
SCALE	DATE	DRAWN BY
1:2500 [A1]	05/04/19	ojq
CLIENT	CHECKED BY	
Drennan Transport Ltd		
<input type="checkbox"/> Information Only	<input checked="" type="checkbox"/> For Approval	<input type="checkbox"/> As Built
<input type="checkbox"/> Preliminary	<input type="checkbox"/> For Construction	<input type="checkbox"/> oja architecture