



MID ULSTER

Policy Review

Housing in Settlements - Quality Residential Environments

April 2016

Purpose: To provide members with an opportunity to consider existing planning policies as they pertain to Housing in Settlements - Quality Residential

Environments and to consider the need for alternative policies in light of the forthcoming Local Development Plan.

Content: The paper provides information on:

- (i) The Context of Housing in Settlements - Quality Residential Environments in Mid Ulster and existing planning policies
- (ii) Mid Ulster District Council (MUDC) objectives for Housing in Settlements - Quality Residential Environments and the linkages between the MUDC objectives for future growth and the Sustainability Appraisal, Regional planning policy and Strategic Planning Policy Statement objectives
- (iii) Consider existing policies and consider preferred and alternative policy options for Housing in Settlements - Quality Residential Environments within the Local Development Plan

Recommendation: That the Planning Committee notes the findings and considers how this paper shall be used to inform the Preferred Options Paper (POP) and strategic policies in the LDP.

1.0 Introduction

- 1.1 The purpose of this paper is to inform the Planning Committee of current planning policies associated with Housing in Settlements - Quality Residential Environments and assess whether or not they are fit for purpose against the Council's objectives regarding the need to promote quality housing in settlements through the new Local Development Plan (LDP) 2030 and objectives set out in the SPPS.
- 1.2 This paper contains an assessment of how existing planning policies relevant to Housing in Settlements - Quality Residential Environments take account of the Regional Development Strategy 2035 (RDS 2035), the SPPS and the MUDC housing in settlements objectives through the proposed LDP.

Legislative Context

- 1.3 Article 5 of the Planning Act (Northern Ireland) 2011 states that the creation of planning policy as part of the Plan Strategy must be done with the objective of furthering sustainable development and in so doing, must take account of policies and guidance issued by OFMDFM, DOE and DRD. Examples of such policies and guidance are, the Regional Development Strategy (RDS) 2035 and the Strategic Planning Policy Statement (SPPS).

2.0 The Objectives

(a) Mid Ulster Council

- 2.1 Position Paper 1 outlined a number of key policy objectives that will assist the formulation of the new LDP. Of these objectives, the following relate to the promotion of housing in settlements – quality residential environments, these are highlighted below.
- (i) To provide for 15,000 new homes by 2030 in a range of housing capable of meeting the needs of families, the elderly and disabled, and single people, at locations accessible to community services, leisure and recreational facilities, for those people with and without a car.
 - (ii) To recognise the needs of both growing families and carers of the elderly and disabled by accommodating development which allows people to remain within their own communities and does not lead to significant harm to neighbours or the environment.
 - (iii) To accommodate cultural differences between Catholic and Protestant communities whilst promoting “shared spaces” to bring people together with equality of opportunity.
 - (iv) The need to protect and enhance the natural and built environment to achieve biodiversity, quality design, enhanced leisure and economic opportunity and promote health and wellbeing.
 - (v) The need to provide and encourage use of renewable energy both as a means of generating money for the local economy, attracting investment in enterprise and providing sustainable and affordable lighting and heating for the population.

2.2 (b) Sustainability Appraisal (SA) Objectives

A sustainability appraisal (SA) is a systematic process that must be carried out during the preparation of a LDP. Its role is to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.

- 2.3 A key objective of the SA in relation to Housing in Settlements - Quality Residential Environments is to provide everybody with the opportunity to live in a decent home. Current planning policy should take account of the need to;

- Encourage a range of dwelling type, size and tenure.

Another key objective of the SA is to maintain and enhance the character and quality of landscapes and townscape. Current planning policy should take account of the need to;

- Protect and enhance local distinctiveness and sense of place;
- Minimise visual intrusion and protect views.

A further key objective of the SA is to conserve and enhance land quality and soil resources. Current planning policy should take account of the need to;

- Minimise development on greenfield sites;
- Ensure that, where possible, new development occurs on derelict; vacant and underused previously developed land and buildings.

(c) Regional Development Strategy (RDS)

- 2.4 The RDS provides an overarching strategic planning framework to facilitate and guide the public and private sectors. It addresses economic, social and environmental issues aimed at achieving sustainable development and social cohesion. This overarching document sets out clear objectives for housing in settlements that have been fully considered in formulating the objectives of the SPPS.
- 2.5 The Regional Development Strategy 2035 (RDS) acknowledges that housing is a key driver of physical, economic and social change and emphasises the importance of the relationship between the location of housing, jobs, facilities, services and infrastructure. The RDS recognises that there are significant opportunities for new housing on appropriate vacant and underutilised land, and sets a regional target of 60% of new housing to be located in appropriate 'brownfield' sites within the urban footprints of settlements greater than 5,000 population.

(d) Strategic Planning Policy Statement (SPPS)

- 2.6 The SPPS reaffirms the regional strategies contained within the RDS 2035 and sets out strategic subject planning policy for a wide range of planning matters. It sets the strategic direction for the new councils to bring forward detailed operational policies within future local development plans.
- 2.7 The SPPS sets the core planning principles and subject policies for the whole of Northern Ireland. The detailed requirements set out the following subject policies that have particular bearing on housing in settlements are:

Subject Policies;

- Housing in Settlements;
- Open Space, Sport and Outdoor Recreation

2.8 Housing in Settlements;

The regional strategic objectives for housing in settlements, consistent with regional guidance in the RDS, are to:

- manage housing growth to achieve sustainable patterns of residential development;
- support urban and rural renaissance; and
- strengthen community cohesion.

The SPPS goes on to identify the Regional Strategic Policy for housing in settlements that requires the policy approach to facilitate an adequate and available supply of quality housing to meet the needs of everyone; promote more sustainable housing development within existing urban areas; and the provision of mixed housing development with homes in a range of sizes and tenures. This approach to housing will support the need to maximise the use of existing infrastructure and services, and the creation of more balanced sustainable communities.

2.9 Open Space, Sport and Outdoor Recreation

The regional strategic objectives for open space, sport and outdoor recreation that relate to housing in settlements are:

- ensure that areas of open space are provided as an integral part of new residential development and that appropriate arrangements are made for their management and maintenance in perpetuity;

The SPPS goes on to identify the Regional Strategic Policy for Open Space, Sport and Outdoor Recreation that align to the objectives above.

3.0 Housing in Settlements - Quality Residential Environments in relation to existing planning policy statements

The PPS's that relate to the Subject Policies are as follows:

- Planning Policy Statement 7 (PPS 7) Quality Residential Environments
- Planning Policy Statement 7 (PPS 7) (Addendum): Residential Extensions and Alterations
- Planning Policy Statement 7 (PPS 7) (Addendum): Safeguarding the Character of Established Residential Areas
- Planning Policy Statement 8 (PPS 8) Open Space, Sport and Outdoor Recreation
- Planning Policy Statement 12 (PPS 12) Housing in Settlements

The purpose of this section is to assess the effectiveness of the above policies in more detail and to consider the following;

- (i) Do the policies contain in the above publications accord with the objectives of the SPPS and the LDP growth strategy (Paper 1) in relation to Housing in Settlements - Quality Residential Environments?
- (ii) Whether or not the policies need to be tailored to local circumstances and how can planning facilitate Housing in Settlements - Quality Residential Environments within the confines of the SPPS and the LDP Growth Strategy?

4.0 Housing in Settlements - Quality Residential Environments Workshop

- 4.1 Councillor's attended a workshop to discuss Housing in Settlements - Quality Residential Environments and Urban Design to consider the current policy approach and where these should be tailored to meet local circumstances in the Mid Ulster Council Area. There was a general consensus that planning policy is required to ensure that Housing in Settlements - Quality Residential Environments are enhanced. I have highlighted the areas that relate to Quality Residential Environments.
- 4.2 Materials and detailing was discussed together with the principles of passive design. It was felt that the current policy provision offered appropriate clarification in relation to materials and detailing and this should be brought forward in the formation of local policies. The subject of passive design was tabled in the context of both modifications to existing buildings and consideration for new developments. It was felt that careful control of retrospective interventions should be noted in relation to listed buildings and buildings within a designation. Passive design should be encouraged as an integral element of new developments and should be reinforced by policy requiring the applicant to demonstrate how it has been incorporated or considered for all applications for new development.
- 4.3 The requirement for the submission of a Design and Access Statements / Design Concept Statement beyond the requirements identified by legislation was discussed. It was felt that the wording in Policy QD2 PPS7 where it calls for a Design Concept Statement to form part of the submission for all residential applications should be encouraged. The inclusion of illustrated guidance on the production of D&AS's could be included in the LDP to promote principles of good design. An important consideration for the submission of a D&AS is to negate the scenario of piecemeal development of a larger site, these individual sites could be identified in the LDP.

- 4.4 The discussion continued to the topic of density within residential developments. It was felt that current policy in PPS7 and PPS 12 does not adequately take account of local character when calling for an increase density in town and city centres. The opportunity may exist within the Mid Ulster Council Area to establish a unique marketing position offering housing on larger sites with reduced densities. The feedback from the public would seem to suggest that people want housing developments with larger gardens. A way of achieving this would be to set densities for identified land zoned for housing within the LDP.
- 4.5 Current open space provision within residential developments was discussed and illustrated by examples of considered and poor open space provision in the Mid Ulster Area. The requirement within the SPPS for integral and well-designed spaces to be provided was highlighted. It was recognised that the current offering of open space within residential development within the Mid Ulster Area was often substandard without any function and pushed to the periphery of a site. The concept of Home Zones (referenced in PPS 8) was illustrated as a tool to remove the dominance of the private car within residential developments and offer open space back to the residents. It was promoted to encourage community interaction and nurture social cohesion. The concept was welcomed, the need to ensure consistence maintenance into perpetuity would be fundamental to the success of such concepts. The desire to provide meaningful spaces to accommodate children's play within residential developments should be encouraged and inform policy provision for open space strategies.
- 4.6 The discussion moved on to separation distance and maintaining privacy within residential developments. The current guidance on separation distance contained within Creating Places of 20m from rear of dwelling to rear of adjacent dwelling was thought to be adequate. This should be considered in the formation of policy with a possible reduction of this distance where it can be demonstrated that overlooking issues can be negated by design. Greater separation distances should be considered on sites that involve a change in topography.
- 4.7 With regard to extensions and alterations in policy PPS7 EXT1 and the guidance contained within Annex A, considerations such as additions should be subordinate and ancillary, attached to existing dwelling and supplementary to the use of the main building. It was felt that these principles should be reflected in policy within the LDP. There was a general recognition that the approach to extensions and alterations in rural and urban environments should be distinct. The ability to alter and extend existing dwellings within the rural context would facilitate a sustainable approach to development in the countryside.

- 4.8 The issue of back land development and conversion of out buildings within the site curtilage to provide separate living accommodation leading to town cramming in the urban context was addressed. It was generally accepted that the principle to resist this form of development should be applied and policy brought forward applicable to the three main towns within Mid Ulster.

5.0 Policy v's Design Guidance.

- 5.1 When reviewing policies on residential design and guidance, it is important to resist the desire to set minimum standards and specific requirements that may lead to a tick box approach to design. The aspiration of any design policy should not be prescriptive in nature by showing you how to design rather it should strive to show you how to think about design. The SPPS asserts that:

'Planning authorities should not attempt to impose a particular architectural taste or style arbitrarily. It is, however, proper to seek to promote or reinforce local distinctiveness' Local design policies and guidance should not lead to a rigid and formulaic approach to decision-taking but encourage good design and responsible innovation, originality or initiative.

- 5.2 Current Design Guidance exists in the form of Creating Places for Housing in Settlements - Quality Residential Environments. Jointly published by the DOE and the DRD in May 2000, it outlines areas to be considered in the design of residential developments. It reinforces that the design concept should be the main driving force to achieve quality. Contained in the introduction it asserts to leave *'the creation of quality places is in the hand of the designer, not the regulator'*. The publication of Creating Places provides detailed technical information for certain aspects relating to residential design in the urban context. It suggests 'ideal' and 'minimum' standards for separation distances, public and private amenity space etc. Where it has provided recommended standards, these are often used as a tick box exercise by the agent. It may be perceived to lead to residential layouts that are dominated by roads considerations, leaving sense of place and responding to the site context as supplementary. This current design guidance document offers applicants sufficient scope to demonstrate how they have achieved a quality residential environment without being prescriptive.
- 5.3 A publication by the Design Council (replaced CABI) Building for Life 12 published 2015, bridges the gap between policy and guidance very effectively. This publication takes policy relating to residential developments and illustrates how policy can be met by way of case studies and guidance. This publication marries policy and guidance and clearly demonstrates that they are linked, at the same time it offers the designer the opportunity to innovate.

6.0 Policy Comparison of PPS 7(including addendums), PPS 8 and PPS 12.

- 6.1 Having assessed the policy contents of the above publications it is evident overlap and reiteration occurs throughout. PPS 7 sets out policy in relation to achieving quality residential environments. Policy QD1 brings forward the need for an overall design concept that draws upon the positive aspects of the character and appearance of the surrounding area. It outlines specific policy in relation to site context, site characteristics, layout considerations, local neighbourhood facilities, form, materials and detailing, density, landscape design, public open space, private open space, movement, parking, privacy and security from crime. Policy QD2 sets out the criteria for the submission of design concept statements, master plans and comprehensive planning as a tool in achieving considered housing schemes that are informed by the individual opportunities of the site at a very early stage in development. The principles set out in QD1 of PPS 7 should be applied to all residential development including alterations and extensions.
- 6.2 Policy EXT1 of PPS 7 Residential Extensions and Alterations reiterates sections (a), (b), (f), (g) and (h) of Policy QD1. It goes on to set out detailed guidance in Annex A relating to the design of extensions, elements of which may be considered to be included in policy going forward. Policy LC1 and LC2 within PPS7 Safeguarding the Character of Established Residential Areas states the minimum internal gross floor area of proposed units and apartments in line with DSD minimum space standards. It goes on to state that building to be converted or adopted must be greater than a minimum floor area. It also outlines policy to ensure each unit is self-contained, not solely to the rear of the proposal and access to the public street is maintained. Sections (a) and (b) of both LC1 and LC2 are contained within PPS7 QD1. Policy LC3 promotes the use of Permeable paving within new residential developments to reduce the risk of flooding.
- 6.3 Policy OS2 of PPS8 expands on the requirement under Policy QD1 section (c) for the provision of adequate private and public open space by detailing specific space requirements based on proposed development size and the requirement for the continued maintenance of these spaces. It also clarifies the circumstances where the provision for play must form part of the application for a new housing development.
- 6.4 PPS 12 Housing in Settlements replicates topic areas that have been addressed in PPS7 Policy QD1. It brings forward policies PCP1 and PCP3 promoting the reuse of brownfield land and the recycling of buildings within settlements. It details policy to integrate new developments by making best use of community services, centres of employment and public transport. Policy HS 1 Promotes the sustainable reuse of existing buildings and promotes 'Living over the Shop' to provide vitality and viability to town centres. PCP 4 and HS2 of PPS 12 outlines policy that social housing should be

provided as an integral element of new residential developments by the provision of a mix of house types and size to promote choice and assist in meeting community needs in locations where a need has been identified by the Northern Ireland Housing Executive. This is to promote balanced communities.

- 6.5 The Department has published draft Planning Policy Statement (PPS) 22: Affordable Housing for public consultation. This sets out draft planning policy for securing developer contributions towards affordable housing. This draft policy, which has been touched on in the Housing in Settlements section of the SPPS, sets out that developer contribution should form part of all residential developments for applications containing 5 units or more on all sites outside land zoned for social housing. This contribution will preferably take the form of housing units provided on site by the developer, appropriate to the level of need identified locally, or a suitable off site housing provision. The alternative is the use of commuted sums, (or payment in lieu) is an amount of money, paid by a developer to the Council, where the size or scale of a development triggers a requirement for affordable housing.
- 6.6 Policy HS3 refers to the provision of travellers accommodation where the need has been identified by a Housing Needs Assessment, again there is overlap with Policy QD1 relating to landscaping and car parking arrangements. HS4 House Types and Size sets the requirement for the delivery of a choice of house types within all residential developments over the threshold of 25 units to promote balanced communities and create variety and interest.
- 6.7 Within the justification and amplification section of Policy EXT 1 of PPS7 relating to extensions and alterations, Annex A deals with the provision of ancillary accommodation. It clarifies that for a proposal to be considered it must be subordinate to the main dwelling and its function supplementary to the use of the existing residence. It should normally be attached to the main dwelling and be internally accessible from it, although a separate doorway access will also be acceptable. It discusses the proposal to convert or extend an existing outbuilding, planning permission will normally depend on a development providing a modest scale of accommodation. The purpose is to ensure the use of the proposed building is ancillary to the main building. The construction of a separate building as a self-contained accommodation within the curtilage of an existing dwelling house will not be acceptable, unless a separate dwelling would be granted permission in its own right.
- 6.8 An area that is currently absent from policy that is noted in the Justification and amplification section of LC2 in PPS 7 is the provision of waste and recycling storage should be screened from public view. It should also be adequate to facilitate 3 separate bins that are common to most households.

This is particularly appropriate to apartment schemes. Guidance on this subject is provided in Creating Places that adequately deals with this subject.

6.9 Policy Options

- a) An approach may be to retain all individual policies as they each contain policies that are specific to the individual topic.
- b) Another approach would be to gather all individual policies across each publication and publish in the one document with individual subject headings relating to the original PPS.
- c) As it is evident that overlap and reiteration occurs throughout the text of each policy the third option may be to group all policy together in the one document and amend and simplify to remove reiteration. The general design principles equally relate to all development and are not specifically tailored to residential design, therefore the option exists to include these principles in the general policies section at the outset of the plan.

6.10 Preferred Option

Option (c) is the preferred option.

6.11 Potential Policy Wording

Please refer to Recommendation Section for policy approach.

7.0 Comparison of SPPS Regional Strategic Policy and PPS's

- 7.1 The SPPS sets Regional Strategic policy for Housing in Settlements that councils must bring forward in policies and proposals that are tailored to the specific plan area. I will discuss the main policy topics in the SPPS and how they compare and contrast to existing policy wording in the above publications. The regional strategic policy set out for Housing in Settlements generally accords with Planning Policy Statement 12 – Housing in settlements.
- 7.2 The first topic highlighted in the regional policy of the SPPS is to deliver **increased housing density without town cramming**. This strategic policy deals with the promotion of higher density housing developments within the town and city centres and other locations that benefit from high accessibility to public transport facilities. This text in the SPPS accords with PPS12 Policy PCP1. There are subtle changes to the text the word privacy has been substituted with amenity and safeguarding has replaced by not significantly eroded.

- 7.3 Policy PCP 3 of PPS12 provides the context for the SPPS Regional Strategic Policy on **sustainable forms of development**. The policy wording of the SPPS accords with that of the PPS. The SPPS includes the additional line *the encouragement of compact town and village forms* and replaces *concentrated in sustainable locations* with *located in sustainable locations*. The minor text revision does not dilute or substantially add to the policy context.
- 7.4 The strategic policy requirement in the SPPS, again contained under sustainable forms of development, provides a section on the use of a design concept statement calls on policy contained in PPS7 QD2 and PPS12 PCP3. The SPPS goes on to state that the design concept statement should be sought from the developer and incorporate sustainable elements such as good linkage of housing with schools, community facilities and public transport; provision for cycling adequate provision of open space and landscaping integrated with broader green and blue infrastructure systems; energy efficient design of housing units and the use of sustainable drainage systems where appropriate, picking up on Policy LC3 of PPS7. The text of the SPPS consolidates the current policy content and addresses the topics that should be considered to achieve sustainable forms of development. However it does not include any requirement for the production of a master plan for housing developments over a certain area or unit number to correspond with Policy QD2 of PPS7. Whereas PPS7 states in policy QD2 that the department will require the submission of a design concept statement, or where appropriate a Concept Master Plan, to accompany all planning applications for residential development. Another addition to the policy wording of the SPPS that is currently absent from the current PPS's is the consideration of energy efficient design in housing units. This topic along with Design Concept Statements will be discussed in detail later in the paper.
- 7.5 Policy HS1 of PPS12 promotes the use of 'Living over the Shop' as a sustainable approach to utilising under used buildings within the town or city centres for housing. The SPPS consolidates the text of the PPS by rewording the current policy and removing elements that are addressed in Policy QD1.
- 7.6 The topic of **good design** forms regional strategic policy within the SPPS and accords to the policy contained in PPS12 PCP2. In addition the SPPS calls for roads infrastructure to be considered in relation to good design. The SPPS recognises the contribution that good design can have on achieving sustainable development by providing safe and attractive places to live. It also calls on councils to bring forward local planning policy or guidance for achieving quality in residential development including residential extensions and alterations. Current Policy PPS 7 QD1 sets the criteria for achieving quality in residential developments reinforced by Design guidance Creating Places.

- 7.7 The provision of **balanced communities** is identified as key deliverable when forming plans and policies that reflect local council's specific circumstances. The strategic policy detailed under this topic picks up on themes previously identified in sustainable forms of development with the emphasis on creating inclusive environments to promote community. Where it promotes a variety of house types and sizes together with mixed tenure it addresses PPS 12 PCP4. It encourages the community to share in local employment, shopping, leisure and social facilities taking reference from PPS12 PCP3. The Justification and Amplification section following PCP 4 of PPS 12 is brought forward into strategic policy by the SPPS. The SPPS goes on to discuss the contribution the creation of balanced communities will have on the creation and enhancing shared space. It calls for planning authorities to use the range of powers they possess to create environments that are accessible to all and which enhances opportunities for shared communities. The SPPS promotes guidance contained within Living Places: An Urban Stewardship and Design Guide for Northern Ireland.
- 7.8 Under Affordable Housing in the implementation section of the SPPS it discusses in detail the requirements to provide social/affordable housing on land identified by a Housing Needs Assessment carried out by the Northern Ireland Housing Executive. It identified the development plan process as the primary vehicle for identifying and zoning land by indicating, through key site requirements, where a proportion of a site may be required for social housing. This text accords with the justification and amplification section following PCP4 of PPS12. PPS 12 suggests the use of planning agreements may be used to secure a portion of social housing in new developments, which is absent from the SPPS. HS2 Social Housing contains clarification on the provision of a suitable mix of housing and tenures where the need has been identified. Draft Planning Policy Statement 22 'Affordable Housing' was published for public consultation in June 2014 at the same time as the DSD's draft 'Developers Contributions for Affordable Housing' which the DSD are currently taking forward research before finalising any future policy on affordable housing.
- 7.9 Traveller Accommodation is also referenced in the implementation section of the SPPS. The text replicates that contained within PPS 12 Policy HS3 with the exception of the provision for single family traveller transit site may be permitted in the countryside in exceptional circumstances, without the requirement to demonstrate a need. The SPPS requires suitable sites to be identified as part of the development plan process. The NIHE compiles a traveller's needs assessment which will be consulted to identify if a need exists within the Mid Ulster District Council Area and will be accommodated within the LDP.
- 7.10 The issue of Supported Housing is identified in the SPPS. The HNA will identify the range of specific housing needs, including supported housing

needs. This will only relate to a need that cannot be met through a general needs housing solution. This provision should be identified prior to the production of the LDP.

- 7.11 In relation to Housing in Settlements - Quality Residential Environments we must consider regional strategic policy in the SPPS under Open Space, Sport and Outdoor Recreation. Local councils are to take forward policy requiring new residential developments, generally 25 or more units or on sites of one hectare or more, to provide adequate and **well-designed** open space as an integral part of the development. The SPPS strategic policy does not specify minimum areas. The term **well-designed** is in addition to current operational policy PPS 8 OS 2 Public Open space in New Residential Developments, although welcome it does not offer clarification on this term or how it could be demonstrated.
- 7.12 Provision for children's play is briefly referenced in strategic policy of the SPPS, however it is discussed in the wider context when assessing the overall provision of public and private open space. It calls for a survey to be carried out to inform the LDP to establish existing provision and identify future need. The existing provision has been identified in Mid Ulster District Council Position Paper 7 – Open Space, Recreation and Leisure. The distribution, amenity value, linkage and accessibility of such spaces and facilities should be an important consideration when bringing forward local policies and proposals. The SPPS is not prescriptive in the provision of children's play or how it should be accommodated within residential developments unlike Policy OS 2 of PPS8 where it stipulates specific development sizes by area and unit numbers that must provide an equipped children's play area.
- 7.13 The SPPS requests that councils should ensure that a suitable mechanism is in place for the future management and maintenance of open space in residential developments. This requirement is currently detailed within PPS 8 Policy OS2 and could be brought forward.

Quality Residential Environments

8.0 Design Concept Statements – Design and Access Statements

- 8.1 The definition of a Design and Access Statement (D&AS), taken from Development Management – Practice Note 12 Design and Access Statements produced by the DOE April 2015, is a document that explains the design thinking behind a planning application and should show that the applicant has thought carefully about how everyone will be able to use the place they want to build.

- 8.2 The statutory provisions which sets out the requirements for a D&AS are found in the 2011 Act, The Planning (General Development Procedure) Order (Northern Ireland) 2015 and the Planning Listed Buildings Regulations (Northern Ireland) 2015 . The type of application that must be accompanied by a D&AS are listed. These include applications for major developments and developments in a designated area. There are also categories of applications that do not require a statement to be submitted as part of the application. The Planning (General Development Procedure) Order (Northern Ireland) 2015 also clarifies that the term '*Design Concept Statement*' has now been replaced by '*Design and Access Statements*'.
- 8.3 The SPPS in regional strategic policy requires a Design Concept should be '**sought**' from and agreed with the developer, whereas policy QD1 and QD2 of PPS7 states 'The Department will require the submission of a Design Concept Statement, or where appropriate a Concept Master Plan, to accompany '**all**' planning applications for residential development'
- 8.4 The SPPS lists topics that should be addressed in the a Design Concept, however it devalues the need for the submission of such a document by using the term 'should be sought' rather than the term 'require a submission' in QD2 of PPS7.
- 8.5 Development Management – Practice Note 12 Design and Access Statements produced by the DOE April 2015 is designed to guide planning officers and relevant users through the key requirements of a design and access statement (D&AS). Section 5 details how to prepare a D&AS and the key areas to be addressed.
- 8.6 There are a number of existing manuals produced in both the UK and the Republic of Ireland on the production of Design Concept Statements. Most notable is the Building for Life 12 published by CABI in 2015. It poses 12 questions that are related to policy and give good examples on how to address each. It tackles both sustainability and community issues while providing a 'tool kit' for a successful approach to design.
- 8.7 When analysing any opportunity site for potential development the designer will have a set procedure to graphically convey strengths, weakness and opportunities prior to establishing a fully resolved scheme that is ready for submission. The production of D&AS will not be onerous provided all aspects pertaining to achieving good design was followed by the agent. The production of a detailed D&AS should be readily available to form an integral part of any planning submission.
- 8.8 The requirement of a D&AS to be a mandatory element of any planning submission will illustrate that the design proposal has been considered and all

aspects have been addressed. The D&AS could be used as a tool by both the agent and the planning department to inform the outcome of the application.

8.9 Options

- (a) Adopt the existing policy contained within PPS7 QD1 and QD2 in relation to Concept Statements and encourage that the D&AS forms part of every residential application.
- (b) Adopt Practice Note 12 as policy on the production of Design and Access Statements and reinforce that a comprehensive Design and Access Statements must form part of all residential applications.
- (c) Include illustrated guidance on the production of a D&AS in the introduction of the LDP to encourage considered design solutions. Encourage the submission of a D&AS with every residential application above that of the legislative requirement.

8.10 Preferred Option

Include illustrated guidance on the production of a D&AS in the introduction of the LDP to encourage considered design solutions. Encourage the submission of a D&AS with residential applications when requested above that of the legislative requirement.

8.11 Potential Policy Wording

Please refer to Recommendation Section for policy approach.

9.0 Residential Densities and Urban Grain.

- 9.1 The SPPS, in regional strategic policy, calls for operational policy to be brought forward to promote higher density housing developments in town and city centres without town cramming. While simultaneously respecting the local character and environmental quality as well as safeguarding the amenity of existing residents. Contained within the implementation section of Housing in Developments the SPPS states that through the development of the LDP that council has a duty to *'set density levels for housing sites appropriate to the location of the site and the character of the surrounding area'*. It goes on to state that within established residential areas it is imperative to ensure that the proposed density of new housing development, together with its form, scale, massing and layout will respect local character and environmental quality as well as safeguarding the amenity of existing residents. In residential areas of distinctive townscape character an increase in density should only be allowed in exceptional circumstances.

- 9.2 Feedback from the workshop on the topic of density suggests that the opportunity may exist within the Mid Ulster Council Area to establish a unique marketing position offering housing on larger sites with reduced densities. The feedback from the public, relayed by the councillors, would seem to suggest that people want housing developments with larger gardens. A way of achieving this would be to set densities as a key site requirement for identified land zoned for housing within the LDP in line with the SPPS.
- 9.3 Density is referenced in both PPS 7 and PPS 12 so far that it promotes increased housing densities without town cramming, it states that when considering housing density in established residential areas, great care should be taken to ensure that local character, environmental quality and amenity are not significantly eroded. There is no reference in policy to minimum and maximum units to be provided by hectare.
- 9.4 The commonly used measurement of density is defined in the RDS2035 as the number of dwellings per hectare. The current Area Plans for Dungannon and South Tyrone, Cookstown and Magherafelt all zone land for housing and set key site requirements. The Magherafelt Area Plan is the only document that currently sets a minimum site density in the form of houses per hectare. This information contained within the Magherafelt Plan gives assurance to developers and agents of both minimum and maximum densities achievable, it also provides the planning authority the opportunity to set the overall vision for the site in respect to its context and front load the application.
- 9.5 A method to establish density levels is to understand both the wider context and the individual site context. Urban Grain is defined in the *By Design / Housing in settlements In The Planning System: Towards Better Practice* joint publication by CABI and DETR 2000 *'The pattern of the arrangement of street blocks, plots and their buildings in a settlement. The degree to which an area's pattern of blocks and plot subdivisions is respectively small and frequent (fine grain), or large and infrequent (coarse grain)*. This definition is expanded on in the CABI publication *The Councillor's Guide to Housing in settlements* November 2003 to include *'The rhythm of building frontages along the street as a reflection of the plot subdivision'*.
- 9.6 The Urban Grain within Magherafelt town predominately exhibit a fine grain at the centre made up by commercial and retail uses at Rainey Street, Market Street, Queen Street and Broad Street. Plot sizes and blocks are easily identified from the street with an established rhythm of buildings. Radiating out from the town centre this grain is continued with smaller more frequent plot sizes evident in the historic housing areas surrounding the centre, namely Church Street, Garden Street and King Street. Established housing developments on the fringes of the town have a coarse grain with lower density housing with larger individual plot sizes at Lissadell Drive, Beechgrove

Heights and Fern Drive. Social Housing schemes of the 1970's and 80's also display a fine urban grain with higher density. Recent residential developments strike a balance between the sub urban residential grain and that displayed in the social housing schemes. This grain disapates along the main approaches to the town from Moneymore, and Castledawson with plots and frontage of varying sizes and treatments where the town has developed. Please refer to Appendix A– Magherafelt Urban Grain

- 9.7 The main retail core of Cookstown town centre presents a strong urban grain with similar frontage widths and plot sizes easliy decernable from street level. This grain pattern is continued as you move away from the town centre along Old Town Street, Old Coagh Road and Loy Street. The residential grain is reflective of that found in Magherafelt and displays simlar quailities The urban grain disapates along the main approaches to the from Moneymore, Dungannon and Omagh with plots and frontage of varing sizes and treatments where the town has developed. Please refer to Appendix B – Cookstown Urban Grain
- 9.8 Within Dungannon, Market Square, continuig along Irish Street, Perry Street, Scotch Street and Thomas Street a fine urban grain is evident. This grain disapates as we move south westerly away from the town centre towards John Street and Railway Road. The residential grain surrounding the town centre is reflective of both Cookstown and Magherafelt. A course grain is evident from all the major approaches to the town centre. Please refer to Appendix C – Dungannon Urban Grain.
- 9.9 Any new development should respect the existing urban grain of the surrounding area and careful analysis should be carried out by the applicant and presented to the planning department before the determination of any application to ensure context is addressed. A useful illustration from the Woking Supplemantary Planning guidance – Housing Density (Adopted March 2000) depicts both acceptable and non appropriate densities based on on local context.



Source: Woking Supplementary Planning guidance – Housing Density (Adopted March 2000)

9.10 Position Paper 2 discusses the current situation of housing in the Mid Ulster Council Area. For the purposes of calculating housing land supply in Mid Ulster 15 units per hectare recognises the rural nature of the district and the historically low densities levels in the area. Densities for individual zoned sites more than 0.5 hectare in size the normal range of between 10-30 units per hectare to include open space and infrastructure, with potential exception for affordable and social housing, town centre sites and proposals for mixed use developments will be acceptable.

9.11 Options

- (a) Adopt the existing policy contained within PPS7 QD1 LC1 and PCP1 of PPS12 in relation to density in housing. And assess individual applications on a case by case basis.
- (b) Continue to promote higher densities within town centres in line with the SPPS and current policies PPS7 and PPS12. Identify sites within the LDP and establish Key Site Requirements to provide the opportunity of lower densities providing larger public and private open space areas to set Mid Ulster aside and offer a unique marketing position. Promote densities that are responsive to the established local character.

9.12 Preferred Option

Option (b) is the preferred option.

9.13 Potential Policy Wording

Please refer to Recommendation Search for policy approach.

10.0 Public and Private Open Space and Provision for Play

10.1 Current Policy in OS2 of PPS 8 sets the minimum requirement for open space provision in new residential developments as 10% of the site area for proposals containing 25 unit or more on sites of one hectare or more. This requirement is repeated in the SPPS. The SPPS requires council to bring forward policy requiring new residential developments of an appropriate scale to provide adequate and well-designed open spaces as an integral part of the development. The inclusion of the words *well designed* is in addition to that contained in PPS8. This additional term is welcomed, however it does not clarify how *well designed* or *integral* can be demonstrated. There is no current requirement under policy to submit a detailed public and private open space strategy.

10.2 The guidance document Creating Places- Achieving Quality in Residential Environments, published by the DOE and DRD in 2000, is a material

consideration in the determination of residential applications. It highlights topics to be addressed when considering the landscaped elements of residential developments and provides detailed information in relation to both hard and soft landscape design. Acceptable provision for private amenity to the rear of the dwelling is suggested at 70sqm or greater, however it also states that an area less than 40sqm will generally be unacceptable. These areas are offered only for guidance, however they are often utilised by the developer as a tool to increase densities by providing the minimal suggested amenity space.

- 10.3 Small rear gardens that meet the minimum criteria contained within Creating Places are often taken over by the garden shed, clothes lines and oil tank leaving little provision for a play area. Too often the space from front door to front door in residential developments is given over to the car. As a result of the continued dominance of the private car within residential developments, and the provision of private amenity space often to the rear of dwellings this leads to the discouragement of community interaction.
- 10.4 'Happy to Live Here' was produced by PLACE as a booklet to summarise the content of an exhibition created in 2005. The exhibition examined the design, layout and landscaping of new residential developments in Northern Ireland. A series of workshops took place between January and April 2007. Comments and feedback were received by a variety of stakeholders including community representatives, public and private housing providers the Planning Service and designers. It describes shared spaces as 'often tend to appear unconsidered and without function' it also goes on to say 'the odd, left over corners are designated as green amenity space, There is no point in providing unmanaged open public space if it does not actually work'. The examples below illustrate the two examples of open space provision within the Mid Ulster District. The first image offers an attractive inviting considered open space that adds value and amenity to the development as a whole. In contrast the second image shows the unconsidered 'tick box approach that is too often the established trend that offers no amenity value to the overall development often resulting in a maintenance issue going forward.



Local example of effective public amenity space provision



Local example of poor public amenity space provision

- 10.5 In accordance with the requirement in the SPPS to '*encourage good design and responsible innovation, originality or initiative.*' The desire to specify detailed areas and dimensions in policy should be resisted as this could lead to a tick box exercise by agents and developers.
- 10.6 In an attempt to remove the dominance of the private car the use of the concept 'Home Zones' has been noted in PPS 8 Policy OS 2 as a consideration for reducing the required area of open space from 10% of the

total site area. This concept is also noted in DCAN 8 Housing in Existing Urban Areas (June 2002). It aims to return the street to pedestrians and make them more sociable places to live by removing vehicle priority. This concept has not been carried through and is absent from the SPPS. There may be an option within Mid Ulster District to encourage this approach to aid the promotion of sustainable communities and reinforce community interaction within residential developments. Although it is recognised that cross agency co-operation would be required to obtain approval for roads layouts and parking provision that may depart from current guidance, which may suit particular sites more so than other. A trade-off for the developer may be the potential to realise greater densities.

- 10.7 Successful implementation of the 'Home Zone' concept has been recently demonstrated in the Staiths Development in Gateshead England. The development of over 600 homes has been designed to reduce the impact of the private car by focusing on providing community landscaped space. The landscaped spaces benefit from natural surveillance and provision of elements such as communal table tennis, play areas and barbeques to promote community interaction and stewardship by providing a sense of ownership. The scheme was designed to prioritise the needs of the pedestrians over that of the car. This scheme could be used as an exemplar to inform future integration of landscaped areas within housing developments.



Courtyard Staiths Southbank A Retospective: IDB Partnership 2015



Courtyard Staiths Southbank A Retrospective: IDB Partnership 2015

- 10.8 The SPPS is not prescriptive in the provision of children's play or if, or how, it should be accommodated within residential developments unlike Policy OS 2 of PPS8 where it stipulates specific development sizes by area and unit numbers that must provide an equipped children's play area. Provision for children's play is discussed in the wider context when assessing the overall provision of public and private open space. It calls for a survey to be carried out to inform the LDP to establish existing provision and identify future need. The existing provision has been identified in Mid Ulster District Council's Position Paper 7 – Open Space, Recreation and Leisure. This paper along with the distribution, amenity value, linkage and accessibility of such spaces and facilities should be an important consideration when bringing forward local policies and proposals.
- 10.9 There is a consideration identified in strategic policy of the SPPS that the provision of children's play areas should form an integrated element of the overall open space strategy for the urban area and not be limited to new residential developments. Where these areas would be located would be based on an individual settlement appraisal and suitable sites identified within the LDP. This approach to provision may lead to the promotion of community interaction on a larger scale and promote linkage and movement patterns with other proposed and existing residential developments. This could be achieved by way of collective developer contribution as a percentage of overall development costs to the council to provide such facilities as a benefit to the whole community.

10.10 Playboard is recognised as the leading agency for the development and promotion of children's and young people's play in Northern Ireland. Playboard's moto is 'every space a place to play'. This moto should be considered when designing all housing in settlements. The above discussion in the context of the SPPS accords with the Playboards recommendations below. The provision of play areas can enliven the public realm and bring vitality and vibrancy to town and city centres. At the Playboard's Annual Conference in November 2015, Paul McTernan of SLR consultant presented the following recommendations:

- Embed play within the planning system (Section 76 and % for play)
- Town Centres- play as a catalyst for place making
- Replace PPS8 with new play strategy
- Adoption of UK design guidance (Planning for Play – Play England)
- Create a policy for play
- Identify a champion for play
- Encourage Community Participation

Some of these recommendations should be considered in producing policy for the provision of play for the Mid Ulster Council Area.

10.11 Options

- (a) Adopt current policy contained within Policy OS2 of PPS 8, setting minimum considered open space provision on a set criteria or area and assess individual applications based on policy and guidance.
- (b) Propose policy for open space provision within residential developments in by consolidating and simplifying current policy within the SPPS and PPS8. Encourage the requirement of a detailed landscape strategy to form part of a residential submission to demonstrate how open space has been well designed and integrated. Promote the requirement to provide for play within all residential schemes as the primary focus. In schemes that cannot adequately provide for children's play within the curtilage of the proposed site impose a developer contribution as a % of the overall development cost towards the provision of children's play facilities that benefit the overall community.

10.13 Preferred Option

Option (a) is the preferred option.

10.14 Potential Policy Wording

Please refer to Recommendation Section for policy approach.

11.0 Privacy and Separation Distance

- 11.1 The SPPS in regional strategic policy calls to 'safeguard the amenity of existing residents'. This statement accords PPS12 PCP 1 and PPS7 QD1. The amenity refers to general nuisance, loss of light, overshadowing and visual intrusion. Safeguarding the private amenity is an important element in achieving quality residential environments. Housing layouts should be arranged to reduce overlooking and protect private amenity of both the proposed and existing residents. After examining current policy there is no specific separation distance noted. Contained within Annex A of PPS7 Residential Extensions and Alterations, the text states that '*Proposals should seek to provide reasonable space between buildings in order to minimise overlooking.*'
- 11.2 Guidance on separation distance is detailed in Creating Places. The text states that on green-field sites and in low-density developments, good practice indicates that a separation distance of around 20m or greater between the opposing rear first floor windows of new houses is generally acceptable. It goes on to say that a reduced distance may be considered in order to meet the overall quality objectives set out in the design concept or is the case to reflect traditional forms in the locality. Where smaller separation distances are employed, the design should include mitigating measures to help promote privacy. It also asserts that a minimum of around 10m between the rear of new houses and the common boundary. An enhanced separation distance may also be necessary for development on sloping sites. The guidance suggests a separation distance of around 30m for residential developments that includes living rooms or balconies on upper floors as this can cause significant loss of amenity to adjoining dwellings. If this is not achievable, consideration should be given to a modified design. Creating Places does not offer any illustrative guide to mitigating overlooking issues.
- 11.3 In response to the requirement in SPPS to produce policies that address local circumstances, it is important to look at recent residential developments in the Mid Ulster District Council Area. In recent years there has been a trend towards increasing residential densities partly due to the increased cost associated with development land. Private amenity and separation distance has often suffered as a result. The study would indicate that the separation distance of 20m or greater between the opposing rear first floor windows, detailed in guidance is not being achieved. Illustrated below are examples of local developments that have failed to achieve this distance and provide

significantly less separation distance resulting in a detrimental impact on amenity due to overlooking. The enjoyment of neighbouring private amenity space is diminished considerably. The second example shows gable to front elevation relationship which can equally have a detrimental impact on the private enjoyment of individual properties.



Separation distance achieved 10m –Housing development Moneymore



Separation distance achieved 12m –Housing development Castledawson



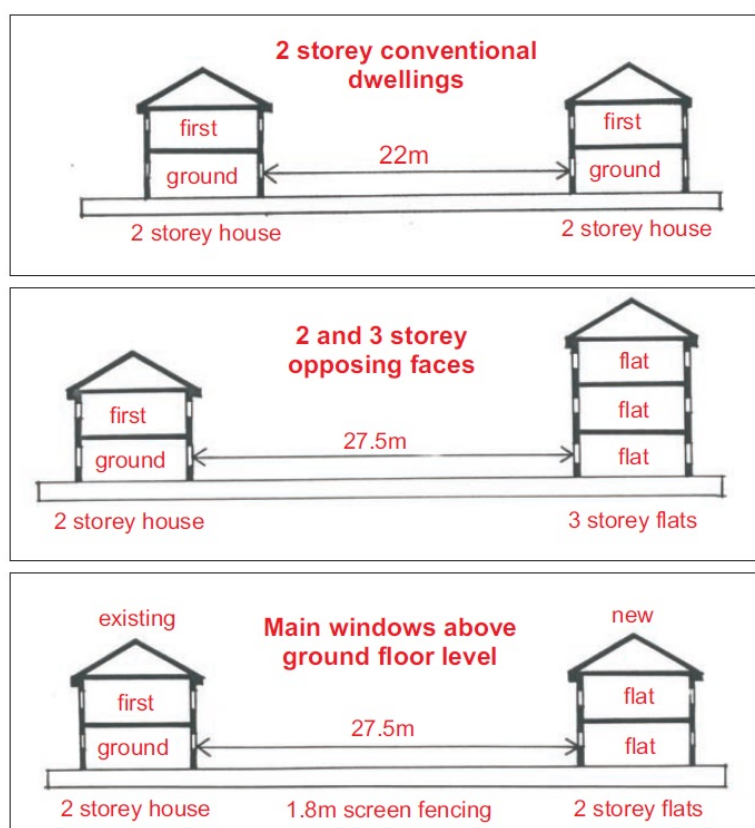
Separation distance achieved 17m –Housing development Straw

- 11.4 The district also contains examples of developments that provide adequate separation distances and should be used as examples to inform the formation of policy. Below development illustrates a separation distance of 27m between habitable rooms. The scheme is developed on a sloping site and respects residential privacy by achieving a greater separation distance leading to improved amenity aiding quality in residential developments.

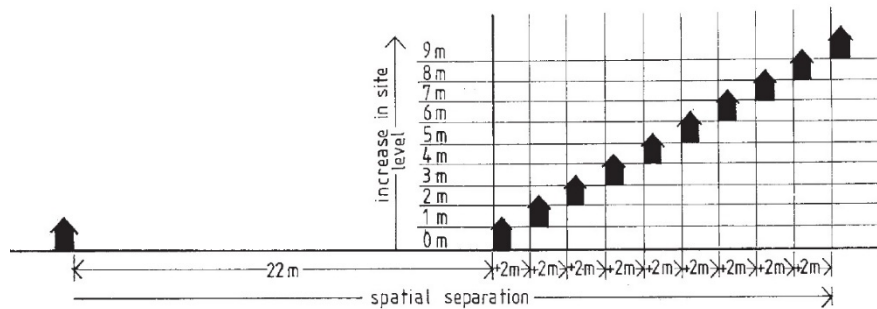


Separation distance achieved 27m –Housing development Moneymore

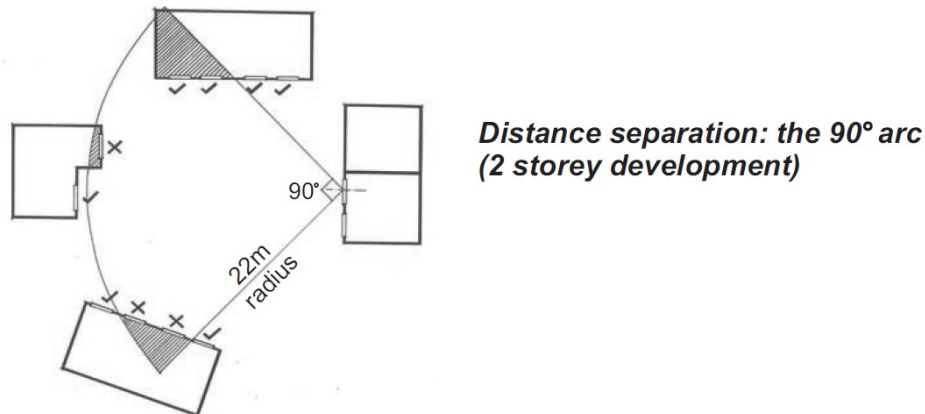
- 11.5 Although the current guidance in Creating Places offers minimal distance and calls for mitigating measures to avoid overlooking if the minimum distance cannot be achieved, it does not provide any illustrative guidance on these design measures. It also suggests an increased separation distance for developments on sloping sites however again it does offer illustrative guidance. Similar policy and guidance exists in the UK and could be utilised to inform policy going forward. Worcester City Council has produced residential design guidance. In the section dealing with building to building relationship it states a minimal separation distance of 22m. It also deals with the issue of taller buildings overlooking single storey buildings and sets an increased distance of 27.5m in these cases. In relation to develop proposals on sloping sites it provides a reference table depicting increased distance relating to differing finished floor heights between units, please refer to table below. It goes on to offer design considerations to help mitigate overlooking issues by way of illustration. This document is certainly not exhaustive but offers a lead to how policy and guidance could be formed in the LDP. I have included extracts below as illustration.



Source: Worcester City Council Residential Design Guide – SPG3



Source: Worcester City Council Residential Design Guide – SPG3



Source: Worcester City Council Residential Design Guide – SPG3

- 11.6 The workshop discussion revealed that the separation distance of 20m from rear of dwelling to rear of adjacent dwelling was thought to be adequate. It was felt that this should be considered in the formation of policy with a possible reduction of this distance considered where it can be demonstrated that overlooking issues can be negated by design. Greater separation distances should be considered on sites that involve a change in topography.

11.7 Options

- (a) Continue to assess individual applications based in line with current policy and guidance contained in the SPPS, PPS7, PPS12 and Creating Places guidance.
- (b) Set policy to encourage a minimum separation distance from rear of dwelling to rear of adjacent dwelling at 20m. Applications to develop land on sloping sites must provide an increased separation distance in line with guidance provided. The increased separation distance will be directly related to the topography and layout of the site. A relaxation of this distance may be considered in circumstances where it can be demonstrated by the applicant that any overlooking issues can be mitigated by carefully considered design.

11.8 Preferred Option

Option (b) is the preferred option.

11.9 Potential Policy Wording

Please refer to Recommendation Search for policy approach.

12.0 Lifetime Homes and adaptability

- 12.1 Due to the changing demographic identified in Position Paper One: Population and growth, in Northern Ireland the proportion of people over 65 years of age is growing and is expected to reach 20% of the total population by 2027 (NISRA 2012-based population projections). A trend that is likely to be replicated in Mid Ulster, this calls for homes that are adaptable to changing needs and is relevant to achieving sustainable communities and environments.
- 12.2 In the Core Planning Principle of Good Design in the SPPS it states: *‘Design is not limited to the appearance of a building or place but should also encompass how buildings and places function in use and over the lifetime of a development.’* With this principle in mind it is important to address our changing demographic in Mid Ulster and accommodate this change by planning for the future. The current trend would suggest that home owners continue to extend the lifetime and usability of their homes by extending and altering them over time to accommodate changing needs.
- 12.3 The concept of Lifetime Homes was developed by the Joseph Rowntree Foundation in England during the 1990’s. It is currently managed by Habinteg Housing Association. User needs may change due to illness, disability and age, lifetime homes provide guidance on how dwellings can meet the changing needs of users throughout their lifetime. It sets out 16 Design Criteria that can be universally applied to all new homes at minimal cost, that together create a flexible blueprint for accessible and adaptable housing in any setting. The Lifetime Homes concept increases choice, independence and longevity of tenure, vital to individual and community wellbeing. Aiding sustainable neighbourhoods and communities. The London Housing Design Guide published in July 2009 by the Mayor of London incorporates these standards.
- 12.4 Within the context of Northern Ireland it is an existing requirement for new publicly funded homes to comply with the Lifetime Homes Standard. It is clear that the majority of the principles relate to the internal layout, and future adaptability, will be controlled by the building control department. However criteria is included for outside of the dwelling, including car parking bay widths

ramps and entrance details are relevant planning considerations and should form part of residential applications.

12.5 Options

- (a) Continue to assess individual applications in the context of existing policies and guidance
- (b) It should be clearly demonstrated in every application to develop land for housing that the applicant has considered the lifetime viability of the proposal. This is to promote how buildings and places function over the lifetime of a development to promote sustainable communities and environments

12.6 Preferred Option

Option (a) is the preferred option.

12.7 Justification

The need to provide homes of a standard to accommodate both current and future needs for the occupants are adequately addressed by Building Control. It is felt that no formal policy is currently required to address the area of Life time Homes at this time.

13.0 Provision of Affordable and Social Housing

- 13.1 The RDS identifies the provision of more social and affordable housing also helps to build a strong balanced economy. Strategic guideline RG8 of the RDS seeks to manage growth to achieve sustainable patterns of residential development stating that the varied housing needs of the whole community need to be met, including the availability of affordable and special housing needs.
- 13.2 One of the aims of the RDS is to promote development which improves the health and well-being of communities. The RDS recognises that one way to help build strong, balanced, healthy communities is to provide more social and affordable housing. The SPPS recognises the requirement to provide Affordable Housing in locations where a need has been identified by a housing needs assessment conducted by the Northern Ireland Housing Executive or other relevant housing authority. The SPPS highlights the development plan process as the primary vehicle to facilitate any identified need by zoning land or by indicating, through key site requirements, where a proportion of a site may be required for social/ affordable housing. This statement reiterates text currently contained in the Justification and Amplification section of PPS 12 PCP4. By solely identifying land and setting key site requirements in the LDP this does not address others sites coming

forward through the development control process and suggests that a policy will need to be in place to accommodate this.

- 13.3 PPS 12 acknowledges that the planning system has an important role to play in creating communities with a wider range of housing in terms of tenure, size, type and affordability. PPS 12 'Housing in Settlements' Planning Control Principle 4 'Balanced Communities' states that social housing should be provided by developers as an integral element of larger housing developments where a need is identified; and that a mix of house types and sizes should be provided to promote choice and assist in meeting community need.
- 13.4 PPS 7 'Quality Residential Environments', sets out the Department's planning policies for achieving quality in new residential development and advises on the treatment of this issue in development plans. It embodies the Government's commitment to sustainable development and the Quality Initiative.
- 13.5 For the purposes of this paper the definition of 'affordable housing' is taken from draft PPS22 – Affordable Housing. It relates to social rented housing and intermediate housing. These are defined as follows:
- Social Rented Housing is housing provided at an affordable rent by a Registered Housing Association; that is, one which is registered and regulated by the Department for Social Development as a social housing provider. Social rented accommodation should be available to households in housing need and is offered in accordance with the Common Selection Scheme, administered by the Northern Ireland Housing Executive, which prioritises households who are living in unsuitable or insecure accommodation.
 - Intermediate Housing consists of shared ownership housing provided through a Registered Housing Association (e.g. the Co Ownership Housing Association) and helps households who can afford a small mortgage, but that are not able to afford to buy a property outright. The property is split between part ownership by the householder and part social renting from the Registered Housing Association. The proportion of property ownership and renting can vary depending on householder circumstances and preferences. Social housing needs are influenced by affordability of housing, accessibility to finance, job/income status and family circumstances.
- 13.6 Following from the commitment in the Housing Strategy Action Plan, DSD have published a 'Developer Contributions for Affordable Housing – public consultation. This consultation paper seeks views on proposals in relation to

the general housing policy that will govern the introduction of developer contributions.

- 13.7 It is proposed that the introduction of developer contributions will promote a mix of housing particularly in terms of tenure, price and household composition including families with children, single person households and older people.
- 13.8 The draft paper seeks views on a regional target (e.g. 20%) of housing developments of 5 units or more to be provided by the developer as affordable housing (and / or a commuted monetary sum), to be determined
- 13.9 A gap in market provision can occur if house prices rise beyond that which is affordable. Affordability is determined by price, average incomes and access to borrowing and it remains an issue for first time buyers. As detailed in Mid Ulster District Council Position Paper 4 – Housing, since 2001, the Housing Executive has published an affordability index developed in partnership with University of Ulster to provide an evidence base for how changes in the housing market were affecting first-time buyer's ability to enter the market. Following a review in 2013, this affordability index has been refined and now uses the concept of an Affordable Limit (AL) to capture the ratio of the maximum allowable loan to income and assumes that the maximum monthly income which can be dedicated to repaying the mortgage is 35 per cent.
- 13.10 The emerging findings indicate that affordability over the period 2010-2012 has improved significantly across most housing market areas, The housing market area of Magherafelt, Cookstown & Dungannon shows that only 42% of homes were affordable. Although there have been significant reductions in house prices everywhere since 2007, affordability remains an issue for first time buyers who continue to experience difficulties in securing mortgages. Falling household incomes and an increasing level of unemployment have an impact on the housing market and the ability of first time buyers to enter the market. The private rented sector therefore remains popular.
- 13.11 When examining affordability, it is important to note that planning cannot control house prices which are primarily influenced by factors such as interest rates and the availability of lending. However, the provision of social housing in both urban and rural areas, can address the concerns of affordability, in particular for migrant workers, single parents and the needs of young people and the elderly. None of the existing area plans makes provision for social housing need. No land was zoned for social housing and therefore this is currently addressed through the development management process.
- 13.12 The NIHE waiting list can be utilised to determine the pressure for social housing in an area. In Magherafelt District, 64% of those categorised as being in "housing stress" were accommodated in 2014, compared to only 34% in

Dungannon and South Tyrone and 46% in Cookstown. So while there is a reduction in the proportion of NIHE accommodation across Mid Ulster there is a demand for social housing. Of the applicants in housing stress, single people form the largest grouping, followed by small families (1 or 2 persons aged 16 or over with 1 – 2 children), and the elderly. Therefore it appears that the demand for social housing is focused on smaller households/ dwellings.

- 13.13 Social housing need is also met by Housing Associations. The Census 2011 indicates that social housing stock (NIHE and housing associations) accounts for 1,052 dwellings (8.2%) of the total stock in Cookstown, 2,083 (10.3%) of the total stock in Dungannon and South Tyrone, and 1,278 (8.5%) in Magherafelt. So, overall the social housing uptake across mid Ulster is considerably less than the Northern Ireland figure of 14.9%.
- 13.14 Social housing needs are influenced by affordability of housing, accessibility to finance, job/income status and family circumstances. NIHE based the most recent annual Housing Needs Assessment (HNA) on the March 2014 waiting list. The former district of Cookstown currently requires 94 units, the former district of Dungannon and South Tyrone requires 441, and the former Magherafelt District requires a total of 102. Resulting in a total requirement for the Mid Ulster District Council of 637.
- 13.15 A report by Oxford Economics commissioned by the Mid Ulster District Council, January 2015, has identified that social housing as a share of total households has been on the decline in Northern Ireland and to a greater extent, in Mid Ulster. Dungannon district has however fallen by a lesser degree than the regional average. Between 2001–2011 social housing tenures within NI reduced by over 6%. In contrast, demand for social housing has been on the increase throughout NI, increasing by 6% over the same period. Social housing applications and transfer requests within Mid Ulster were found to far exceed the regional demand over the same 10 year period. The Dungannon district had by far, the largest increase in demand for social housing. Applications within Dungannon district increased by over 90% between 2001-2011. This was near double that of the Cookstown and Magherafelt waiting list. Oxford Economics also predicted that the current social housing uptake in the Dungannon authority would need to expand by over 50% in order to clear the waiting list as of 2011.
- 13.16 These stats do not distinguish a differentiation between the need for social housing in urban and rural areas but they do present an argument for an introduction of policy in the new LDP to meet the demand of the district, particularly in the Dungannon area. Having such a policy in the LDP combined with zonings and key site requirements could address the demand in an urban context and will go some way to meeting this demand.

- 13.17 However, to help meet existing housing need it will be necessary to find new ways of securing additional affordable housing. Elsewhere in the UK and Ireland 'developer contributions' are an established means of delivering additional affordable homes through the planning system. Developer contributions have also helped to deliver mixed tenure developments that can contribute to improved social integration. Draft PPS22 introduces a complementary mechanism for securing additional affordable housing through the development management process.
- 13.18 It has been clearly identified that a need for affordable social housing in the Mid Ulster District Council Area exists, especially in the main town of Dungannon. Public consultation was carried out by the DOE on draft PPS22-Affordable Housing at the same time the Department for Social Development conducted public consultation on Developer Contributions for Affordable Housing in November 2014. Both these papers concluded that due to the current economic climate and relatively weak construction industry still feeling the impact from the crash in 2008, the timing of developer contribution may not be appropriate. Both papers point towards further local based research being required before detailed policy can be brought forward. This research was concluded and findings published in February 2016. The research highlights that most housing markets in Northern Ireland, could not at present, sustain a scheme of developer contributions. This accords with the current direction of the SPPS by calling for the utilisation of the LDP as the primary vehicle for zoning land and setting key site requirements where a need has been established. The correct mechanism for providing social housing remains unclear.

13.19 Policy Options

- a) Introduce a policy based on the draft PPS 22 – Affordable Housing, setting developer contribution in the form of provision of affordable housing on site by the developer or commuted sums according to the targets set through the Department for Social Development's Developer Contributions for Affordable Housing draft policy for all development applications containing 5 housing units or more in areas where a housing needs assessment identifies the requirement for affordable housing.**
- b) Where a need has been established for the provision of social or affordable housing by the statutory housing authority (NIHE) or registered housing association in an area identified at development plan stage this need should be accommodated by zoning land or indicating through key site requirements where a proportion of a site may be required for social/ affordable housing. Sites not identified at development plan stage will continue to be assessed on an individual basis by the development management process.**

13.20 Preferred Option.

Option (b) is the preferred option.

13.21 Potential Policy Wording

Please refer to Recommendation Search for policy approach.

14.0 Traveller Accommodation

14.1 The SPPS sets regional strategic policy for the provision of to address the specific needs of the traveller community. The Policy wording contained within the SPPS replicates the outgoing policy HS3 in PPS12 in relation to Traveller Accommodation. The SPPS requires that during the preparation of the LDP if a need has been identified suitable sites should be zoned.

14.2 The Housing Executive is responsible for the provision and management of accommodation for the Traveller Community. The most recent Comprehensive Travellers Needs Assessment covering all three Districts has just been provided by the NIHE in January 2016. It clearly states that there is no current identified need for Traveller accommodation in the Mid Ulster District, this position will be kept under review.

14.3 Policy Option

- a) In line with the recommendations of the SPPS, the Area Plan will be the main vehicle to accommodate identified need for traveller accommodation. There is currently no identified need for traveller accommodation in the Mid Ulster Area. There is no requirement to provide a policy at this time. The situation will be kept under review.**

14.4 Potential Policy Wording

Please refer to Recommendation for policy approach.

15.0 Passive Design Principles

15.1 Passive design principles are based on the careful consideration of design and techniques to best utilise the attributes and have minimal impact on the environment of any site. Another key principle is to reduce the reliance on the use of energy produced from the burning of fossil fuels. The desire of any passive technology is to best utilise any resource that is available.

- 15.2 The definition of Passive Solar Design (PSD) taken from PPS18- Renewable Energy, refers to the use of solar energy for the heating and cooling of buildings. Using this approach, the building itself or some part of it will take advantage of the natural energy in materials and air created by exposure to the sun. PSD needs to be considered at the design stage as it provides effectively a one-off opportunity to save energy during the lifetime of a building, generally at no cost. In modern housing the potential to save up to 20–25% of heating and lighting energy can be accrued by the application of PSD principles. Early planning decisions on site selection, road access arrangements, building orientation and spacing and landscape design can all influence the ability of new development to employ PSD techniques effectively.
- 15.3 The SPPS through regional strategic objectives under the Renewable Energy section calls for the integration of renewable energy technology into the design, siting and layout of new developments and promote greater application of the principles of Passive Solar Design. This principle is brought forward into regional strategic policy where it states: *Councils should set out policies and proposals in their Local Development Plans (LDPs) that support a diverse range of renewable energy development, including the integration of micro-generation and passive solar design.* The SPPS recognises the benefits and the wider environmental, economic and social benefits that renewable energy development can achieve.
- 15.4 Policy RE2 Integrated Renewable Energy and Passive Solar Design' in PPS18 currently provides the context for PSD and micro-generation technologies. This policy is not directly related to residential developments, but encourages the use of renewable energy technologies and PSD both in the design of new buildings and through the appropriate retrofitting of such technologies to existing buildings. This would mainly be through the installation of small scale renewable technologies (micro-generation), many of which currently benefit from permitted development (PD) rights.
- 15.5 PPS18 simply encourages the use of renewable technologies in developments, it does not set a requirement for it to form part of an application to develop land. Picking up from the discussion at the recent workshop, policy should be introduced to require the applicant to clearly demonstrate how they have considered PSD in the laying out of large residential schemes.
- 15.6 As stated previously many small scale renewable technologies such as solar panels, fall under PD rights and therefore cannot be controlled under policy. An important point to note that PD rights in relation to micro generation equipment does not apply in relation to works involving Listed Buildings. Installation to buildings within a conservation area must be carefully considered to reduce visual impact and should be sited away from public

view. These restricted PD rights do not apply to Areas of Townscape Character.

- 15.7 Current guidance contained within Creating Places refers to the use of PSD in the section dealing with orientation. It does not provide any illustrative examples as to best practice in achieving effect passive design. Building on Tradition- A Sustainable design guide for the Northern Ireland Countryside provides greater detail in the form of guidance on areas including orientation, insulation, the use of renewable energies, the conservation and reuse of water and the implementation of SuDs. The introduction of illustrative guidance on Passive Design Techniques should be included at the outset of the LDP bearing reference to the current guidance in the rural design guide.
- 15.8 A policy which requires passive solar design to be incorporated into the overall design for all residential developments seems a more logical step, following on from an existing policy of encouragement. This would be more in line with the SPPS's suggestions on how to mitigate and adapt to climate change i.e. 'requiring the siting, design and layout of all new development to limit likely greenhouse gas emissions and minimise resource and energy requirements'

15.9 Policy Options

- a) **Adopt the existing policy approach whereby Integrated Renewable Energy and Passive Solar Design is encouraged in all development.**
- b) **Adopt the existing policy approach whereby Integrated Renewable Energy and Passive Solar Design is encouraged in all development and include it within an updated Policy QD1 that should be applied to all residential development with the level of consideration reflected of the development size.**
- c) **As Passive Design principles apply equally to all development and is not specific to residential developments, it is suggested that the requirement to demonstrate that passive design principles and renewable energy technology have been considered and integrated in a suitable manner into the overall design and layout of the development should be included in General Policy at the introduction of the plan.**

15.10 Preferred Option

Option (c) is the preferred option.

15.11 Potential Policy Wording

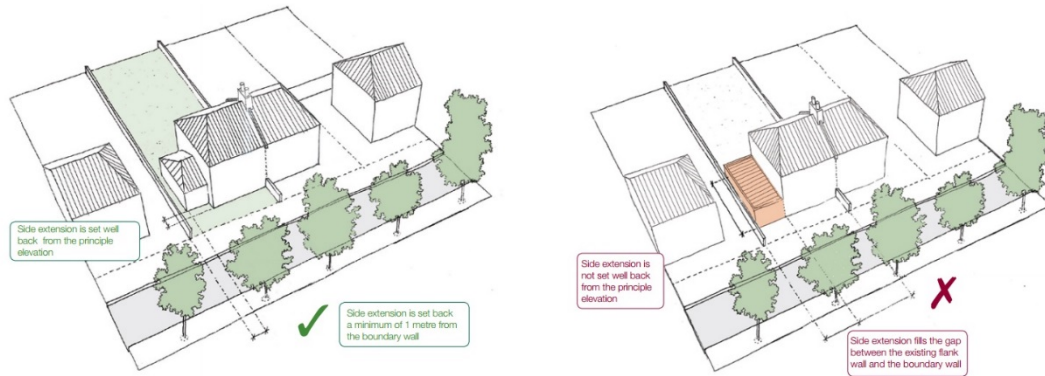
Please refer to Recommendation Search for policy approach.

16.0 Extensions and Alterations

- 16.1 Extensions and alterations to the existing housing stock make up a large element of residential planning applications. They are a cost effective method in extending the 'life' of existing stock by way of adapting them to suit changing individual circumstances. A represent a sustainable form of development. The Planning (General Permitted Development) Order (Northern Ireland) 2015 provides for certain types of residential extensions and alterations, such as rear extension of a prescribed size, that do not require planning permission under permitted development rights. An additional policy requirement in this regard would not therefore be considered necessary.
- 16.2 The SPPS requires councils to bring forward policy or guidance for achieving quality residential developments including proposals for extensions or alterations. The regional strategic policy that relates to residential developments are equally applicable to extensions and alterations. Policy EXT 1 of PPS 7 provides for the alteration and extension of residential properties provided specified criteria are meet. These criteria repeat policy contained within Policy QD1 of PPS7. Policy EXT 1 goes on to highlight considerations that should be taken into account by guidance contained within Annex A.
- 16.3 It was discussed at the workshop that scope may exist to bring forward elements contained within the amplification and justification section and Annex A to form policy. Particular reference was made to ancillary accommodation, where space may be required to provide additional living space for elderly relatives or to meet a variety of other personal and domestic circumstances. The justification is clearly stating that for a proposal to be ancillary, accommodation must be subordinate to the main dwelling and its function supplementary to the use of the existing residence. Such accommodation should normally be attached to the existing property and be internally accessible from it, although a separate doorway will be acceptable.
- 16.4 The Justification goes on to state that planning permission will be forthcoming when the conversion or extension of an existing outbuilding provides a modest scale of accommodation that is clearly to be used as part of the main dwelling. Proposals for self-contained separate buildings within the curtilage of an existing dwelling house will not be acceptable.
- 16.5 Another important consideration addressed in the justification and amplification section clearly states that: Where permission is granted it will be

subject to a condition that the extension will only be used for ancillary residential purposes in connection with the main dwelling, and not as a separate unit of accommodation.

- 16.6 Highlighted in Annex A is the requirement for the proposed extension to be subordinate to the main dwelling. This can be achieved by having a clear distinction by way of reduced ridge height and in the case of side extensions a set back from the front elevation should be maintained. This distinction is important to ensure the integrity of the streetscape as a whole is maintained and the extension does not dominate the main building.
- 16.7 Picking up on the discussion from the workshop regarding the need to resist 'backland' development within the urban context. This address' themes in the SPPS where it calls for higher density without town cramming. Annex A of PPS 7 stipulates that the site should not be overdeveloped in terms of massing, plot size and proximity to boundaries which may lead to the creation of a 'terrace' effect. Policy EXT 1 requires that *sufficient space remains within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles*. The wording of this policy allows for interpretation as to what is sufficient space. Clarification is required to address what may be deemed sufficient space for recreational and domestic purposes. Annex A refers to the level of private amenity space detailed in Creating Places as the level of open space provision for residential properties in considering the effect of an extension on private amenity space.
- 16.8 Illustrated guidance on extensions and alterations to dwellings in the urban context is contained within Annex A of PPS 7. This guidance is limited in nature and only address' one element to be considered. Creating Places does not contain any guidance on extensions or alterations. Several UK design guidance documents have been produced to deal specifically with extensions and alterations. The London borough of Hackney published guidance in April 2009. The guidance clearly sets out prevailing architectural residential styles in the Hackney area. It illustrates features that are significant to each architectural style and how these should be considered when proposing alterations and extensions. The themes contained within this guidance are universally applicable and may be used to inform similar guidance for the Mid Ulster LDP. Design guidance documents are aimed at both the general public and design professionals to convey a particular subject, illustrations should be used as often as possible to reduce the need for text. The below example clearly highlights what is acceptable in relation to side extensions.



Extract from Hackney Supplementary Planning Document Residential Extensions and Alterations April 2009

16.9 Policy Options

- a) Simplify the current policy contained within PPS7 EXT1 by removing the policy wording that overlaps with PPS7 Policy QD1, namely point (a), (b) and (c).
- b) Provide new policy to take account of the issues discussed above. Supplemented by illustrated 'good practice' examples in the form of guidance throughout the policy text.

16.10 Preferred Option

Option (b) is the preferred option.

16.11 Potential Policy Wording.

Please refer to Recommendation Search for policy approach.

17.0 Recommendations

- 17.1 It is recommended that the policy options contained within this Paper together with the preferred options are subjected to the Sustainability Appraisal/Strategic Environmental Assessment, before any final decisions are made on which options will go forward for public consultation in the Preferred Options Paper.

Suggested Policy wording

Quality Residential in Urban Areas

General themes of good design to include but not limited to respecting and responding to context and passive design will be dealt with in general policies at the outset of the Plan and will relate to all development. There is no need to reiterate. The policy approach is based on getting designers to think through proposals prior to making a submission. Having due regard to not only the character of the area but the wider considerations such as recreational and health to meet the needs of the community as a whole.

The following areas will be covered in general principles set out at the introduction to the Plan and will apply to all development:

- **Good Design**
- **Passive Design Principles**

The following topics will be covered by separate policy specifically relating to the following:

New Housing developments within settlements will need to demonstrate that it will provide a quality residential environment by;

Creating a Sense of Place and Avoid Town Cramming

- **Small scale development should respond to the existing pattern and grain of development, exception may be made for larger scale development where the opportunity exists to create a new neighbourhood with its own identity and local neighbourhood facilities.**
- **On sites of 0.5 hectares or over, densities of developments should respond to its surroundings and normally be in the range of 10-30 units per hectare. Higher densities may be acceptable in town centres, mixed use areas or areas identified for social and affordable housing.**
- **Adequate separation distance is to be provided to protect privacy, overshadowing and overlooking. Normally a minimum distance of 20 metres between facing windows of habitable rooms and a minimum distance of 12 metres between a front or rear elevation and a gable. Unacceptable back land and developments in tandem should be avoided. Please refer to Fig. 1. (illustration to follow)**

Adequate Public and Private Open Space for Developments

- Residential developments over 25 units or sites of 1 hectare or more must provide a minimum of 10% of the site area to be adequately equipped and landscaped.
- Adequate garden areas should be provided for family housing to be not less than 10 metres in depth to the common boundary.

Meeting the Needs of All

- In residential developments of 50 units or more or on sites of 2 hectares and over, social housing should be provided at a rate not less than 25% of the total number of units, unless no need has been identified by the relevant strategic housing authority (currently NIHE).
- Adequately cater for motor vehicles and encourage other alternative modes of transport.
- On sites of 25 units or more or on sites of 1 hectares and over, there should be a mix of house types to cater for the needs of large families and small households, providing access for all.
- Demonstrate a safe and sustainable environment for current and future occupiers by providing connections and linkages with schools, community facilities, and public transport networks that connect to the wider community and blue green infrastructure to avoid insular developments.

Residential Extensions

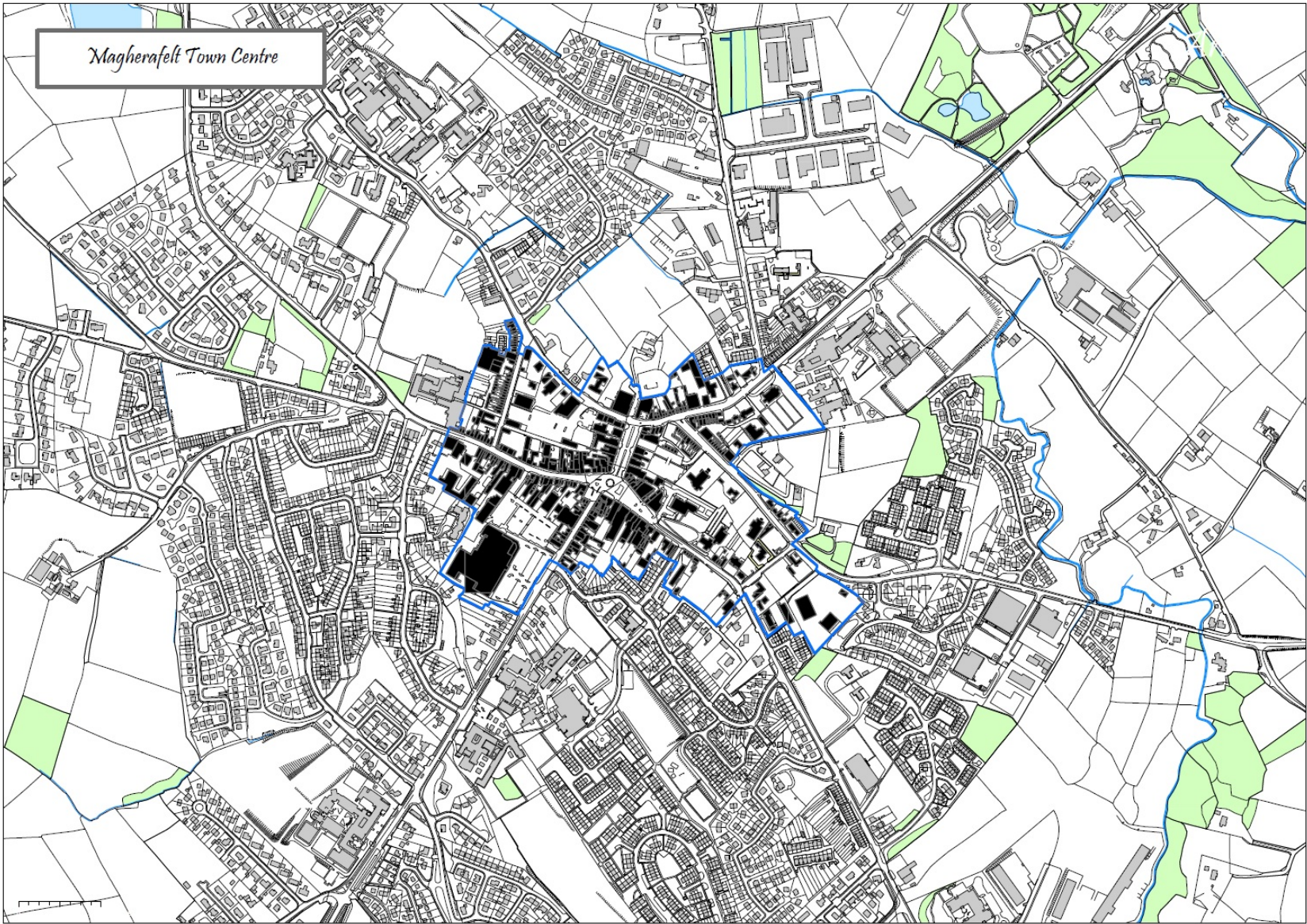
- Extensions and Alterations to residential developments will accord to the plan where they are designed to be subordinate and ancillary to the main use of the existing building and does not detrimentally impact on the private amenity space, access and off street parking provision. Regard will be given to current statutory design guidance. Please refer to Fig. 2. (illustration to follow)
- Accommodation must be of adequate size and layout with sufficient facilities as not to compromise the standard of living for current and future residents. Please refer to Fig. 3. (illustration to follow)

Travellers Accommodation

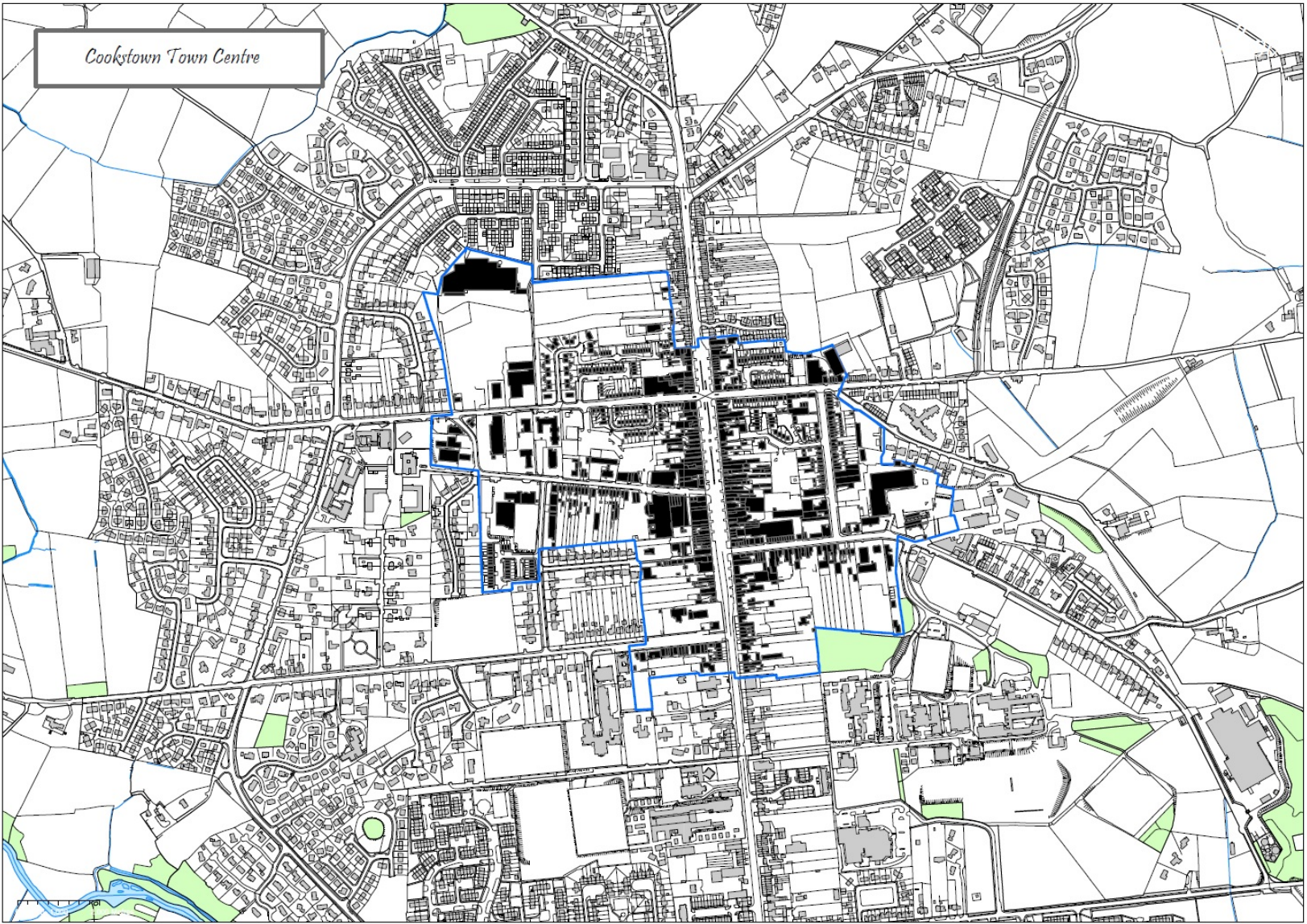
- **There is currently no Traveller accommodation needs identified for Mid Ulster District, this is subject to continual review by the statutory housing authority. Should a future need arise policy will be brought forward at the plan review stage.**

In order to achieve Quality Residential Developments, applicants will be encouraged to provide Design and Access Statements (D&AS) for larger or sensitive sites where they are not required under legislation. Where the proposal represents the partial development of an area zoned for housing in the plan or neighbouring undeveloped land, the developer will be required to demonstrate a comprehensive approach to consider neighbouring land. Regard will also be given to regional strategic design guidance (currently Creating Places).

Appendix A– Magherafelt Urban Grain.



Appendix B – Cookstown Urban Grain.



Appendix C – Dungannon Urban Grain.

