

**ANNEX B – Response Pro-forma**

**Name: ANGELA WIGGAM**

**Address: 3 Joy Street, Belfast, BT2 8LE**

**Original Representation Reference Number: MUDPS/78 (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c) I confirm that I wish for my original representation to be withdrawn and that I no longer wish to make a representation.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:** 12/5/2020 .....

If you require assistance when completing the above, please contact [developmentplan@midulstercouncil.org](mailto: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.**

**Michael McGibbon**

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**From:** Catriona Blair <[REDACTED]>  
**Sent:** 18 April 2019 09:52  
**To:** DevelopmentPlan@midulstercouncil.org  
**Cc:** Angela Wiggam  
**Subject:** Submission of representation to Local Development Plan - Farrans  
**Attachments:** MUDC DPS Representation Form Farrans.pdf; Representations to Mid Ulster Council Draft Plan Strategy April 2019\_Farrans Construction.pdf

Dear Sir/ Madam

Please find attached representations to the Draft Plan Strategy on behalf of Farrans Construction.

The attached Representation Report incorporates your LDP questionnaire as well as information to support our submission.

We would be grateful if you could acknowledge receipt of this representation by return of email.

Kind regards

Catriona

**Catriona Blair**  
Assistant Planner

**Turley**

Hamilton House  
3 Joy Street  
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T 028 9072 3900

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**Submission of a Representation to Mid Ulster District Council Local Development Plan 2030 - Draft Plan Strategy**



**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

**Representations must be submitted by 4pm on 19<sup>th</sup> April 2019 to:**

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

Or by email to [developmentplan@midulstercouncil.org](mailto:developmentplan@midulstercouncil.org)

Please complete separate form for each representation.

**SECTION A**

**1. Personal Details**

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Gareth"/>
Last Name	<input type="text" value="Wilson"/>
Job Title (w here relevant)	<input type="text"/>
Organisation (w here relevant)	<input type="text" value="Farrans Construction"/>

**2. Agent Details (if applicable)**

<input type="text" value="Mrs"/>
<input type="text" value="Angela"/>
<input type="text" value="Wiggam"/>
<input type="text" value="Director"/>
<input type="text" value="Turley"/>

Address Line 1	99 Kingsw ay	Hamilton House
Line 2	Dunmurry	3 Joy Street
Line 3	Belfast	Belfast
Line 4		
Post Code	BT17 9NU	BT2 8LE
Telephone Number	<input type="text"/>	<input type="text"/>
E-mail Address	<input type="text"/>	<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 SP4 & 6
- (iv) Policy GP1; HOU2 & TOU4
- (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](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.

Refer to enclosed 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:

Refer to enclosed 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.

Refer to enclosed 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.

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Signature:

Date:

**Representations to Mid Ulster District Council  
Draft Plan Strategy**

On behalf of Farrans Construction

April 2019

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**Contact**  
Angela Wiggam

**Client**  
Farrans Construction  
**Our reference**  
FARB3001

12 April 2019



## Executive Summary

1. This representation is submitted on behalf of Farrans Construction who welcomes the opportunity to submit comments on the draft plan strategy issued by Mid Ulster District Council (MUDC).
2. Farrans Construction is a local indigenous company who has significant landholdings within the District. We are committed to delivering quality developments that contribute to positive places which support our local communities and promote sustainable development.
3. We support the ambition and drive of MUDC in terms of its vision for the Council area but having reviewed and considered the Local Development Plan (LDP) as issued, we consider that aspects of the Plan are unsound. We consider that the legal compliance tests have not been met, and the following policies contained within the Draft Plan Strategy are unsound. The table below summarises the changes sought.
4. We appreciate that this draft Plan Strategy is the first, LPD prepared by MUDC and offer these comments as a 'critical friend' who is keen to see the smooth progression of the draft Plan Strategy from a consultation document to an adopted Plan Strategy.

### Schedule of Key Comments

Policy	Comment	Cross ref.
<i>Growth Strategy &amp; Spatial Planning Framework – SPF 4 &amp; 6</i>	<i>Strategic Planning Framework Policies SPG 4 &amp; SPG 6</i> <b>Change required:</b> That Council reconsiders its evidence base to support these draft policies	<i>Section 3 – paragraphs 3.1 to 3.14</i>
<i>GP1</i>	<i>General Principles Planning Policy</i> <b>Change required:</b> <i>Redraft criterion (c) of GP1 in tandem with deleting Policy UD1. Text should explicitly request the submission of a Design Concept Statement for residential planning applications and a Design &amp; Access Statements for major development proposals. References to a height restriction within supporting text should be deleted</i>	<i>Section 4 paragraphs 4.1 – 4.9</i>
<i>HOU2</i>	<i>Quality Residential Developments</i> <b>Change required:</b> <i>The policy should be redrafted (in parts) and supported by robust evidence to underpin proposed thresholds. Further evidence should be prepared to demonstrate the coherence of the overall strategy and how HOU2 emanates from it</i>	<i>Section 5 paragraphs 5.1 to 5.29</i>

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<i>TOU 4</i>	<i>Other tourism facilities/amenities and attractions</i>	<i>Section 6</i>
	<b><i>Change required:</i></b>	<b><i>paragraphs</i></b>
	<i>That Council reconsiders its evidence base to support the</i>	<i>6.1 to 6.4</i>
	<i>policy</i>	

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# 1. Introduction

- 1.1 Turley submits this representation on behalf of Farrans Construction, and welcomes the opportunity to return comments on the Mid Ulster District Council.
- 1.2 In line with Council's procedures, each representation is set out on a separate page within each of the Chapter headings with the policy clearly identified.
- 1.3 The structure of the submission is as follows:
  - **Chapter 2:** Provides an assessment of how the draft Plan Strategy addresses the legislative compliance tests;
  - **Chapter 3:** Details our representations to the Strategic Policy Framework;
  - **Chapter 4:** Details our representations to General Principles Planning Policy
  - **Chapter 5:** Details our representations to Social Policies – Accommodating Growth);
  - **Chapter 6:** Details our representations to Economic Policies – Creating Jobs & Prosperity; and
  - **Chapter 7:** Sets out our conclusions.

## 2. Legislative Compliance

2.1 In preparing their Draft Plan Strategy (dPS), Mid Ulster District Council (MUDC) is required to adhere to the provisions of the Planning Act (Northern Ireland) 2011 ('Act') and the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 ('Regulations').

2.2 This section identifies weaknesses in the compliance of the draft Plan Strategy (dPS) with the Act and the Regulations.

### **Planning Act (Northern Ireland) 2011**

2.3 Under Part 2 (8) of the Act the Plan Strategy must set out:

- the council's objectives in relation to the development and use of land in its district;
- its strategic policies for the implementation of those objectives; and
- such other matters as may be prescribed.

2.4 The Act also stipulates that the Plan Strategy should be prepared in accordance with the Council's Timetable, as approved by the Department and in accordance with Council's Statement of Community Involvement. The publication of the dPS is in accordance with Council's timeline which had estimated Spring 2019, however we note that the period allowed for consideration of counter representations is likely to fall beyond that previously agreed with the Department of Infrastructure and the timetable may require modification.

2.5 In preparing a plan strategy, the council must take account of:

- "the regional development strategy;
- the council's current community plan
- any policy or advice contained in guidance issued by the Department;
- such other matters as the Department may prescribe or, in a particular case, direct, and may have regard to such other information and considerations as appear to the council to be relevant."

2.6 This representation identifies specific instances where, in particular, policy issued by the Department has not been taken in to account.

2.7 The Act also requires that the Council:

"(a) carry out an appraisal of the sustainability of the plan strategy; and

(b) prepare a report of the findings of the appraisal."

## **The Planning (Local Development Plan) Regulations (Northern Ireland) 2015**

- 2.8 Regulation 15 identifies a schedule of the information that should be made available alongside the publication of the dPS. This includes:

“such documents as in the opinion of the council are relevant to the preparation of the local development plan.”

- 2.9 We acknowledge that Council has prepared and made available its Preferred Options Public Consultation report which provides an insight as to how comments made to the Preferred Option Paper have been considered in the preparation of the dPS.
- 2.10 Notwithstanding this, there is insufficient supporting evidence to support a number of the proposed policies within the dPS and therefore the requirements of Regulation 15 have not been met. We identify the specific concerns within the remainder of this representation.

### 3. Growth Strategic & Spatial Planning Framework

**SPF 4 – Maintain and consolidate the role of the villages as local service centres providing opportunities for housing, employment and leisure activities in keeping with the scale and character of individual settlements**

**Policy SPF 4 is unsound as the policy fails the tests of CE2 and CE4**

**We appreciate the sentiment behind the policy, but have concerns with the evidence used to formulate the policy.**

**Farrans Construction requests that Council reconsiders its evidence basis to support SPF4**

#### **Full Response**

- 3.1 The development direction within SPF 4 focuses on maintaining and consolidating growth within the village, relative to their size and current level of services. Farrans Construction fully supports sustainable growth and recognises the value and importance of this principle in determining the location for future development.
- 3.2 We note that reference is made at paragraph 4.26 that *'in the main we do not intend to reserve land for housing or economic development although exceptions may exist where there is a need to expand or accommodate an identified rural enterprise within the settlement limit'*. We seek clarification as to whether Council is stating that there is no intention to zone sites for housing development.
- 3.3 With respect to Moneymore which is identified as a village, we note that information used to inform the draft plan strategy – the Housing Monitor and the Strategic Settlement Evaluation dates back to 2014.
- 3.4 The Preferred Options Paper identified a requirement for 166 new residential units within the village which has been carried through into the draft Plan Strategy. We understand that there are currently 362 units which have the benefit of planning permission, but have yet to be built. From a review of background documents, we note that these figures are based on 2014 Housing Monitor outputs and a number of previously committed planning permissions have since lapsed.
- 3.5 The Strategic Settlement Evaluation for Moneymore references the disused quarry which forms part of the physical fabric of the village; the first phase of its transformation to a residential area was granted planning permission in June 2010 and consists of 51 units. However the Evaluation, due to the age of the document fails to address recent planning permissions for Phase 2 and accordingly fails to appreciate and consider the regeneration potential of the balance of the site and the contribution it could deliver by way of new homes, walking trails, the opportunity to extend the Moneymore Heritage Trail, and provide a tourist and recreational facility centred around the former quarry dam; please refer to Appendix 1 for further details of the Gallion Heights Extension.

- 3.6 SPF 4 fails soundness tests CE2 and CE4. The policy is formulated on out dated evidence and no information has been provided to demonstrate how the policy would respond to changing circumstances.

**Recommendation**

- 3.7 We would encourage Council to prepare an up to date Housing Monitor and Capacity Study which provides an accurate understanding of the level of remaining capacity which has a reasonable expectation of being delivered in order to ensure that the strategic aim of the policy can be delivered.
- 3.8 The Settlement Evaluation for Moneymore should be updated to reflect recent developments and consideration given to the proposal detailed in Appendix 1. We note that within the draft Plan Strategy reference is made to there being limited capacity within the WWTW to accommodate further growth. Our proposal includes details (presented in Appendix 2) as to how further development within the quarry site would be serviced by way of Package Plant. Details are also provided to demonstrate that there is sufficient capacity within the existing Moneymore Road junction to accommodate the development with committed developments accounted for.
- 3.9 That the supporting text in paragraph 4.27 is amended to acknowledge that a degree of flexibility may, on occasions need to be provided to accommodate new residential development if sites which have the benefit of planning permission and/or are zoned housing sites within the settlement limit do not come forward with a reasonable time period.

***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***

**Policy SPF 6 is unsound as the policy fails the tests of C1, C3, CE1 and CE2**

**The policy does not reflect current regional planning policy and jars with the draft plan objectives**

**Farrans requests that Council reconsiders its approach evidence base to support SPF 6**

- 3.1 Farrans expresses concern with Council's position as set out in 4.34 where it states that:

*"The Countryside will not be subject to an allocation of the Districts HGI, however housing development will be monitored. At presents 40% of our Districts households are located in the open countryside. Accordingly for review purposes if the number of houses being approached in the countryside exceeds 40% of the Districts HGI this will trigger the need to change policy at the Plan review."*

- 3.2 Based on a HGI of 11,000 new homes as proposed at Paragraph 4.15 of the draft Plan Strategy, 40% would equate to 4,400 new homes that could be approved within the

open countryside. This is a significant number of residential units when compared to Council's proposal to allocate 3,285 to 6,569 homes to the 3 main towns.

- 3.3 An allowance of this scale is contrary to the principles of sustainable development set out in Regional Development Strategy 2035 (policy RG8: Manage housing growth to achieve sustainable patterns of residential development) and the Strategic Planning Policy Statement (SPPS).
- 3.4 We would respectfully highlight that a similar concern has been raised in the relation to the Fermanagh & Omagh District dPS by the Department for Infrastructure (DfI).
- 3.5 Council has failed to consider the environmental effects of such a high number of dwellings within the countryside in terms availability of utilities and the interrelationship of homes, jobs and local services and facilities in underpinning the town and villages. Permitting the scale of development gives rise to a degree of tension with the draft Plan objectives.
- 3.6 Policy SPF 6 fails soundness tests C1, C3, CE1 and CE2. The policy fails to take account of the Regional Development Strategy and the SPPS. The policy is at odds with the Plan objectives and there is no evidence base to support it.

**Recommendation**

- 3.7 It is recommended that further work is undertaken to consider the implications of the SPF, particularly in relation to impact on the plan objectives (paragraph 3.15)
- 3.8 We also recommend that comments made by DfI in representations to the Fermanagh & Omagh dPS are considered in light of the approach proposed by Mid Ulster.



## 4. General Principles Planning Policy

### Policy GP1 – General Principles Planning Policy

Policy GP1 is unsound as the policy fails the tests of CE1 and CE4

The policy is incoherent and has the potential to give rise to confusion as design policies are referenced within both GP1 and UD 1 : Urban Design, with a restriction on height noted within the policy justification and amplification of UD 1 and not in the main policy or GP1

We respectfully seek that design policies are contained within one overarching policy in order that the plan strategy can be read and interpreted in a logical manner

#### Full Response

- 4.1 GP1 is a criterion based policy which applies to all future planning applications, irrespective of type. The policy sets out a positive presumption to granting planning permission for development proposals which accord with the Local Development Plan and can demonstrate that there is no demonstrable harm to 10 policy criterions.
- 4.2 Farrans Construction welcomes this positive planning policy; however we consider criterion (c) to be unsound.
- 4.3 Criterion (c) Siting, Design and External Appearance sets out prescriptive requirements to be met which largely mirror that presented in UD1. An extract of criterion (c) is presented below together with our assessment of the policy against the wording of UD1.

#### *(c) Siting, Design and External Appearance*

New development should respect its surroundings and be of an appropriate design for the site and its locality. It should be sited having regard to its relationship with existing buildings and the visual effects of the development on the surrounding area and where applicable, the landscape. *[This largely reflects the wording within the first bullet of UD1].*

Development should:

- in the urban setting have regard to the street scene and pattern of development *[Largely reflects the wording and spirit of the first bullet point in UD1]*
- in the countryside, have regard to the character of the area, the local landscape and not rely primarily on new landscaping for integration. *[Not applicable]*

Where relevant, consideration will be given to:

- the size, scale, form, massing, height, and density of the development and
- the external appearance which should have regard to the locality in terms of style, fenestration, materials and colours. *[These two aspects reflect the wording of the third bullet point in UD1].*

4.4 The starting premise of UD1 is that developers will be expected to demonstrate through a Design and Access Statement how a development proposal meets the policy requirements. There is no reference to this within GP1 nor does UD1 acknowledge that within the Planning Act (Northern Ireland) 2011 the requirement to provide a Design & Access only applies to major development proposals, or applications within designation or sensitive locations.

4.5 Within the policy justification and amplification to UD1 (on page 101) reference is made that new development *must* respect the prevailing building height within the settlement which is mainly 2- 3 storey. The text references that exceptionally consideration may be given to taller buildings if this is demonstrated through the provision of a Design & Access Statement.

#### **Recommendation**

4.6 Farrans Construction fully supports the intent behind the GP1 and how it seeks to embrace the core planning principles set out in the Strategy Planning Policy Statement (SPPS).

4.7 We support the deletion of UD 1 on the basis that criterion (c) of GP1 is redrafted to improve the coherence of the draft plan strategy; inserted text has been underlined to assist the reader.

*New development should respect its surroundings and be of an appropriate design for the site and its locality. It should be sited having regard to its relationship with existing buildings and the visual effects of the development on the surrounding area and where applicable, the landscape.*

*Development should:*

- *in the urban setting have regard to the street scene and pattern of development*
- *in the countryside, have regard to the character of the area, the local landscape and not rely primarily on new landscaping for integration.*

*Where relevant, consideration will be given to;*

- *the size, scale, form, massing, height, and density of the development and*
- *the external appearance which should have regard to the locality in terms of style, fenestration, materials and colours.*

*All planning applications for residential development should be accompanied by a Design Concept Statement unless the proposal is a major development proposal. All major development proposals must be accompanied by a Design & Access Statement*

- 4.8 This text should be detailed within the text box and any reference to the building height of new developments being limited to 2- 3 removed from the policy justification. Council has provided no evidence of a building height assessment within the Council area to support this.
- 4.9 All application should be assessed on their individual merits, and the removal of such wording provides flexibility to respond to any change in circumstances in accordance with soundness test CE4.

## 5. Social Policies

### Policy HOU 2 – Quality Residential Development

**Policy HOU2 is unsound as the policy fails the tests of C3, CE1, CE2, and CE4**

**The policy is not founded on a robust evidence base which explains the rationale behind the first 3 criterion and the policy triggers associated with criterion 3. There is a tension between the policy criterion and the text detailed within the justification and amplification**

**Farrans Construction requests that Council reconsiders its evidence base to support HOU 2 and its associated criterion**

#### Policy Summary

- 5.1 HOU2 is a criterion based policy which encompasses 6 criterions to be addressed in respect of planning applications for residential development.

#### Criterion (i) & (ii)

- 5.2 These criterions relate to density levels within new developments and the separation distance between residential properties.
- 5.3 Both criterions read as single statements with no details provided on the policy requirements or test to be met; this information is set out within the supporting justification and amplification text. The lack of substantive detail within the policy text box gives raise to confusion and tension regarding the weight to be afforded to the information contained in the justification and amplification text.
- 5.4 Planning case law directs that policy should be clearly set out within the policy text box. The text detailed under the justification and amplification is a narrative to support the operation of the principal policy. In its current format the policy is unsound and fails soundness test CE1.
- 5.5 Criterion (i) is not founded on evidence which demonstrates that the density range set out in paragraph 7.20 is realistic and achievable having taking account of criterion (ii). We note the absence of evidence such as an urban capacity assessment which would have assisted in informing these two criterions. Criterion (i) and (ii) fail soundness test CE2.
- 5.6 Spatial Planning Framework (SPF) Policy 2 seeks to focus growth within the 3 main hubs. Paragraph 4.15 outlines Council's intention to double the % of households living within Cookstown, Dungannon and Magherafelt from 30% of the District households to 60%. In order to achieve this ambition, increasing housing density levels will be key. In the absence of evidence to support the proposed density figures it is unclear how coherent the plan strategy is and policies which flow from it, accordingly criterion 1 fails soundness test CE1.

### **Recommendation**

- 5.7 Farrans Construction fully supports the intent behind criterion (i) and (ii) and acknowledges that the Strategic Planning Policy Statement (SPPS) advocates the need for a housing strategy which provides for increased housing density without cramming in town and city centres and in other locations that benefit from high accessibility to public transport facilities (paragraph 6.137).
- 5.8 We would support criterion (i) being reworded to read:
- 'An increase in the density of housing and mixed use developments will be promoted within town centres and other locations which benefit from accessibility to public transport facilities'.*
- 5.9 In the absence of evidence to support the density bands the supporting text for criterion (i) – paragraph 7.20 should be moved to the Local Policies Plan (LPP) and clearly identified as a guide.
- 5.10 Criterion (ii) should be deleted and associated text at paragraph 7.24 moved to the Local Policies Plan (LPP) and clearly identified as a guide.

### **Criterion (iii)**

- 5.11 This criterion relates to the provision of a mixture of house types and tenures. No policy requirements or thresholds are set out within the criterion; this detail is noted in the policy justification and amplification.
- 5.12 Planning case law directs that policy should be clearly set out within the policy text box. The text detailed under the justification and amplification is a narrative to support the operation of the principal policy. In its current format the policy is unsound and fails soundness test CE1.
- 5.13 Further analysis and commentary on both aspects of this criterion are addressed separately under the respective titles of Mixture of House Types and Tenure.

### **Mixture of House Types**

- 5.14 The supporting justification and amplification sets out a threshold requiring that on sites of 25 units of more or on sites of 1 hectare and over, that a mix of residential units should be provided.
- 5.15 Farrans Construction fully supports the intent of this policy which flows from the Regional Development Strategy 2035 and the SPPS. However, in its current format the policy does not meet the tests of Soundness for the following reasons:
- Reference is made within criterion (iii) to providing a mixture of housing types and paragraph 7.27 refers to *'catering for the needs of all families and small households, providing access for all'*. We note that no evidence base has been provided to support this criterion in the form of an assessment which analysed future household size and type (i.e age group) across the District; accordingly the policy fails soundness test CE2.

- It has not been demonstrated that the policy is coherent with aspects of the Spatial Strategy (policy SPF 2) and other proposed residential and design policies; the policy fails soundness test CE1.
- The policy is not founded on evidence which demonstrates how Council has tested the viability implications arising from the policy; the policy fails soundness test CE2.

#### **Tenure**

- 5.16 The supporting justification and amplification sets out thresholds relating to the provision of social housing requiring that any development of 50 units or more on sites of 2 hectares and over that social housing should be provided at a rate not less than 25% of the total number of units.
- 5.17 The requirements apply in locations where there is an identified social housing need identified by the relevant strategic housing authority until such times that the LLP bring forward sites with key site requirements addressing social housing needs.
- 5.18 Farrans Construction fully supports and welcomes the intent of the policy which flows from the Regional Development Strategy 2035 and the SPPS. However, in its current format the policy does not meet the tests of Soundness for the following reasons:
- We note from the Public Consultation Report that discussions were held with the Northern Ireland Housing Executive (NIHE), however, Council has no evidence base to support the proposed threshold of 25% - the policy fails soundness test CE2;
  - There is a tension between the header within the justification and amplification and the associated text. The header associated with paragraphs 7.26 and 7.27 references '*Meeting the Needs of All – Provision of a Mixture of House Types and Tenures*' (underlining our emphasis), yet the paragraph only refers to social housing. This is at odds with the definition within the SPPS of affordable housing which pertains to social rented housing and intermediate housing – the policy fails soundness test C3;
  - No information has been provided to demonstrate how this criterion can respond to changing circumstances – the policy fails soundness test CE4 ;
  - It has not been demonstrated that the policy is coherent with other policies proposed, principally the other aspect of criterion (iii) and criteria (i) and (ii) – the policy fails the soundness test CE1.

#### **Recommendation**

- 5.19 Farrans Construction fully supports the intent behind criterion (iii) and acknowledges that the Strategic Planning Policy Statement (SPPS) advocates the need for a variety of house types and sizes and tenure to meet different needs in order to support balanced communities (page 70, SPPS).

- 5.20 We disagree however with Council's approach on this aspect and contend that the issue of housing type and size should only apply to affordable housing (as defined within the SPPS).
- 5.21 Criterion (iii) should be redrafted on this basis and focus solely on the promotion of a variety of housing tenures across the District, underpinned by a robust evidence base.

**Criterion (v)**

- 5.22 Relates to the provision of open space within residential developments of 25 units or more. As with other criterion the requirements or test to be met are not detailed in the policy criterion rather in the supporting justification. In its current format the policy is unsound and fails soundness test CE1.
- 5.23 We would recommend that Criterion (v) is redrafted that the policy test is contained within the criterion and information which is intended to be a guide moved to the Local Policies Plan (LPP) and clearly identified as such.

## 6. Tourism

### Policy TOU 4 – Other tourism facilities/amenities and attractions

Policy TOU 4 is unsound and fails soundness test CE 2 and CE3 as there is insufficient evidence to support the policy

Farrans respectfully suggest that Council reconsiders its evidence to support this policy

- 6.1 Farrans welcomes the intent behind Policy TOU4, and the ambition to develop tourist amenities/facilities in the open countryside. However, there is a limited amount of supporting evidence, particularly a comprehensive assessment of the landscape character and quality to support the policy proposal. In the absence of robust evidence the policy fails against soundness test CE2 and CE3.

#### **Recommendation**

- 6.2 It is recommended that further assessments and evidence are prepared and collated to support this proposed relaxation in policy.
- 6.3 This policy would permit the scale of ambition outlined in Appendix 1 for the development of the lands around the former quarry dam in Moneymore for outdoor recreational uses, however there is a limited amount of information to support the policy.



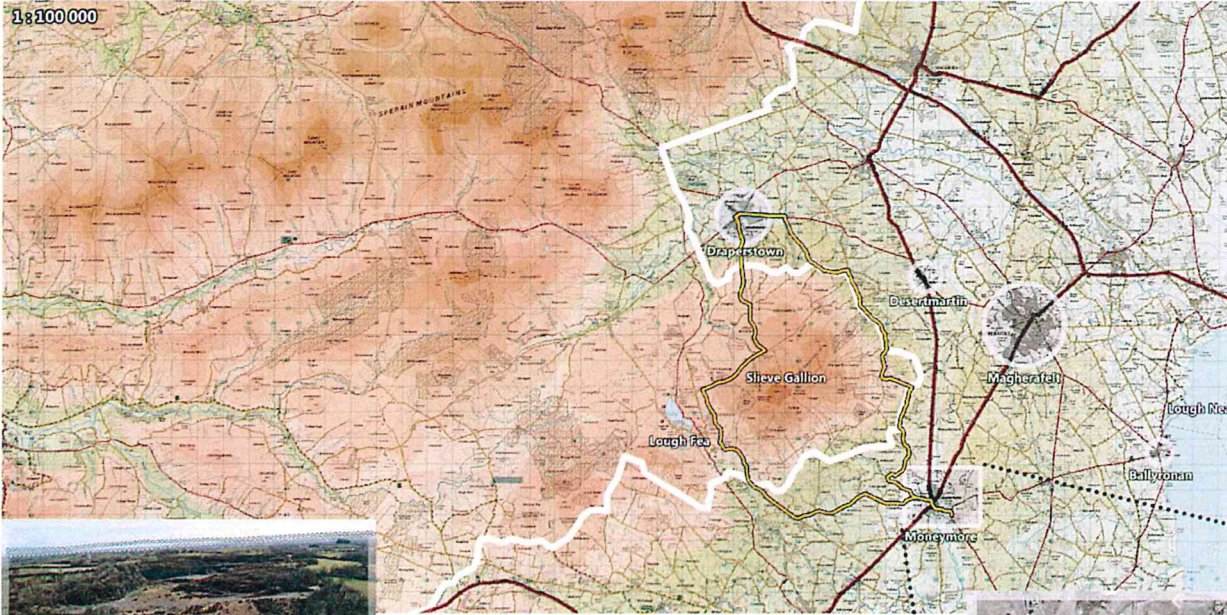
## 7. Conclusion

- 7.1 We support the ambition and drive of MUDC in terms of its vision for the Council area but having reviewed and considered the Local Development Plan as issued, we consider the Plan to be unsound. The legal compliance tests have not been met, and policies SPG 4 and SPG 6; GP1, HOU2 and TOU 4 should be supported with robust up to date evidence in order to address the tests of Soundness.
- 7.2 Farrans Construction thanks Council for this opportunity to respond and contribute to the draft Plan Strategy, and welcomes the chance to present and discuss our proposals for Gallion Heights with the Local Development Plan team.

**Appendix 1: Gallion Height Proposal –  
Transformation of the former  
Quarry**



# Gallion Heights Extension Moneymore Surrounding Context



## Local Attractions

- 1) Drum Manor Forest Park
- 2) Slieve Gallion
- 3) Jungle NI
- 4) Moneymore Model Village
- 5) Springfield House - National Trust
- 6) Lough Neagh

### KEY

- Area of Outstanding Natural Beauty Boundary
- Protected Route Network
- Cycle Route



Views to Lough Neagh



Views to Sperrins

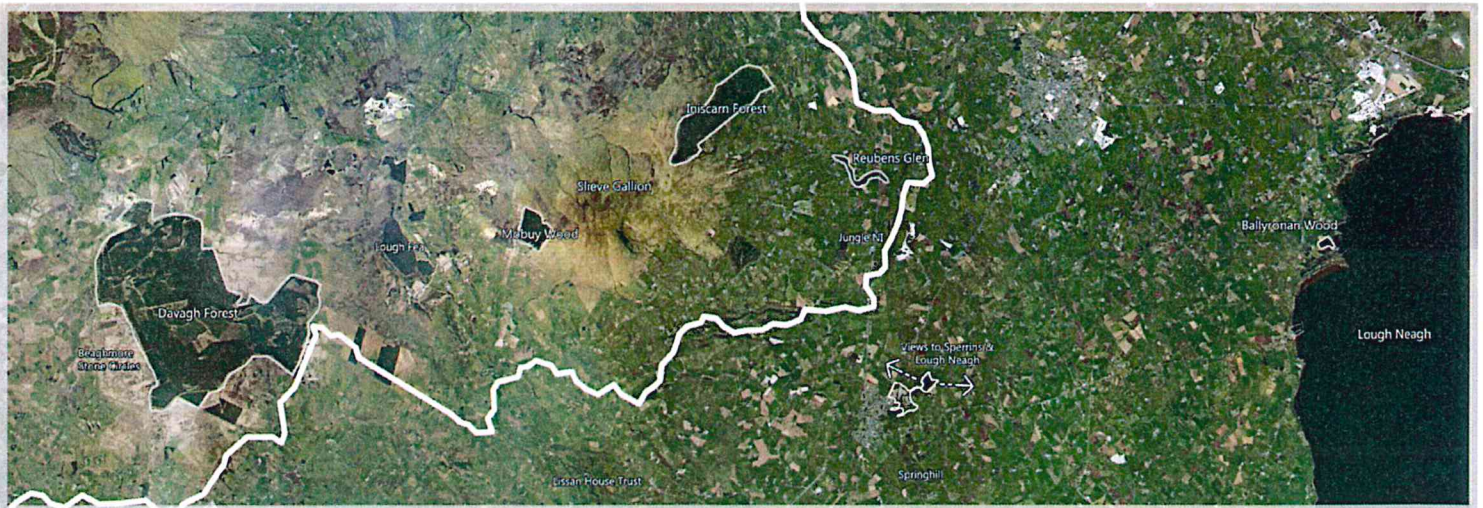
**Moneymore** comes from the Irish "Muine Mór" meaning "Large thicket or large hill". Given the site's unique raised position allowing for views out to the Sperrins and Lough Neagh from the same location as well as the site itself including one of Moneymore's historic paths, it seems fitting to use it as a point to re-establish and celebrate the rich origins and history of the town itself.

The site is also located just outside the Sperrins Area of Outstanding Natural Beauty and is connected to Magherafelt Road, which is part of the Protected Route Network. Designated in 2008 under the Nature Conservation and Amenity Lands (NI) Order 1985 and lying in the heart of Northern Ireland, the Sperrin AONB encompasses "a largely mountainous area of great geological complexity". The site sits in the lowlands to the east of the Sperrins, this area presents vast expanses of moorland penetrated by narrow glens and deep valleys. It would therefore be prudent to retain the natural character of the site as much as possible, enhancing it with any development proposed.



### KEY

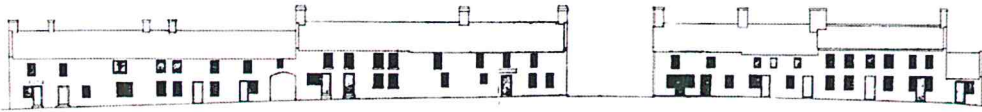
- Moneymore Development Limit
- Former Quarry Sites



# Gallion Heights Extension

## Moneymore

### Historical Analysis



14. "Elevation of houses on the East side of High Street, Moneymore." A drawing by W. J. Booth of September 1835.



High Street, Moneymore - Current Day



HIGH STREET, MONEYMORE

#### Moneymore Historic Streetscape

From "Moneymore And Draperstown: The Architecture and Planning of the Estates of the Drapers' Company in Ulster"

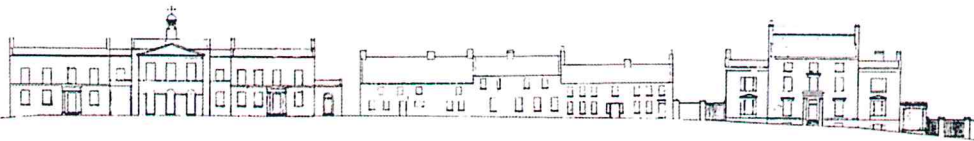
By James Steven Curtl

The village of Moneymore, a planned Plantation settlement located near the base of a basalt outcrop overlooking the flat lands bordering the Ballymully River, was designated a Conservation Area in 1960. The most significant visual feature of the Conservation Area is the ever-changing backdrop of hills around the town which can be viewed from almost all locations and which emphasises the siting of the town.

Major townscape features such as High Street can be closely associated with the local topography and derive their distinctiveness from the local lie of the land. Each street has its major physical feature which draws the eye and enhances the view.

There are 4 Local Landscape Policy Areas within Moneymore which are designated at Ballymully River North & South, Lawford Street and Ministers Walk including Parkland, the local Nature Reserve and an Area of Archaeological Potential is identified, within and adjoining the Conservation Area, representing the area of the original planned town as it is known from early 17th Century maps.

The historical richness of Moneymore, and its proximity to Springhill House, managed by the National Trust, has the potential to make the village a tourist asset, providing a thread to the evolution of the locale and offers an orientating point for further exploration of the area.



35. "Elevation, of about 1835, of the 'Houses on the West side of High Street, Moneymore,' showing the Drapers' Arms on the left; the Market-House, Surgeon's House, and Dispensary group; then a row of houses that were in very poor condition, including the old Mansions House; then the very grand Agent's House. The Agent's House was designed by Booth, but everything to the left was designed by Jesse Gibson



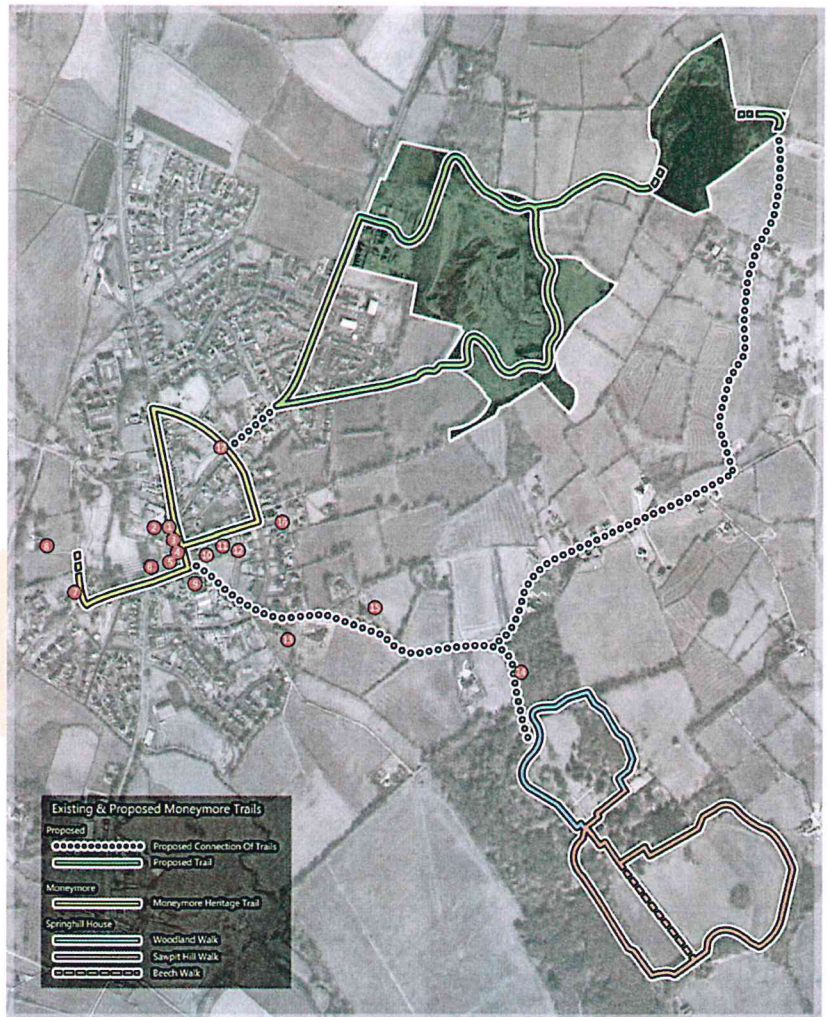
#### Opportunity to extend Moneymore Heritage Trail

The trail through Moneymore explains the rich heritage and culture of the Conservation Area. As a settlement for over 400 years, Moneymore's historic past can still be seen in the range of important architectural buildings and landscape environments which behind the village today.

There is the potential to extend the existing Heritage Trail to the quarry lands which historically brought employment and industry to the area, enhancing the villages provision of walking trails, providing opportunities for improving health and well-being to residents and visitors alike, as well as involving the community in contributing to making Moneymore an appealing place to visit, explore and enjoy the local commercial facilities.

#### HERITAGE TRAIL KEY

- |                               |      |                            |
|-------------------------------|------|----------------------------|
| 1.) Manor House               | 9.)  | Orange Hall                |
| 2.) Model Village             | 10.) | New Market House           |
| 3.) Library                   | 11.) | Corn Store                 |
| 4.) O'ld Market House         | 12.) | Gaol                       |
| 5.) Draper's Arms             | 13.) | Common Barn                |
| 6.) First Presbyterian Church | 14.) | Springhill House           |
| 7.) Manor Park                | 15.) | St John & St Trea's Church |
| 8.) Manse                     | 16.) | Second Presbyterian Church |
|                               | 17.) | St John's Desertlyn Church |



**Existing & Proposed Moneymore Trails**

Proposed

- Proposed Connection Of Trails
- Proposed Trail

Moneymore

- Moneymore Heritage Trail

Springhill House

- Woodland Walk
- Sanght Hill Walk
- Beech Walk



# Gallion Heights Extension

## Moneymore Site Analysis I



### Site analysis

- Post Office
- Petrol Station
- School
- Medical Centre
- Shopping
- CARE Care Centre
- REC Rec Centre
- Church
- Manor Park

Overall Site Ownership

Overhead Lines

Settlement Limit as per Area Plan 2010



### Surrounding Historic Environment

- Historic Enclosure / Cashel - Located in a site called "Forth Field", no visible remains. SMR Number : LDY 046.035
- Historic Enclosure / Fort - Held by Widow O'Neill, the site was in ruins in 1835. SLR Number : LDY 046.051
- Site of Destroyed Rath - The land falls towards lower land before rising to the Sperrins. SLR Number : LDY 046.011
- Springhill Historic Park appx. 500m to south - HB Ref Number : HB09/06/024 B
- Scheduled Rath appx. 400m to south - The site consists of a large, roughly circular central platform 33.5m x 33m, enclosed by a ditch & outer bank. SLR Number : LDY 046.009

### Estimated Lake Expansion

The lake in the site provides hydro opportunities for any development in the vicinity. Over a period of 12 years the lake to the upper section of the former quarry has expanded to the extent as shown in its current formation on April 2018.

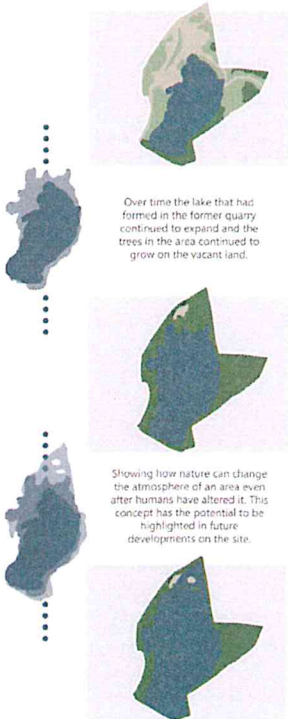
November 2006



July 2012



April 2018



Aerial view of the quarry site and surrounding farmland.



Site and greater Moneymore area.



Current housing at entrance to site.

### Moneymore Quarry History

Having employed around 60 people at one time from the Magherafelt, Moneymore, Cookstown area, the Quarry at Magheramore was operated by JT Glover from 1918 up until its closure in February 2010, extracting Basalt stone which was crushed to give different grades and stone sizes. This material was either sold as aggregate or used in concrete or blacktop production in the batching plants which were located in the quarry. Contracts undertaken in the Public and Private realms included Schools, Factories, Private Housing Estates and most prominently Roads construction work. In the era of major road infrastructure and network expansion and improvement throughout the Province, the quarried Basalt was used on several trunk roads in the 1960s & 1970s including a section of the A6 to form a bypass for small towns such as Maghera & Knockloughrim. Re-surfacing contracts on the M1 & M2 were undertaken in the 1980's. DoE Roads Service in Cookstown and Armagh were the quarry's main customers through the late 1980s and 1990s completing surfacing works to trunk roads such as A29 from Dunganon to Moneymore and the Castledawson By-Pass.

The geographic location is significant in the historical development of the quarry, as Moneymore, one of the oldest post towns in the County, was situated on the mail road from Armagh to Coleraine. Noted in Slater's Directory of Ulster 1846 as a market town north east of Cookstown, the town and a large tract of adjacent countryside were the property of the Drapers Company, London who sought to greatly improve the town and surrounding area completing 50 miles of good roads, building bridges, churches, and founding schools at their own expense. By 1841 the census credits the town and local area with a population of 942.

It was at the north east end of the town that John Glover opened a quarry towards the end of the First World War and supplied basalt stone to the local farmer's and builders of the area. During the start of WWII the government of the day were starting to build airfields and Camps at Toomebridge, Cluntoe near Ardboe and camp accommodation at Desertmartin Rd Moneymore which was the billet for some of the American troops. Stone supplies were in strong demand from the Moneymore quarry for building runways and making concrete with some of the roads being paved with what was then described as tar stone. In the 1940's the business started to expand and added bitumen to the stone for more efficient use in road construction and after the war, the lorry fleet was built up again and the business of constructing new roads and upgrading existing roads cover a wide area in Mid Ulster was supplied from the Moneymore quarry.

JT Glover was purchased by Farrans circa 1974 and Glover/Farrans ran the business until the T B F Thompson Group acquired the company in 1978, with the road operations being executed by Maxwells. The company continued to expand the business with the installation of mobile blacktop plant which was eventually sold in 1980's to Italy. The demand for Blacktop in the Mid-Ulster Area was met by the Coleraine Plant over the next few years until 1985 when King's (NI) Ltd, part of the Tarmac Group Ltd.

Additional quarry plant was installed at Moneymore to increase production of aggregates with the specialist plant producing specifically for surface dressing contracts. During the 1990's production continued apace and the company were very successful in acquiring contracts in both the public and private sectors. At its peak, the total production at the Moneymore Quarry was in the region of circa 150 thousand tonnes per year (Blacktop and stone products) and supply of quarried Basalt stone at Moneymore covered an area from Lurgan in the south east to Enniskillen in the West and all of the South Derry area. The original Moneymore stone crusher has been set up as a museum piece at the Croghan quarry in Coleraine.



# Gallion Heights Extension

## Moneymore Site Analysis II



While using the cleared area of the quarry to further develop housing on the site the remaining natural landscape surrounding can be taken advantage of to provide a park with art interventions and a new walking loop for the area directly linked to the town centre. Rock faces framed by the work on the previous quarry provide an outcrop and natural promontory from which to view the Sperrins. The rugged environment of the current site should provide an interesting area to visit, bringing visitors to the town of Moneymore and provide orientation from which a visitor can explore the wider mountainous context within this historic environment.



# Gallion Heights Extension

## Moneymore Masterplan

**Examples of housing currently built in phase one, as the housing moves further into the parkland it will become more spaced out and rural to integrate with the parkland that surrounds it.**

**Incorporating the existing path as an addition to the proposed walk allows access to the lake as a picturesque end destination.**

**Connecting the lake to the sculpture trail in the parkland by adding a sculpture on the water to add to the views out onto the lake.**

**To accommodate the number of houses in this development a play area has been proposed within the green space highlighted.**

**To highlight both Moneymore's history and its unique location near to an area of outstanding natural beauty, a landscape intervention, much in the vein of Charles Jencks work, could sit on the site of Moneymore's former path pointing the visitors attention to the Sperrins mountain range.**

**This subtle intervention would celebrate both the history of the land and the current natural landscape.**

**Various types of glamping pods will be located around the forest area by the lake. This type of low-impact building retains the idea of effecting as little of the natural environment as possible with this project.**

**Views out to Slieve Gallion and the rest of the Sperrins. In these raised areas the intervention on the landscape should appear natural and seamless, keeping the more obvious interventions such as the sculptures in the hidden lower areas. This means when visitors step into these viewing areas they feel as though it is just themselves and the land.**

**Potential area for additional landscape interventions and additional sculptures within the open space / parkland. Allowing for the park to grow as the community see fit.**

**This area would consist of several 1 / 2 bed units, along with utilities to support these and 4 large main pavilions inspired by the surrounding nature to accommodate large groups / business excursions.**

**KEY**

- Gates
- Path
- Low-Impact Path
- Statue
- Trees
- Small Planting
- Housing
- Garages
- Roads
- Greenspace / Planting

**Entrance to the parkland from the town marked by ornamental gates.**



### Proposal Concepts

The goal of this proposal was to provide a link for the trails and attractions associated with Moneymore, as well as to provide visitors and the local community alike with a natural environment that implements the theory of Shinrin Yoku in which they can appreciate both the local history and the greater Area of Outstanding Natural Beauty close to Moneymore.

The addition of subtle interventions within the site overtime, such as sculptures by various artists and optical builds such as the camera obscura, a darkened room that naturally projects a reflected image of the surrounding views within itself, will allow visitors to the site to interact with and view the area in different ways.

### Shinrin Yoku

Japanese practice of nature immersion to enhance wellbeing

- Boosted immune system functioning, with an increase in the body's Natural Killer cells
- Reduced blood pressure
- Reduced stress
- Improved mood
- Increased ability to focus, even in children with ADHD
- Accelerated recovery from surgery or illness
- Increased energy level
- Improved sleep
- Deeper and clearer intuition
- Increased flow of energy
- Deepening of friendships
- Overall increase in sense of happiness



**Appendix 2: Technical Note prepared by  
O'Conner Sutton Cronin &  
Associates (Belfast) Ltd**



# Gallion Heights Extension Development

Technical Note

Date: 11<sup>th</sup> April 2019

## Introduction

This technical note has been provided to cover the proposed extension to the existing Gallion Heights development on the Magherafelt Road, Moneymore. There are currently 43 dwellings on this site with planning permission in place for a further 35 dwellings. This technical note relates to the proposed addition of a further 70 dwellings to make the total 148 dwellings on site.



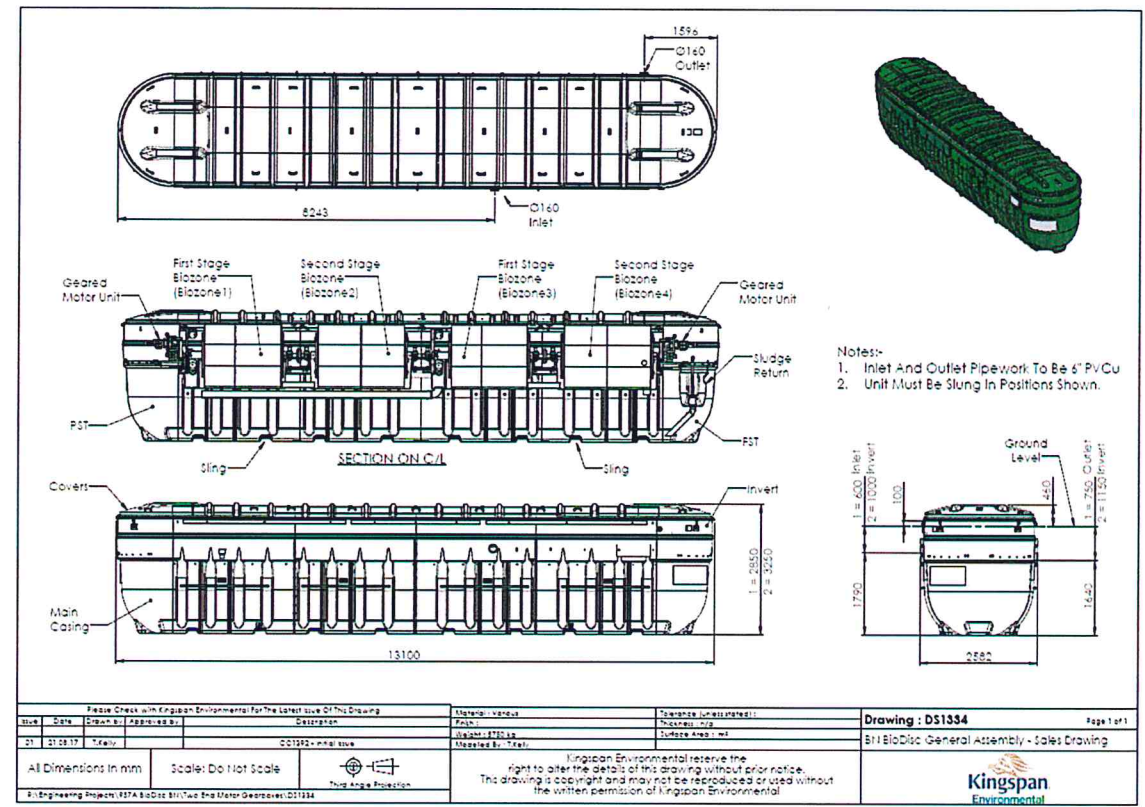
Fig (1)

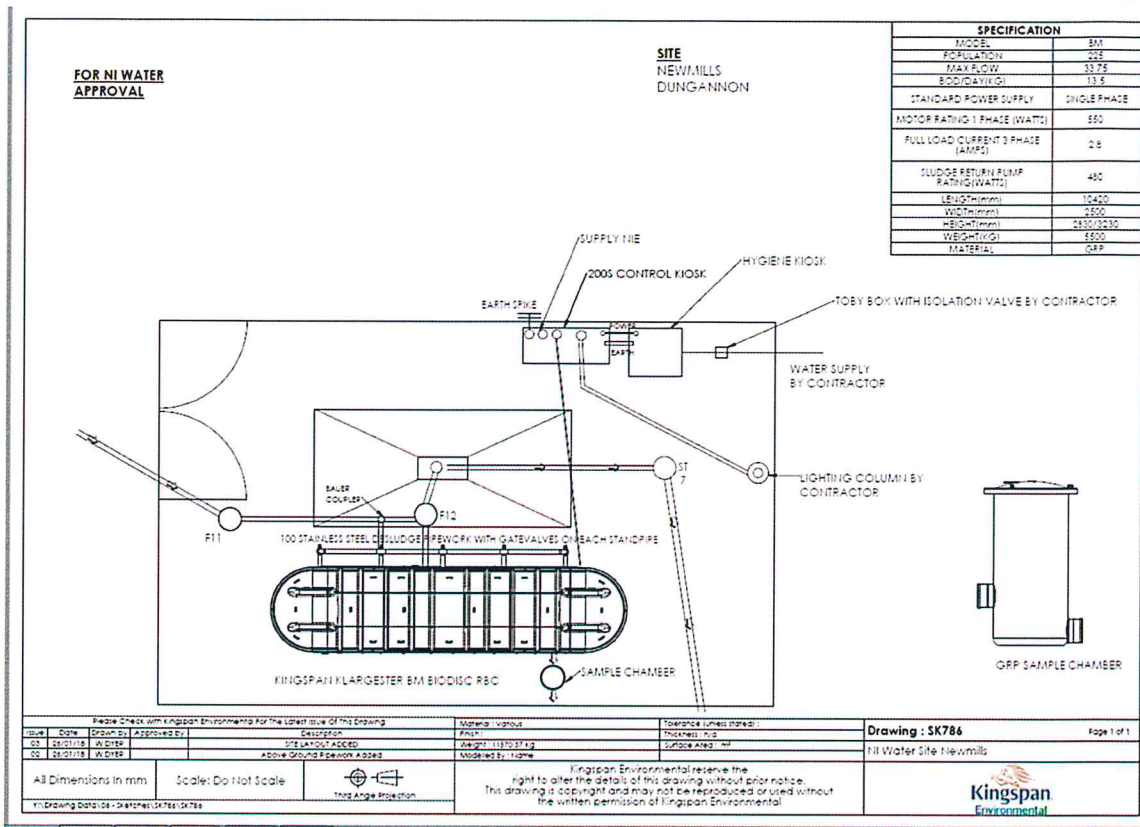
## Treatment Works:

Looking at the site layout and location and according to latest information from NI Water, there is insufficient capacity in the local WwTW to accommodate the proposed development. The other option is to have a Sewer treatment plant on site (BioDisc Sewage Treatment Plants).

Placing the foul and storm pipe for the proposed dwelling on the spine road of the proposed development. The STP can be located on the top of the site as show in in (Fig1 above) then discharge the treated drainage (Foul) to the existing water course. There is a proposal from the adjacent development (Planning No. LA09-2017-1447F) to divert the water course using 300mm  $\phi$  drainage pipe which is connected into existing drainage under Gallion Height. In that case the discharge will be to the new constructed manhole. Regarding the level as the drainage will be in the proposed road, the drainage level will match it. In locations where a significant difference in levels site a Back-Drop manhole can be used, which NI water accept. The BioDisc Sewage Treatment Plants details from Kingspan are below.

The BioDisc Sewage Treatment Plants details:





### Existing Junction:

In relation to the RTL capacity from the Magherafelt road, the arrangement in place currently is similar to the 'ghost island' as referenced below (Figure 1/2) which has been extracted from the DMRB TD 42/95.

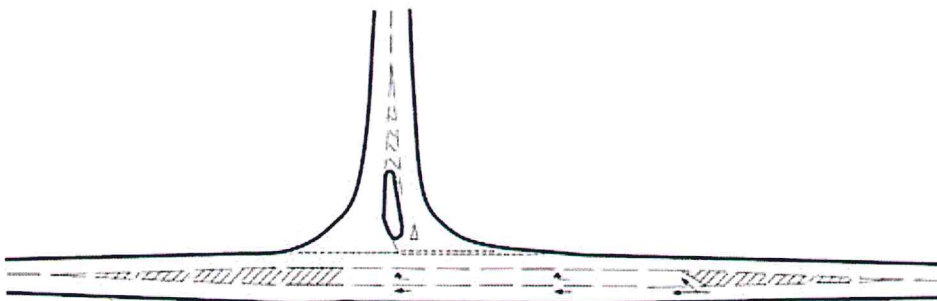


Figure 1 / 2 : Ghost Island Junction (para 1.15)

Based on the 50kph (30mph) design speed on the Magherafelt road, the minimum distance required for 'a' + 'b' (from Figure 7/4 below) should be 35m (a=10m, b=25m).

A TRICS analysis was also completed on this junction with the output illustrated below. In terms of capacity, without traffic flows for the main road OCSC cannot model the junction. However, the TRICS analysis was able to determine that development flows would be

relatively minor at a peak average of less than 1 vehicle per minute, which would be expected to be acceptable under the current junction configuration, particularly as there is a right turn lane for c. 8 vehicles. Please note that the peak arrivals equals 49 per hour and these will be shared from either the Moneymore or the Magherafelt directions. Therefore not all using the right turning lane. A full traffic survey would provide greater detail on the split of these vehicle counts.

<b>Trip Rates</b>			<b>Trip Rates</b>		
Time Range	ARRIVALS	DEPARTURES	Time Range	ARRIVALS	DEPARTURES
00:00-01:00			00:00-01:00	0	0
01:00-02:00			01:00-02:00	0	0
02:00-03:00			02:00-03:00	0	0
03:00-04:00			03:00-04:00	0	0
04:00-05:00			04:00-05:00	0	0
05:00-06:00			05:00-06:00	0	0
06:00-07:00			06:00-07:00	0	0
07:00-08:00	0.056	0.23	07:00-08:00	8	34
08:00-09:00	0.133	0.402	08:00-09:00	20	59
09:00-10:00	0.2	0.219	09:00-10:00	30	32
10:00-11:00	0.156	0.172	10:00-11:00	23	25
11:00-12:00	0.154	0.175	11:00-12:00	23	26
12:00-13:00	0.177	0.167	12:00-13:00	26	25
13:00-14:00	0.21	0.201	13:00-14:00	31	30
14:00-15:00	0.2	0.232	14:00-15:00	30	34
15:00-16:00	0.298	0.214	15:00-16:00	44	32
16:00-17:00	0.288	0.178	16:00-17:00	43	26
17:00-18:00	0.334	0.218	17:00-18:00	49	32
18:00-19:00	0.284	0.212	18:00-19:00	42	31
19:00-20:00			19:00-20:00	0	0
20:00-21:00			20:00-21:00	0	0
21:00-22:00			21:00-22:00	0	0
22:00-23:00			22:00-23:00	0	0
23:00-24:00			23:00-24:00	0	0
Daily Trip Rates:	2.49	2.62	Daily Trip Rates:	369	388

TRICS output figures based on 148 dwellings being served.

David Fletcher

Director

O'Conner Sutton Cronin & Associates (Belfast) Ltd.

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