

Roisin McAllister

From: Dermot Monaghan [REDACTED]
Sent: 24 September 2020 13:45
To: DevelopmentPlan@midulstercouncil.org
Subject: Response to draft Plan Strategy on behalf of the McGurk Family
Attachments: Response to dPS obo McGurk family.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam,

Please find attached response to the draft Plan Strategy on behalf of the McGurk Family.

Regards,

Dermot Monaghan

MBA Planning
Town Planning & Licensing Consultants

4 College House, Citylink Business Park, Belfast, BT12 4HQ

[REDACTED]
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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

Draft Plan Strategy

Representations must be submitted by 5pm on 24th September 2020 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 McGurk Family

Title

First Name

Last Name

Job Title
(where relevant)

Organisation
(where relevant)

2. Agent Details (if applicable)

Address Line 1	33 King Street	4 College House
Line 2	Magherafelt	Citylink Business Park
Line 3		Belfast
Line 4		
Post Code	BT45 6AR	BT12 4HQ
Telephone Number	<input type="text"/>	<input type="text"/>
E-mail Address	<input type="text"/>	

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 Growth Strategy - HGI allocation to Gulladuff
- (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.

See attached report

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:

See attached report

(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.

See attached report

(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:

24 September 2020

For MBA Planning on behalf of the McGurk Family

MBA Planning

Town Planning & Licensing Consultants

Mid Ulster District Council
Local Development Plan 2030

Response to Draft Plan Strategy

On behalf of the McGurk Family

September 2020

MBA Planning
4 College House
Citylink Business Park
Belfast
BT12 4HQ

E: planning@mbaplanning.com

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1. Introduction

1. This is a response to the Draft Plan Strategy (dPS) of the Mid Ulster District Council Local Development Plan (LDP) 2030.
2. It is on behalf of the McGurk Family who own land at Quarry Road, Gulladuff, opposite the Erin's Own Lavey GAA / Termoneneeny Community Association complex – the hub of the local community at Gulladuff.
3. This response primarily relates to Section 4.0 (Growth Strategy and Spatial Planning Framework) and Appendix 1 (Housing Local Indicators and Economic Development Local Indicators over Plan Period 2015-2030) of the dPS.
4. The McGurk Family support Gulladuff's designation as a village but consider that it should have a higher allocation of Mid Ulster's Housing Growth Indicator (HGI) than proposed in the dPS given that it performs very well when measured against the Housing Evaluation Framework of the Regional Development Strategy (RDS) and has a high housing need.
5. They request that Gulladuff's settlement development limit (SDL) is reviewed and extended to include their land at Quarry Road, which is suitable to meet housing need at a desirable location adjacent to the focal point of the local community without having an adverse impact on the local environment.

2. Regional Policy Context

6. Section 8(5) of The Planning Act (NI) 2011 states that in preparing a Plan Strategy, the Council must take account of the RDS and any policy or advice contained in guidance issued by the Department.
7. The RDS is an overarching planning framework that provides the strategic context for where development should take place. Among other things, it sets out regional guidance (RG) and spatial framework guidance (SFG) that should be taken into account in preparing LDPs and planning policies.
8. RG8 is to 'manage housing growth to achieve sustainable patterns of residential development'. This encourages the use of a Housing Evaluation Framework to assist judgements on the allocation of housing growth.
9. This framework is set out in Table 3.2 and involves the following tests:
 - Resource test (existence of community assets and physical infrastructure such as water, waste and sewage);
 - Environmental Capacity Test (environmental assets of the settlement, the potential of flooding, its potential to accommodate growth without significant environmental degradation);

- Transport Test (potential for integrating land use and public transport and walking and cycling routes to help reduce reliance on the car);
 - Economic Development Test (the potential to facilitate an appropriate housing and jobs balance);
 - Urban and Rural Character Test (the potential to maintain a sense of place, and to integrate new development in a way that does not detract from the character and identity of the settlement);
 - Community Services Test (the potential to underpin and, where necessary, reinforce the community service role and function of the settlement).
10. RG11 seeks to conserve, protect, where possible, enhance built heritage and the natural environment.
11. SFG13 is to 'sustain rural communities living in smaller settlements and the open countryside'. A key aim is to encourage 'sustainable and sensitive development'.

3. Gulladuff's Share of the HGI

12. Gulladuff was identified as a small settlement in the Magherafelt Area Plan 2015. It has a population of about 600 and has been upgraded to a village in the DPS. The McGurk Family support this designation.
13. Appendix 1 of the DPS (Housing Local Indicators and Economic Development Local Indicators over Plan Period 2015-2030) indicates that it will only be allocated land for building 44 units between 2015 and 2030. This approach to housing allocation is in line with the existing split of households throughout the District – Gulladuff accounts for 0.4% of the its households and so gets 0.4% of the HGI (10,950 across the District). This is referred to as the "fair share" approach in the Preferred Options Paper (POP) of the LDP.
14. However, having regard to the Housing Evaluation Framework of the RDS as set out above, Gulladuff should be allocated a much higher proportion of the District's HGI. It performs well in all of the relevant tests as demonstrated below.
15. In relation to **resources**, it is noted from the Strategic Settlement Evaluation Paper that all households have access to clean water and adequate sewage disposal provision (either by way of septic tanks or connection to mains sewer).

16. There is good capacity for growth in **environmental** terms given that:

- the land within and around the settlement is not within the 1 in 100 year flood plain and is not affected by reservoir flooding;
- there are no identified features of natural heritage importance within the village or in the immediate surroundings;
- there are few built heritage constraints – the only listed building (St Mary’s Church) has development to most sides of it and so is not likely to be adversely affected by new development, while most of the areas of archaeological potential have already been developed;
- the village is not within an AONB or subject to any landscape designations.

17. In relation to **transport**, Gulladuff is strategically located on the A42 trunk road (a protected route) only 6 miles from Magherafelt, 3 miles from Maghera and 2 miles from the A6 Belfast-Derry Key Transport Corridor – see Figure 1. Ulsterbus Service 116C connects Gulladuff to Magherafelt, Maghera and Castledawson about 7 times per day while there are footways throughout the village that link residents to bus stops and the services listed below.

Figure 1: Regional Strategic Road Network as per the RDS



18. There is no land zoned for **economic development** purposes although this is normal for villages and small settlements. However, one of Mid Ulster’s largest employers, FP McCann, is located less than a mile to the south of Gulladuff and is on the aforementioned bus route. The settlement is also in close proximity to employment opportunities within Maghera and Magherafelt, while there are also a number of

opportunities in the village itself with the shop, pubs, school and other facilities identified below.

19. The **character** of Gulladuff is that of a linear settlement extending along the Mayogall Road as a continuous frontage. The majority of residential development is focused to the north of Gulladuff Road where there are a number of small residential estates. The Strategic Settlement Evaluation Paper states that the relatively new GAA / community facilities have given the southern part of the village an urban character with large buildings and associated car parks and palisade fencing. It suggests that the development limit be extended to include these facilities and the McGurk Family would endorse that approach.

20. Gulladuff is very well served by **community services** in that it has the following facilities:

- primary school;
- nursery;
- two pubs;
- shop;
- post office;
- play areas;
- hot food bar;
- car wash/ valet service;

- The Lavey GAA / Termoneeny Community Association complex featuring an indoor sports arena, changing facilities, multi-purpose rooms, music rooms, aerobics hall and fitness suite. This is the focal point of the local community however there is little housing in proximity to it.

21. A number of the responses to the Preferred Options Paper of the LDP indicated that there is a significant demand for new housing in Gulladuff. This is confirmed by the letter of Paul Birt Estate Agent at Appendix 1. The significant demand for housing is not surprising given that it is a sustainable location with good facilities as demonstrated above.

22. The above analysis indicates that Gulladuff's HGI allocation of 44 units is wholly inadequate. This element of the dPS is unsound as it fails to take adequate account of, and give effect to, the RDS Housing Framework Evaluation. Gulladuff's share of the HGI should be at least doubled from that indicated in Appendix 1 of the dPS.

4. Where can growth be accommodated?

23. Increasing Gulladuff's proportion of the HGI requires a review of its settlement development limit (SDL).

24. The current demand for housing as identified above is not being met. Appendix 1 of the dPS indicates that there was capacity within the SDL for building 40 units at 1st April 2015 and the majority of these units are presumably the 38 units permitted on the land to the northeast and southwest of School Lane in 2008 (ref: H/2007/0020/RM). However, it appears that the access and road improvements required for this development cannot be delivered. An alternative access was sought but permission for this was refused in 2015 (ref: H/2014/0102/F). Since then a single dwelling has been built on this land (to the northeast of School Lane).

25. The aerial photograph at Figure 3 shows that there is very little other undeveloped land within the settlement development limit as designated in the Magherafelt Area Plan 2015 except for a few sites for single houses.

26. The McGurk Family obtained planning permission for 5 units to the rear of nos 73-77 Quarry Road in July 2008. It missed the local housing boom but is available for development again. There is good potential for it to

be developed along with the lands owned by the McGurk family to the south and both could share a single point of access onto Quarry Road.

Figure 2: Approved site layout for 5 units under ref: H/2006/0529/F (rear of 73-77 Quarry Road)

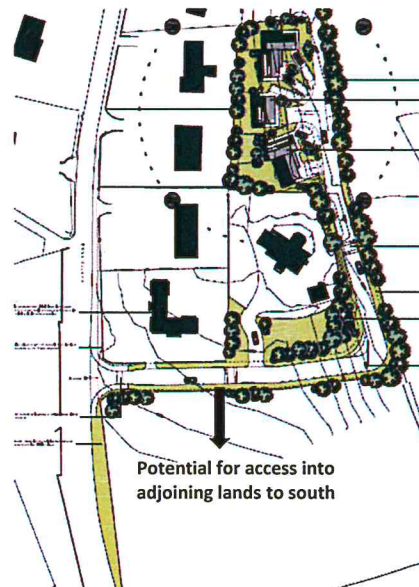


Figure 3: Aerial photograph of Gulladuff



27. The Strategic Settlement Paper of the LDP indicated that consideration would be given to extending the SDL to include the Lavey GAA/ Termoneeney complex. This makes sense given that it is hub of the local community and has an urban character.

28. We would propose that the SDL be extended as per the yellow dashed line in Figure 3. This would include the complex, the development in the immediate vicinity of it and the McGurk Family land which is located opposite and east of it and is suitable to meet housing need at Gulladuff.

29. The McGurk land is a 2.5 hectare agricultural field that is not affected by flooding or environmental designations and has boundaries well defined by mostly mature vegetation. Unlike other sites within Gulladuff, access would not be taken from the A42 protected route and so its development would not affect through traffic.

30. Extending the settlement in this direction would also give it a better balance on both sides of the Gulladuff Road. The settlement of Gulladuff was established at the Gulladuff Rd/ Gulladuff Hill/ Quarry Rd crossroads (see Figure 4) but the majority of recent development has taken place north of it.

31. Development of the McGurk land would also round off the southern part of the settlement and would not be a significant intrusion into the countryside.

Figure 4: 1937 map of Gulladuff showing settlement established at crossroads

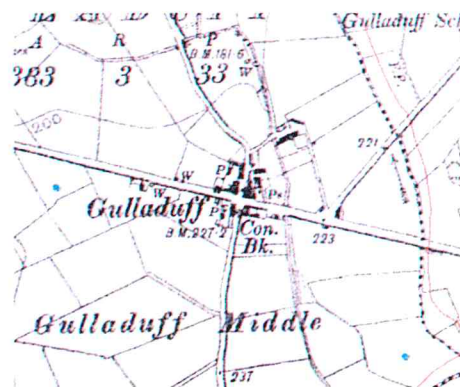


Figure 5: Lavey/ Termoneeney complex & McGurk land



32. Paragraph 4.10 of the DPS states that in defining limits for settlements, consideration will be given to a number of key factors. The proposed extension of the SDL sits favourably with these in that:

- The McGurk land would provide opportunities for new housing development whilst achieving compact urban form;
- It would not mar the distinction between town and countryside in that this land has mature vegetation to its southern boundary that would act as a visual stop to the settlement;
- The land would not be at risk of flooding or be constrained by any other environmental issues;
- Development of the land would not affect any important features of natural or built heritage;
- Access can be accommodated on Quarry Road and would not affect the flow of traffic on a trunk road.

5. Conclusion

33. Gulladuff's HGI allocation is inadequate. This element of the dPS is unsound as it fails to take adequate account of the RDS Housing Framework Evaluation. The allocation should be significantly increased.

34. There is unmet need for housing in Gulladuff and the only significant undeveloped land within the current SDL at School Lane appears to have access issues. The SDL needs to be carefully reviewed in assessing how housing need can be met.

35. This submission demonstrates that the McGurk Family's land at Quarry Road is suitable for housing development in accordance with the Regional Guidance and Spatial Framework Guidance set out in the RDS. We respectfully request that it be included in the SDL.

Appendix 1

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Paul Birt BSc(Hons) M.I.P.A.V. Principal



Auctioneers | Valuers | Estate Agents

**Mr Dermot Monaghan
MBA Planning
4 College House
Citylink Business Park
Belfast
BT12 4HQ**

23rd September 2020

REF: Development Land at Gulladuff, Magherafelt

Dear Dermot

I refer to the above.

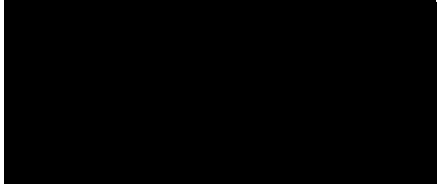
I can confirm that there has been no residential development of any note in Gulladuff since approx. 2004.

I have been asked on a regular basis as a local estate agent in the area if there will be any new residential development in Gulladuff as there is a growing level of demand and housing need in the area due to it being seen as a good place to live. There has recently been a large investment in new leisure facilities providing a better lifestyle for those living locally and it is also close to new A6 Belfast corridor for ease of access to Belfast, Derry, etc.

At present we are not aware of any land currently available for house building within the development limit of Gulladuff despite this significant demand for housing.

If I can be of any further assistance in this matter please do not hesitate to call me.

Yours faithfully



**Paul Birt BSc Hons MRICS MIPAV
FOR PAUL BIRT ESTATE AGENTS**

