

**Sinead McEvoy**

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**From:** David Mounstephen [REDACTED]  
**Sent:** 19 April 2019 15:07  
**To:** DevelopmentPlan@midulstercouncil.org  
**Subject:** draft Plan Strategy  
**Attachments:** Draft Plan Strategy Submission.pdf

Sir / Madam

Please find attached a submission to the draft Plan Strategy.

Please could you acknowledge receipt of this submission?

Regards

David

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**Representation to Mid Ulster Council draft Plan Strategy**  
**Fleming Mounstephen Planning on behalf of the Henderson Group**

**Section A**

1. Personal Details

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**Section B**

3.

Section 13.0 Retailing, Offices and Town Centres: Policies RE 3 – RE 6

4(a). The Plan is considered to be unsound.

4(b). In relation to the following tests:

*Test CE1: The DPD sets out a coherent strategy from which its policies and allocations logically flow.*

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

**5. Details of why you consider the DPD to be unsound having regard to the tests you have identified above:**

The DPD does not set out a coherent strategy from which its policies and allocations logically flow. The DPD retail strategy envisages local towns and villages serving as centres to meet the needs of people living in those local towns, villages and their rural hinterlands but it is considered that the policies discourage investment and competition which will be to the detriment of local needs being met. Shops in local towns and villages, as well as neighbourhood shops in towns, strengthen community cohesion, support urban and rural renaissance and contribute to sustainable transport patterns thus reducing carbon footprint. The Retailing, Offices and Town Centres policies should be revised accordingly to encourage and support such retailing.

The policies are not realistic and are not founded on a robust evidence base. There is no justification for the identification of the 100 sqm floorspace figure contained within policies RE 3, RE 4, RE 5 and RE 6 which appears to be arbitrary.

**6. Details of what changes you consider necessary to make the DPD sound:**

**Policy RE 3**

Policy RE 3 should relate to comparison shopping and major convenience retail proposals only. The SPPS (and policies RE 4, RE 5 and RE 6 of the draft Plan Strategy) envisages that there will be convenience shopping outside of town centres. Policy RE 3 should not appear to contradict this by assuming that all retailing should be located within town centres (*'Retail development outside of Town*

*Centres will only accord with the Plan where it has been demonstrated that there are no suitable sites available within the Town Centre...').* Local or neighbourhood convenience shops are, by definition, not town centre uses. SPPS policy and Policies RE 4 and RE 5 (revised as below) should be relied upon for local or neighbourhood convenience shopping proposals.

#### **Policy RE 4**

Whilst the principle of Policy RE 4 is welcomed, namely a positive policy supporting neighbourhood shopping, the identification of a 100 sqm net floor area cap in terms of compliance with the plan, without any justification or analysis of floor areas across the sector, is inappropriate. It undermines the principle of the policy and is neither realistic nor appropriate. Policy RE 4, as currently drafted, could have the effect of precluding investment in and the development of modern, neighbourhood shopping.

Policy RE 4 should be reworded to read, *'Within towns, suitably located neighbourhood shops will accord with the Plan provided they do not conflict with the character of amenities of a residential area.'*

If a floorspace is to be included, it is noted that a modern Spar / Vivo store would be 275 sqm – 415 sqm approx. net retail floorspace and a Eurospar / Vivoxtra would be 510 sqm – 600 sqm approx. net retail floorspace. These floorspaces are realistic and reflect modern convenience shopping developments.

#### **Policy RE 5**

The suggested wording of Policy RE 5 discourages investment in new convenience retailing facilities in villages and small settlements. It protects existing retail facilities even if they are poor, inadequate and unsuitable in terms of customer needs and expectations. This is contrary to principles of competition and choice and is not in the public interest. The sentence *'Similarly, any such new development must not impact negatively upon or lead to the closure of existing retail located within the core of the village / small settlement in question'* should be deleted as it is overly protective. Negative impacts should be allowed. A negative impact on an individual business could still result in be positive development for a village or small settlement which would be in the public interest.

The proposed 'normal' floorspace restriction of 100 sqm is not evidence based. It is inappropriate and should be deleted. Again, it is noted that, if a floorspace is to be included, a modern Spar / Vivo store would be 275 sqm – 415 sqm approx. net retail floorspace and a Eurospar / Vivoxtra would be 510 sqm – 600 sqm approx. net retail floorspace. These floorspaces are realistic and reflect modern convenience shopping developments.

#### **Policy RE 6**

The sentence *'Development will normally be restricted to a net floor area of 100 sqm'* is not evidence based. It is inappropriate and should be deleted.

#### **7. Oral Hearing**

