

ANNEX B – Response Pro-forma

Name: EAMONN LOUGHREY

Address: 15 Cleaver Park, Belfast, BT9 5HX


Original Representation Reference Number: MUDPS/97 (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- c) I confirm that I wish for my original representation to be withdrawn and that I no longer wish to make a representation.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: 10/5/2020

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 16:52
To: DevelopmentPlan@midulstercouncil.org
Subject: Re: Mid Ulster Development Plan Draft Plan Strategy
Attachments: Final McAleer & Rushe Submission.pdf

Dear Sir/Madam

MID ULSTER DEVELOPMENT PLAN - REPRESENTATION ON DRAFT PLAN STRATEGY

On behalf of my client McAleer & Rushe please find enclosed a representations to the Mid Ulster Council Draft Plan Strategy in respect of the Primary Retail Core in Cookstown.

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	<u>4.11</u>
(ii) Objective	<u></u>
(iii) Growth Strategy/ Spatial Planning Framework	<u>SPF 2</u>
(iv) Policy	<u>RE 2</u>
(v) Proposals Map	<u>Map 1.7 Cookstown PRC</u>
(vi) Site Location	<u>Cookstown Town Centre</u>

4(a). Do you consider the development plan document (DPD) is:

Sound	<input type="checkbox"/>	Unsound	<input checked="" type="checkbox"/>
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4(b). If you consider the DPD to be unsound, please identify which test(s) of soundness your representation relates, having regard to Development Plan Practice Note 6 (available on the Planning Portal Website at <https://www.planningni.gov.uk/index/advice/practice-notes/development-plan-practice-note-06-soundness-version-2-may-2017-2a.pdf.pdf>).

Soundness Test No.

C3 & 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:

We object to the Council's inclusion of lands at Molesworth Street within the Primary Retail Core (PRC). We also consider policy RE 2 to be unsound.

Our clients own lands at Molesworth Street, which in the Cookstown Area Plan 2010 are designated as secondary shopping street. Since redeveloping this site in 2007 as Molesworth Plaza, a number of the retail units have remained vacant. Our clients have an interest in reusing these shop units as residential development, which is the first viable use of the lands to arise. The Council oppose this application due to extant retail policy, and the draft Planning Strategy (dPS) policy RE 2. The reality is that Molesworth Street is not a primary shopping street. It is at best secondary shopping where services, offices, bars and resident uses are appropriate. Extending the PRC to include Molesworth Street, undermines the strength of the true PRC focused on William Street/James Street. It will thin out the PRC and extend the distance people have to walk between main retail shops. The Council have not undertaken a Retail Capacity Study to understand the demand for additional retail floorspace in the area and as such the dPS is not compliant with the SPPS (C3).

The decision to extend the PRC is not supported by the Council's evidence base. Position Paper 4 DoE para 6.11 states "The majority of Cookstown's vacant units are in secondary/fringe locations and on Molesworth Street". The Council have provided no evidence to support including Molesworth Street as part of the PRC. Our clients experience as a key stakeholder and owner of property in the area is that Molesworth Street does not function as PRC and in order to regenerate the area this part of the town centre should be used to attract a wide range of uses including residential use that will broaden diversity and add footfall to the town centre. This would provide the necessary flexibility to bring alternative uses to Molesworth Street (CE4).

The supporting text of policy RE 2 seeks to have a concentration of retail in the town centre. The Council have failed to provide an up to date land use survey of the retail in the area. If it did provide one (other than that undertaken by the DoE in 2015), they would find that our clients land at Molesworth Street remains vacant.

Policy RE 2 allows change of use in the first part of the policy, and prohibits all non retail uses at the end of the policy. This is a conflict within the policy.

(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.

Exclude our clients lands at Molesworth Plaza, Molesworth Street from the Primary Retail Core of Cookstown and shown on the attached Map.

Delete policy RE 2 on the basis that it is internally conflicted.

Include a policy that permits residential land use at Ground Floor on Molesworth Street to encourage footfall, diversity and mixed use.

(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

