

ANNEX B – Response Pro-forma

Name: EAMONN LOUGHREY

Address: 15 Cleaver Park, Belfast, BT9 5HX

Original Representation Reference Number: MUDPS/95 (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- c) I confirm that I wish for my original representation to be withdrawn and that I no longer wish to make a representation.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: 16.5.2020

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.

Michael McGibbon

From: Eamonn Loughrey <[REDACTED]>
Sent: 18 April 2019 16:50
To: DevelopmentPlan@midulstercouncil.org
Subject: Re: Mid Ulster Development Plan Draft Plan Strategy
Attachments: Final Crawford (Cattlemart) Submission.pdf; Final Crawford (Sport) Submission.pdf; Final Crawford Housing Submission.pdf

Dear Sir/Madam

MID ULSTER DEVELOPMENT PLAN - REPRESENTATION ON DRAFT PLAN STRATEGY

On behalf of my client Mr Crawford please find enclosed three separate representations to the Mid Ulster Council Draft Plan Strategy in respect of housing, rural recreation and rural services in Maghera.

Please acknowledge receipt

Regards

Eamonn Loughrey
[REDACTED]
[REDACTED]

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 4pm on 19th April 2019 to:

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

Or by email to developmentplan@midulstercouncil.org

Please complete separate form for each representation.

SECTION A

1. Personal Details

Title

First Name

Last Name

Job Title
(where relevant)

Organisation
(where relevant)

2. Agent Details (if applicable)

Address Line 1	<input type="text" value="C/O Agent"/>	<input type="text" value="15 Cleaver Park"/>
Line 2		<input type="text" value="Belfast"/>
Line 3		
Line 4		
Post Code	<input type="text"/>	<input type="text" value="BT9 5HX"/>
Telephone Number	<input type="text"/>	<input type="text" value=""/>
E-mail Address	<input type="text" value=""/>	

SECTION B

Your comments should be set out in full. This will help the independent examiner understand the issues you raise. You will only be able to submit further additional information to the Independent Examination if the Independent Examiner invites you to do so.

3. To which part of the DPD does your representation relate?

- (i) Paragraph 12.15-12.20
- (ii) Objective
- (iii) Growth Strategy/
Spatial Planning Framework
- (iv) Policy ECON 2
- (v) Proposals Map
- (vi) Site Location Maghera

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.planning.gov.uk/index/advice/practice-notes/development-plan-practice-note-06-soundness-version-2-may-2017-2a.pdf>).

Soundness Test No.

CE4

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:

Policy ECON 2 deals with economic development in the countryside.

One aspect of countryside development that is vital to the rural economy is the provision of a cattlemart. The area of north Mid Ulster around Maghera has no cattlemart and there is a clear need for one to be provided and supported in the dPS.

While the primary needs for a cattlemart are clear, these forms of facilities have broadened their scope to be a multi function auction centre, where it would provide cattle auctions and a rural business centre that supports food production and rural businesses generally.

Cattlemarts provide an important social gathering opportunity for farmers. Often farmers will not visit town centres and will not visit GPs. Modern farms use technology which has reduced labour and has led to farming becoming a lonely existence, which leads to farmers experiencing mental health issues.

A cattlemart can be a base for farmers to socialise, and even benefit from health and well bring activity such as having GP and pharmacist consultations.

(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.

Policy ECON 2 should include:

k) a cattlemart or multi function rural auction centre that is located in an area where no mart currently operates and for which there is a need. Proposals will be expected to be in relatively good proximity to main roads. Proposals will be expected to be in close proximity to complementary businesses (e.g. vets surgery).

At the end of paragraph 12.20 it should state:

"One such use would be a cattlemart or multi function auction centre, which would be a welcome investment in the rural area of Mid Ulster".

(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:

19 April 2019

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Policy OS 3 should encourage outdoor sporting facilities in the countryside.

Many sports can only be enjoyed in the countryside and the policy should more actively support the provision of facilities such as clay pigeon shooting. The approach of the policy is to include shooting under noise generating sport, and discusses the sport in a negative sense.

The dPS needs a more balanced presentation of the sport. Clay Pigeon Shooting can draw in tourists and visitors to the Council area from significant distances and it can increase the attraction of the Council area as a sporting destination.

The existence of clay pigeon shooting facilities in the rural area can help support local shops and services with visitors also stopping off in town centres as part of their day trip to the area.

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Policy OS 2 should also allow applicants to demonstrate positive tourism or rural economic benefits from a countryside sport facility.

Supporting text paragraph 11.26 should include clay pigeon shooting as an activity that can facilitate farm diversification and encourage tourism.

Paragraph 11.28 should state that "Recreation and sporting activities such as clay pigeon shooting, motorsport, water ski-ing and paint ball adventure games will be welcomed as they help to sustain the rural economy, provide special attractions to the area, supporting rural regeneration and create important opportunities for rural employment".

Adding this policy insertion and text provides more balance to the assessment of any future applications and allows applicants to present the positive aspects of proposals as well as addressing potential aspects of harm.

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Soundness Test No.

C3 & CE4

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See Attached Sheet.

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Signature: Date:

Area Plan Objection

Objection to Mid Ulster Local Development Plan 2030 – Draft Plan Strategy

Objection made by: Inaltus Limited

Objection Made on behalf of : Mr Crawford

Date: 19th April 2019

Site: Lands at Station Road, Maghera

POP Rep Refs: MUPOP/693

Introduction

1. This objection is made against the Mid Ulster draft Plan Strategy (dPS) and the dPS comments/designation in respect of the Housing Growth Indicators (HGIs) and their allocations, particularly in relation to Maghera. Our client owns lands at Station Road, Maghera which is suitable for housing and should be zoned as such in the Local Development Plan.

Objection 1 – Housing in Maghera

Summary of Preferred Options Paper (POP) Objection

2. Our clients objected to the HGI and Housing in Maghera in the POP. Page numbers 15, 17, 20-24 & Appendix 2 of the POP. We contented that Maghera is the most active town in terms of house building among the towns in the area.
3. The Council should assess whether lands are realistically available, and delivery of housing depends on factors such as lead-in times, build rates and site constraints. The Council should have provided a housing trajectory to show how it will provide a 5 years housing land supply.

Draft Plan Strategy (dPS)

4. dPS paragraph 3.15 bullet 4 seeks to provide 11,000 new homes in Mid Ulster Council (MDC) area by 2030. Appendix 1 sets out the distribution of the 11,000 homes by settlement. Page 37 sets out the Mid Ulster Settlement Hierarchy. SPF 3 and dPS paragraph 4.20 set out that Maghera is an important residential centre and that it is capable of accommodating further growth, but it is not seen as a key centre for growth when compared to the three main towns.
5. The Council's HGIs have not been tested in a Public Inquiry. They are a guide only and are based on recessionary based trends and the Council are not required to stick

rigidly to them. We consider that they are likely to be an underestimate and that the Council should have included a buffer allowance in the figures to address issues of latent demand that has arisen from the long 2008 recession and subsequent lack of funding and subdued housing market.

6. While an increase in HGIs may not in MUC's view affect the overall picture of housing land requirement, (given the availability of phase 2 housing in Dungannon for example) it can have an impact on Maghera where most housing land has been built out.
7. The dPS does not set out clearly the HGI allocation for the Council Area. Appendix 1 provides a pro rata allocation of housing based on existing households. This does not provide a clear Plan response to the objectives of the Council and fails the requirements of the SPPS paragraph 6.142..
8. Appendix 1 sets out that:
 - the 3 main towns will be given between 3285-6569 units (30%-60% of HGIs);
 - the other 'main towns' will be given 3594 units (32.92% of HGIs);
 - the Countryside will be given 4380 units (40% of HGIs); and
 - total allocations equate to between 11,259 units and 14,543 units.
9. The HGI allocation fails to reflect the Mid Ulster Settlement Hierarchy, which distinguishes between Main Towns (Hubs), Local Towns, Villages and Small Settlements. The simplistic approach adopted by the Council fails to distinguish between tiny settlements and main towns. It is not sustainable approach and effectively treats all settlements the same in terms of allocation. That approach fails to maximise the sustainability benefits of providing an increased proportion of housing in Maghera. The benefits of increasing housing in Maghera are obvious. It reduces pressure on the countryside, would support the towns services with increased population available to make use of existing shops and services, schools, health facilities and public services and it encourages more sustainable travel patterns with

more people having better access to public transport. It would help create a more balanced community and support Maghera's role within the MUC area.

10. The Council's approach places too great a reliance on the provision of housing within the open countryside and small settlements.
11. Housing in the countryside that has occurred in the last 10-15 years needs to be scrutinised. The need for long term rural housing is not likely to be sustained as household sizes in the rural area decline, and the new dwelling stock that has come on stream in the last 15 years means there is less demand for new houses in the countryside. Moreover, it would be inappropriate for the Council to assume 4380 new homes will be built in the countryside in the future. The basis for such an allocation is not clear. The Council's evidence base appears to be the position paper on rural pressure analysis, which shows a dramatic reduction in rural dwellings applications by 2013-2014 – when 449 approvals were issued. No up to date figures have been provided.
12. The ability to get a rural dwelling is based either on a replacement dwelling (which is a relatively limited supply) and dwellings on farms, (which are allowed only once every 10 years), and infill proposals (which are also limited in supply). DPS paragraph 8.3 notes that there are 4090 farms in the MUC area. Many of these will either already have a house approved on it, or no inclination of seeking one. As such for the Council to allow for 4380 new rural dwellings when there are only 4090 active farms appears to be a significant over allocation.
13. Also there are physical and policy constraints on the supply of rural dwellings in the countryside and it must be practical to assume that the downward trend of rural dwellings is likely to continue. Given the need to protect the countryside, it would be robust to provide more critical analysis of the ability to provide addition rural dwellings. The Council's evidence base fails to do this, and that leaves the HGI allocation to be inappropriately weighted towards development in the countryside and potentially undermining the ability of the Council to cater for population growth

in a sustainable manner in towns. It could put the Council under pressure to approve rural dwellings to make up the shortfall of lands available in settlements like Maghera.

14. Moreover, the Council relies on the fact that most settlements appear to have significant developable lands. That is not the case in Maghera. Maghera is allocated only 3.15% of the HGI share which equates to provision of 345 units, and the dPS indicates there remains 490 units available. If an appropriate and fair allocation of the HGIs was provided to Maghera (as a second tier town) of between 5%-8%, this would show that Maghera would need between 548-876 units. Maghera would therefore need lands to cater for between 58 and 386 units.

15. Based on build rates the allowance of 345 units between 2015 and 2030 equates to a build rate of 23 dwellings per annum. However, no allowance has been made of any shortfall in housing provision between 2008 and 2015; and no allowance has been made for the fact the new Local Development Plan has not been adopted, and is not likely to be adopted for perhaps another 3 years.

16. Of course, the HGI allocations also fail to make an allowance for existing lands not being made available because landowners are unwilling or unable to release the lands. The fact lands have been zoned for 15-20 years and are still undeveloped indicates they are not available. The dPS could fail to meet the needs of Maghera and fail to support Maghera's important strategic role if Maghera's growth is constrained because housing lands have not be appropriately allocated.

17. SPPS para 6.140 required '*as a minimum, a 5 year supply of land for housing is maintained*'. The Council has not demonstrated that they have a 5 year housing land supply. The extant zonings in the old Plans cannot guarantee that the Council will have a 5 year housing land supply. The Council should provide a realistic 5 year housing land trajectory that sets out an objective assessment of housing need based on the strategic objectives of the dPS. For example the HGI figure is based on household formation rates, and was undertaken at a time before the MUC reached the very conservative objective of seeking the provision of 8,500 new jobs in the area which appears to be detached from the provision of 11,000 new homes in the area. It

is unclear what relationship there is between the HGI figures for MUC and the employment growth, and whether the employment growth will be sustained by new people coming to live and work in the area or by people commuting to and from the MUC area. Other examples that could mean the HGIs are under estimated are reduced household size, second homes and a population that continues to live longer. It is unclear how these factors have been taken into account by the Council.

18. On the supply side, the Council needs to demonstrate it has a 5 year housing land supply taking into account committed sites and having regard to lead-in times, build rates and availability of land. It is unclear whether, despite the notional allocation of 11,000 units proportionately amongst all settlements in MUC whether there is a 5 year supply of housing land.

19. Moreover, current time frames demonstrate the Council will not have a LDP by 2020 (i.e. within 5 years of the Council being formed). The end date of the LDP will not be 2030 and it is highly likely the LDP will be the statutory Plan for many years beyond 2030. No allowance has been made for the lag in time between the end of the Plan period and the adoption of a new Plan. Again, while in the case of the three main towns this may not be of great consequence, the fact is that Maghera's growth could be constrained if the Council have undercooked their figures, mismatched their housing allocations between settlements and failed to bring forward a replacement Plan in time. For example 11,000 dwellings over 15 years = 14,667 dwellings over 20 years @ 3.5% = 513 dwellings for Maghera. On the basis of the Council constrained HGIs, if the Plan extends 5 years beyond its end date, Maghera will be short housing land.

Tests of Soundness

C3 - take account of policy and guidance issued by the Department

20. The Council have not taken full account of the requirements of SPPS and in particular the need to provide a 5 year housing land supply (SPPS paragraph 6.140).

CE4 – It is reasonably flexible to enable it to deal with changing circumstances

21. The dPS does not incorporate adequate flexibility for housing growth in Maghera, as there is a under provision for the town and that a rational allocation of HGIs to Maghera of 5%-8% shows there is inadequate housing land available for the town to meet even the current modest need estimated.

What is Needed to Make the Plan Sound?

22. We request the Council review its HGI allocation of 11,000 units. An over-zoning allowance should be made to ensure Maghera has sufficient housing land until 2035 or 2040 should the Plan extend beyond its stated end date.

23. We request the Council allocate HGIs more appropriately in line with the settlement hierarchy rather than the simplistic mechanistic approach adopted.

24. Maghera should be allocated a minimum of 5% and more likely 8% of the HGIs.

25. In order to satisfy the demands for housing in Maghera our clients lands shown below should be allocated.

26. Inclusion of these lands is consistent with the Council’s criteria for selecting sites in the Main Towns as it :

- Has access to existing community services;
- Can avail of existing infrastructure;
- Is not in a flood plain;
- Is accessible to public transport; and
- Does not affect the character of the town or any heritage assets.

The lands are therefore suitable for housing development.



Lands at Station Road, Maghera