

Michael McGibbon

From: Robin Brown [REDACTED]
Sent: 10 April 2019 10:57
To: DevelopmentPlan@midulstercouncil.org
Subject: Submission of a Representation to Mid Ulster District Council Local Development Plan 2030
Attachments: R. Brown Response Template.pdf; MUDC LDP 2030 Draft Plan Strategy Response - R.Brown 05.04.2019.pdf; Circle K Letter.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir / Madam,

Please find attached my detailed response to the Draft Plan Strategy.

It is contained within three PDF's.

One of these is the completed template. The second contains further details of my representation including land maps. The third and final PDF is a letter of support from the largest supplier of fuel on the Ireland of Ireland.

Trust you find this in order but should you require any further information, please let me know.

I would appreciate it if you could drop me an email to confirm that you have received my representation.

Kind regards,
Robin

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

Local Development Plan 2030
Draft Plan Strategy

Representations must be submitted by 4pm on 19th April 2019 to:

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

Or by email to developmentplan@midulstercouncil.org

Please complete separate form for each representation.

SECTION A

1. Personal Details

2. Agent Details (if applicable)

Title	<input type="text" value="Mr."/>	<input type="text"/>
First Name	<input type="text" value="Robin"/>	<input type="text"/>
Last Name	<input type="text" value="Brown"/>	<input type="text"/>
Job Title (where relevant)	<input type="text" value="—"/>	<input type="text"/>
Organisation (where relevant)	<input type="text" value="—"/>	<input type="text"/>

Address Line 1

Line 2

Line 3

Line 4

Post Code

Telephone Number

E-mail Address

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 12 + 23.
- (ii) Objective Economic Development + Transportation.
- (iii) Growth Strategy/
Spatial Planning Framework _____
- (iv) Policy _____
- (v) Proposals Map _____
- (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.

P2 + P4.

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:

I attach a PDF of my comments as I feel this form is too restrictive to allow me to fully express my views.

I trust you find this in order.

My comments are also supported by industry and I attach a PDF of their supporting comments also.

(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.

Full details are available within the PDF documents I have attached.
Trust you find this in order.

(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:

Mr. Robin Brown
7 Carralooan Road
Magherafelt
Co. Derry
BT45 6NW

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

Friday 5th April 2019

Dear Sir / Madam,

Further to my consultation response in relation to the publication of the Preferred Options Paper issued to Mid Ulster Council via email on 24th January 2017, I now write in response to the Local Development Plan 2030 Draft Plan Strategy and wish to thank Mid Ulster District Council for the invitation to provide further comment.

My consultation response in relation to the Preferred Options Paper built upon the initial discussions and meetings held with senior management in Mid Ulster District Council in April 2016 in which I also raised the economic development opportunities which I again highlighted in my response to the Preferred Options Paper. Disappointingly, in the intervening three year period I have not seen any tangible evidence from Mid Ulster District Council that any action has been taken regarding these matters as they do not appear to have been adequately addressed within any planning publications issued to date. Regrettably, since I met with senior management in April 2016 to express to them the excellent economic development opportunities arising from the dualling of the A6, Mid Ulster District Council appear to have taken no further action and appear to have allowed the A6 project to progress without liaising with the Department for Infrastructure and landowners such as myself to maximise the economic benefits, as highlighted in my correspondents, arising from this regionally significant infrastructure upgrade.

I trust that from this point forward Mid Ulster District Council will now seriously consider the points I have raised over the last three years and will take clear and decisive action to maximise the economic development opportunities within the Mid Ulster area which I have brought to their attention since April 2016. It is my view that Mid Ulster District Council's lack of meaningful consideration and implementation of the consultation response I have provided to date in addition to other elements noted later in this letter have resulted in a draft plan which is unsound and requires modification.

I feel it is appropriate at the outset of my letter to state that as a lay member of the public with a little background knowledge of the planning profession, I find the consultation response process somewhat unclear and quite difficult to follow regarding how exactly to frame a response in the context of the Draft Plan Strategy and the various supporting documentation associated with it. I appreciate the logic behind how Mid Ulster District Council have structured their Representation Form with a view to distilling the content of responses, however, I don't feel that such a format provides the right setting for those submitting responses such as mine which are linked to several key strategic themes, policies, objectives and site locations.

Nevertheless, I trust that I have drafted a response which is deemed valid by Mid Ulster District Council and which clearly articulates my perspective on the Draft Plan Strategy. If Council feel there is any ambiguity in the information which I have submitted as part of this consultation process I would ask that Council make contact with me to as soon as possible to provide the clarity required as I am acutely aware of the need to provide clear and concise information when responding to such a significant consultation process.

To add further substantial commercial weight to the feedback I have provided to Mid Ulster District Council to date regarding the planning consultation process, **I also attach a letter from Circle K the largest supplier of fuel on the island of Ireland** who have given careful consideration to my lands located close to the Castledawson Roundabout and have concluded that the site is ripe for development and presents an excellent opportunity to provide a high quality forecourt offering which not only meets motorists needs but also bolsters tourism and caters for HGV drivers who have limited facilities available to them at present. I trust that Mid Ulster District Council will from this point forward, take the action necessary to ensure that this excellent economic development opportunity for the area is fully maximised.

To provide a very high level summary of my concerns regarding the Draft Plan Strategy, I am of the view that the Draft Plan Strategy is unsound for the following reasons:

Procedural Tests

P2 – I am of the view that Mid Ulster District Council have not appropriately “taken into account any representations made”. Specifically, I believe that Mid Ulster District Council have not given due consideration to the very clear and concise statements contained within my consultation response to the Preferred Options Paper. While I accept that my representation may well have been “taken into account” in a rather superficial “tick-box” manner I am not satisfied that my detailed and considered representation to the Preferred Options paper has been given the weight of consideration it deserved as it expressly dealt with strategic transportation and economic development matters which remain unaddressed in the Draft Plan Strategy. It is my view that the Draft Plan Strategy should be amended to include statements supporting new development around the Castledawson Roundabout to maximise the economic benefits potential contained within such a strategic high traffic volume location. Furthermore, the area should also be promoted within the Draft Plan Strategy as a gateway location for the wider Magherafelt area.

In my consultation response to the Preferred Options Paper I also voiced my support for housing and economic development growth along the Aughrim Road. Once again, this view does not appear to have been given adequate consideration within the content of the Draft Plan Strategy. I own two parcels of land along this road and am willing to help support their development for the good of the Mid Ulster area and Magherafelt in particular.

P4 – I am of the view that Mid Ulster District Council have failed to comply with its own procedures for the preparation of the DPD, principally that Mid Ulster District Council made express reference to the statement below in the Preferred Options Paper:

"A full survey will therefore be undertaken to test whether the owners of existing zonings are willing to provide their land for economic development at market value and whether there are any other land owners willing to provide land"

Yet, having highlighted to Mid Ulster District Council in my consultation response that:

"I am happy to be included within the survey noted above and I am a landowner willing to provide land to be considered for economic development."

I am yet to be contacted regarding any survey undertaken thus far. Therefore, I believe that Mid Ulster District Council have not complied with their own procedures for drafting the Draft Plan Strategy.

Further Comment

While I cannot identify a specific category within the soundness tests under which to raise this point I feel it is of vital importance to highlight that I am bitterly disappointed at Mid Ulster District Council's apparent lack of engagement with the Department for Infrastructure as a large public body responsible for delivering new road network development that is intrinsically linked to future economic growth and development. I clearly stated in my POP consultation response that Mid Ulster District Council should work closely with the Department of Infrastructure to ensure that the development and dualling of the A6 brings maximum economic benefits to the area. Thus far, it appears that Mid Ulster Council have provided no tangible evidence within their Draft Plan proposals that they have worked closely with the Department for Infrastructure to maximise the economic opportunities arising from the regionally significant project.

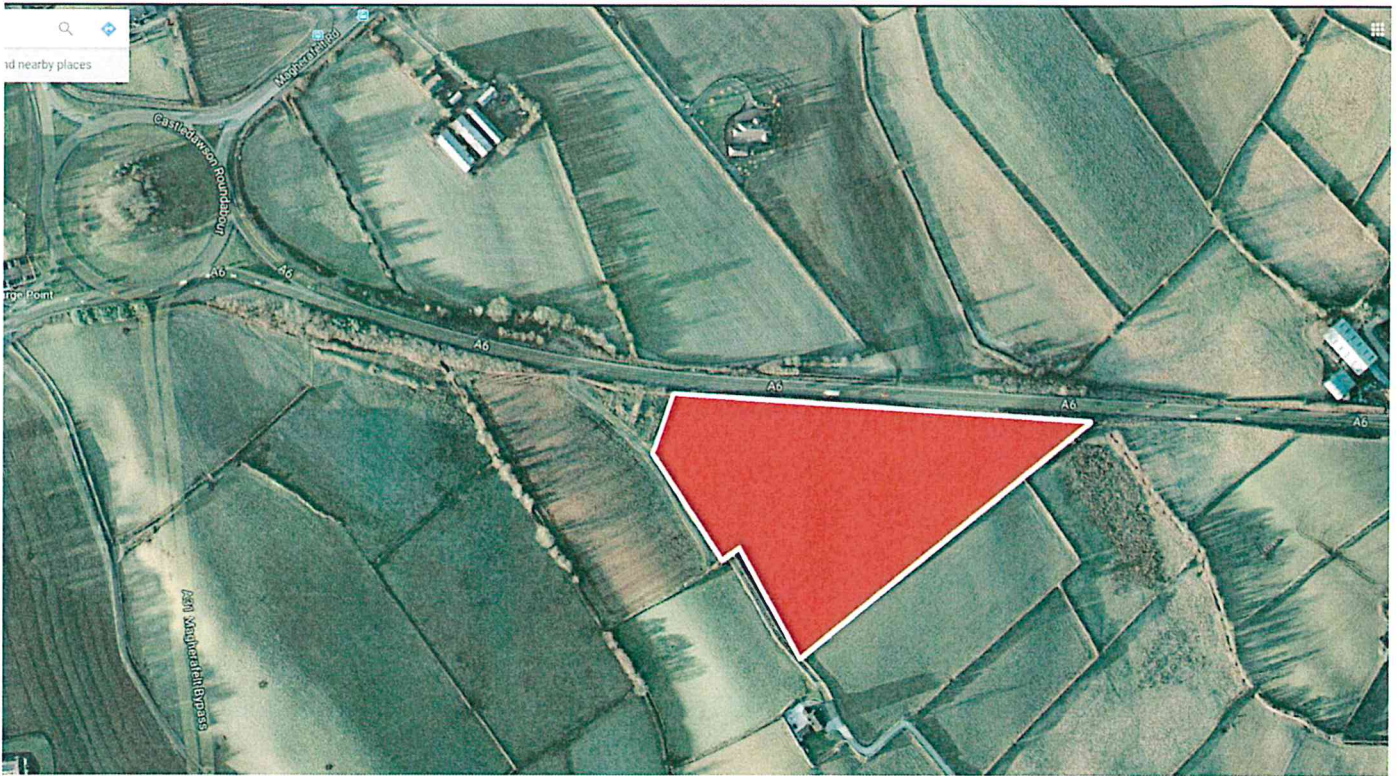
Additional Information

Following a telephone call with a gentleman in the planning office, named John-Paul, I was advised that it would be of assistance to Mid Ulster District Council in considering my Representation if I were to attach a map showing the land which I own. I refrained from doing this in my initial response to the Preferred Options paper as I was of the belief that the opinions expressed within my response were of a strategic nature and therefore a specific parcel of land may not have been wholly appropriate at that point in time. Nevertheless, I am now aware of the importance of clearly highlighting the areas of land which I own to ensure that they can be given due consideration in the formulation of the next stage of the plan.

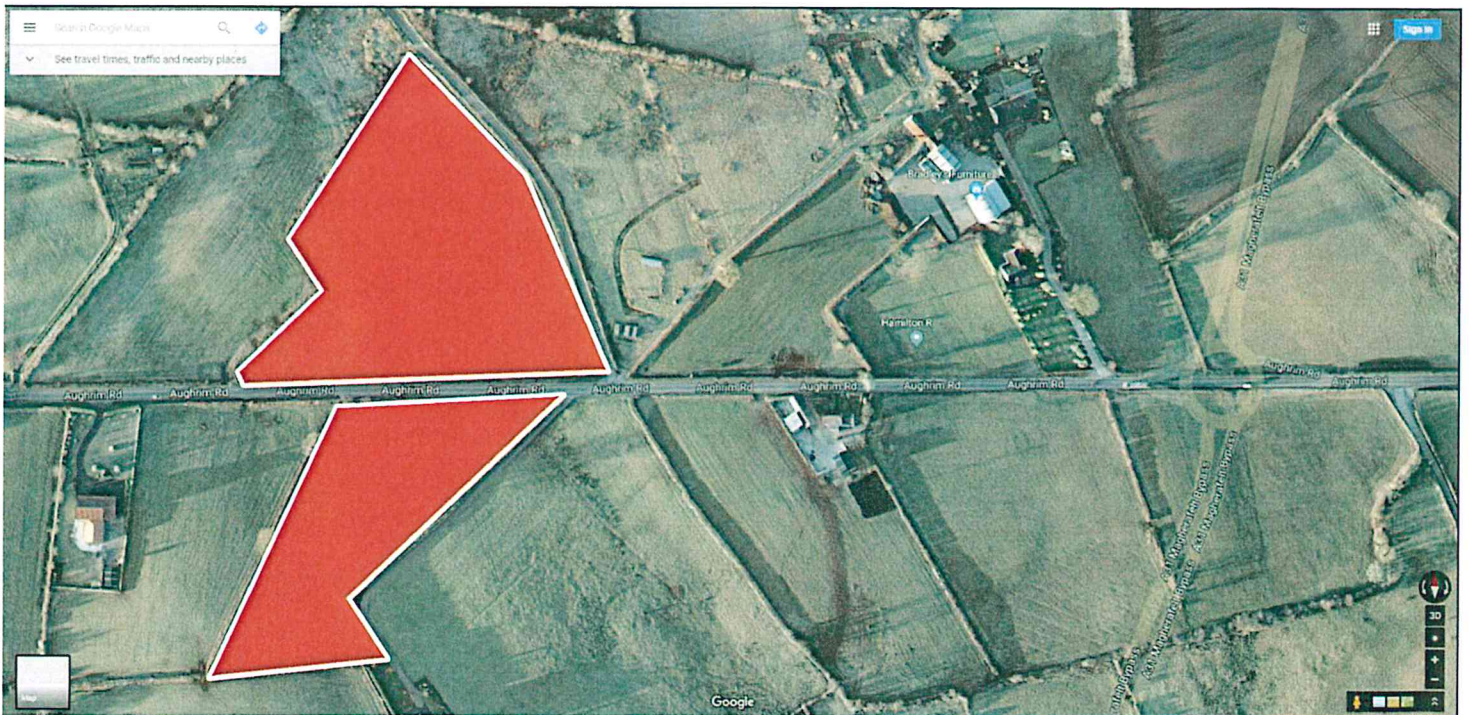
I attach a simplistic Google Map screenshot showing an outline of my land. Should Mid Ulster Council require any further clarification as to exactly what areas of land I own please let me know and I will be happy to discuss this further to ensure that Mid Ulster District Council are fully aware of the land over which I have control and over which the Council can exercise their planning powers to stimulate and support economic activity within the area.

In closing, I trust that the views and concerns expressed in this letter can from this point forward be given meaningful consideration and that they will be duly incorporated into any new plan publications released by Mid Ulster District Council.

Lands at Castledawson Roundabout



Lands at Aughrim Road, near to the new Magherafelt by pass – heading toward Magherafelt town





Part of Alimentation Couche-Tard

April 8, 2019

**Mr. Robin Brown
7 Carralooan Road
Magherafelt
Co. Londonderry
BT45 6NW**

Re: Potential Fuel Service Area at Magherafelt/Castledawson roundabout

Dear Robin,

Further to our recent site meeting, I can confirm that Circle K would be extremely interested in being the fuel partner for your proposed Fuel Service Area adjacent to the Magherafelt/Castledawson roundabout on the A6.

Circle K is the largest supplier of fuel on the island of Ireland with some 440 branded service stations across the island and we feel that your location would be a welcome addition to the Circle K network.

Currently, there are only 2 Fuel Service Areas on the M2/A6 between Belfast and Derry that are suitable for HGVs/coaches (Applegreen Templepatrick and Glenshane Tourist Area). However, Applegreen Templepatrick is relatively close to Belfast and we believe that drivers would prefer a location further out from their starting point before making a break. And Glenshane Tourist Area has limited parking and fueling pumps for HGVs and coaches. Therefore, we feel that your location is more suitable for drivers, and in particular, drivers of HGVs and coaches.

This is extremely important for two reasons. Firstly, HGV drivers are legally obliged to take regular rest breaks but the lack of HGV facilities in Northern Ireland (NI) makes this extremely difficult. Therefore, we feel that your facilities will enhance the number of suitable facilities for HGV drivers thus contributing to road safety on the roads of NI.

Secondly, the EU has instructed the Republic of Ireland (RoI) to harmonise its fuel duty rates on diesel to match those levels currently in place for petrol. This will have the effect of adding some 10cpl to the cost of diesel in RoI in the next 2-3 years. This will erode the competitive advantage that RoI has over NI in terms of diesel fuel pricing and as a consequence, we expect



Part of Alimentation Couche-Tard

to see hauliers migrating back to filling their lorries in NI. As mentioned, this will lead to challenges for haulage companies wishing to fill their HGVs in NI as there is currently a dearth of suitable locations.

Having assessed the Road Traffic Count figures as issued by Dtf, and using a cautious turn-in rate of 3% for on-side fueling and 0.5% for offside fueling (using the junction some ¼ from your location), we believe that potential fuel volume for this site would be in the region of 2.9ml p.a.

This is extremely strong: to put this in context, the average petrol filling station in NI pumps on average 1.6ml p.a. (source: Experian Catalist, 2018).

I feel that this calculation may also be understated as we haven't taken formal account of refueling by HGVs/coaches which have a fill rate of between 200 and 400 litres. So the actual figure could be some 1-2ml p.a. higher.

We would therefore support your proposal for a new Fuel Service Area at this location.

Yours sincerely

Richard Stones
Retail Area Manager, Northern Ireland