

# Mid Ulster District Council Local Development Plan 2030 – Draft Plan Strategy

## Counter Representation Information Leaflet

### Information on the Tests of Soundness and Submitting a Counter Representation

Hard copies of all representations received during the statutory public consultation and re-consultation periods for the Mid Ulster District Council Local Development Plan 2030 - Draft Plan Strategy are available for inspection from **Wednesday 21<sup>st</sup> October 2020** in the Cookstown, Dungannon and Magherafelt offices during normal opening hours (Monday – Friday 9am-5pm). All representations are also available to view online at [www.midulstercouncil.org/ldp-dps-representations](http://www.midulstercouncil.org/ldp-dps-representations)

Counter Representations will be treated as a formal representation to the Draft Plan Strategy and will be taken into account at the Independent Examination, which will be conducted by the Planning Appeals Commission or an independent body. The purpose of an Independent Examination in the instance of a Development Plan Document is to determine whether the document satisfies legislative requirements and whether the document can be considered 'sound'. During the Independent Examination, a series of tests will be applied from the Department for Infrastructure (DfI) Development Plan Practice Note (DPPN) 06. These tests of soundness are listed at the end of this information leaflet and more information on the tests can be found at:

[https://www.infrastructure-ni.gov.uk/sites/default/files/publications/infrastructure/dppn-6-soundness-v2-may-2017\\_0.pdf](https://www.infrastructure-ni.gov.uk/sites/default/files/publications/infrastructure/dppn-6-soundness-v2-may-2017_0.pdf)

### Your Counter Representation:

If you have previously submitted a representation on the Draft Plan Strategy, it would be useful to provide details of this so that the council and the independent examiner can ensure your counter representation is considered as fully as possible during the plan-making process.

A Counter Representation can be made by anyone, however they should only be made about a site specific policy representation.

A site specific policy is:

- A policy which identifies a site for a particular use or development.

A site specific policy representation is:

- A representation which seeks to change a policy by:
  - (a) Adding a specific policy to the plan strategy; or
  - (b) Altering or deleting any site specific policy in the Plan Strategy.

**A Counter Representation must not propose any changes to the Draft Plan Strategy.**

As the focus of the Independent Examination will be on the 'soundness' of the draft Plan Strategy, you are advised that any Counter Representation submitted is based on soundness of the plan, based on the tests of soundness attached at the end of this information leaflet.

Additionally, a counter representation should demonstrate how it and the representation you are countering, meets the requirements of the Sustainability Appraisal and demonstrate how the proposed alternative is more appropriate in meeting the sustainability objectives of the Draft Plan Strategy. If you wish to make comments on more than one representation, you will be required to fill out further copies of the counter representation section, listing the details of each of the individual representations to which you are commenting on.

Should your counter representation refer to websites you should identify precisely which part of the webpage you are referring to, including section, paragraph and relevant sentences or content as applicable.

### How to Make Comments:

You can download a copy of the Counter Representation form from the Council's website. This form can be used for both postal and email submissions.

### Your Contact Details:

It is important that you complete this section so that:

- We can contact you to clarify your response to ensure we have understood, recorded and considered your comments appropriately, should this be necessary;
- The independent examiner can contact you as part of the examination process to, if necessary, clarify the responses you have made or to invite you to participate in the examination;
- We can notify you about the progress of the Plan Strategy following this consultation period.

The Agent's contact details are only required if someone else is sending counter representations on your behalf. While we may deal with your agent on a day-to-day basis, the counter representations are still classified as your own.

### What will happen your Counter Representation?

- We will publish all counter representations on the council's website and they will be made available for inspection at reception in the Council Offices at Magherafelt, Dungannon and Cookstown.
- All names and addresses will be shown on counter representations but personal data such as signatures, telephone numbers and personal email addresses will be redacted.
- All counter representations will be presented to elected members for consideration and then to the Department of Infrastructure who will forward them to the Planning Appeals Commission for Independent Examination.

## Submitting your Counter Representation:

You can make a Counter Representation by downloading a Counter Representation form at [www.midulstercouncil.org/ldp-counter-representations](http://www.midulstercouncil.org/ldp-counter-representations)

Mid Ulster District Council must receive all Counter Representations during the period **Thursday 22<sup>nd</sup> October 2020 and no later than 5pm on Friday 18<sup>th</sup> December 2020** by the following means:

- By email to: [DevelopmentPlan@midulstercouncil.org](mailto:DevelopmentPlan@midulstercouncil.org)
- In writing to:

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

**Please note that as the Council has undergone a re-consultation exercise on the Draft Plan Strategy, then if you previously made a counter representation during the original counter representation period (14th June 2019 to 9th August 2019) the Council will write to you separately. Any person who has made a previous counter representation is advised to examine the representations now being made available.**

Any previous Counter Representation(s) received during the original counter representation period (14th June 2019 to 9th August 2019) will be retained and considered, provided the Original Representation to which it refers (received during the consultation on the Draft Plan Strategy - 22<sup>nd</sup> February 2019 to 19<sup>th</sup> April 2019) has not been withdrawn or superseded during this re-consultation.

If an Original Representation to which you submitted a counter representation in 2019, has subsequently been added to or updated as a result of the re-consultation on the Draft Plan Strategy, matters you have raised in your original Counter Representation may no longer be applicable.

**You may wish to update, supersede, add to or withdraw your original counter representation as you deem necessary. If applicable, confirmation of whether you wish to supersede or add to your Original Counter Representation should be provided on the Counter Representation form.**

We have included at **Annex A** to this information leaflet, a table of those representations made during the consultation on the Draft Plan Strategy in 2019 (i.e., Original Representations) and noted beside each representation whether the Original Representation has been retained, superseded, added to or withdrawn. You may find this helpful although **you are strongly advised that you should still examine all of the Representations.**

## What happens next?

As soon as reasonably practicable, following receipt of all counter representations made during the 8-week consultation period we will make a copy of the counter representations available for inspection during normal office hours at our council offices in Cookstown, Dungannon and Magherafelt and publish them on our website.

## Tests of Soundness:

### **Coherence and Effectiveness Tests**

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

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

**CE3** There are clear mechanisms for implementation and monitoring; and

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

### **Procedural Tests**

**P1** Has the DPD been prepared in accordance with the Council's timetable and Statement of Community Involvement?

**P2** Has the Council prepared its Preferred Options Paper and taken account of any representations made?

**P3** Has the DPD been subject to a sustainability appraisal including a Strategic Environmental Assessment?

**P4** Did the Council comply with the regulations on the form and content of its DPD and procedure for preparing the DPD?

### **Consistency Tests**

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

**C2** Did the Council take account of its Community Plan?

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

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

## Annex A

Table of those representations made during the original consultation on the Draft Plan Strategy (22<sup>nd</sup> February 2019 – 19<sup>th</sup> April 2019) (i.e. Original Representations) and noted beside each representation whether the Original Representation has been retained, superseded, added to or withdrawn.

You may find this helpful although **you are strongly advised that you should still examine all of the Representations.**

Rep No. (MUDPS/)	Status of Representations received to DPS 2019	Additional Correspondence Received
1	Original representation retained	Pro forma
2	Original representation retained	none
3	Original representation retained	Pro forma
4	Original representation retained	None
5	Original representation retained	Email/letter
6	Original representation retained	Pro forma
7	Original representation retained	None
8	Original representation retained	None
9	Original representation retained	None
10	Original representation retained	None
11	Original representation retained	None
12	Original representation retained	None
13	Original representation retained	None
14	Original representation retained	Pro forma
15	Original representation retained	None
16	Additional information added to original representation	Pro forma
17	Original representation retained	Pro forma
18	Original representation retained	None
19	Original representation retained	None
20	Original representation retained	None
21	Original representation retained	None
22	Original representation retained	Pro forma
23	Original representation retained	Pro forma
24	Original representation retained	None
25	Original representation retained	None
26	Original representation retained	None
27	Original representation retained	Pro forma
28	Original representation retained	None
29	Original representation retained	None
30	Original representation retained	Email/letter
31	Original representation superseded with updated submission	Email/letter
32	Original representation retained	Pro forma
33	Original representation retained	Pro forma
34	Original representation retained	Pro forma
35	Original representation retained	Pro forma
36	Original representation retained	Pro forma

37	Original representation retained	Pro forma
38	Original representation retained	Pro forma
39	Original representation retained	Pro forma
40	Original representation retained	Pro forma
41	Original representation retained	None
42	Original representation retained	Pro forma
43	Original representation retained	Pro forma
44	Original representation retained	Pro forma
45	Original representation retained	Pro forma
46	Original representation retained	Pro forma
47	Original representation retained	Pro forma
48	Original representation retained	Pro forma
49	Original representation retained	Pro forma
50	Original representation retained	Pro forma
51	Original representation retained	Pro forma
52	Original representation retained	Pro forma
53	Original representation retained	None
54	Original representation retained	None
55	Original representation retained	None
56	Original representation retained	Pro forma
57	Original representation retained	None
58	Original representation retained	Pro forma
59	Original representation retained	None
60	Original representation retained	Pro forma
61	Original representation retained	None
62	Original representation retained	None
63	Original representation retained	None
64	Original representation retained	None
65	Original representation retained	None
66	Original representation retained	None
67	Original representation retained	None
68	Original representation retained	Pro forma
69	Original representation retained	None
70	Original representation retained	None
71	Original representation retained	None
72	Original representation retained	Pro forma
73	Original representation retained	None
74	Original representation retained	None
75	Original representation retained	None
76	Original representation retained	Pro forma
77	Original representation retained	Pro forma
78	Original representation retained	Pro forma
79	Original representation retained	None
80	Original representation retained	Pro forma
81	Original representation withdrawn	Email/letter
82	Original representation retained	Email/letter
83	Original representation retained	Pro forma
84	Original representation retained	Pro forma
85	Original representation retained	Email/letter
86	Original representation retained	Pro forma

87	Original representation retained	None
88	Original representation retained	None
89	Original representation retained	Pro forma
90	Original representation retained	None
91	Original representation retained	Email/letter
92	Original representation retained	None
93	Original representation retained	None
94	Original representation retained	Pro forma
95	Original representation retained	Pro forma
96	Original representation retained	None
97	Original representation retained	Pro forma
98	Original representation retained	Email/letter
99	Original representation retained	Email/letter
100	Original representation retained	None
101	Original representation retained	Email/letter
102	Original representation retained	Pro forma
103	Original representation retained	Pro forma
104	Original representation retained	Pro forma
105	Original representation retained	Pro forma
106	Original representation retained	Pro forma
107	Original representation retained	Pro forma
108	Original representation retained	Pro forma
109	Original representation retained	Pro forma
110	Original representation retained	Pro forma
111	Original representation retained	Pro forma
112	Original representation retained	Pro forma
113	Original representation retained	Pro forma
114	Original representation retained	Email/letter
115	Additional information added to original representation	Email/letter
116	Original representation retained	None
117	Original representation retained	None
118	Original representation retained	None
119	Original representation retained	Pro forma
120	Original representation retained	None
121	Original representation retained	None
122	Original representation retained	None
123	Original representation superseded with updated submission	Email/letter
124	Original representation retained	None
125	Original representation retained	Pro forma
126	Original representation retained	None
127	Original representation retained	None
128	Original representation retained	None
129	Original representation retained	Pro forma
130	Original representation retained	Pro forma
131	Original representation retained	Email/letter
132	Original representation retained	Pro forma
133	Original representation retained	Email/letter
134	Original representation superseded with updated submission	Email/letter
135	Original representation retained	None
136	Original representation retained	None

137	Original representation superseded with updated submission	Pro forma
138	Original representation retained	Pro forma
139	Original representation retained	Pro forma
140	Original representation retained	None
141	Original representation retained	None
142	Original representation retained	None
143	Original representation retained	None
144	Original representation retained	None
145	Original representation retained	Email/letter
146	Original representation retained	None
147	Original representation retained	Email/letter
148	Original representation retained	None
149	Original representation retained	None
150	Original representation retained	Pro forma
151	Original representation retained	None
152	Original representation retained	None
153	Original representation retained	Pro forma
154	Original representation superseded with updated submission	Email/letter
155	Original representation retained	None
156	Original representation retained	None
157	Original representation retained	Email/letter
158	Original representation retained	None
159	Original representation retained	Email/letter
160	Original representation superseded with updated submission	Email/letter
161	Original representation retained	None
162	Original representation retained	None
163	Original representation retained	None
164	Original representation retained	None
165	Original representation superseded with updated submission	Email/letter
166	Original representation retained	None
167	Original representation superseded with updated submission	Email/letter
168	Original representation superseded with updated submission	Email/letter
169	Original representation retained	Pro forma
170	Original representation superseded with updated submission	Email/letter
171	Original representation superseded with updated submission	Email/letter
172	Original representation superseded with updated submission	Email/letter
173	Original representation retained	None
174	Original representation retained	None
175	Original representation retained	Pro forma
176	Original representation retained	Pro forma
177	Original representation retained	None
178	Original representation retained	None
179	Original representation retained	None
180	Original representation retained	None
181	Original representation retained	None
182	Original representation retained	None
183	Original representation retained	None
184	Original representation retained	Pro forma
185	Original representation retained	Pro forma
186	Original representation retained	Pro forma



187	Original representation retained	Pro forma
188	Original representation retained	Pro forma
189	Original representation superseded with updated submission	Email/letter
190	Original representation retained	None
191	Original representation retained	None
192	Original representation retained	None
193	Original representation retained	None
194	Original representation retained	None
195	Original representation retained	None
196	Original representation retained	None
197	Original representation retained	None
198	Original representation retained	None
199	Original representation retained	None
200	Original representation retained	None
201	Original representation retained	None
202	Original representation retained	None
203	Original representation retained	None
204	Original representation retained	None

Note: MUDPS/205 – Reference number is not in use.

New Representations in addition to those listed above

MUDPS/

206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241