

Sinead McEvoy

From: Kate Hegarty [REDACTED]
Sent: 28 April 2020 16:56
To: DevelopmentPlan@midulstercouncil.org
Cc: Thomas Bell
Subject: LDP draft Plan Strategy Representation Matter 33
Attachments: MU dPS Rep (Policy CT2 Criteria H) Matter 33 Setanta Construction.pdf

Dear Sirs,

We attach for your consideration our representation/comments relating to the Mid Ulster Council LDP draft Plan Strategy dated 21 February 2019 relating to rural planning policy (CT2 Criteria H) on behalf of a client of this office.

I trust this is satisfactory however, should you require any further information or clarification, please do not hesitate to contact me

Please confirm receipt (Matter 33).

Kind regards,

Kate

Kate Hegarty
Planner

CLYDE SHANKS

2nd Floor

7 Exchange Place

Belfast

BT1 2NA

Tel: 02890434393

www.clydeshanks.com

Clyde Shanks Ltd is registered in Northern Ireland. Company No. 606619. Registered office address: 10 Pilots View, Heron Road, Belfast, BT3 9LE. The information in this message is confidential or protected by law. If you are not the intended recipient, please contact the sender and delete this message. Any unauthorised copying of this message or unauthorised distribution of the information contained herein is prohibited. Although Clyde Shanks Ltd has taken steps to ensure that this email and attachments are free from any virus, good computing practice means that the recipient should ensure they actually are virus free.

Planning LDP Team
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN

BY E-MAIL

27 April 2020

Our ref: Matter 33

Dear Sirs,

REPRESENTATION TO MID ULSTER LOCAL DEVELOPMENT PLAN (LDP) DRAFT PLAN STRATEGY (DPS) POLICY CT2 - DWELLINGS IN THE COUNTRYSIDE CRITERIA 'H DWELLING FOR A CARER OR SOMEONE AVAILING OF CARE'

Introduction

We write on behalf of our client, Setanta Construction Ltd. in relation to the Council's publication and recent consultation of Local Development Plan (LDP) draft Plan Strategy (dPS). This letter relates to the strategic theme of housing policy specifically to draft policy (CT2 Criteria H) associated with housing in the countryside for *dwelling for the elderly or people availing of care*.

We note that Mid Ulster District Council (MUDC) following the publication of their dPS previously carried out a community consultation from February – April 2019. Since then however the Council have identified a procedural error in relation to the original consultation and therefore, are now re-consulting on the LDP dPS for 8 weeks from 25 March – 21 May 2020.

Setanta Construction Ltd.

By way of background, Setanta Construction (SC) Ltd. are an established family owned timber frame construction / manufacturing business first opened in 1963 to provide high quality insulated homes. More recently, the company was accredited as being certified Passive House Designers which is an esteemed qualification on energy efficient construction and creating zero-carbon rated and energy efficient homes.

The concept for the granny pod / cottage derived from the Managing Directors personal experience. The objective was to achieve a dwelling small enough to be built off-site and transported to its final location yet large enough internally to accommodate all the needs of an elderly and / or possibly disabled person. Setanta Construction have engaged with

the Northern Ireland Housing Executive (NIHE) who assisted in the design of the building so as to suit these special needs and requirements – see **Annex 1** for Concept Plan.

Context

It is understood that MUDC currently hosts the smallest urban based population in Northern Ireland with approximately 40% of households located in the rural area (source: NISRA, Statistical Classifications and Delineation of settlements – as referenced in the MU dPS para 2.4). We note that a key challenge for Council area is to accommodate development that will support the vitality and viability of rural communities without encouraging excessive growth in parallel with safeguarding natural and built heritage.

Importantly, para 8.4 under 'Housing in the Countryside' of the dPS states;

'Within Mid Ulster just over 10% of our population rely on a degree of care (NISRA 2013) and therefore we must also cater for the needs of carers of the elderly and disabled by accommodating development which allows people to remain within their own communities'.

It is welcomed that the thrust of the rural housing policy is to provide more opportunities in order to recognise the predominately rural nature of the population as well as supporting clustering, consolidation and grouping of new development with existing buildings and re-using previously used buildings wherever possible.

Draft Plan Strategy - Proposed Policy (Housing in the Countryside CT1 / CT2)

Policy CT1 – General Policy

A set of general policy considerations have been identified which all new residential development in the Countryside is expected to comply with including;

- *Cluster, consolidate and group with existing buildings unless there are environmental or operational reasons as to why this is impracticable;*
- *Integrate with its setting by utilising existing vegetation and landform to provide a backdrop and soften visual impact and avoid unduly prominent or artificially created sites;*
- *Respect rural character by complementing settlement patterns in the locality and avoid creating or adding to ribbon development; and*
- *Be of appropriate design in terms of height, size, scale, massing, architectural detail and finishes.*

Policy CT2 - Dwellings in the Countryside

Further to the above-mentioned generic policy considerations, additional criterion for dwellings have also been introduced under proposed (draft) policy CT2 'Dwellings in the Countryside', criterion 'H' which states;

CLYDE SHANKS

'Dwelling for a Carer or someone availing of care - Provided the care is delivered by or received from an immediate family member and the dwelling is in the form of an extension to an existing dwelling to form a separate but attached residential unit, or change of use of an existing building within the curtilage to form a separate residential unit'.

(our emphasis)

The dPS amplifies under para. 8.53 that;

"We recognise that there are many instances where someone caring or availing of care would not meet the strict tests in relation to the 'Personal and Domestic Circumstances' policy. However, given that our research has shown that just over 10% of our population rely on a degree of care in relation to the elderly or children there are clear social benefits to facilitating extended families living next door to one another.

8.54 Accordingly in such cases the applicant will be required to provide:

- *sufficient information to justify in relation to the care and support being offered;*
- *a well thought out design for an attached dwelling or conversion of an out building which avoids the characteristics of a pair of semi-detached houses and respects rural form.*

8.55 Information should include details of the level of care required in relation to any medical condition, supported by the appropriate health professional, the identity of the main carer, their current address and occupation. In addition, an explanation must be provided as to why care can only be provided at the specific location and how genuine hardship would be caused if planning permission were refused.

8.56 All permissions granted under this policy will be subject to a condition restricting the occupation of the dwelling to a named individual and their dependents.

The direction and novel provision proposed recognises that there are many instances where someone caring or availing of care would not meet the strict policy tests in relation to the existing 'Personal & Domestic Circumstances' policy of PPS21 – CTY6.

Representation

Our client welcomes the practical approach to ensure that specific policy for residential accommodation for vulnerable and elderly persons is facilitated, particularly as MUDC exhibits the highest proportion of elderly persons in society when compared with other Council areas.

CLYDE SHANKS

In this context, population demographics propose a key challenge for MUDC to ensure that adequate and available accommodation in the countryside is of paramount importance, not least in order to unlock the social benefits that can be delivered from modern and fit-for-purpose elderly accommodation.

Summary

In summary, this representation seeks to build upon the current policy framework for residential accommodation in the countryside for elderly persons and those in need of care. The concept aims to uphold the core objectives of the existing policy but also seeks to provide a viable alternative should an extension / conversion not be feasible within a particular site.

We would welcome further engagement with the Councils Local Plan and Development Management (DM) teams as the MUDC LDP progresses over the coming months.

We would also be grateful if the Council could confirm receipt of this representation and provide acknowledgement of same.

Yours Sincerely



Kate Hegarty
Planner

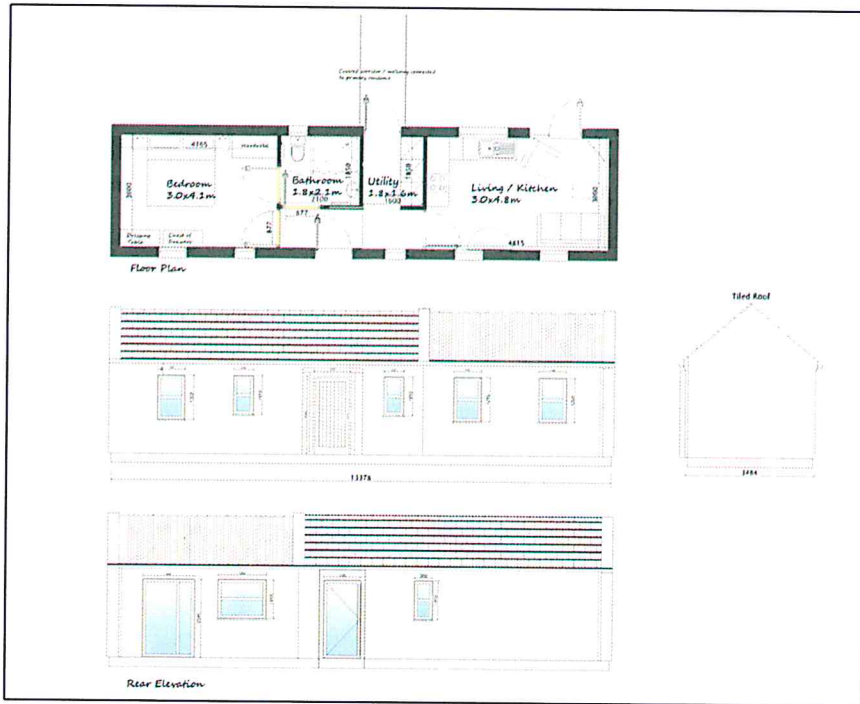
cc. Setanta Construction Ltd.

CLYDE SHANKS

Planning Development

Second Floor, 7 Exchange Place, Belfast BT1 2NA
t | 028 9043 4393
e | enquiries@clydeshanks.com
clydeshanks.com

Annex 1



| ENERGY | RETAIL | LEISURE | RESIDENTIAL | WASTE | COMMERCIAL | AGRI-FOOD |

Registered Address: Clyde Shanks Limited, 10 Pilots View, Heron Road, Belfast BT3 9LE. Company Registration No. NI606619