

ANNEX B – Response Pro-forma

Name: JULIE BROWN

for Armagh City, Banbridge and Craigavon Borough Council

Address: Bridgewater House 23A Castlewellan Road, Banbridge, BT32 4ax

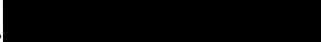
Original Representation Reference Number: MUDPS/56 (for administrative use only)

Please tick the applicable box below.

a) I confirm that I wish for my original representation to be considered as my representation.

b) I confirm that I wish to amend or add to my original representation.

c) I confirm that I wish for my original representation to be withdrawn and that I no longer wish to make a representation.

Signature: .. 

Date: *20/5/2020*

If you require assistance when completing the above, please contact developmentplan@midulstercouncil.org

Please ensure you return this completed Pro forma (along with any additional documents if you have ticked [b]) above) to Development Plan Team, Planning Department, Mid Ulster District Council, 50 Ballyronan Road, Magherafelt, BT45 6EN, by 5pm on 21st May 2020.

Elaine Mullin

From: Julie Brown [REDACTED]
Sent: 17 April 2019 11:03
To: DevelopmentPlan@midulstercouncil.org
Subject: Armagh City, Banbridge and Craigavon Borough Council response to MUDC draft Plan Strategy
Attachments: MUDC dPS response 160419.pdf; MUDC dPS Response Table 160419 Appendix 1.docx

Dear Sinead

Please find attached a response from Armagh City, Banbridge and Craigavon Borough Council with comments on Mid Ulster District Council's Draft Plan Strategy.

Regards

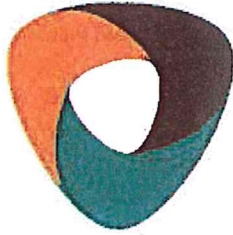
Julie Brown



Julie Brown

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

Our Ref: MUDC DPS

Date: 16th April 2019

Dear Sinead,

**MID ULSTER DISTRICT COUNCIL'S, LOCAL DEVELOPMENT PLAN 2030 – DRAFT
PLAN STRATEGY**

Thank you for your correspondence received 2nd April 2019, regarding the above in accordance with the requirements of Regulation 15 of the Planning (Local Development Plan) Regulations (NI) 2015.

Armagh City, Banbridge and Craigavon Borough Council welcomes the opportunity to comment on Mid Ulster District Council's (MUDC's) Draft Plan Strategy and look forward to continued engagement as each of our councils respective plans are progressed.

In accordance with guidance issued by the Department for Infrastructure and the MUDC information leaflet in relation to representations and 'soundness' it is considered that the relevant key soundness tests include:

Consistency Tests

C1 Did the Council take account of the Regional Development Strategy?

C3 Did the Council take account of policy and guidance issued by the Department?

C4 Has the Plan had regard to other relevant plans, policies and strategies relating to the Council's district or to any adjoining Council's district?

Coherence and Effectiveness Tests

CE1 The DPD sets out a coherent strategy from which its policies and allocations logically flow and where cross boundary issues are relevant it is not in conflict with the DPDs of neighbouring councils.

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

CE3 There are clear mechanisms for implementation and monitoring.

As you will be aware a number of key cross boundary issues have been discussed through the Cross Border and Lough Neagh Forums at a strategic level, including protection of landscapes, natural heritage and environmental designations, the protection of main river corridors, the protection of the Ulster Canal route, road linkages and infrastructure, mineral development, sustainable tourism and flooding. Whilst our comments attached at Appendix 1 primarily relate to these areas of common interest, comments are also provided on those matters where it is unclear in relation to MUDC's approach and whether these tailored approaches will have any potential impacts on our Borough.

I trust that our comments will be fully considered by your Council and welcome the opportunity to discuss these matters further.

Yours sincerely

A black rectangular redaction box covering the signature of Helen Stoops.

Helen Stoops
Principal Planning Officer

On behalf of Damian Mulligan
Head of Planning

Appendix 1

Table 1: ACBCBC comments to MUDC Draft Plan Strategy:

Topic / Policy	Page & Para	Detail / Issue	Relevant Soundness Test	ACBCBC Comments
Growth Strategy and Spatial Planning Framework	35-37	SPF 1: Manage growth based on sustainable patterns of development balanced across Mid Ulster, in accordance with the Regional Development Strategy with settlement limits defined for all settlements to provide compact urban forms and to protect the setting of individual settlements.	C4 CE1	<p>A portion of Tamnamore Settlement is located within our Borough and it is noted that it is classified as a village within the Settlement Hierarchy. For clarification purposes it would be beneficial to specify that the portion within MUDC is referenced as Tamnamore (Co. Tyrone). It is noted that 51 units are still to be completed with a Housing Local Indicator of 24 units for the period 2015-2030.</p> <p>Council notes that Rural Industrial Policy Area (RIPA) designations are proposed at Tullyvannon and Desertcreat, and that any other potential RIPAs will be brought forward in the Local Policies Plan providing they meet the criteria for being designated as such. This is of particular interest to our Council as Tamnamore, an area of common interest, was suggested as a potential candidate for a RIPA designation in the MUDC Preferred Options Paper. It is noted that the MUDC Evidence Paper entitled 'Rural Industrial Policy Areas' states that the potential candidates listed in the POP will be considered and brought forward (if appropriate) in the Local Policies Plan. As a RIPA designation at Tamnamore remains a possibility at this stage of the Plan process further engagement and discussion would be welcomed if this matter is to be progressed, to ensure that it does not adversely impact upon existing businesses that are</p>

				located within Tamnamore and beyond within our Borough.
	37 (253-261) Appendix 1	SPF 2 - Focus growth within the three main towns/hubs of Cookstown, Dungannon and Magherafelt and strengthen their roles as the main administrative, trade, employment and residential centres within the District	C1, C3, CE1 CE2 CE3	<u>Housing Allocation</u> Council notes that 11000 units are required to facilitate housing growth up to 2030, however the overall approach to how the housing units are to be allocated across the settlement tiers and the countryside is not clear. It is noted that up to 60% of the HGI figure (10950 units) is planned for the Hubs through a phasing approach, however it is unclear how achievable this is given that 32.7% (3594 of 10950 units) is apportioned to the remaining Local Towns, Villages and Small Settlements (as set out in the Local Indicators in Appendix 1) and a further amount equivalent to 40% of the HGI (4380 units) will be accommodated in the countryside before any intervention, as outlined in SPF 6. It is also unclear how committed units will be taken into account in the overall housing allocation strategy and how these might impact on phasing proposals and the ability to achieve appropriately balanced growth across the settlement hierarchy and countryside.
	37-39 Ch12, 115- 121	Economic Development	C1 C3 CE1	<u>Economic Development</u> Council notes that at least 170ha of land will be zoned for economic uses within Cookstown, Dungannon and Magherafelt and that an interim supply is identified at Dungannon and Granville. It is considered unclear

				whether this interim supply forms part of the 170ha or if it is in addition to the strategic allocation.
	41 para 4.34	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.	C1, C3 CE1 CE3	<p><u>Housing</u></p> <p>The Council notes MUDC's approach to development within the countryside where it aims to balance protection of the landscape and environment whilst supporting rural communities, based on the principles of clustering. It is noted that opportunities for single dwellings will be provided through single houses on farms, clustering with existing buildings, rural clusters, infill dwellings, dwellings for fishermen, rural businesses, carers and personal circumstances.</p> <p>The approach to housing in the countryside is unclear as set out in para. 4.34. It indicates that the countryside will not be subject to an allocation of the District's HGI but that the number of approvals in the countryside will be monitored, which in turn will inform the need for any change in policy if 40% of the overall HGI figure is triggered.</p> <p>It is considered that further information is required regarding the number of committed dwellings in the countryside and the projected numbers over the plan period. The mechanism for monitoring the number of approvals in the countryside is unclear in terms of incorporating an early trigger system for any necessary policy review that allows a sufficient lead in time for any subsequent policy alterations.</p>

	<p>41-43 Ch 12, 115-121.</p>	<p>Economic Development</p>	<p>C1 C3 CE1</p>	<p><u>Economic Development</u></p> <p>Council notes that in addition to the strategic economic land allocation, Rural Industrial Policy Areas (RIPAs) are also proposed at several locations in the countryside and that they are neither zonings or to be treated as settlements. It is noted that further RIPAs may be brought forward at Local Policies Plan stage.</p> <p>It is unclear whether the impact of potential economic growth within these proposed RIPAs has been considered both in relation to economic growth within settlements and primarily the Hubs within which supporting infrastructure and services are located.</p> <p>It is considered unclear if the economic growth at the RIPAs is additional to the employment lands need to 2030 and whether the RIPAs permit expansion of employment/industrial uses beyond the identified boundaries (ie set limits).</p> <p>Additionally clarification would also be welcomed to state clearly if financial and professional (Use Class A2) offices (Policy RE 7) are considered acceptable within RIPAs and the other areas detailed in Policy ECON 2. This approach should be supported by a clear evidence base, outlining any potential impact on Town Centres.</p> <p>Given this more flexible approach the Council is concerned that due consideration has not been given to the impact on economic growth within our Borough and the impacts on the environment.</p>
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Developer Contributions	60, 67 236	Overall Approach		<p>Council notes the inclusion of Criterion J of Policy GP1 – General Principles Planning Policy.</p> <p>Criterion VI of Policy HOU2 Quality Residential Development and the amplification and justification of Policy RNW 1 (Renewable Energy) in para 22.16 is also noted.</p>
Housing in the countryside	77-90	Overall Approach	C1, C3, CE1, CE2	<p>Council notes the overall approach to housing in the countryside, including the additional provisions for new dwellings and housing over and above that directed by regional policy in the SPPS, including infilling a small site, a dwelling at a farm cluster, a dwelling for a caring case, a dwelling related to a business enterprise, and a dwelling for the holder of a commercial fishing licence, all as allowed for in Policy CT2, as well as the Dispersed Rural Communities (DRCs) allowed for in Policy CT4.</p> <p>Following on from the comments on the Growth Strategy and specifically Strategic Policy SPF 6, it is unclear if any assessments have been carried out to help inform the potential numbers and distribution of new housing in the countryside that would be generated by the new set of rural policies over the plan period, as well as to more fully evaluate the environmental impact.</p> <p>With regard to the proposed provision for a dwelling for holder of a commercial fishing licence, Policy CT2 (Criterion j), the rationale for the actual policy area boundary where the dwellings must be located is unclear.</p>

Health, Education and Community Uses	93 – 96	Overall Approach		Council notes the overall approach to Health, Education and Community uses as set out in the dPS.
	96	Policy COY 1 – Community Uses	C1	Council supports the approach taken with Health, Education and Community uses which reserves necessary land for community use and also brings forward a criteria based policy for development elsewhere in the settlement.
Protection of River Corridors	109	Policy OS 2 – Protection of River Corridors	CE2 C3	It is considered unclear whether Policy OS 2 applies to proposed developments beside main rivers in both the urban and rural areas. It is considered that the policy and approach should be supported with guidance to ensure that main river banks do not create a manufactured, unnatural landscape.
Retailing, Offices and Town Centres	127, para13.18-13.19	Policy RE 1 - Development within Town Centres	C3	Council notes the approach to development in town centres.
	126, para13.26-13.31	Policy RE 3 - Retail and Main Town Centre Uses Outside of Town Centres	C3 C4 CE1	Council is supportive of a sequential approach to retail and main town centre uses. Council would welcome further clarification within the justification and amplification of what is meant by the terms 'suitable site' and 'no significant impact'.
	130, para13.32 – 13.34	Policy RE 4 - Neighbourhood Shops	C3	Council notes the approach to neighbourhood shops and considers that a clear definition of what constitutes a 'neighbourhood shop' may strengthen the policy.

	131, para 13.35 -13.39	Policy RE 5 - Retail and Related Uses in Villages and Small Settlements	C4 CE1	The approach to retail and related uses in villages and small settlements is noted. It is considered that the impact on retail provision on nearby town centres / villages / neighbouring settlements outside of MUDC area or those that straddle the district council boundaries should be considered and that this should be clearly set out within the policy. This is to ensure that due consideration is given to any negative impact on retail provision within nearby settlements that are located in neighbouring council areas.
	133, para13.43	Policy RE 6 - Retail and Related Uses in the Countryside	CE1 CE2 C4	Council notes the approach to retail and related uses in the countryside and acknowledges that the policy provision for convenience shops linked to a service station is a tailored approach to rural retail development. It is unclear whether consideration has been given to the potential impact that retailing at service stations could have on the existing retail offering in settlements both within MUDC and our Council area.
	133, para13.44- 13.47	Policy RE 7 - Financial and Professional Services, Office / Business Use Development	C3 C4 CE1	Council notes the flexibility in approach towards financial and professional services, office / business use development along with the provisions set out in ECON 2. It is unclear whether due consideration has been given to the impact that this flexible approach could have on town centres within MUDC and our Council area.

Mineral Development	141-51	Overall Approach (in the context of common interest between MUDC and ACBCBC)	CE1	Council notes the overall approach to mineral development as set out in the dPS, including on and around Lough Neagh, which is an area of common interest between our Councils.
	142	Policy MIN 1 – Mineral Reserve Policy Areas	CE1	Council supports the approach taken with Mineral Reserve Policy Areas (MRPAs), to protect workable mineral resources from being sterilised by other surface development. This will contribute towards a sustainable approach to mineral development in line with the SPPS that supports the local and regional supply chain and overall economic growth.
	143	Policy MIN 2 – Extraction and processing of hard rock and aggregates (relating back to Policy SCA 1 – Special Countryside Areas, Page 200)	CE1	It is noted that a constraint on new development would be imposed along the lough shore area in the Draft Lough Neagh / Lough Beg Special Countryside Area Designation, including on mineral extraction. The protection that this gives to the lough area is acknowledged. This will be taken into account as we move towards formulating an approach to this shared environmental asset at dPS stage.
	146	Policy MIN 4 – Peat Extraction	CE1	Council supports the protection afforded to peat resources against commercial extraction which is in keeping with regional direction in the SPPS and the discussions between Councils at the Lough Neagh Forum.
Tourism	153-165	Overall approach (in the context of common interest between MUDC and ACBCBC)	C4 CE1 CE2	MUDC's overall approach to tourism as set out in the dPS, including around Lough Neagh is noted. This is an area of common interest between our Councils and we would welcome further clarification regarding the

				impact that the 4 tailored policies for tourism development in the countryside would have on the environment and this regional asset as this flexible approach may lead to a significant and unsustainable level of tourism development.
	154	Tourism Opportunity Zones (TOZs)	C4	Council notes that TOZs have been brought forward along the Lough Neagh Shore and within the Sperrins. In relation, particularly, to the TOZs located at Lough Neagh it is unclear within the dPS whether other types of development over and above tourism would be acceptable within these zones if they complied with general policy for the countryside. Further clarification is needed as this may have adverse implications for sustainable tourism growth in our Borough.
	154	Tourism Conservation Zones (TCZs)	C4	It is noted that MUDC has brought forward TCZs. It is unclear whether types of development other than tourism would be acceptable in these zones.
	156	Policy TOU1 – Protection of Tourism Assets and Tourist Accommodation		Council notes the protection of tourism assets.
	158	Policy TOU2 – Resort Destination Development	C3 CE2	Council notes that this policy is intended for the development of one resort destination over the plan period in either an urban or rural location. It is unclear why the policy does not follow the approach advocated in the SPPS whereby a new major tourism development outside of settlements should demonstrate that a countryside location is required by reason of its size or site specific or functional requirements. This approach may have adverse

				implications for sustainable tourism growth within our Borough and beyond.
	159	Policy TOU3 – Tourism Accommodation	CE2	It is noted that the policy provides increased opportunities for tourist accommodation in the countryside especially for the development of hotels/motels. It is unclear whether due consideration has been given to the adverse impact that this approach may have on neighbouring councils. Further clarification would be welcomed specifically regarding the impact that this tailored approach could have on our Borough.
	161	Policy TOU4 – Other Tourism Facilities/amenities and attractions	CE2	Council notes the policy for other tourism facilities/amenities and attractions. It is considered that the policy may be strengthened by including reference to proposals for tourist amenities which may be of regional importance and proposals to extend existing tourism facilities/amenities within the countryside. In relation to the provision of outdoor tourism facilities Council would welcome further clarification around outdoor tourism proposals within a SCA. It is also unclear if due consideration has been given to the impacts the tailored approach of this policy may have on tourism growth within neighbouring councils, specifically our Borough.
Special Countryside Areas	200 District Maps 1d, 1e, 1f	Policy SCA 1 –Special Countryside Areas (around Lough Neagh, Lough Beg and Bann river)	CE2 C3	Council notes that in order to protect and enhance the natural environment in terms of landscape and visual amenity a Special Countryside Area has been proposed along the shores of Lough Neagh, Lough Beg and the Bann river. It is also noted that the proposed

		Areas of High Scenic Value	C3	<p>SCA does not extend to include the body of water and island within.</p> <p>It is noted that there are a number of breaks within the designation to facilitate Tourist Opportunity Zones and landing points for sand extraction.</p> <p>The methodology for the review of the Landscape Character Areas and subsequent audit of the assessment is noted and we would advise that we are currently undertaking a review of LCAs which will help inform our approach.</p> <p>It is also noted that there are no Areas of High Scenic Value (AoHSV) carried forward from the extant Local Area plans (i.e. Magherafelt 2015).</p>
Transportation	245	Policy TRAN 2 – Disused Transport Routes	C1	<p>Council notes and supports your approach to protect disused transport routes such as railway lines and canals.</p>