



Summary of Main Issues

May 2021

Summary of Main Issues for Independent Examination

1.0 Introduction

- 1.1 This report has been prepared in accordance with the requirements of Regulation 20(2)(g) of The Planning (Local Development Plan) Regulations (Northern Ireland) 2015. The Regulations require that when a development plan document – in this case, the Draft Plan Strategy (DPS) - is submitted to the Department for Independent Examination, it is accompanied by a statement setting out the number of representations and counter representations and a summary of the main issues raised. The Council's views and consideration of issues raised are set out by topic area in the DPS Consultation Report.
- 1.2 The DPS Consultation Report provides a detailed summary of issues raised, the Council's consideration of those issues and a resultant proposed action. In the main, the response has been to rebut the comments and in most cases there is no action is considered necessary. However, there are instances where the Council would be agreeable to amendments to the DPS if the Commission were so minded, in order to improve the quality or provide clarification of information and/or policy contained within our DPS. It is important to note that any such changes are not in response to 'soundness' issues and the Council do not consider any such changes are necessary in order to make our Plan sound.
- 1.3 The DPS Consultation Report in consideration of all the issues raised has concluded that our Plan is sound. Consequently, the Council have not proposed nor carried out consultation on focussed changes as described by Development Plan Practice Note 10 'Submitting Development Plan Documents for Independent Examination' (DPPN 10).
- 1.4 The Council do however note a number of typographical errors in our DPS and a Schedule of Minor Corrections is provided as part of our submission for Independent Examination.

2.0 Representations to the LDP Draft Plan Strategy – An Overview

2.1 The Draft Plan Strategy was published on 22nd February 2019. An 8-week public consultation period on the Draft Plan Strategy formally ran from 22nd February 2019 to 19th April 2019, followed by a further 8-week consultation on the representations received from 14th June 2019 to 9th August 2019 to allow for the submission of site-specific representations (counter representations). Due to a procedural error, re-consultation on the DPS commenced on 25th March 2020 and was due to close 21st May 2020. Due to COVID 19 restrictions and closure of Council offices, this period was extended and closed 24th September 2020. A further Re-consultation counter-representation period was carried out from 22nd October 2020 – 18th December 2020.

2.2 The Council received a total of **240 representations** made in accordance with regulation 16(2) of The Planning (Local Development Plan) Regulations (Northern Ireland) 2015 (204 during the Original Consultation and 32 during the Re-Consultation).

2.3 The Council also received **228 ‘counter representations’** made in accordance with Regulation 18(2) of The Planning (Local Development Plan) Regulations (Northern Ireland) 2015 counter representations (214 during the Original Counter Representation period and 14 during the Re-consultation Counter Representation Period). It should be noted that some parties, as part of the re-consultation period opted to update their Original submission, in which case the representation number was retained and additional and/or updated information was provided/added to their submission.

2.4 Of the 240 representations received, 24 were from consultation bodies and 216 were received from other from individuals, interest groups and organisations.

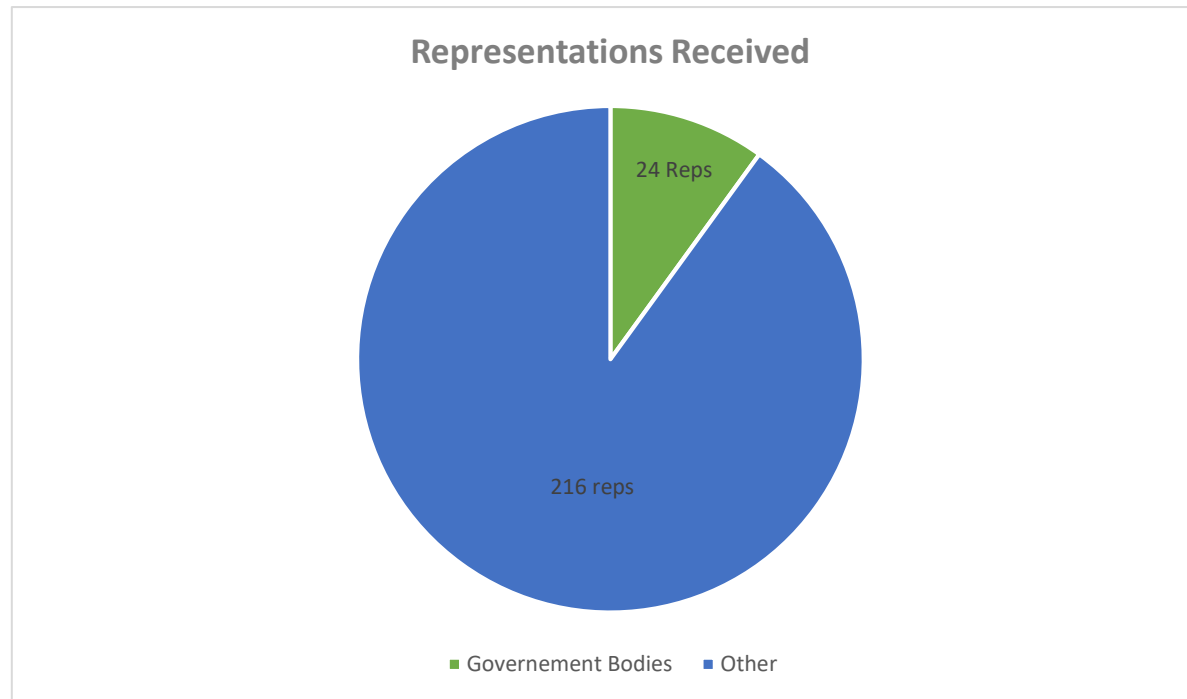


Figure 1: Comparison of representations received from Government bodies versus other parties, individuals and organisations.

2.5 While support is acknowledged across the vast majority of topics, issues raised in representations have been reviewed and identical or similar issues grouped accordingly by topic area with sub-categories relating to the topic strategy or policies. A full list of issues raised by topic area (which are discussed further in the DPS Consultation report) are tabulated in Appendix A. In addition, details on the number of representation submissions contributing to issues outlined in each topic area is provided. This gives an indication of the extent of contributors per topic area and per issue.

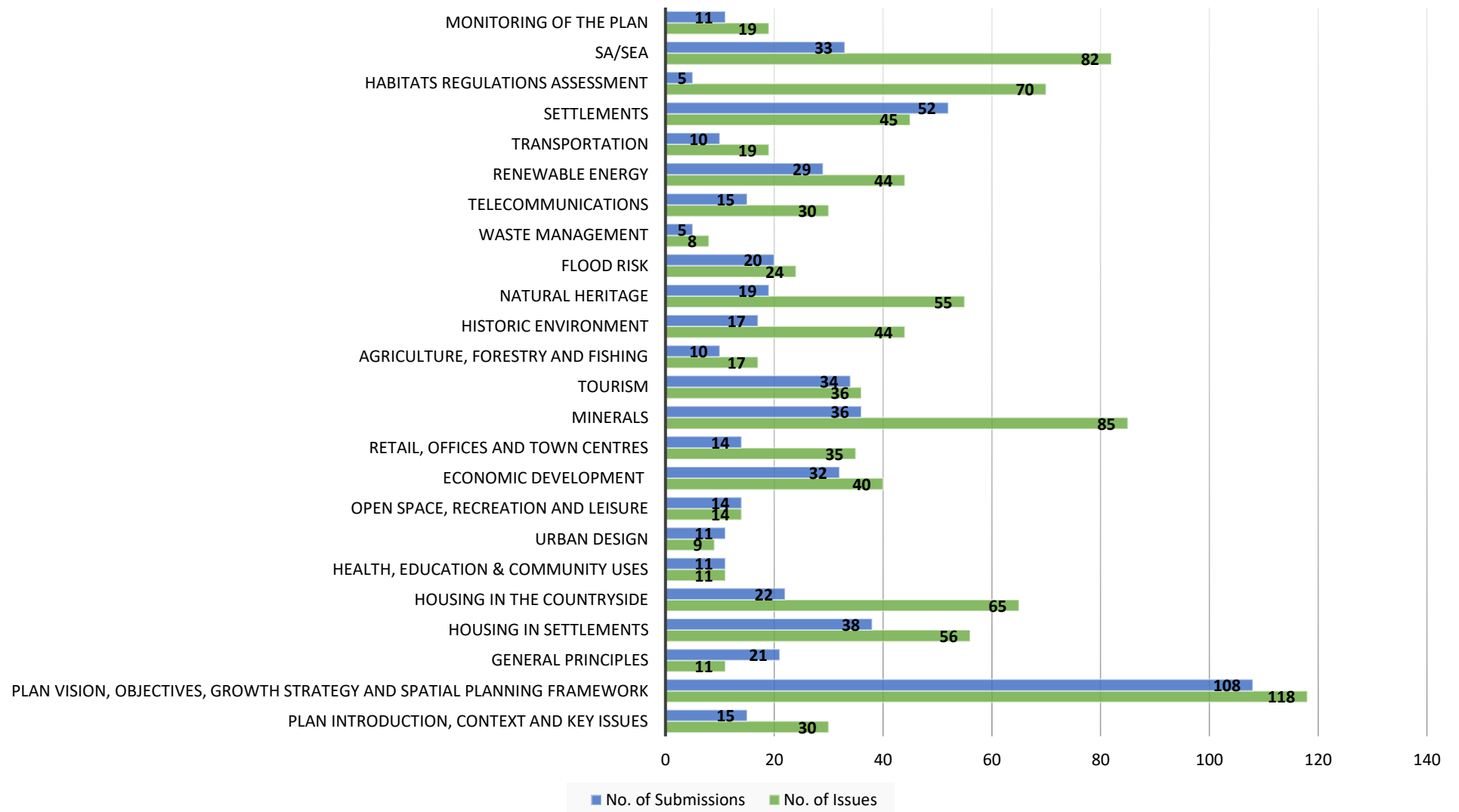
3.0 The Main Issues

3.1 The following section provides an overview of the issues per topic area which have been identified, grouped and are discussed in the DPS Consultation Report.

Topic	No. of Issues Raised	No. of different submissions
Plan Introduction, Context and Key Issues	30	15
Plan Vision, Objectives, Growth Strategy and Spatial Planning Framework	118	108
General Principles	11	21
Housing in Settlements	56	38
Housing in the Countryside	65	22
Health, Education & Community Uses	11	11
Urban Design	9	11
Open Space, Recreation and Leisure	14	14
Economic Development	40	32
Retail, Offices and Town Centres	35	14
Minerals	85	36
Tourism	36	34
Agriculture, Forestry and Fishing	17	10
Historic Environment	44	17
Natural Heritage	55	19
Flood Risk	24	20
Waste Management	8	5
Telecommunications	30	15
Renewable Energy	44	29
Transportation	19	10
Settlements	45	52
Habitats Regulations Assessment	70	5
SA/SEA	82	33
Monitoring of the Plan	19	11

Table 1: Number of Issues identified per topic area. Public Consultation Responses to draft Plan Strategy

Issues Identified & No. of Submissions Per Topic Area



3.2 Summary

A total of 967 issues have been raised and are addressed in the DPS Consultation report. In terms of topic areas, those which raised the most issues were;

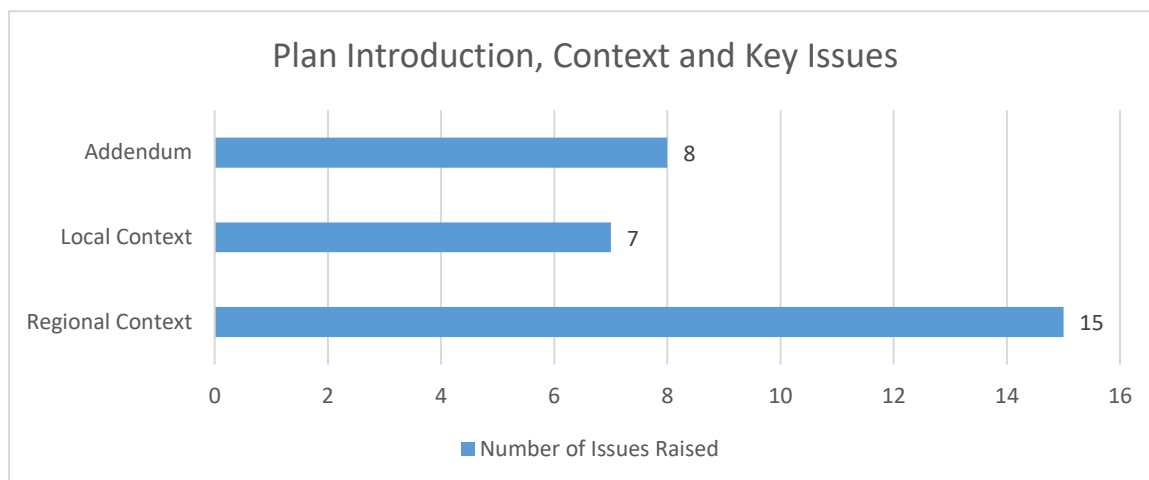
- Plan Vision, Growth Strategy and Spatial Planning Framework = 118 issues.
- Minerals = 85 issues.
- SA/SEA = 82 issues
- HRA = 70 issues
- Housing in the Countryside = 65 issues.

It is important to note in some topic areas while a large number of issues were raised, in some cases these were submitted by a limited number of representations, for example, 70 issues were in relation to the HRA through 5 representations.

4.0 Overview of Issues per Topic Area

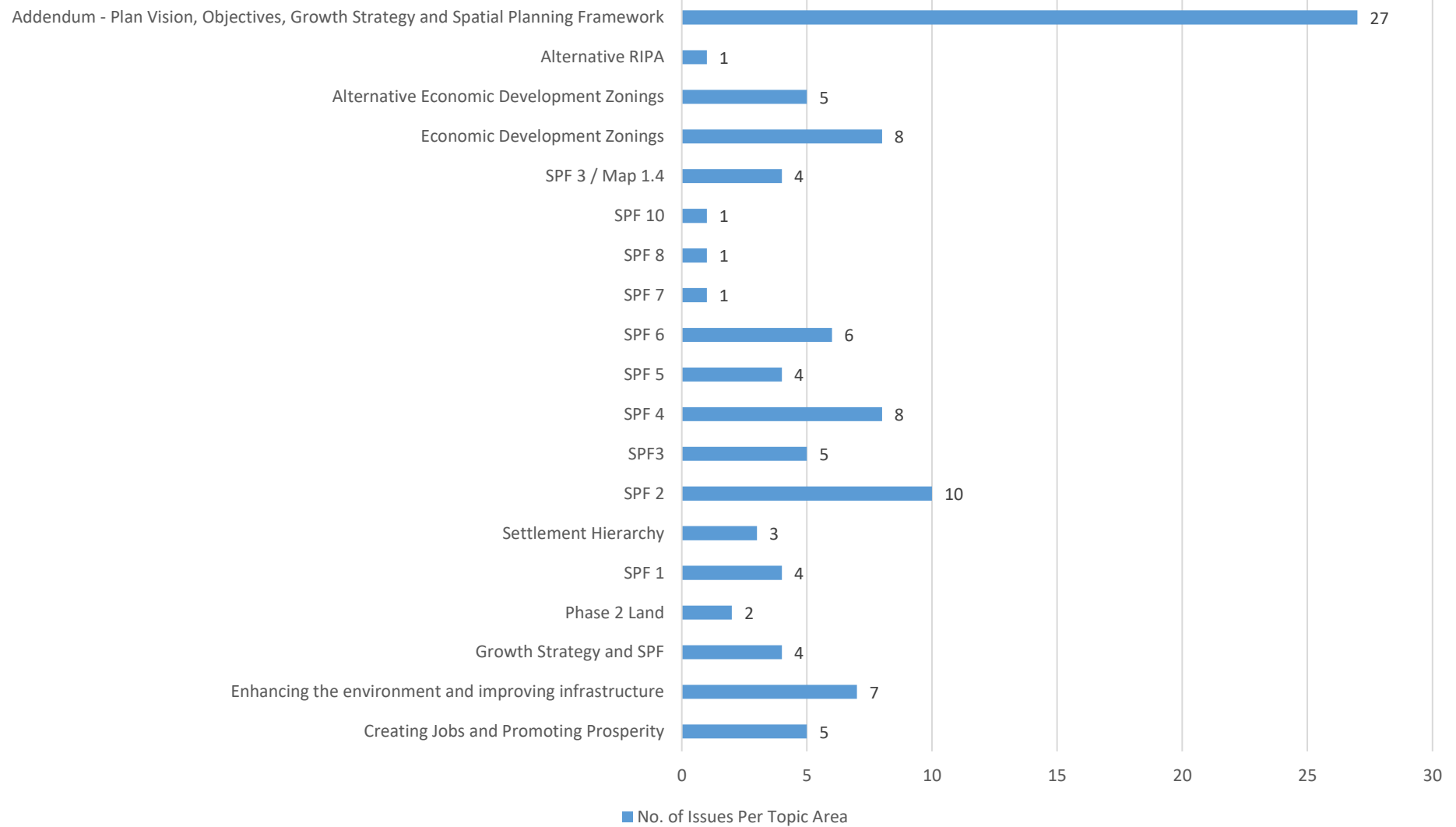
4.1 This section provides a breakdown of issues per topic area with associated sub-categories, i.e. strategy, policies etc. It provides an indication of which areas or policies within the Draft Plan Strategy raised most issues.

Plan Introduction, Context and Key Issues	Number of issues raised	No. of <u>different</u> reps submissions against topic area
Regional Context	15	
Local Context	7	
Addendum	8	
TOTAL	30	15
Counter Reps received	1	

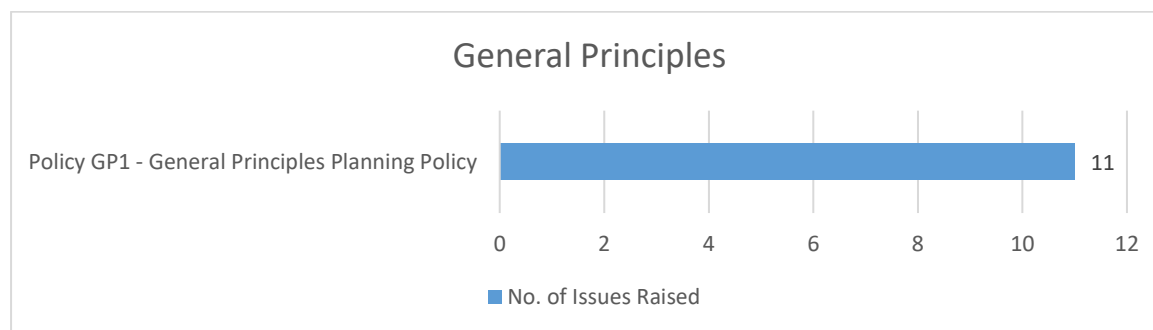


Plan Vision, Objectives, Growth Strategy and Spatial Planning Framework	Number of issues raised	No. of <u>different</u> reps submissions against topic area
General	12	
Creating Jobs and Promoting Prosperity	5	
Enhancing the environment and improving infrastructure	7	
Growth Strategy and SPF	4	
Phase 2 Land	2	
SPF 1	4	
Settlement Hierarchy	3	
SPF 2	10	
SPF3	5	
SPF 4	8	
SPF 5	4	
SPF 6	6	
SPF 7	1	
SPF 8	1	
SPF 10	1	
SPF 3 / Map 1.4	4	
Economic Development Zonings	8	
Alternative Economic Development Zonings	5	
Alternative RIPA	1	
Addendum - Plan Vision, Objectives, Growth Strategy and Spatial Planning Framework	27	
TOTAL	118	108
Counter Reps received	25	

Plan Vision, Objectives, Growth Strategy and Spatial Planning Framework

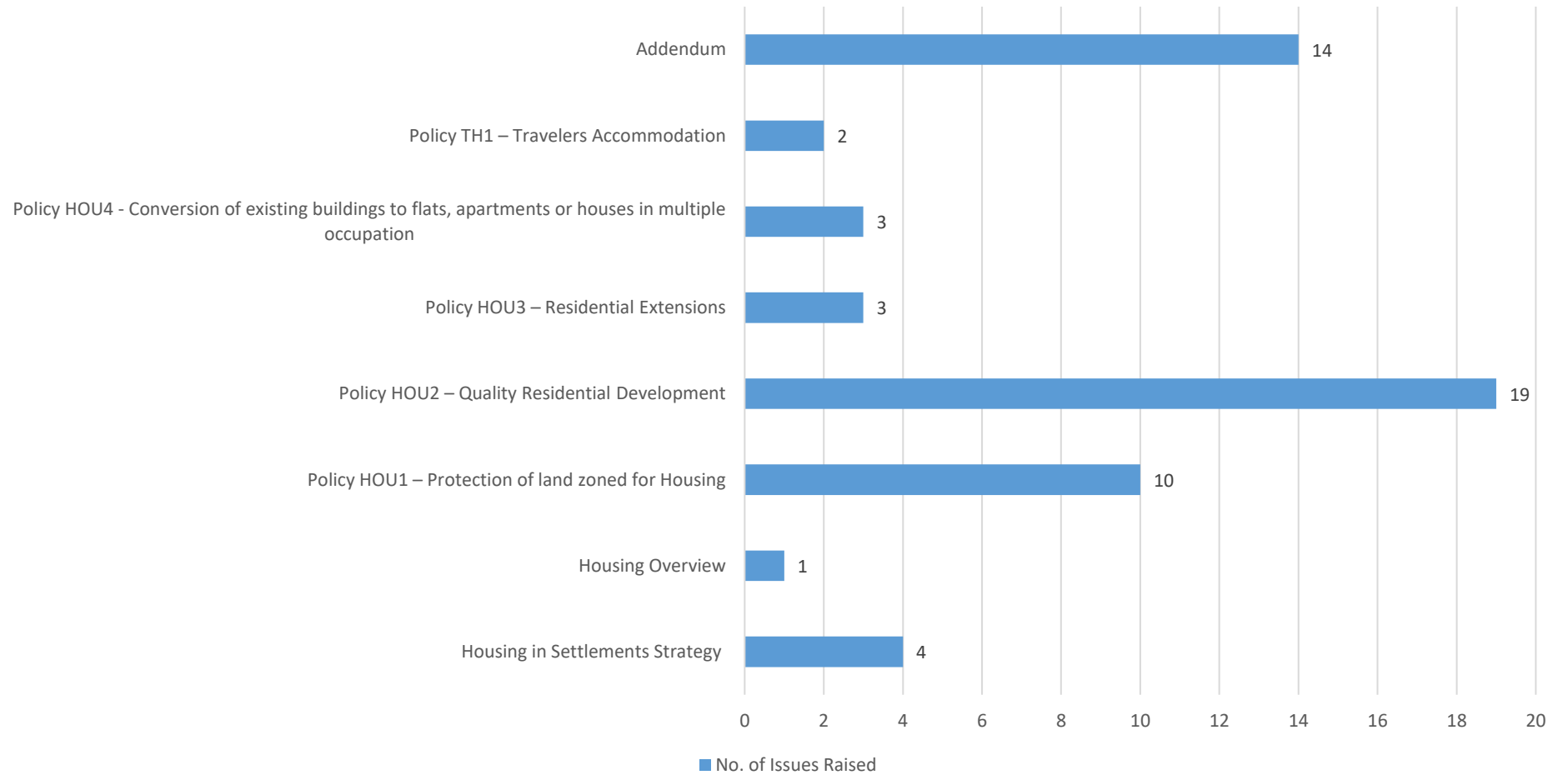


General Principles	Number of issues raised	No. of <u>different</u> reps submissions against topic area
Policy GP 1 – General principles Planning Policy	11	21
Counter Reps received	0	

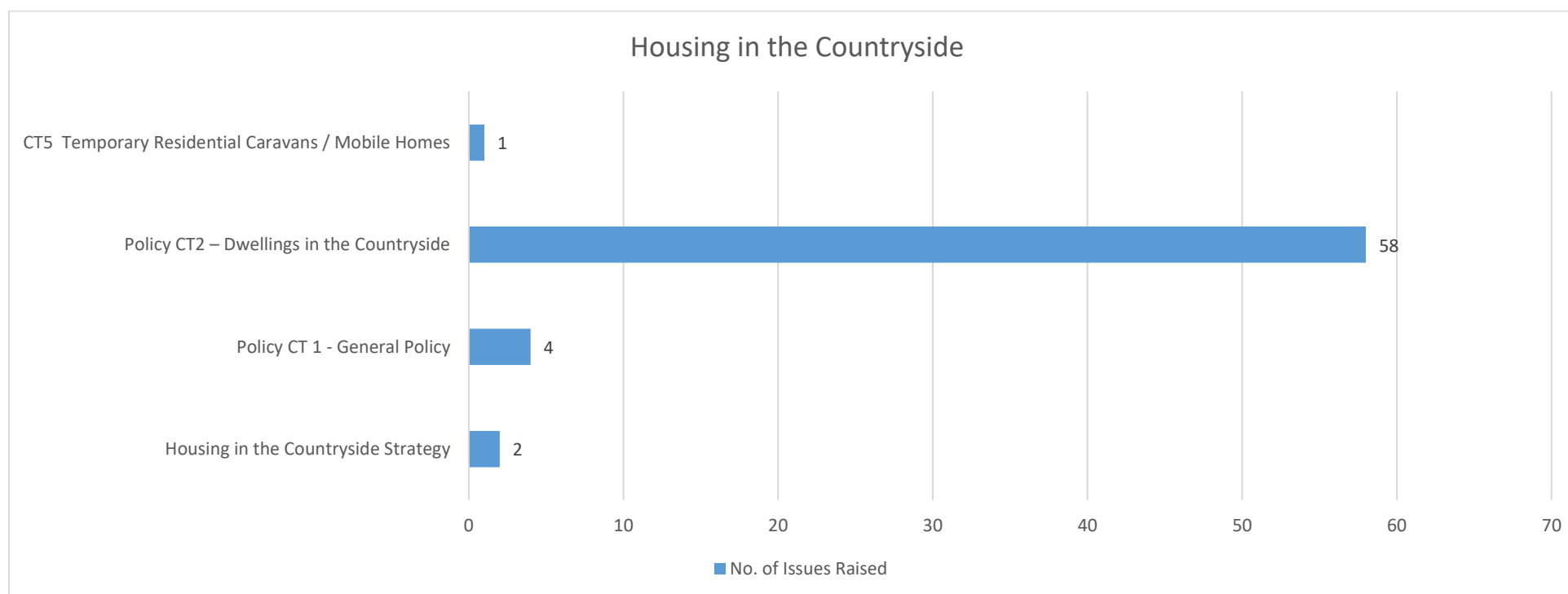


Housing in Settlements	Number of issues raised	No. of <u>different</u> reps submissions against topic area
Housing in Settlements Strategy	4	
Housing Overview	1	
Policy HOU1 – Protection of land zoned for Housing	10	
Policy HOU2 – Quality Residential Development	19	
Policy HOU3 – Residential Extensions	3	
Policy HOU4 - Conversion of existing buildings to flats, apartments or houses in multiple occupation	3	
Policy TH1 – Travelers Accommodation	2	
Addendum	14	
TOTAL	56	38
Counter Reps received	0	

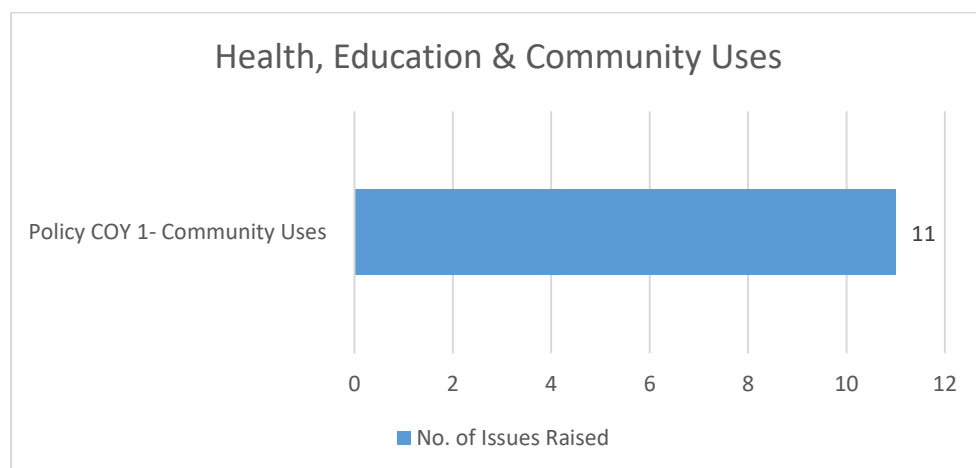
Housing in Settlements



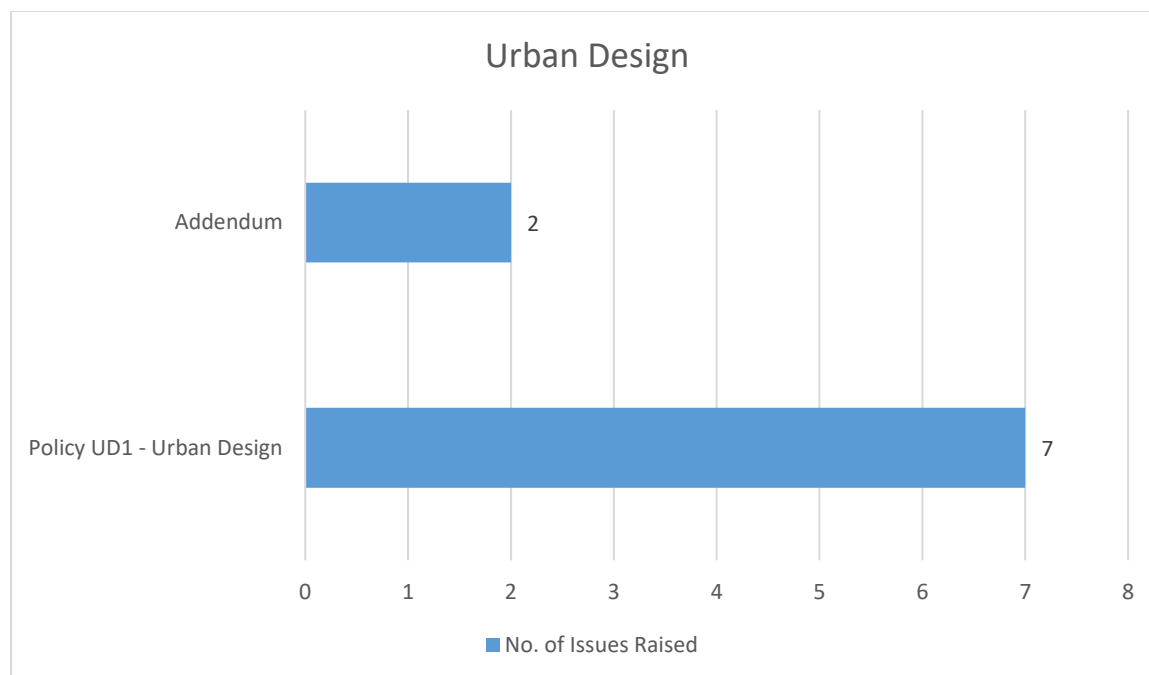
Housing in the Countryside	Number of issues raised	No. of <u>different</u> reps submissions against topic area
Housing in the Countryside Strategy	2	
Policy CT 1 - General Policy	4	
Policy CT2 – Dwellings in the Countryside	58	
CT5 Temporary Residential Caravans / Mobile Homes	1	
TOTAL	65	22
Counter Reps received	20	



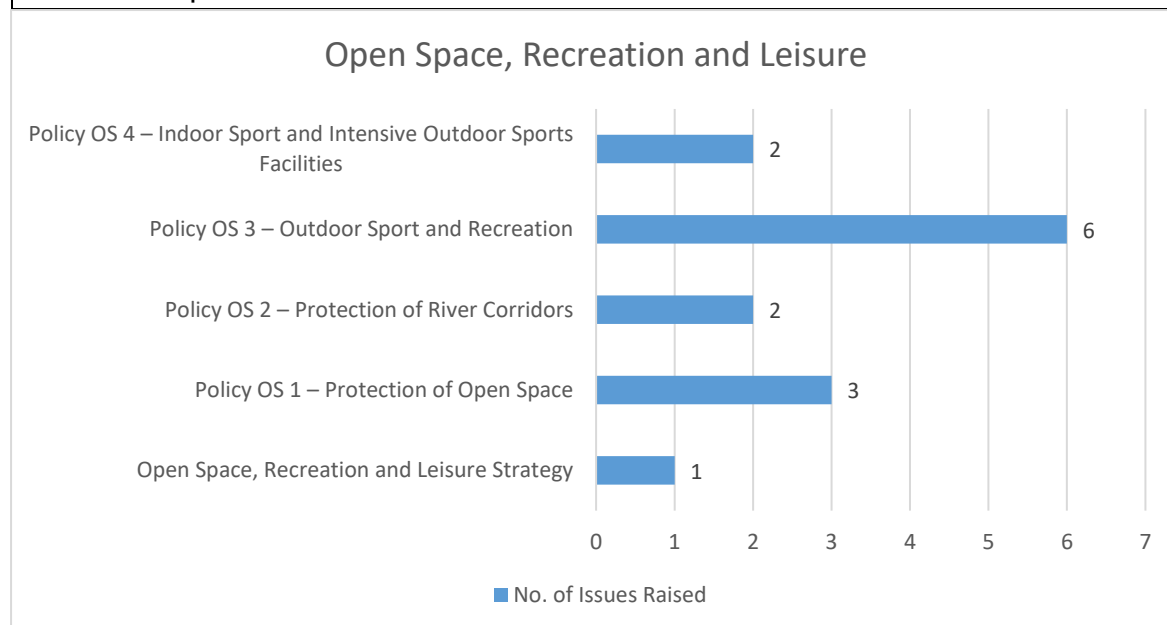
Health, Education & Community Uses	Number of issues raised	No. of <u>different</u> reps submissions against topic area
Policy COY 1- Community Uses – 11 issues	11	
TOTAL	11	11
Counter Reps received	0	



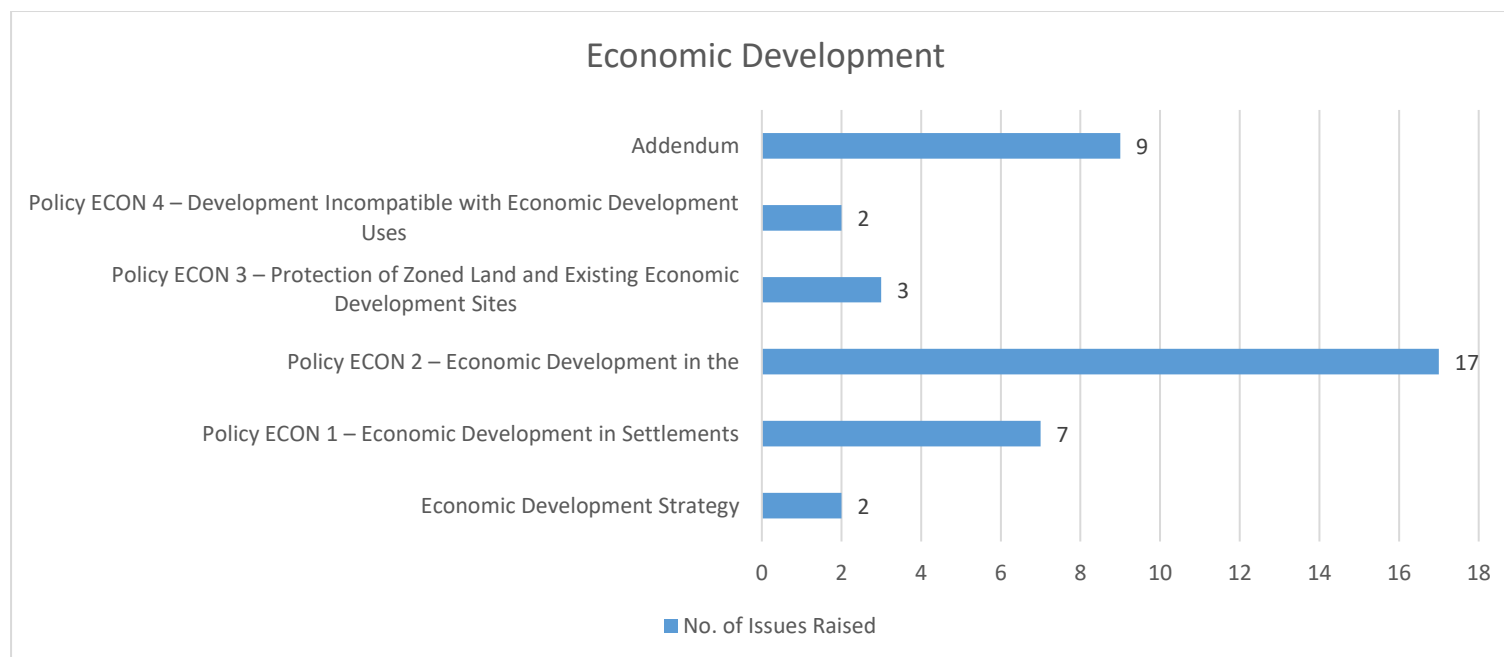
Urban Design	Number of issues raised	No. of <u>different</u> reps submissions against topic area
Policy UD1 – Urban Design	7	
Addendum	2	
TOTAL	9	11
Counter Reps received	0	



Open Space, Recreation and Leisure	Number of issues raised	No. of <u>different</u> reps submissions against topic area
Open Space, Recreation and Leisure Strategy	1	
Policy OS 1 – Protection of Open Space	3	
Policy OS 2 – Protection of River Corridors	2	
Policy OS 3 – Outdoor Sport and Recreation	6	
Policy OS 4 – Indoor Sport and Intensive Outdoor Sports Facilities	2	
Addendum	0	
TOTAL	14	14
Counter Reps	0	

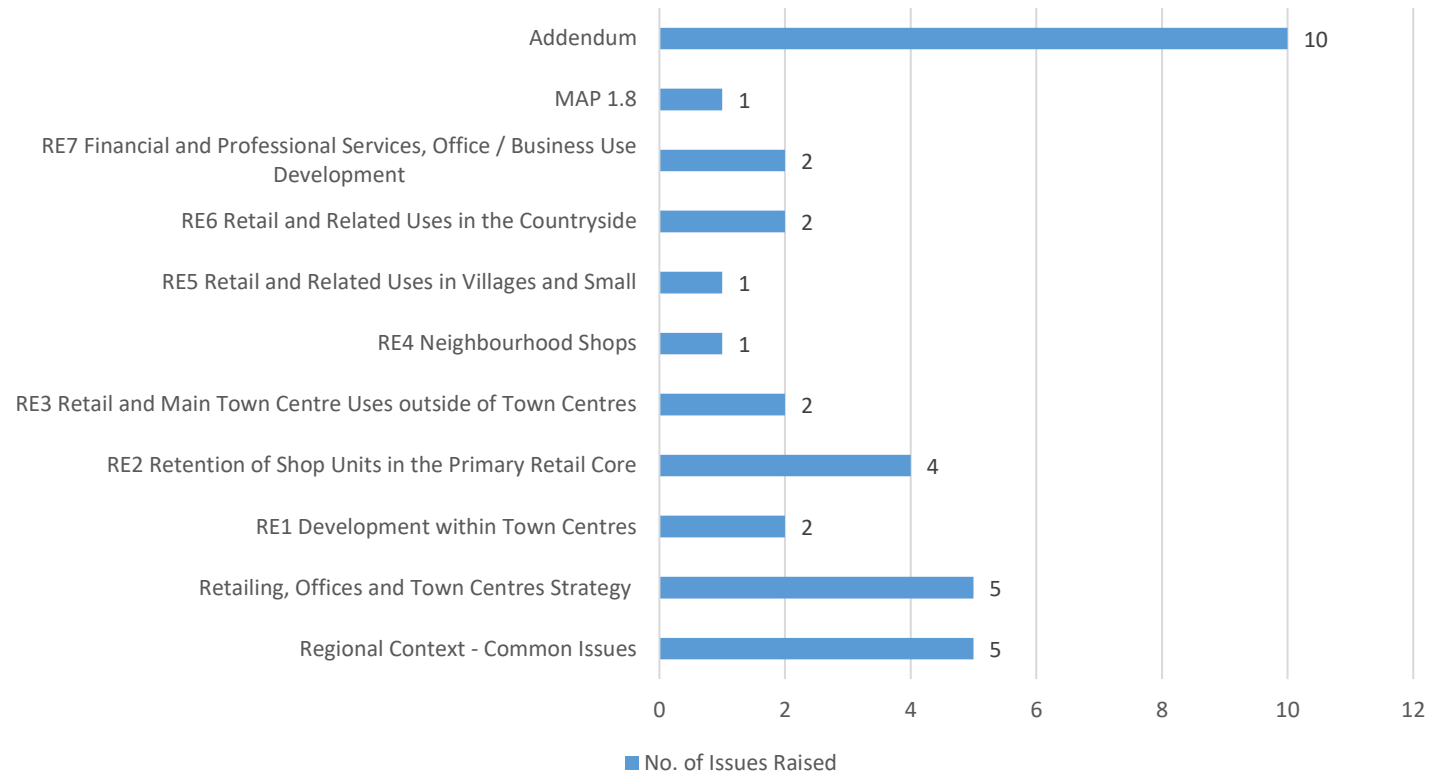


Economic Development	Number of issues raised	No. of <u>different</u> reps submissions against topic area
Economic Development Strategy	2	
Policy ECON 1 – Economic Development in Settlements	7	
Policy ECON 2 – Economic Development in the	17	
Policy ECON 3 – Protection of Zoned Land and Existing Economic Development Sites	3	
Policy ECON 4 – Development Incompatible with Economic Development Uses	2	
Addendum	9	
TOTAL	40	32
Counter Reps	0	



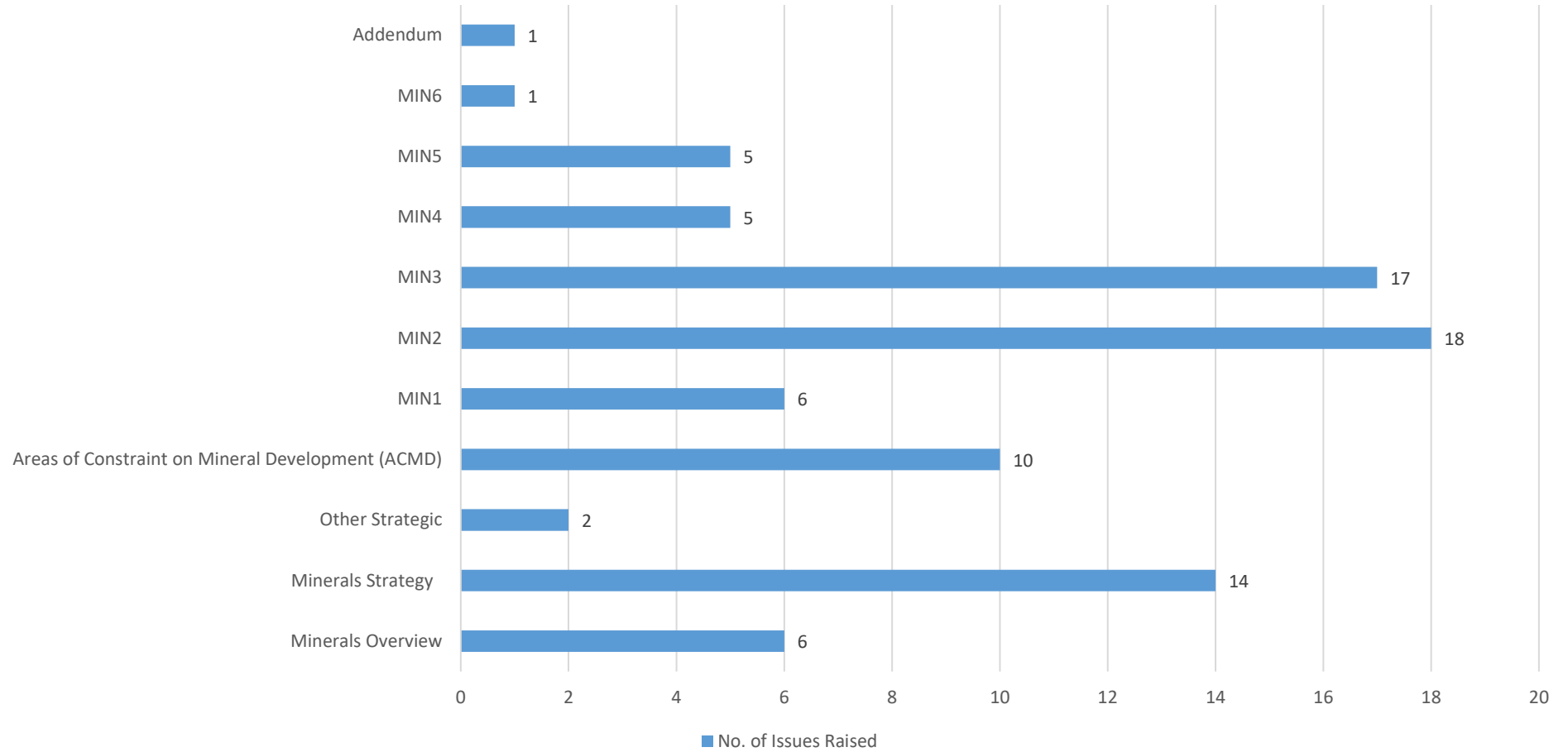
Retail, Offices and Town Centres	Number of issues raised	No. of <u>different</u> reps submissions against topic area
Regional Context - Common Issues	5	
Retailing, Offices and Town Centres Strategy	5	
RE1 Development within Town Centres	2	
RE2 Retention of Shop Units in the Primary Retail Core	4	
RE3 Retail and Main Town Centre Uses outside of Town Centres	2	
RE4 Neighbourhood Shops	1	
RE5 Retail and Related Uses in Villages and Small	1	
RE6 Retail and Related Uses in the Countryside	2	
RE7 Financial and Professional Services, Office / Business Use Development	2	
MAP 1.8	1	
Addendum	10	
TOTAL	35	14
Counter Reps	3	

Retail, Offices and Town Centres

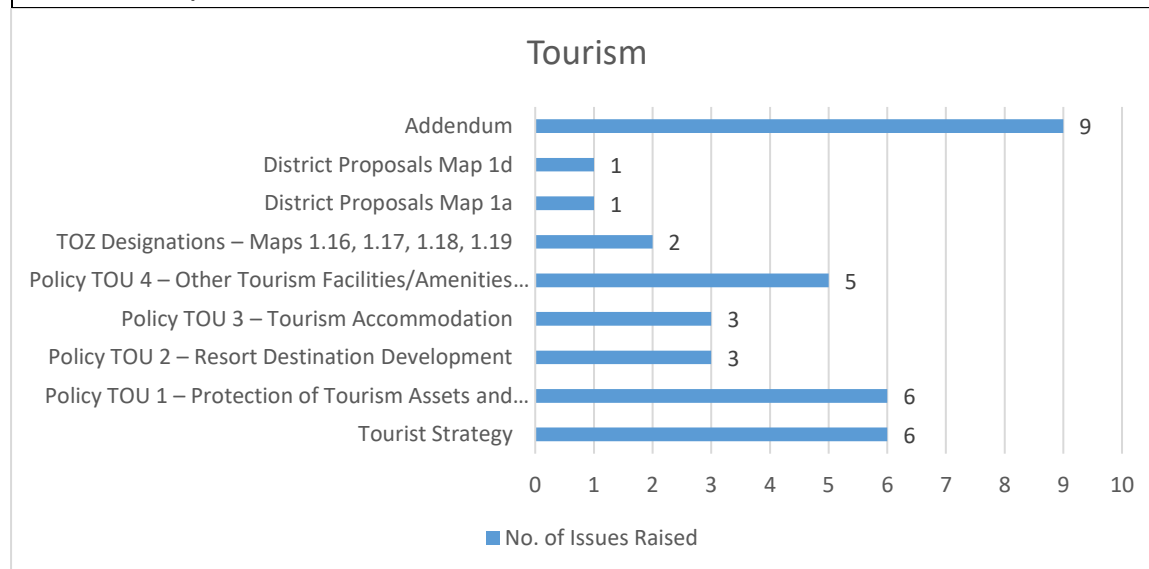


Minerals	Number of issues raised	No. of <u>different</u> reps submissions against topic area
Minerals Overview	6	
Minerals Strategy	14	
Other Strategic	2	
Areas of Constraint on Mineral Development (ACMD)	10	
MIN1	6	
MIN2	18	
MIN3	17	
MIN4	5	
MIN5	5	
MIN6	1	
Addendum	1	
TOTAL	85	36
Counter Reps	41	

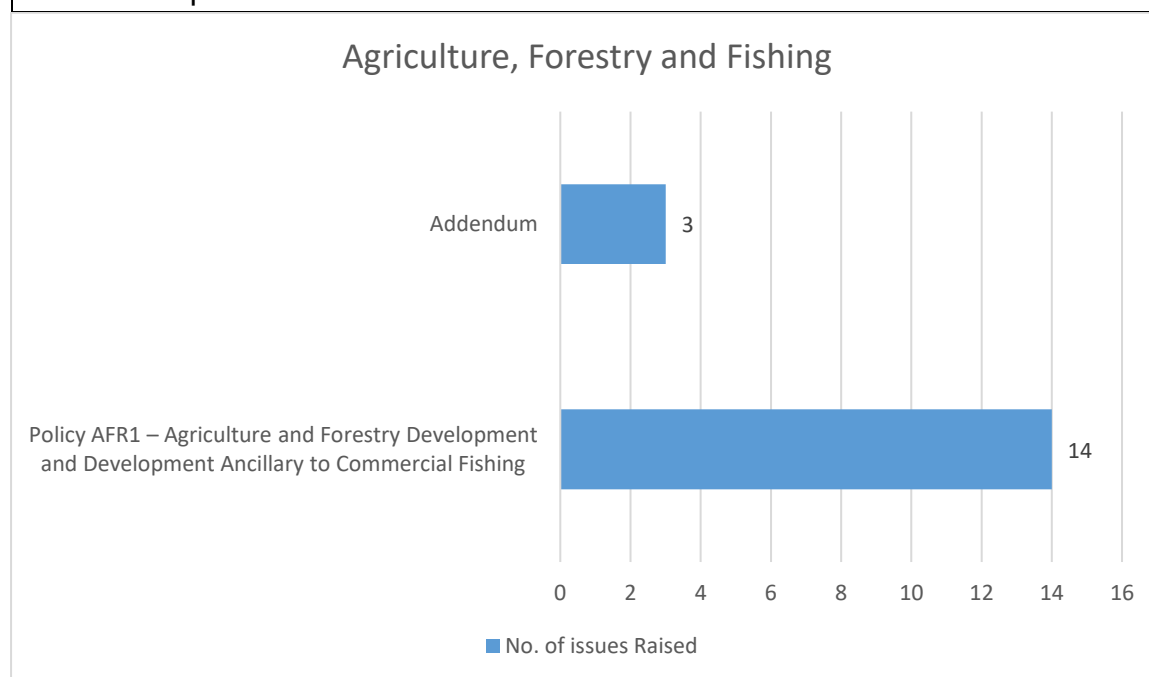
Minerals



Tourism	Number of issues raised	No. of <u>different</u> reps submissions against topic area
Tourist Strategy	6	
Policy TOU 1 – Protection of Tourism Assets and Tourist Accommodation	6	
Policy TOU 2 – Resort Destination Development	3	
Policy TOU 3 – Tourism Accommodation	3	
Policy TOU 4 – Other Tourism Facilities/Amenities and Attractions	5	
TOZ Designations – Maps 1.16, 1.17, 1.18, 1.19	2	
District Proposals Map 1a	1	
District Proposals Map 1d	1	
Addendum	9	
TOTAL	36	34
Counter Reps	8	

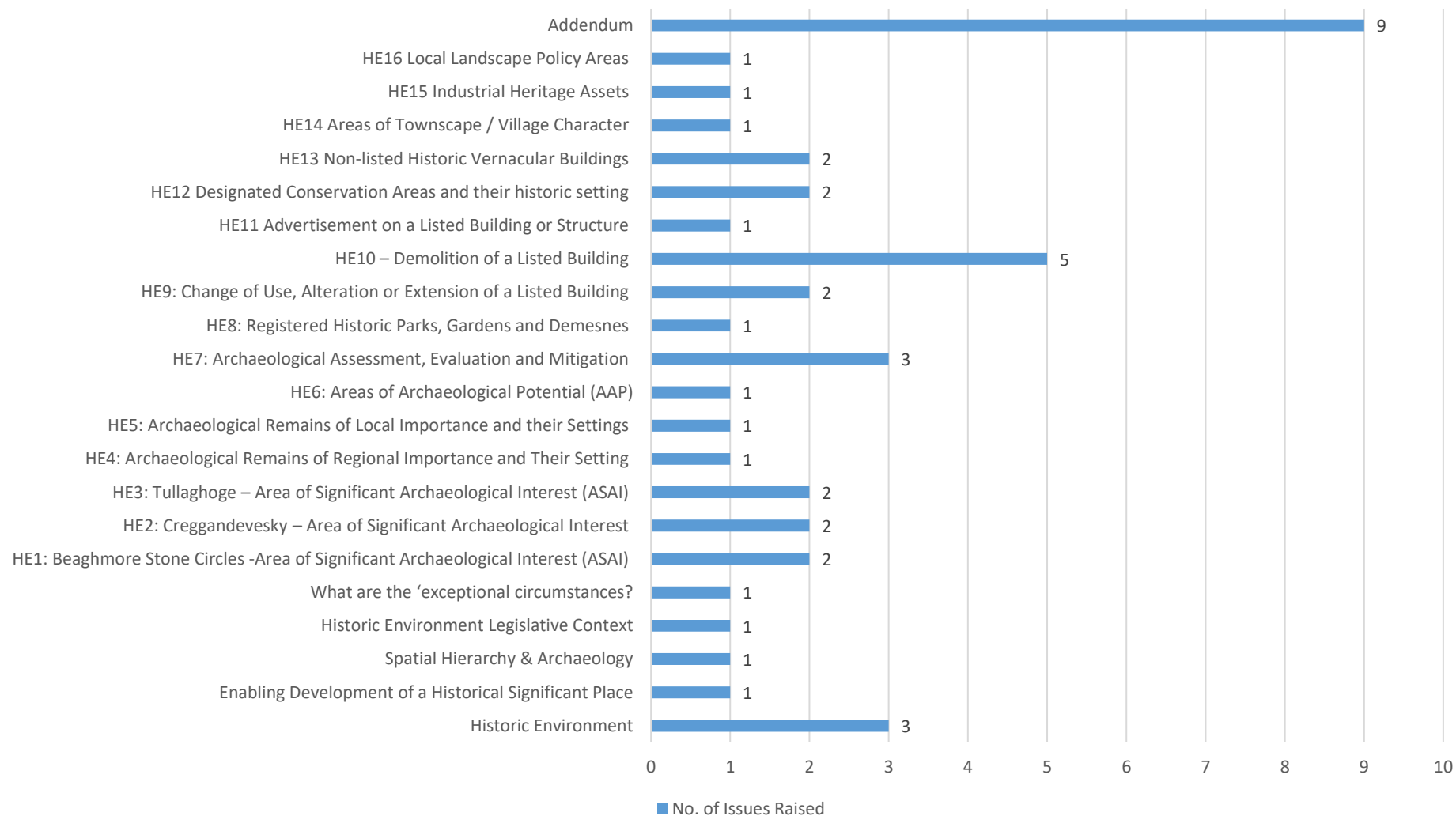


Agriculture, Forestry and Fishing	Number of issues raised	No. of <u>different</u> reps submissions against topic area
Policy AFR1 – Agriculture and Forestry Development and Development Ancillary to Commercial Fishing	14	
Addendum	3	
TOTAL	17	10
Counter Reps	0	



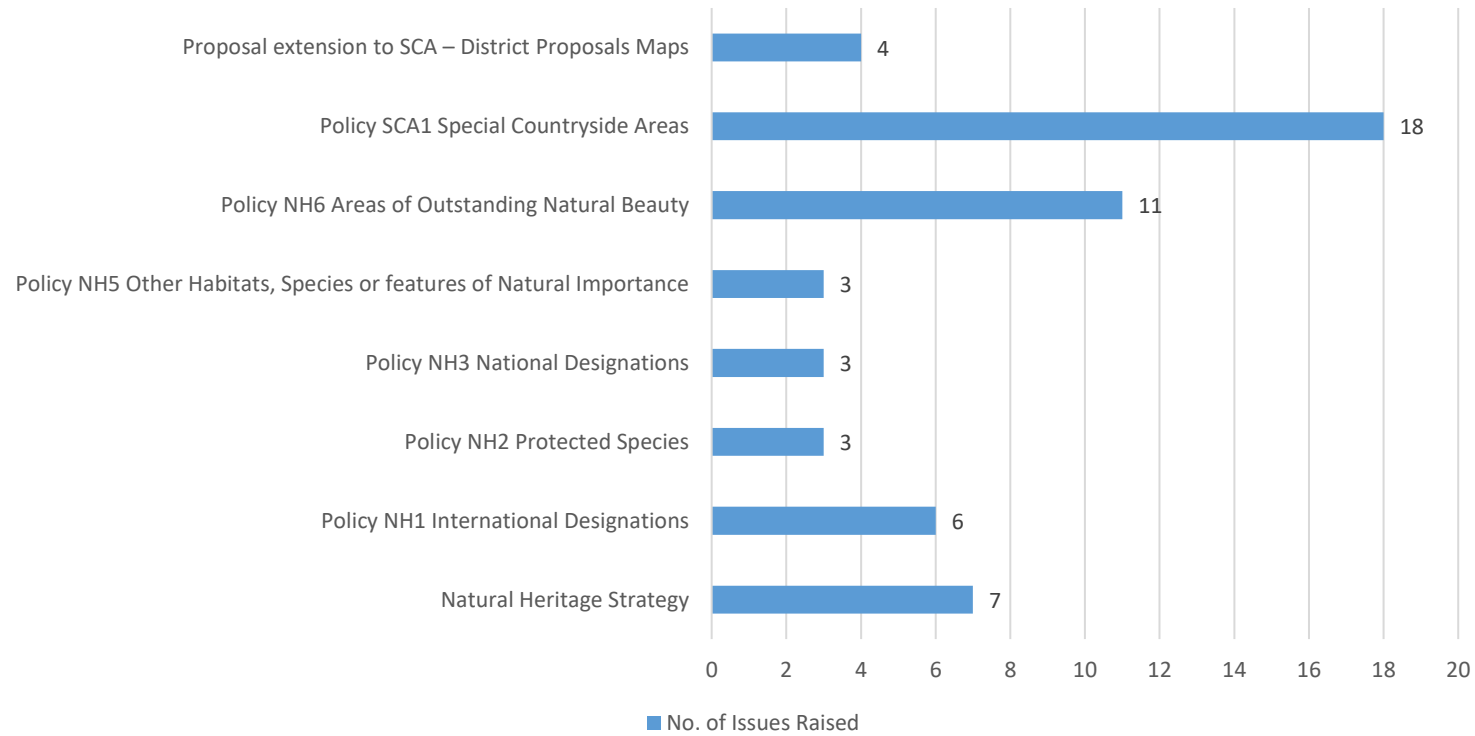
Historic Environment	Number of issues raised	No. of <u>different</u> reps submissions against topic area
Historic Environment	3	
Enabling Development of a Historical Significant Place	1	
Spatial Hierarchy & Archaeology	1	
Historic Environment Legislative Context	1	
What are the 'exceptional circumstances'?	1	
HE1: Beaghmore Stone Circles -Area of Significant Archaeological Interest (ASAI)	2	
HE2: Creggandevsky – Area of Significant Archaeological Interest	2	
HE3: Tullaghoge – Area of Significant Archaeological Interest (ASAI)	2	
HE4: Archaeological Remains of Regional Importance and Their Setting	1	
HE5: Archaeological Remains of Local Importance and their Settings	1	
HE6: Areas of Archaeological Potential (AAP)	1	
HE7: Archaeological Assessment, Evaluation and Mitigation	3	
HE8: Registered Historic Parks, Gardens and Demesnes	1	
HE9: Change of Use, Alteration or Extension of a Listed Building	2	
HE10 – Demolition of a Listed Building	5	
HE11 Advertisement on a Listed Building or Structure	1	
HE12 Designated Conservation Areas and their historic setting	2	
HE13 Non-listed Historic Vernacular Buildings	2	
HE14 Areas of Townscape / Village Character	1	
HE15 Industrial Heritage Assets	1	
HE16 Local Landscape Policy Areas	1	
Addendum	9	
TOTAL	44	17
Counter Reps	0	

Historic Environment

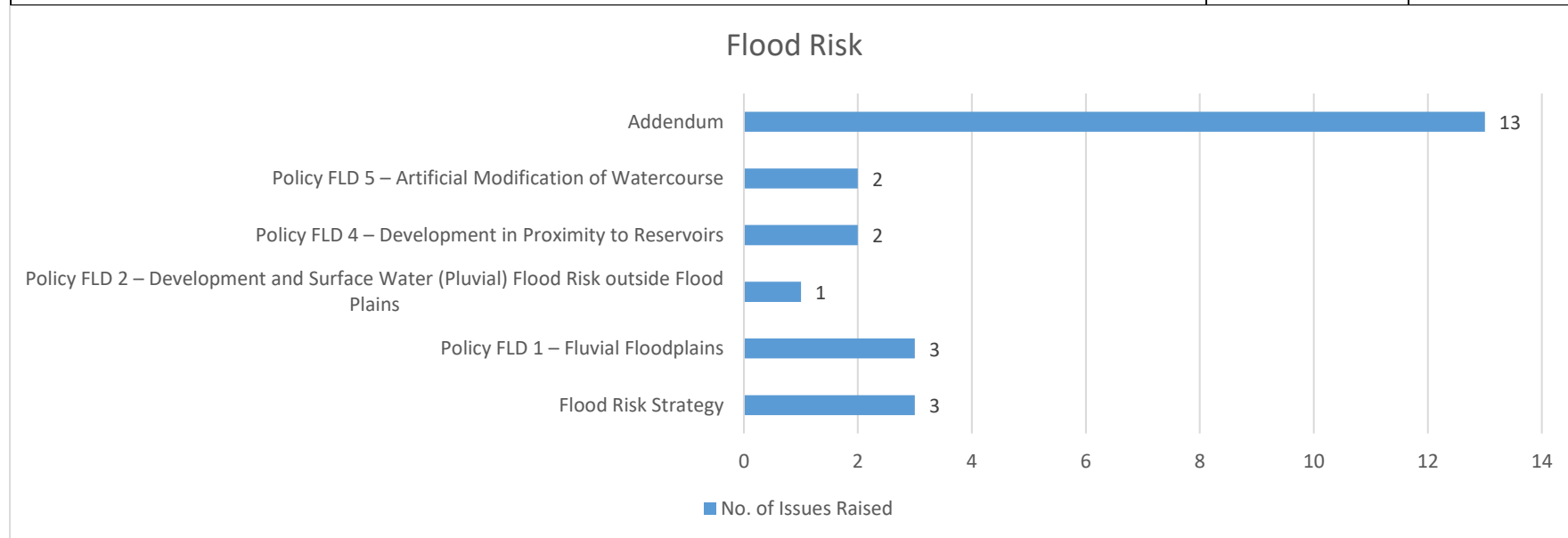


Natural Heritage	Number of issues raised	No. of <u>different</u> reps submissions against topic area
Natural Heritage Strategy	7	
Policy NH1 International Designations	6	
Policy NH2 Protected Species	3	
Policy NH3 National Designations	3	
Policy NH5 Other Habitats, Species or features of Natural Importance	3	
Policy NH6 Areas of Outstanding Natural Beauty	11	
Policy SCA1 Special Countryside Areas	18	
Proposal extension to SCA – District Proposals Maps	4	
TOTAL	55	19
Counter Reps	0	

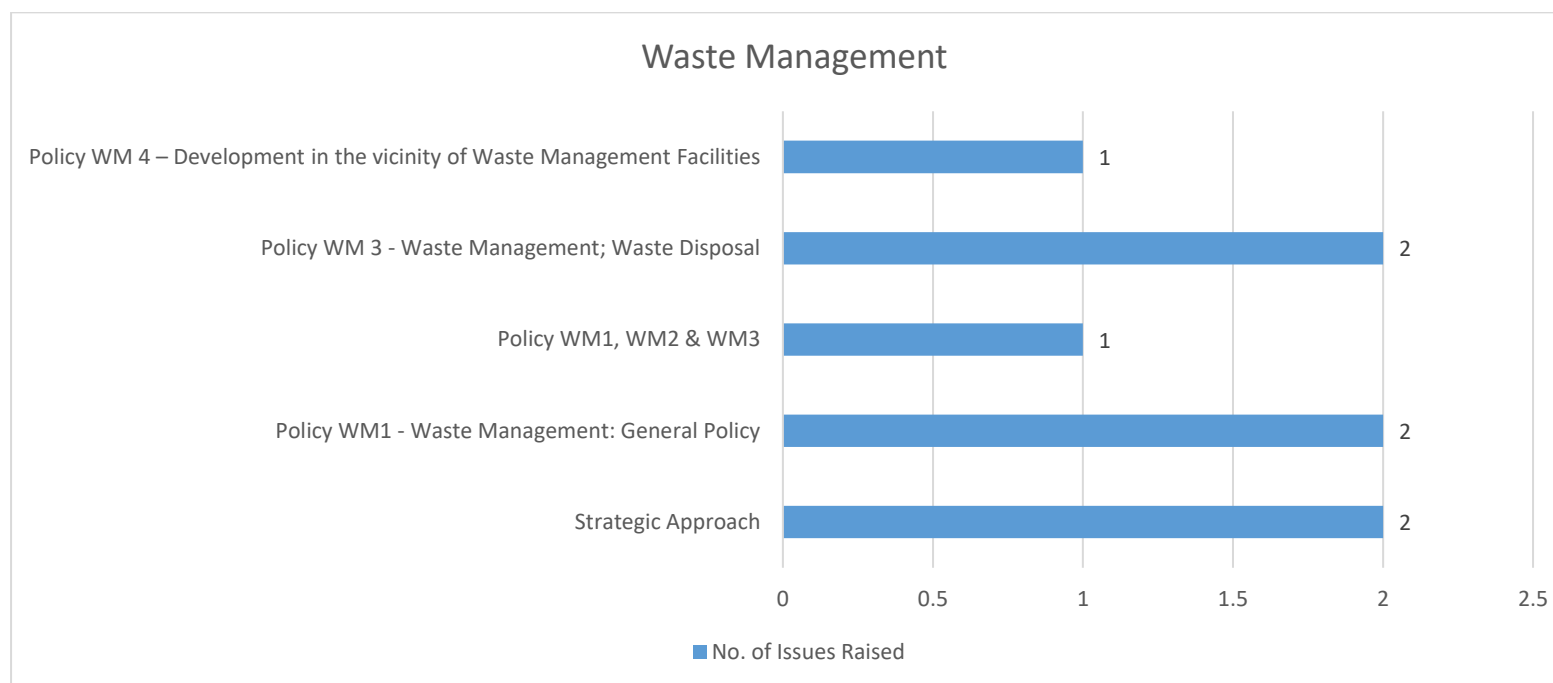
Natural Heritage



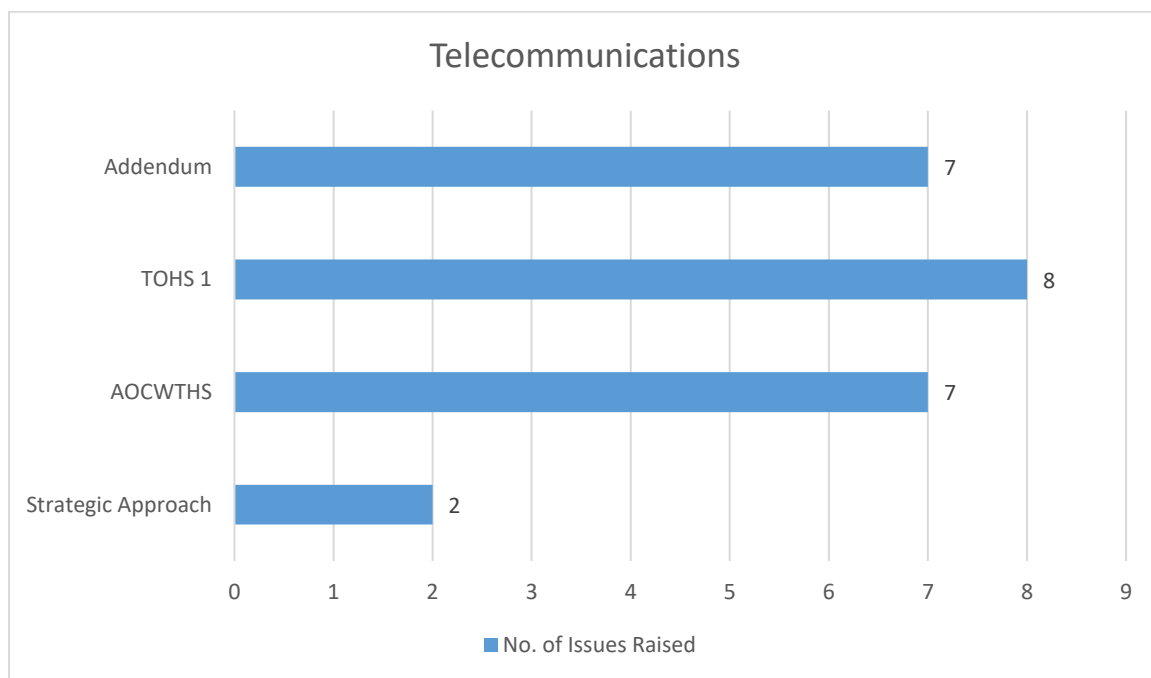
Flood Risk	Number of issues raised	No. of <u>different</u> reps submissions against topic area
Flood Risk Strategy	3	
Policy FLD 1 – Fluvial Floodplains	3	
Policy FLD 2 – Development and Surface Water (Pluvial) Flood Risk outside Flood Plains	1	
Policy FLD 4 – Development in Proximity to Reservoirs	2	
Policy FLD 5 – Artificial Modification of Watercourse	2	
Addendum	13	
TOTAL	24	20
Counter Reps	0	



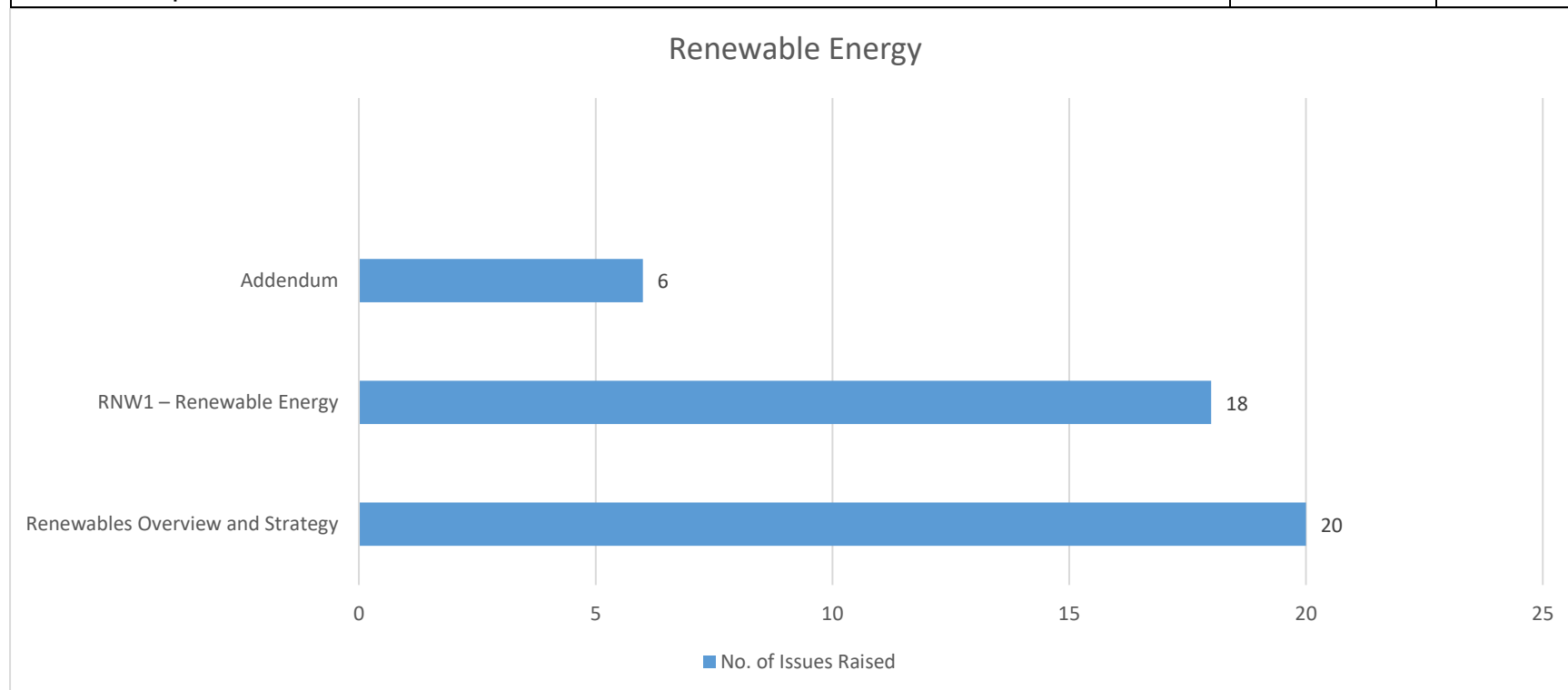
Waste Management	Number of issues raised	No. of <u>different</u> reps submissions against topic area
Strategic Approach	2	
Policy WM1 - Waste Management: General Policy	2	
Policy WM1, WM2 & WM3	1	
Policy WM 3 - Waste Management; Waste Disposal	2	
Policy WM 4 – Development in the vicinity of Waste Management Facilities	1	
TOTAL	8	5
Counter Reps	0	



Telecommunications	Number of issues raised	No. of <u>different</u> reps submissions against topic area
Strategic Approach	2	
AOCWTHS	7	
TOHS 1	8	
Addendum	7	
TOTAL	24	15
Counter Reps	64	

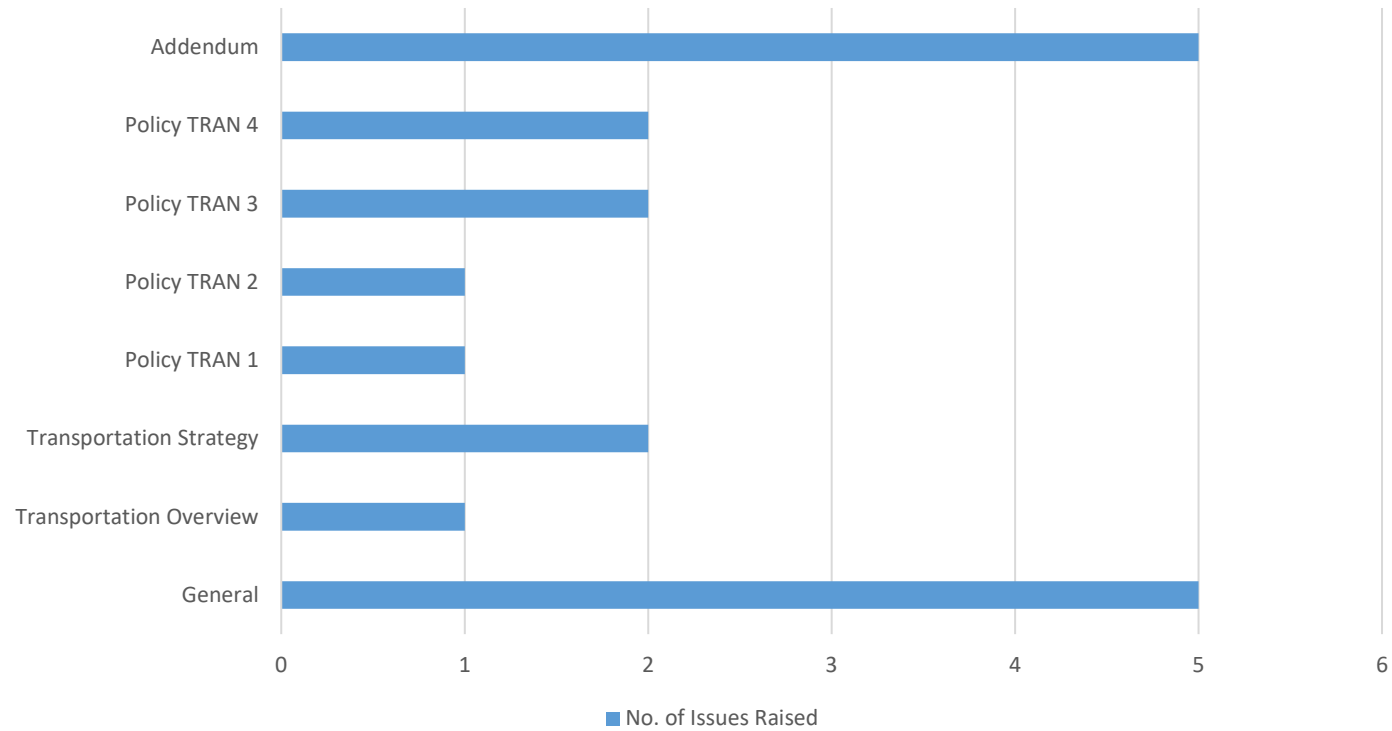


Renewable Energy	Number of issues raised	No. of <u>different</u> reps submissions against topic area
Renewables Overview and Strategy	20	
RNW1 – Renewable Energy	18	
Addendum	6	
TOTAL	44	29
Counter Reps	25	

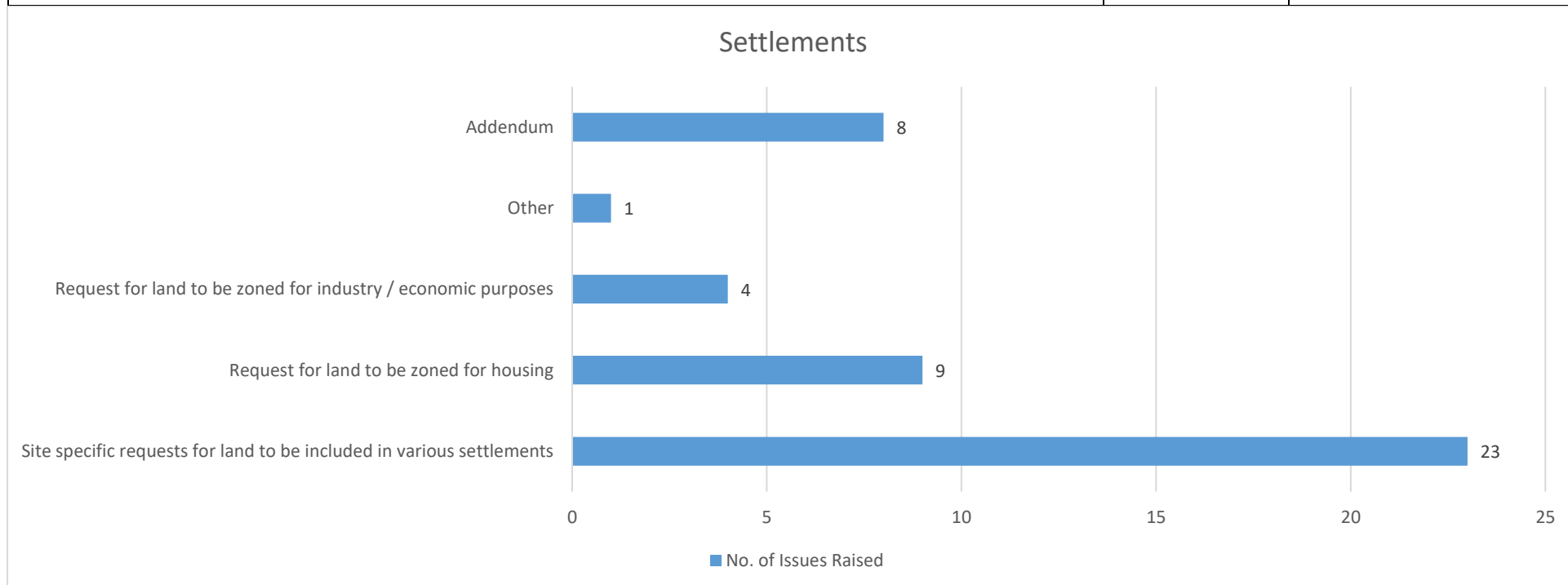


Transportation	Number of issues raised	No. of <u>different</u> reps submissions against topic area
General	5	
Transportation Overview	1	
Transportation Strategy	2	
Policy TRAN 1	1	
Policy TRAN 2	1	
Policy TRAN 3	2	
Policy TRAN 4	2	
Addendum	5	
TOTAL	19	10
Counter Reps	0	

Transportation



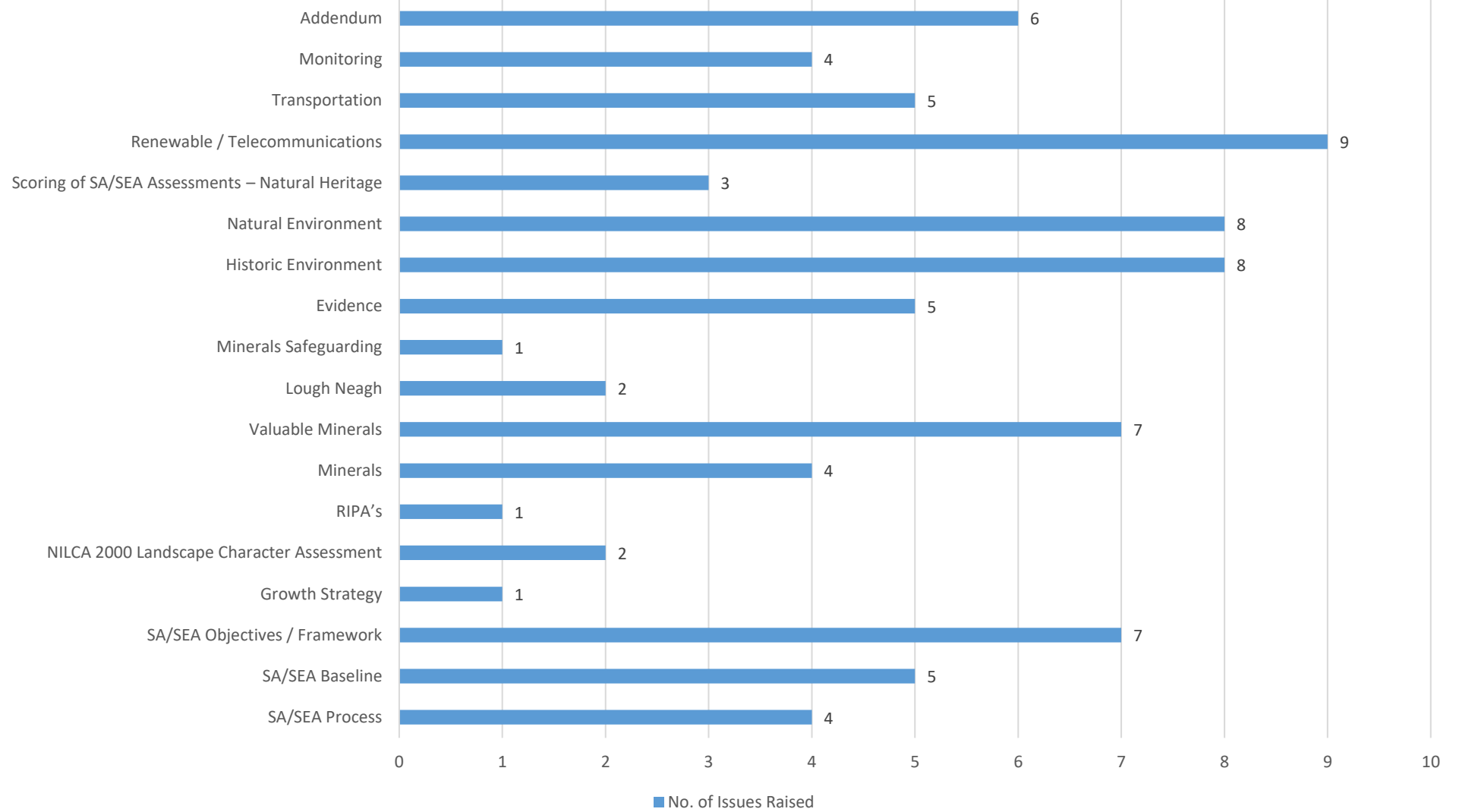
Settlements	Number of issues raised	No. of <u>different</u> reps submissions against topic area
Site specific requests for land to be included in various settlements	23	
Request for land to be zoned for housing	9	
Request for land to be zoned for industry / economic purposes	4	
Other	1	
Addendum	8	
TOTAL	45	52
Counter Reps	37	



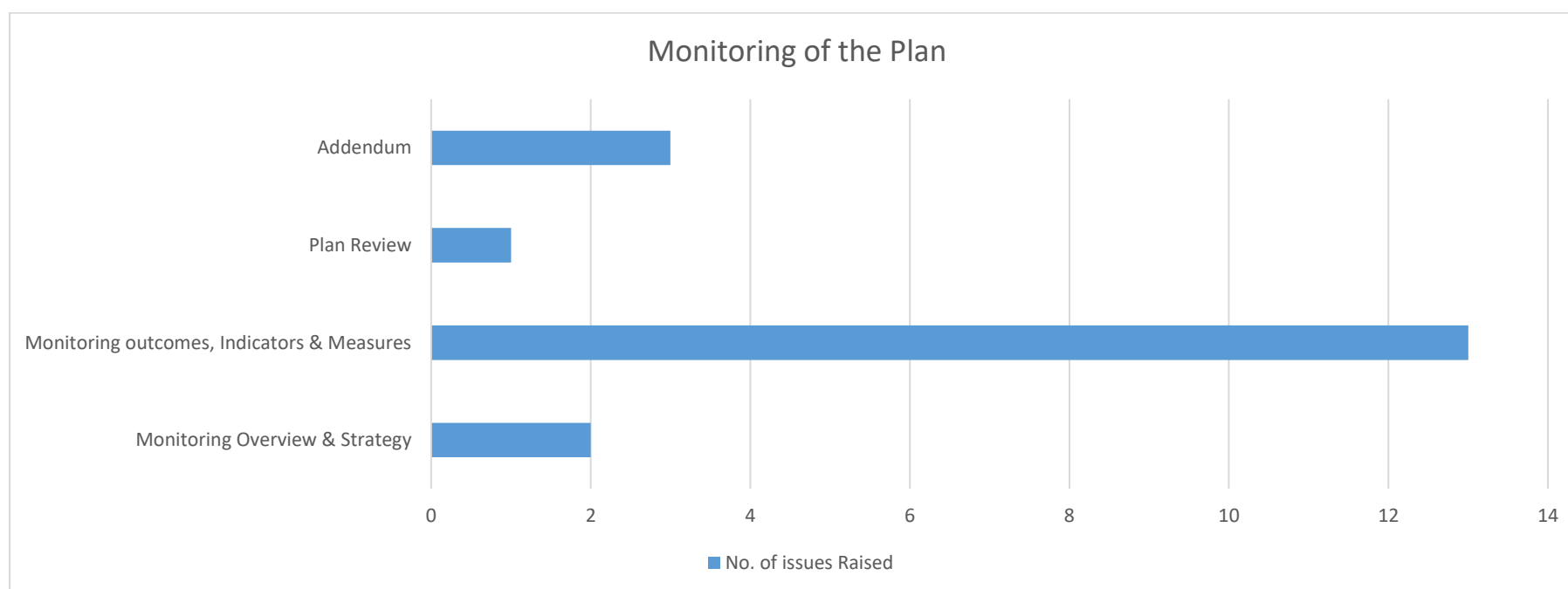
Habitats Regulations Assessment	Number of issues raised	No. of <u>different</u> reps submissions against topic area
Issues not categorised		
TOTAL	70	5
Counter Reps	0	

Sustainability Appraisal/Strategic Environmental Assessment	Number of issues raised	No. of <u>different</u> reps submissions against topic area
SA/SEA Process	4	
SA/SEA Baseline	5	
SA/SEA Objectives / Framework	7	
Growth Strategy	1	
NILCA 2000 Landscape Character Assessment	2	
RIPA's	1	
Minerals	4	
Valuable Minerals	7	
Lough Neagh	2	
Minerals Safeguarding	1	
Evidence	5	
Historic Environment	8	
Natural Environment	8	
Scoring of SA/SEA Assessments – Natural Heritage	3	
Renewable / Telecommunications	9	
Transportation	5	
Monitoring	4	
Addendum	6	
TOTAL	82	33
Counter Reps	45	

SA/SEA



Monitoring of the Plan	Number of issues raised	No. of <u>different</u> reps submissions against topic area
Monitoring Overview & Strategy	2	
Monitoring outcomes, Indicators & Measures	13	
Plan Review	1	
Addendum	3	
TOTAL	19	11
Counter Reps	0	

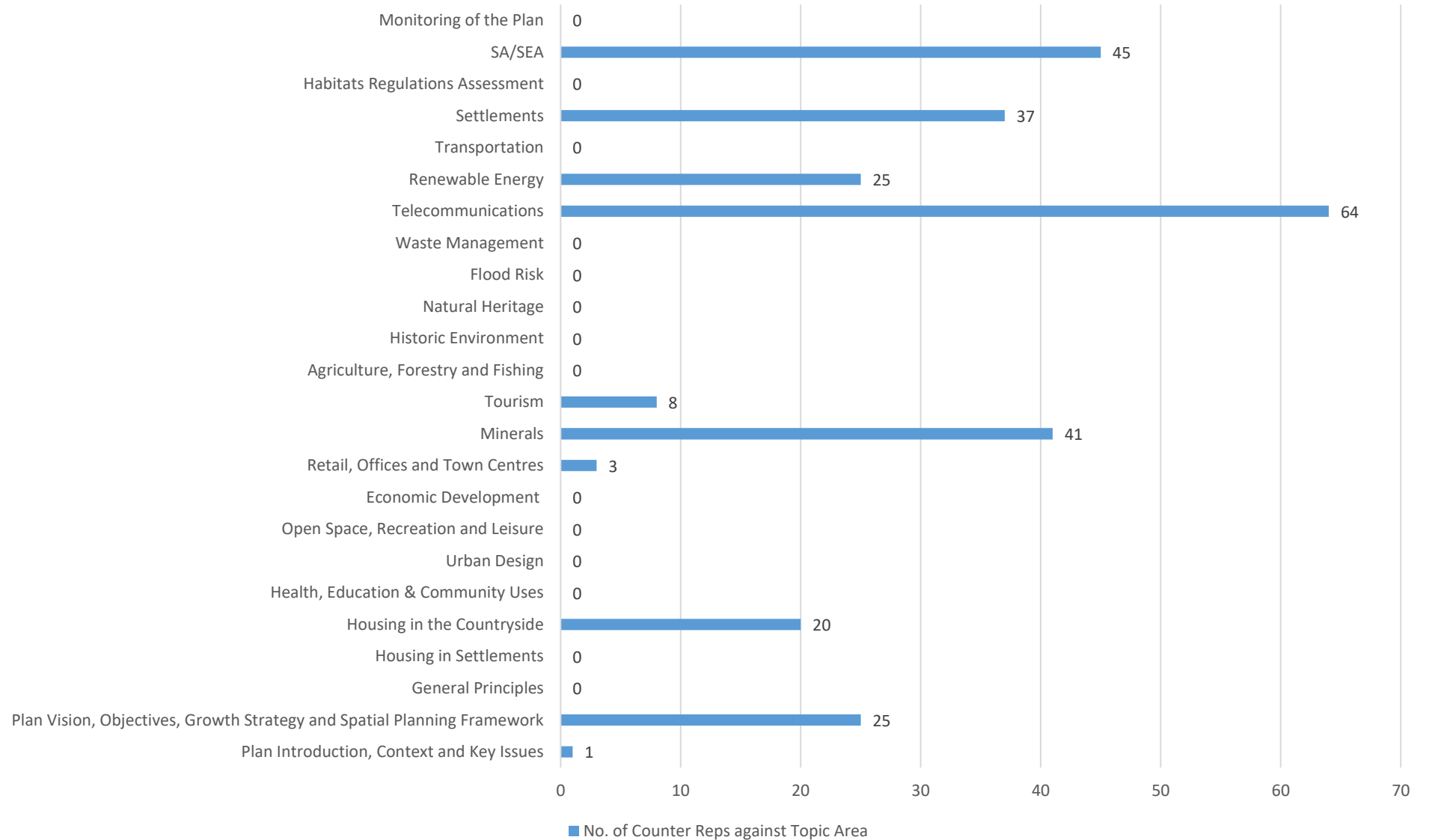


5.0 Counter Representations by Topic Area

5.1 The table below provide an overview of Counter representations raised and the topic area to which they relate.

Topic	No. of Issues Raised
Plan Introduction, Context and Key Issues	1
Plan Vision, Objectives, Growth Strategy and Spatial Planning Framework	25
General Principles	0
Housing in Settlements	0
Housing in the Countryside	20
Health, Education & Community Uses	0
Urban Design	0
Open Space, Recreation and Leisure	0
Economic Development	0
Retail, Offices and Town Centres	3
Minerals	41
Tourism	8
Agriculture, Forestry and Fishing	0
Historic Environment	0
Natural Heritage	0
Flood Risk	0
Waste Management	0
Telecommunications	64
Renewable Energy	25
Transportation	0
Settlements	37
Habitats Regulations Assessment	0
SA/SEA	45
Monitoring of the Plan	0

Counter Reps in relation to Topic Area



APPENDIX A

Plan Introduction, Context and Key Issues

Plan Introduction, Context and Key Issues – Original Topic Paper		
Regional Context – 15 issues		
Issue Raised by Representation/s	Rep / element no.	No. of reps cited against issue
Economic growth, new homes etc. depend on sustainable supply of local construction materials and local skills. Rep welcomes the Council's support for the upgrading of the A29, A4 and A5 but point out that these projects are dependant on the availability of local construction minerals	MUDPS/29/2 MUDPS/29/7	1
Information sought on how prematurity consideration will be applied- how is the DPS being applied to current applications.	MUDPS/85/1	1
The document 'Sustainable Water – A Long Term Water Strategy for NI 2015-2040' should be referred to and the DPS should include the objectives from it.	MUDPS/115/273 MUDPS/170/7	2
DPS seeks to claim itself as superior to extant plans during period between adoption of PS and LPP.	MUDPS/ 173/1 MUDPS/173/2 MUDPS/174/7	2
Departments strategic transport document should be reflected in Figure 5, Page 18.	MUDPS/115/283	1
Period allowed for counter representations likely to fall beyond that agreed in Timetable and may require modification.	MUDPS/118/1	1
Will rural proofing be conducted with public representation?	MUDPS/162/10	1
DPS has not taken account of Sustainable Development Strategy (May 2010) – reference to climate change and living within environmental limits.	MUDPS/162/96	1

Almost certainty regarding climate change is not reflected in DPS; therefore, it is not reasonably flexible enough to deal with potential eventualities of climate change. Vast majority of scientific community accept that breakdown of climate will bring drastically changing circumstances – this is not reflected in the DPS.	MUDPS/162/99 MUDPS/191/327	2
Objection to the structure, format and design of DPS, and context/criteria of soundness tests and the representation process. Governance guidelines for public administration of consultations not adhered to. Document not considered user friendly, assumes reader has prior knowledge and lack of clarity on the authors and who was involved in the process.	MUDPS/178/1 MUDPS/191/1 MUDPS/178/73 MUDPS/180/1 MUDPS/191/73 MUDPS/162/1 MUDPS/161/2	5
Fermanagh and Omagh District Council use entirely different terms, designations, criteria etc. hence this DPS does not meet soundness test C1 and P4.	MUDPS/178/9 MUDPS/178/10 MUDPS/191/9 MUDPS/191/10	2
DPS has failed to take account of health or human rights legislation and fails to comply with Aarhus convention and climate change legislation.	MUDPS/178/107 MUDPS/191/107	2
DPS did not take account of RDS. Indeed based on soundness tests C1 - C4 the ldp contradicts itself given that section 1 lists many documents which ldp is based upon however c1 only requires the council to take account of RDS. Absence of integration of the DPS with other council strategies.	MUDPS/178/165 MUDPS/191/165 MUDPS/162/6	3
The absence of relevant and meaningful baseline data linked to strategic direction throughout the document is shocking & wholly unacceptable. For example, an absence of trend analysis data on deprivation, numbers of single parents, levels of child poverty.	MUDPS/162/3	1
Significant concerns with the construction and drafting of policy throughout the document. Language is often unclear and ambiguous. Issues around J&A containing policy. Policy which is not in policy box is not policy.	MUDPS/115/328 MUDPS/115/118	1
Local Context – 7 issues		
Development pattern consisting of high proportion of rural housing is an obvious constraint to mineral development.	MUDPS/101/1	1

Higher dependence on construction in MU emphasises importance of minerals industry and value added manufacturing processes.	MUDPS/101/2	1
Poor travel times to A&E show necessity of road improvements and ready supply of minerals is required for this.	MUDPS/101/3	1
Lack of breakdown of evidence regarding demographics – how does the information regarding aging population relate to people aging well in Mid Ulster, and what will Plan do for those living with illness or disability.	MUDPS/162/11	1
Where have we obtained the figure of 40% screening equipment provided by NI?	MUDPS/162/12	1
What is the evidence for classing health levels as 'good'. What does this mean?	MUDPS/162/13	1
The document 'Sustainable Water – A Long Term Water Strategy for NI 2015-2040' should be referred to and the DPS.	MUDPS/170/8	1
Summary		
22 issues raised		

Addendum - Plan Introduction, Context and Key Issues – 8 issues		
Issue Raised by Representation/s	Rep / element no.	No. of Reps cited against issue
Suggested change to Para 1.32 to: These documents along with their associated Transport Studies and the Evidence base set out the transport measures that the Department expect to deliver during the LDP period to 2030 in Mid Ulster Council Area and will inform the Local Development Plan	MUDPS/115/360	1
The Timetable is behind schedule and the evidence base is out of date. The Plan period should be amended to 2020 -2035 given the delays and to allow flexibility and time for review in the event of a newly amended timetable.	MUDPS/154/7 MUDPS/154/8	1

LDP incapable of fully taking into account the Community Plan	MUDPS/214/7	1
Paragraph 1.24: Additional bullet point should be added to the PFG section; "we give our ageing and elderly the best of health and wellbeing in their retirement years."	MUDPS/214/8	1
Reference should be made to ongoing Christian Heritage	MUDPS/214/9	1
Cross Boundary Forums may collapse	MUDPS/214/10	1
Anti – Brexit narrative	MUDPS/214/11	1
Rural Proofing needs defined	MUDPS/214/12	1
Summary		
8 issues raised		

Counter Representations - Plan Introduction, Context and Key Issues		
Counter-Representation Reference Number	Reference number Counter-Representation relates to	Total no. of Counter-Reps
DPSCR/127	MUDPS/89	1

Summary – Original + Addendum
30 issues raised <ul style="list-style-type: none"> Regional Context – 15 issues Local Context – 7 issues Addendum – 8 issues

Representation submissions received in relation to topic area: (Total = 15)

MUDPS/

29, 85, 101, 115, 118, 154, 161, 162, 170, 173, 174, 178, 180, 191, 214

Counter Representations Received: (1)

DPSCR/127

Plan Vision, Objectives, Growth Strategy and Spatial Planning Framework

Plan Vision, Objectives, Growth Strategy and Spatial Planning Framework – Original Topic Paper		
Issue Raised by Representation/s	Rep / element no.	No. of Reps cited against issue
General – 12 issues		
Economic land at Creagh not included within the settlement limit	MUDPS/157/12	1
Plan vision - consider current air controls are in need of improvement.	MUDPS/162/14	1
Paragraph 3.13 of the dPS - what consideration has been given to how technology will help carers in rural areas by the end of the plan period?	MUDPS/162/17	1
HED concerned with regard to Policy Text, Policy Approach and Amplification and Justification Section 8.0 Pages 77 - 90 - significant potential to enable inappropriate development within the countryside - limited options to refuse.	MUDPS/77/258 MUDPS/77/259	1
Argument that a vibrant minerals industry will help improve education, employment and training opportunities.	MUDPS/101/4	1
Objective 1, to build the 3 main towns as hubs is not sound.	MUDPS/99/11 MUDPS/98/8	2
Department state that objective 1 omits reference to growing population of Cookstown, Dungannon and Magherafelt and is not consistent with SPF2 which specifically references need to strengthen them as residential centres.	MUDPS/115/1	1
Current wastewater system capacity constraints in the 3 hubs.	MUDPS/170/1 MUDPS/170/6 MUDPS/170/23 MUDPS/170/24 MUDPS/115/18 MUDPS/115/19	2

Objective 2 to protect and consolidate the role of local towns and villages.	MUDPS/99/14 MUDPS/184/4 MUDPS/185/4 MUDPS/184/9 MUDPS/95/3	5
The Department note Objective 3, but state the approach to perpetuating levels of development in the countryside proportionate to the existing extent of development is not supportive of the change the RDS spatial framework seeks to achieve.	MUDPS/115/3	1
Objective 4 is to provide for 11,000 new homes. This figure should be revised. Recent HGI figures using new dwelling completion data 2010-2015 are strongly under representative due to sluggish economic conditions in this period.	MUDPS/99/12	1
DPS seeks to promote more sustainable patterns of development, the DPS should be amended as set out below to further sustainability. Additional bullet point should be added after 4th bullet in para 3.15 and should read. "To give priority to sustainable locations when identifying land for development and drawing development limits for settlements."	MUDPS/193/1	1
Creating Jobs and Promoting Prosperity – 5 Issues		
Failure to separate extraction of aggregates from mining of precious metals – instead refer to all extractive activity as mining.	MUDPS/162/18	1
Objective 8 not sound under which the success of the plan is being assessed and not based on robust evidence. Creating 8,500 new jobs at a variety of locations, but as economic growth focused on 3 main towns, this will be to detriment of wider district. Growth should be managed and balanced across Mid Ulster as per option1 (the preferred option) of the POP which provides for an equitable split throughout the district.	MUDPS/98/11	1
Objective 8 to facilitate the creation of 8,500 new jobs.	MUDPS/99/13 MUDPS/99/5	1
Contend that minerals is in fact the biggest employer in the primary sector.	MUDPS/101/5 MUDPS/101/6	1
Representations previously made to POP remain relevant to DPS. To provide diversity in the range of jobs recognising the importance of employment in the secondary sector as set	MUDPS/157/1	1

out in the plan objectives. Plan should be updated to reflect existing employment area which form part of the identified settlement.		
Enhancing the Environment and Improving Infrastructure – 7 issues		
<p>The objective to accommodate investment in power, water and sewerage infrastructure and waste management is not supported by the growth strategy/spatial framework - raises challenges in relation to sustainable provision of water and sewerage services to dispersed populations.</p> <p>Approach to residential and economic development in the countryside poses significant challenges in ensuring delivery of services and infrastructure. Doesn't take account of RDS and not support of this Plan Strategy objective regarding accommodation of investment in power etc.</p> <p>Since maximising the use of existing infrastructure and services is central to promoting more sustainable development a new bullet point should be included after the 3rd bullet point under heading "Enhancing the environment.....new bullet point should read "to maximise the use of existing sewerage infrastructure and services"</p>	<p>MUDPS/115/4 MUDPS/115/326 MUDPS/193/2</p>	2
<p>Representation states LDP should contain clear, targeted and focused policies and objectives, which promote renewable energy and enterprise and employment development demonstrating what areas of local economy that renewable energy can assist. (MUDPS/12/2)</p> <p>RES concerned that spatial policies introduced in dps do not accord with DPS objectives. Rather the dps has set out policies that restrict wind farms in all viable parts of the county. MUDPS/96/5</p>	<p>MUDPS/12/2 MUDPS/96/5</p>	2
Sustainable development is mentioned throughout the document however, the DPS does not consider each individual settlement and what makes it sustainable. The DPS's approach to housing need throughout the district is inappropriate and HGIs are unrealistic.	MUDPS/57/1	1

RSPB raise concerns over wording 'to achieve biodiversity' – considers it vague and difficult to measure its effect, subject to interpretation. Inconsistent with legislative provisions-Wildlife & Natural Env. Act (NI) 2011, SPPS and RDS and WANE Act 2011 - they seek to halt the loss of biodiversity	MUDPS/59/1 MUDPS/59/4 MUDPS/59/5 MUDPS/59/6 MUDPS/59/139	1
HED have framed responses around other policies they deem appropriate to impacting on the historic environment. HED not having provided comment on other sections of the DPS should not be considered as an endorsement of proposals.	MUDPS/77/10 MUDPS/77/11 MUDPS/77/12 MUDPS/77/13 MUDPS/77/14 MUDPS/77/15 MUDPS/77/16 MUDPS/77/17 MUDPS/77/18	1
NIEA have advised that Mid Ulster has hydrological links to NI marine area through its river network and is included in a river basin management area that adjoins the sea. Mid Ulster Council should satisfy itself that it has had regard to UK Marine Policy Statement. NIEA advise that the council are legislatively required to make decisions in accordance with marine policy documents/marine plan, unless relevant consideration indicate otherwise - UK Marine Policy Statement is material consideration	MUDPS/167/33 MUDPS/167/34 MUDPS/167/35 MUDPS/167/36	1
DPS fails to align with the national strategy - NI executive 'everyone involved - sustainable strategy' which aims to address global issues such as climate change. Climate change and need for mitigation and adaption is not addressed in any meaningful or coherent way. Plan has no policy on how to reverse our impact on climate change – plan should contain a strategy on how to reverse the impact of climate change.	MUDPS/178/326 MUDPS/178/327 MUDPS/162/20	2

Growth Strategy and Spatial Framework		
Overarching growth strategy and spatial framework comments - 4 Issues		
<p>a) The Community Plan outcomes are not supported by the Plan Strategy and in particular the Growth Strategy and SPF.</p> <p>b) The Spatial Planning Framework fails to have regard to soundness tests, including taking account of Community Plan, and the Department considers that this poses a serious risk to the soundness of the Draft Plan Strategy.</p> <p>c) The limitation in growth which the DPS would result in would run counter to many of the adopted themes in the community plan such as a prosperous economy, vibrant town centres, improving skills etc.</p>	<p>MUDPS/115/15 MUDPS/115/322 MUDPS/115/323 MUDPS/115/324 MUDPS/115/325 MUDPS/143/1</p>	2
<p>a) SPF allocation does not take account of the RDS appropriately with no reference to the employment land availability framework or the housing evaluation framework. SPF1 should be revised, taking appropriate account of the RDS 2035.</p> <p>b) SPF conflicts with the aims of the RDS including supporting sustainable development, improving connectivity, protecting the environment, reducing carbon footprint and promoting urban renaissance through compact urban form. SPF should be revised taking appropriate account of the RDS.</p>	<p>MUDPS/85/4</p> <p>MUDPS/85/5</p>	1
<p>a) Not clear POP advice considered. Accessibility analyses not accurately reflected in DPS. Growth Strategy and Spatial Framework permits substantial proportion of housing to countryside and does not apply principles of integrated landuse and transport.</p> <p>b) Whilst make reference to increasing accessibility in settlements, not clear if made use of accessibility analyses tools. They identify where public transport services operate etc and this approach should be key element of selecting area for growth.</p>	<p>MUDPS/115/251 MUDPS/115/252</p>	1

Although strategy aims to promote a more sustainable approach to provision of water and sewerage services and flood risk management-no mention of the regional guidance 'Sustainable Water, A long-term water strategy for NI' and highlighting its keys aim.	MUDPS/115/274	1
<p>a) Representations previously made to POP remain relevant to DPS. To reflect important role of Creagh site and reflect in protective land use zoning with additional lands to ease the expansion of the factory complex - include lands at Creagh as outlined in POP, to be included within zone to enable site to be developed for economic use.</p> <p>b) Representations previously made to POP remain relevant to DPS. To reflect important role of Kilmascully Road site at Ardboe and reflect in protective land use zoning with additional lands to ease the expansion of the factory complex - include lands at Ardboe as outlined in POP, to be included within zone to enable site to be developed for economic use.</p>	<p>MUDPS/157/4</p> <p>MUDPS/157/5</p>	1
Approach to Phase 2 land release in local towns – 2 Issues		
<p>a) Unclear how Phase 2 land within town tier sit in respect of those in higher tier or if release can be considered across both tiers as part of monitoring. Policy relating to dwelling in the countryside should not be applied to land within settlement limit. Amend Policy HOU1 (i) to include “review of suitability, availability and achievability of Phase 1 sites” and (iii) to state “single dwelling which does not compromise the comprehensive development of the Phase 2 lands”.</p> <p>b) Phase 2 lands are located across both tiers of the hierarchy. Policy provides no indication settlements appropriate for release of Phase 2 land will be selected. Phase 2 lands at Colliers Lane should be supported as an area of sustainable growth. The monitoring section should outline details on reacting in a timely manner to changing circumstances & demand within specific areas. Policy support for the growth of housing at the local town tier should be included, particularly Coalisland.</p> <p>c) Promote Sydney Brown and Son Ltd's phase II housing lands to Phase I housing lands at Derryvale Road, Coalisland.</p>	<p>MUDPS/14/6</p> <p>MUDPS/14/7</p> <p>MUDPS/49/1</p>	2

The aim of achieving “community cohesion” is clearly at odds with the aims to expand the extractive industries.	MUDPS/162/19	1
SPF1 – 4 issues		
<p>Suggests additional criteria to be included when defining settlement limits – should include: boundaries should be defined by defined features, boundaries should be continuous, existing commitments, buildings and commitments should be considered.</p> <p>In the criteria for defining settlements limits it is unclear what is intended by 'increasing accessibility'. Final bullet point refers to 'key route ways' - what are these? They are not on Map 1.1 or in the glossary. Table 1 refers to a survey of the area-cross reference to where this can be reviewed</p>	MUDPS/23/2 MUDPS/115/284	12
Wording of SPF1 is supported however, policies and allocations in the plan do not support a sustainable pattern of development. Show evidence that the RDS broad evaluation framework has informed local housing indicators. Seek confirmation that the settlement appraisals have helped inform the allocation.	MUDPS/115/5	1
Settlement limit for Creagh excludes major area of pre-existing industrial and brownfield land. Ignores long established setting and identity of village. Settlement limits not realistic nor appropriate, and have not considered relevant alternatives. Plan needs updated to reflect existing employment areas which form part of the identified settlement. Should also include modest rounding off to facilitate moderate growth at this site during plan period. Suggested map included in POP submission appended.	MUDPS/157/8 MUDPS/157/9	1
There may be confusion regarding the settlement limits and how they are defined in the DPS. It is assumed the limits have been taken from the extant area plans but clarification is required here. Clarify on the maps accompanying the draft plan strategy that these settlement boundaries are based on the extant plan and will be determined at the LPP to avoid confusion to the reader.	MUDPS/174/4	1
Settlement Hierarchy – 3 issues		
<p><u>Status and growth of local towns</u></p> <p>a) Coalisland should be considered as one of the main towns as it is similar to the size of Magherafelt. Throughout the plan it is compared to that of Maghera however should be</p>	MUDPS/10/1	4

<p>listed as a key settlement. Revise the settlement hierarchy and state Coalisland as a key settlement.</p> <p>b) Appreciate that 3 main towns are designated as hubs however inappropriate to include Coalisland and Maghera within remaining 40% housing allocation with no greater policy provision than smaller settlements/rural housing. Growth at this tier is more sustainable. In terms of identified housing evaluation framework, Coalisland is more sustainable than villages and ideally placed to facilitate an extension to settlement limit, particularly Phase 2 land close to Colliers Lane given the landscape and infrastructure.</p> <p>c) Spatial Planning framework 1 is not based on robust evidence. Furthermore, there is no clear rationale for the revised settlement hierarchy as local towns are not defined within table 1 of the revised types of settlements within the hierarchy. Table 2 of the settlement hierarchy should be revised with Coalisland and Maghera either re-established as main towns, or a local town tier should be included in table 1 identifying why these towns do not fall within the main town or village tiers.</p> <p>d) Unclear how the local town tier of the hierarchy is being promoted above villages, small settlements and rural housing. The DPS fails to provide detail on opportunities for housing in Coalisland at the LPP stage.</p>	<p>MUDPS/14/1</p> <p>MUDPS/98/13</p> <p>MUDPS/14/2</p>	
<p>Magherafelt has incorrectly been named as a "local hub" by the RDS. This is flawed based on errors in the 2001 census. The DPS authors have not taken this into account and have compounded the error and are failing to plan properly for Magherafelt. DPS should correct the population error and redress the disproportionate provision.</p>	<p>MUDPS/25/1</p>	<p>1</p>
<p>a) Welcome the identification of Derrytresk as a new small settlement in the DPS. Ask that MUDC move to identify a settlement limit of Derrytresk ASAP in consultation with the local community.</p> <p>b) Question the assumption of approximately 11 households within the proposed new settlement limit of Derrytresk. Until a settlement limit has been agreed it is difficult to identify how many households are within it. Until a settlement limit has been agreed it is difficult to identify how many households are within it.</p>	<p>MUDPS/177/2</p> <p>MUDPS/177/3</p>	<p>1</p>

SPF2 – 10 Issues		
<p><u>Concerns with approach to economic development allocation</u></p> <p>a) The distribution of economic land proportionately between 3 main towns is not an accurate reflection of market demand. Demand for economic land within Dungannon. The land surrounding DEC has existing provision of services and infrastructure. Rep refers to a specific site adjacent to the DEC to be considered for economic development zoning as an existing serviced site with evidence base to support expansion. This is a more logical approach than the interim supply identified in the DPS.</p> <p>b) Object to the allocation of specific lands through the DPS because these matters should be dealt with through the LPP therefore it is procedurally unsound to identify individual parcels of land through the DPS. Lands at Dungannon and Granville should not be zoned until the LPP stage of the plan.</p> <p>c) SPF2 identifies land at Dungannon and Granville but fails to identify a need in Cookstown. The DPS must take a consistent and coherent approach across the whole district and the proper place for identification of lands is LPP.</p> <p>d) Strongly contest the allocation of economic lands in Dungannon and Granville - The gestation period for the uptake of industrial land to become occupied is longer than other developments - council's assessment is not effective based on physical uptake. Remove the proposed new economic zonings at Dungannon and Granville, to be considered at the LPP stage only.</p> <p>e) The DPS and accompanying background papers provide no robust evidence of the shortage/immediate need for economic lands at these locations. Remove the proposed new economic zonings at Dungannon and Granville, to be considered at the LPP stage only.</p> <p>f) Insufficient economic development land zoned in Dungannon which is restricting business expansion and employment plans.</p>	<p>MUDPS/53/1</p> <p>MUDPS/192/2</p> <p>MUDPS/192/3 MUDPS/192/4</p> <p>MUDPS/127/1</p> <p>MUDPS/127/2</p> <p>MUDPS/4/1</p>	<p>4</p>

<p><u>Status of Interim Supply of Economic Development Land</u></p> <p>a) It is considered unclear whether the interim supply of land for economic use at Dungannon and Granville forms part of the 170 ha of land to be zoned for economic use or is in addition to the strategic allocation. (MUDPS/56/1, MUDPS/56/8)</p> <p>b) Will the 170ha be in addition to the existing provision made in the currently extant plans or will it include as yet undeveloped elements of those zonings and designation (as identified in the Industrial Land use Monitor) in that figure (MUDPS/190/1)</p> <p>c) How will the interim zonings be considered during the LPP stage? Will the interim zonings be subject to the same rigorous assessment as the other land use zonings? (MUDPS/190/2)</p>		
<p><u>Concerns with approach to housing growth/allocation and approach to HGIs</u></p> <p>a) SPF2 welcomed but not consistent with objective re hubs. Considered in round the DPS policies and allocations run counter to achieving it. Allocation of 30% to hubs is not sufficiently ambitious and not support RDS. Evidence on Economic Zones not clear. Update evidence on housing allocation to account for period since POP. Consider whether range of growth 30-60% provides required certainty. Allocations should reflect or account for commitments. Urban Capacity Study needed. (MUDPS/115/6)</p> <p>b) Concern previously raised in RSPB response to POP regarding 60% of housing growth being accommodated on brownfield lands- that this should have been better reflected in the MUDC LDP to achieve general conformity with RDS. SPF 2 should be amended to explicitly state the 60% brownfield target for accommodating housing growth within 3 main towns & incl. brownfield land as a criterion for priority identification across the settlement hierarchy per se to comply with RDS/SPPS. (MUDPS/59/7)</p> <p>c) The dPS has failed to take into account RG8 of the RDS (incl. the 60% Brownfield target) & also the Housing Evaluation Framework as contained within Table 3.2. SPF 2 should be amended to explicitly state the 60% brownfield target for accommodating housing growth</p>	<p>MUDPS/115/6 MUDPS/59/7 MUDPS/59/8 MUDPS/59/9 MUDPS/59/10 MUDPS/59/11 MUDPS/59/12 MUDPS/59/13 MUDPS/59/15 MUDPS/56/3 MUDPS/56/4 MUDPS/56/5 MUDPS/56/6 MUDPS/56/7 MUDPS/60/10 MUDPS/171/3 MUDPS/172/3 MUDPS/192/5</p>	<p>12</p>

<p>within 3 main towns & incl. brownfield land as a criterion for priority identification across the settlement hierarchy per se to comply with RDS/SPPS. (MUDPS/59/8)</p> <p>d) Concern that dPS undermines the objective of the Planning NI Act 2011 which is to secure the orderly & consistent development of land whilst furthering sustainable development. SPF 2 should be amended to explicitly state the 60% brownfield target for accommodating housing growth within 3 main towns & incl. brownfield land as a criterion for priority identification across the settlement hierarchy per se to comply with RDS/SPPS. (MUDPS/59/9)</p> <p>e) Concern regarding Brownfield land not being a priority for accommodating growth- had raised concern previously in response to POP regarding Urban Capacity Studies being key to informing Councils position on this issue- Urban capacity study not been done. SPF 2 should be amended to explicitly state the 60% brownfield target for accommodating housing growth within 3 main towns & incl. brownfield land as a criterion for priority identification across the settlement hierarchy per se to comply with RDS/SPPS. (MUDPS/59/10)</p> <p>f) Concern regarding housing allocation. RSPB had previously stated in their response to the POP that Option 2 -60% of new housing being located in brownfield sites within the urban footprint of the 3 main hubs was best option. HGI figures across the settlement hierarchy incl. the countryside need to be reconciled against the Plans stated HGI of 11,000 in order to comply with principles of furthering sustainable development within RDS & SPPS. (MUDPS/59/11)</p> <p>g) Appendix 1 illustrates real danger that the Districts HGI of 11,000 could far be exceeded during the plan period-potential for significant over-provision in housing allocation over plan period. HGI figures across the settlement hierarchy incl. the countryside need to be reconciled against the Plans stated HGI of 11,000 in order to comply with principles of furthering sustainable development within RDS & SPPS. (MUDPS/59/12)</p> <p>h) Highlights tension between delivering ever-increasing amounts of housing & safeguarding finite environmental capacity-LDP should ensure this & not burden environment</p>	<p>MUDPS/95/4 MUDPS/124/1 MUDPS/124/2 MUDPS/124/3 MUDPS/124/4 MUDPS/162/5 MUDPS/171/1 MUDPS/172/2 MUDPS/184/7, MUDPS/185/7</p>	
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<p>with more housing than actually needed. Growth should be based on a robust evidence base. HGI figures across the settlement hierarchy incl. the countryside need to be reconciled against the Plans stated HGI of 11,000 in order to comply with principles of furthering sustainable development within RDS & SPPS. (MUDPS/59/13)</p> <p>i) Concern regarding LDP significantly exceeding its stated HGI figure. Housing growth / allocations should be based on a robust evidence base. Refers to SPPS, para 3.3 'facilitating sustainable housing growth in response to changing housing need'. HGI figures across the settlement hierarchy incl. the countryside need to be reconciled against the Plans stated HGI of 11,000 in order to comply with principles of furthering sustainable development within RDS & SPPS. (MUDPS/59/15)</p> <p>j) Unclear achievability of 60% HGI allocation to hubs when 32.7% is apportioned to remaining settlements and 40% to the countryside. Unclear how committed units will be considered and how this will impact on phasing & achieving balanced growth. (MUDPS/56/3 MUDPS/56/4 MUDPS/56/5 MUDPS/56/6 MUDPS/56/7)</p> <p>k) SPF2 outlines the hope for the 3 main hubs to double the % of the district households from 30% to 60%. Without key evidence to support the proposed density figures it is unclear how coherent the DPS is and the policies which flow from it. Reconsider the evidence base for SPF2. (MUDPS/60/10)</p> <p>l) Paragraph 4.15 and 4.16 do not represent a coherent strategy and indicate that only 30% of the housing growth could be allocated to the main towns in the first instance. Should it be the case of only 30% of housing land being allocated to the main towns in the first instance, lotus housing state that phase 2 land should be zoned to act as a land reserve and should be additional to the stated housing growth figure. (MUDPS/171/3, MUDPS/172/3)</p> <p>m) Object to a phased approach of housing land allocation because it will create unnecessary limitations to growth over the plan period. (MUDPS/192/5)</p>		
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<p>n) DPS has not taken full account of SPPS requirements particularly the need to provide 5 year housing land supply. HGI is based on recessionary trends & fails to make an allowance for housing provision shortfall, land not being released or delay in adoption. Review HGI allocation. Over-zoning allowance should be made to ensure Maghera has sufficient housing land should LDP extend beyond end date. 5 year housing land supply must take account of committed sites, lead-in times, build rates & availability of land. MUDPS/95/4</p> <p>o) The Council's current approach to housing allocations is contrary to all of the objectives and policies defined in the RDS's narrative around hubs and clusters, the rural area and gateways and corridors. Present a DPS which describes a site selection process, which begins with a study of the built form of each settlement, consider what makes each community sustainable and use a site selection evaluation framework which is flexible and realistic MUDPS/124/1.</p> <p>p) The evidence base for the allocation of housing as set out in appendix 1 is not robust and is outdated - sites which are seen as committed have been seen as such since the Magherafelt Area Plan and have yet to perform. MUDPS/124/2</p> <p>q) Due to the lack of robust evidence base and the reliance on HGIs, it is unclear how this plan can be implemented and monitored - the sustainability of each individual settlement has not been considered. (MUDPS/124/3)</p> <p>r) The plan at present is not flexible in that it does not allow for changing circumstances, e.g. new families to move to settlements, new households have no opportunity to set up home in the settlement etc. (MUDPS/124/4)</p> <p>s) No evidence provided to back up housing allocations. (MUDPS/162/5)</p> <p>t) Lotus Homes conclude that the housing allocations and figures are incoherent and do not logically flow throughout the document. Plan should allow for at least 60% of housing growth to be allocated to the main towns equating to 6,600 additional dwellings without restriction or phasing. (MUDPS/171/1, MUDPS/172/2)</p>		
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<p>u) Comprehensive review of zoning and extant permissions should be carried out at Local Policies stage of the Plan preparation and Appendix 1 amended appropriately. (MUDPS/184/7, MUDPS/185/7)</p>		
<p><u>SPF 2 conflicts</u></p> <p>a) SPF2 conflicts with SPF1. SPF1 suggests growth is spread across all settlements in the district. SPF2 plans to focus growth on the 3 main hubs. Coalisland classed as non-rural (page 23 of DPS), but not included as hub for focussed growth. Reconsider the focus of growth only to the three main hubs. Growth should be managed and balanced across mid ulster as per option 1 of the POP which provides for an equitable split throughout the district. (MUDPS/98/2)</p> <p>b) SPF2 fails to satisfy the test of soundness CE2 in that suitable growth across the district has not been distributed. This will have implications on towns such as Coalisland, with a detrimental effect on vitality and viability as growth will be limited. Reconsider the focus of growth only to the three main hubs. Growth should be managed and balanced across mid ulster as per option 1 of the POP which provides for an equitable split throughout the district. (MUDPS/98/3, MUDPS/98/4)</p> <p>c) SPF2 in conflict with SPF1 which stipulates growth should be balanced across Mid ulster. POP also states if housing growth focused on hubs, stricter controls would be needed on houses in the countryside, having a detrimental effect on rural communities. Provide an equitable split across the district as per the preferred option within the POP. (MUDPS/99/2)</p>	<p>MUDPS/98/2 MUDPS/98/3 MUDPS/98/4 MUDPS/99/2</p>	<p>2</p>
<p><u>HGI figure and Background Evidence</u></p> <p>Projected housing growth of 11,000 homes over the plan period is not flexible or robust, and would not be able to respond to unexpected growth. The housing growth figure should be revised to use the previous HGI as the base and apportion the uplift on a pro rate basis across the settlements. (MUDPS/99/3)</p>	<p>MUDPS/99/3 MUDPS/99/4 MUDPS/171/4 MUDPS/172/4 MUDPS/67/2 MUDPS/93/2 MUDPS/67/3</p>	<p>9</p>

<p>The 11,000 new homes is 6.3% reduction in HGI figure previously allocated to the 3 legacy councils. Also recent HGI figures using new dwelling completion data 2010-2015 are strongly under representative due to sluggish economic conditions in this period. The housing growth figure should be revised to use the previous HGI as the base and apportion the uplift on a pro rate basis across the settlements. (MUDPS/99/4)</p> <p>In allocating 11000 new dwellings for housing growth the DPS focusses solely on the revised HGI figures published in May 2016. Council should only use this as a guide. Lotus housing believe the total of homes provided by 2030 should be 14,610. Should it be the case of only 30% of housing land being allocated to the main towns in the first instance, lotus housing state that phase 2 land should be zoned to act as a land reserve and should be additional to the stated housing growth figure. (MUDPS/171/4, MUDPS/172/4)</p> <p>The DPS is founded on policies designed to limit growths of towns & villages in Mid Ulster. The DPS defines a housing local indicator and records committed units without considering services needed for sustaining a community. Consider the sustainability of local communities rather than setting local housing indicators as a top-down methodology. (MUDPS/67/2) MUDPS/93/2</p> <p>The DPS relies on flawed evidence. The housing position paper which informed the DPS lacks robustness as it uses statics during a period of recession and economic stagnation. Rep notes Mid Ulster has the highest mean household size in NI. Representation states the DPS should plan for additional housing sufficient to bring the mean household size in Mid Ulster down toward the NI average. (MUDPS/67/3) MUDPS/93/3</p> <p>There is no definition in the DPS for 'committed units' in relation to housing making it opaque to most readers of the document. Provide a definition of committed units in order to provide transparency for readers. (MUDPS/75/1)</p> <p>The Council's housing monitor information is not published alongside the DPS making it difficult for the public to understand what the context of committed units is and where those</p>	<p>MUDPS/93/3 MUDPS/75/1 MUDPS/75/2 MUDPS/75/3 MUDPS/93/5 MUDPS/38/1 MUDPS/46/2 MUDPS/9/1</p>	
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<p>are located. The evidence base must be much more robust and transparent for users. Therefore the housing figures must be reviewed. (MUDPS/75/2)</p> <p>The DPS is founded on statistics about the district's existing housing figures which are inaccurate. If these inaccuracies are adopted would misguide the makers of the LPP and lead to harmful outcomes which are harmful to the district. (MUDPS/75/3)</p> <p>In 63 of 85 settlements studied the committed sites are equal to or exceed the LHI. The evidence base which leads to that conclusion cannot be safely relied upon & the entire policy platform which from any conclusions about oversupply is inappropriate. (MUDPS/93/5)</p> <p>Rep refers to specific phase 2 lands within the current settlement limit of Cookstown, they are requesting this land is rezoned as phase 1 housing land. (MUDPS/38/1)</p> <p>Promote Mr. Faulkner's phase II housing lands to Phase at Sandholes Road, Cookstown.(MUDPS/46/2)</p> <p>Mr. Stewart has lands which are currently zoned as phase 2 housing lands at Cookstown Road, Dungannon and would like these to be made phase 1 housing lands in the new plan. (MUDPS/9/1)</p>		
<p>In accordance with growth strategy, supports continued allocation of land for housing development at Ballyronan Road, with modest extension. This land has good access, can avail of existing infrastructure, not impact on character of town, etc. (MUDPS/100/6)</p> <p>Although support commitment in Paragraph 4.16 to ensure at least 30% of the HGI remains available, given outline planning approval for this site (LA09/2018/0246/O), this land should be phase 1 housing land. Zone this site at Ballyronan Road, Magherafelt, as phase 1 housing land, due to outline planning permission already approved. (MUDPS/100/8)</p>	<p>MUDPS/100/6 MUDPS/100/8</p>	<p>1</p>
<p>Tables in appendix 1 set out the current availability of housing land in settlements. This assessment does not take account of evidence base provided by survey of zoned housing</p>	<p>MUDPS/171/5 MUDPS/172/5</p>	<p>2</p>

lands referenced at page 21 and appendix 3 of the POP Pub. Con. Report. These figures should be revised and based upon a robust evidence base. Further consideration needs to be given to the overall plan to ensure all elements read together coherently. (MUDP/171/5, MUDPS/172/5)		
<p>Appendix 1 refers only to committed sites. The evidence to show HGIs can be achieved within the current Phase 1 zonings is too simplistic. A reassessment of existing zoned sites is required as it is unclear if de-zoning of phase 2 lands is proposed.</p> <p>The current extant area plans fall short of the compact urban forms advocated by RDS and SPF1 of DPS. Most likely due to lack of zoned land being released for whatever reason. HGI can only be achieved where land is released. Mechanism for flexibility to ensure housing land supply has real intent of release and development prospects. Re-examine current zoned land and where practicable remove stagnant land. Replace existing phase 2 with phase 1 and preference to adjoining lands.</p>	MUDPS/14/4 MUDPS/158/1 MUDPS/158/8	2
<p><u>Concerns over lack of accessibility and transport considerations</u></p> <p>Department provided response to POP indicating need to target growth where infrastructure in place or planned. Expected council to take account of this in DPS as policy consideration for selecting zoned housing land. Recognise ref to access to public transport but allocation should take account of existing infrastructure and requirement for developers to deliver to facilitate housing. (MUDPS/115/134)</p> <p>The economic development policies (SPF2, ECON1 and ECON2) do not appropriately apply principles of integrated land use and transport. Demonstrate the principle of integration of land use and transport is given appropriate consideration in identification of their growth strategy, housing allocations and economic policies. (MUDPS/115/253)</p> <p>Accessibility analyses has shown some of the sites for economic development at Granville/Dungannon as 'fair' or 'poor' walk/cycle and public transport. This does not support objective "to facilitate the creation of at least 8,500 new jobs..." Demonstrate principle of integration of land use & transport is given consideration in growth strategy, housing</p>	MUDPS/115/134 MUDPS/115/253 MUDPS/115/259 MUDPS/115/263 MUDPS/115/285 MUDPS/115/286 MUDPS/118/6 MUDPS/115/275	1

<p>allocation & economic policies. Amend to better reflect Dept research on provision of cycle infra. Include policy on park & ride/share & car park. (MUDPS/115/259)</p> <p>SPF2 does not appropriately consider accessibility analyses and transport implications. Does not flow coherently from objective "to improve connectivity..." as will potentially accentuate need to travel. Demonstrate principle of integration of land use & transport is given consideration in growth strategy, housing allocation & economic policies. Amend to better reflect Department research on provision of cycle infra. Include policy on park&ride/share & car park. (MUDPS/115/263)</p> <p>Noted council plan to distribute economic zonings equitably across 3 towns. On what basis is this being done? Has current transport accessibility been considered? Accessibility Analyses has not be appropriately reflected in DPS. (MUDPS/115/285)</p> <p>Walking and cycling accessibility should be afforded priority. Note flexible approach on community facilities, recreation and open space-should acknowledge these are significant trip attractors-consider accessibility by all modes. (MUDPS/115/286)</p> <p>Increasing housing density levels will be key to achieving SPF2 to focus growth within the 3 main hubs. However, in the absence of evidence supporting the proposed density figures it is unclear how coherent the DPS is and policies which flow from it. (MUDPS/118/6)</p> <p>Welcomed that land to be zoned for housing priority must avail of existing infrastructure. When zoning land for housing council should liaise with NI Water to determine if available capacity. Ref to SUDs need further clarity and reference 2016 legislation. (MUDPS/115/275)</p>		
<p><u>WWTW Considerations</u> MUDC should be mindful of temporary or permanent constraints e.g. capacity or encroachment of existing infrastructure -water/waste/sewerage. (MUDPS/170/9)</p>	<p>MUDPS/170/9 MUDPS/170/10 MUDPS/170/11 MUDPS/170/15 MUDPS/115/282</p>	<p>2</p>

<p>MUDC should be mindful that there may be compatibility of development issues in proximity to existing infrastructure facilities such as WWTWs (Odour Consultation Zones) NI Water shall provide advice through planning applications/ Pre-Dev Enquiries etc. (MUDPS/170/10)</p> <p>Add to bullet point 'Avoid flood risk' to include text around suitable landscaping opportunity for sustainable drainage (MUDPS/170/11, MUDPS/170/15)</p> <p>Utility paper is welcomed. WPDD have discussed the issued with NI Water who have concerns about the level of development in the main hubs where there are network and capacity constraints. NIW are concerned about the growing number of houses outside main settlements. In the hubs, consider wastewater treatment capacity when zoning land and also adopt a phased approach to development. Ensure important two-way communication going forward. (MUDPS/115/282)</p>		
SPF3 – 5 issues		
<p><u>Growth of local towns</u> NIHE would like to see the spatial strategy positively direct further growth to the main and local towns rather than simply continuing current trends of housing growth in the countryside. Review SPF3 and provide more flexibility and a different approach to current policy. (MUDPS/85/8)</p> <p>SPF3 is contrary to SPF1. SPF1 suggests growth is spread across all settlements. SPF3 only allows for consolidated growth. DPS states Coalisland is capable of accommodating further growth. Only allowing consolidated growth is unfitting and inconsistent. Growth should be managed and balanced across Mid ulster as per option1 (the preferred option) of the POP which provides for an equitable split throughout the district. (MUDPS/98/5)</p> <p>Amend SPF 3 to state “expand” instead of “consolidate” and replace “in keeping with the scale and character of these settlements” with “in line with their role in the settlement hierarchy and the principles of sustainable development”. (MUDPS/14/2)</p>	MUDPS/85/8 MUDPS/98/5 MUDPS/14/2 MUDPS/95/5 MUDPS/98/6	4

<p>Insufficient flexibility for housing grown in Maghera as there is under provision. A rational allocation of HGIs to Maghera of 5-8% show there is inadequate housing land available for the town to meet even the current modest need estimated. Maghera should be allocated 5-8% of the HGI in order to satisfy demands for housing. Rep refers to a specific site in Maghera for zoning stating this land is consistent with Council criteria for selecting sites and are suitable for housing development. (MUDPS/95/5)</p> <p>SPF3 fails to satisfy CE4 in that only consolidating growth within Coalisland and Maghera does not allow for flexibility with changing circumstances throughout the plan period. Growth should be managed and balanced across Mid Ulster as per option1 (the preferred option) of the POP which provides for an equitable split throughout the district. MUDPS/98/6</p>		
<p><u>Economic Zoning</u></p> <p>Welcome consolidation of local towns but for housing they receive less than their commitments and residual zonings. Note not zoning economic land in local towns-decision to zone should be informed by evidence-will extant plan zonings be carried forward. Show how we have taken account of existing housing commitments in allocating. Be satisfied that Policy ECON1 will be sufficient for local towns. (MUDPS/115/7)</p> <p>There is friction between SPF2 and SPF3 - SPF3 states that the plan will consolidate the role of local towns Maghera and Coalisland however paragraph 4.12 implies economic land will be allocated in the main towns and elsewhere has not been confirmed. (MUDPS/137/2)</p> <p>Paragraph 4.21 – there is no specific allocation of land made to either town as schemes in the main are expected to be private sector led. Invest NI would like clarification on how this relates to the existing zonings in the extant plans, will existing areas retain or lose their industrial/economic zoning or designation? If the latter, it is a departure from SPPS and PPS4, PED7. (MUDPS/190/3)</p> <p>Unclear what 'improved access is'. Noted position re no economic land to two local towns-should Plan not be providing a level of certainty to industry by guiding location. (MUDPS/115/288)</p>	<p>MUDPS/115/7 MUDPS/137/2 MUDPS/190/3 MUDPS/115/288</p>	<p>3</p>

<u>Access and Travel</u> Appears council making no attempt to re-balance the distribution of housing - issues re travel times to acute hospital etc will therefore continue. (MUDPS/115/289)	MUDPS/115/289	1
<p>Representation relates to a specific site which is subject to a current planning application - the group object to any attempt to re-zone or re-categorise this area of open space. group assumed no immediate threat of losing this amenity during pop consultation given the POP stated 10 hectares of industrial land was available & recommended enhanced protections under its objectives for such sites of open space. (MUDPS/116/1)</p> <p>Rep states group assumed no immediate threat of losing this amenity during pop consultation given the POP stated 10 hectares of industrial land was available & recommended enhanced protections under its objectives for such sites of open space. (MUDPS/116/2)</p> <p>Rep states the site meets definition of open space as outlined in RDS and a park is a more sustainable use. RDS also states 'high quality landscape proposals have been proven to benefit the economy'. (MUDPS/116/3)</p> <p>Rezoning this area of open space will remove an existing shared space and reduce opportunities for community integration within Maghera which conflicts with the core planning principle of SPPS creating and enhancing shared space. (MUDPS/116/4)</p> <p>Query the evidence base to identify this site as potential for economic development which is within a flood plain & while existing business parks remain vacant. This assumes priority over loss of open space and could exacerbate existing town congestion. (MUDPS/116/5)</p>	MUDPS/116/1 MUDPS/116/2 MUDPS/116/3 MUDPS/116/4 MUDPS/116/5	1
Maghera High School Site & Coalisland Clay Works site- states that separation of old drainage systems at sites will be essential & that large open spaces should consider landscaped SuDS to regulate the flow of surface water within sites. (MUDPS/170/12)	MUDPS/170/12	1
SPF 4 – 8 Issues		

<p><u>Evidence/Figures</u></p> <p>THE FIGURES FOR COMMITTED UNITS IN GULLADUFF AND INDEED FOR OTHER SETTLEMENTS HAVE CHANGED SINCE THE PUBLICATION OF THE POP AND THIS SHOWS THE EVIDENCE BASE IS NOT ROBUST. (MUDPS/65/1)</p> <p>Draperstown cannot fulfil the plan objectives in para 3.15 - the number of committed dwellings is incorrect as planning permissions have lapsed and the sites that did get permission have shown no evidence of commencing work on the sites. The council should review its housing figures for Draperstown as the numbers predicted are unrealistic. (MUDPS/60/1)</p> <p>SPF 4 is formulated on outdated evidence and no evidence suggests how the policy would respond to changing circumstances throughout the plan period. Gather more up to date and robust evidence for SPF 4. (MUDPS/60/2)</p> <p>With respect to Moneymore which is identified as a village, Farrans note that information used to inform the DPS - Housing Monitor and the Strategic Settlement Appraisal is outdated as it dates back to 2014. Council should prepare an up to date Housing Monitor and Capacity Study to provide an accurate understanding of the level of remaining capacity which has reasonable expectation of being delivered to ensure the strategic aim of the policy can be delivered. (MUDPS/78/2, MUDPS/78/3)</p> <p>The evidence base with regard to the disused quarry in moneymore is outdated - does not address the recent planning permissions for Phase 2 housing and fails to appreciate regeneration potential of the site e.g. walk trails, housing, heritage trails etc. The settlement evaluation for Moneymore should be updated to reflect recent developments and consideration should be given to the proposal detailed by Farrans in Appendix 1 of their submission. (MUDPS/78/4)</p> <p>APD'X 1 UNSOUND - IT IS BASED ON OUT OF DATE INFORMATION. THE REP STATES THAT HALF OF THE PLANNING PERMISSIONS REFERRED TO FOR DRAPERSTOWN HAVE LAPSED AND THERE IS NO EVIDENCE OF OTHERS HAVING BEEN STARTED.</p>	<p>MUDPS/65/1 MUDPS/60/1 MUDPS/60/2 MUDPS/78/2 MUDPS/78/3 MUDPS/78/4 MUDPS/147/2 MUDPS/93/4</p>	<p>5</p>
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<p>ALSO, THE HOUSING MONITOR IS ALMOST 5 YEARS OLD. ENCOURAGE THE COUNCIL TO PREPARE AND UP TO DATE HOUSING MONITOR. REQUEST THAT FLEXIBILITY IS BUILT INTO PARA 4.27 TO ALLOW FOR NEW RESIDENTIAL DEVT. IF SITES WHICH HAVE PP. DO NOT COME FORWARD FOR DEVELOPMENT. (MUDPS/147/2)</p> <p>The DPS erroneously refers to a "committed site" in Dunnamore subject to a planning application with no planning approval or evidence of commenced development. We fear a similar lack of rigour will have applied elsewhere across the district. (MUDPS/93/4)</p>		
<p><u>Extension of Settlement Limits</u> Extension to Ardboe settlement limit required to accommodate need for extra housing and to create a more defined boundary. (MUDPS/2/1)</p> <p>Housing Growth indicators need to be reconsidered as 0.45% for Ardboe is low and the number of units still to be developed needs to be reviewed. (MUDPS/2/2)</p> <p>THERE IS A LARGE DISPARITY IN SETTLEMENTS WHICH ARE SIMILAR IN SIZE, REGARDING THE ABILITY TO GROW AND THE AVAILABILITY OF COMMITTED UNITS. THIS WILL AFFECT THE CAPABILITY OF SETTLEMENTS TO GROW IN A "BALANCED" WAY AS PER SPF 1. (MUDPS/65/2)</p> <p>The allocation of housing indicators for gulladuff is unsound and more land is needed to accommodate housing in the settlement. The rep puts forward the site shown in figure 3 as a candidate site for extension of the S/L. Include land indicated on the REP within Gulladuff Settlement Limit. (MUDPS/165/3)</p> <p>Gulladuff should receive a higher share of the HGI because it performs above average in all the elements which are set out in the RDS as being relevant to role and function of settlements. DPS fails to take account of RDS housing framework (MUDPS/165/2)</p>	<p>MUDPS/2/1 MUDPS/2/2 MUDPS/65/2 MUDPS/165/3 MUDPS/165/2 MUDPS/186/6 MUDPS/187/6 MUDPS/188/6 MUDPS/193/5 MUDPS/152/4 MUDPS/152/5</p>	<p>8</p>

<p>In order to fulfil SPF4 to maintain and consolidate the role of the villages as local service centres providing opportunity for employment, consideration should be given to zoning an appropriate amount of land within villages such as Aghinduff/ Cabragh and Benburb.. (MUDPS/186/6, MUDPS/187/6, MUDPS/188/6)</p> <p>Gulladuff housing allocation should be significantly increased given its community facilities, proximity to major employer and new WWTW which is increasingly rare in NI where more than 40 WWTW's have no spare capacity and 20 nearing capacity (MUDPS/193/5)</p> <p>As per appendix 1, after deducting 18 committed sites it is expected 26 units are required in Clady throughout the plan period. Development within villages maintain a rural sense of place. Rep also relies on POP submission for land at Glenroe road Clady. (MUDPS/152/4, MUDPS/152/5)</p>		
<p><u>Economic Zoning</u></p> <p>Reference is made in paragraph 4.26 that the Council do not intend to reserve land for housing or economic development unless there is an exception - does this mean the Council has no intention of zoning land for such uses? This will inhibit flexibility. Farrans seek clarification as to whether Council is stating that there is no intention to zone sites for housing development. If so, the council would need to introduce some degree of flexibility as SP4 at present could not deal with changing circumstance. (MUDPS/78/1)</p>	MUDPS/78/1	1
<p><u>Role of villages</u></p> <p>NIHE has concerns with the suggestion that there will be flexibility to accommodate development outside the settlement limits - this goes against the principles of sustainable development. This SPF should be reviewed to become in line with the current principles of sustainable development and any reasons for moving away from these principles should be based on a sound evidence base. (MUDPS/85/9)</p> <p>NIHE disagree with paragraph 4.25 which states that villages are not appropriate locations for key services and transport routes for people who live in the open countryside - villages</p>	MUDPS/85/9 MUDPS/85/10 MUDPS/115/290 MUDPS/147/1 MUDPS/152/1	4

<p>are an important part of the settlement hierarchy. This reference to villages should be omitted. (MUDPS/85/10)</p> <p>Clearer wording needed on the role of villages - wording contradictory at present. (MUDPS/115/290)</p> <p>THIS PARAGRAPH IS CONFUSING AS IT STATES THAT VILLAGES ARE IMPORTANT SERVICE CENTRES, BUT NOT KEY SERVICE CENTRES. NOT ALL SETTLEMENTS HAVE THE SAME ROLE OR CAPACITY AND SOME (DRAPERSTOWN) ARE MORE CAPABLE OF ACCOMODATING GROWTH THAN OTHERS. REVIEW AMBIGUITY RE: THE ROLE AND FUNCTION OF VILLAGES AS SERVICE CENTRES. REVIEW EVIDENCE BASE TO ENSURE CORRECTLY TAKES ACCOUNT OF THE ROLE AND FUNCTION OF SETTLEMENTS. AMEND SPF 4 TO INCLUDE REFERENCE TO COMMUNITY / EDUCATION/ CULTURAL USES. (MUDPS/147/1)</p> <p>SPF 4 is in general conformity with the rds. However para 4.26 would seem to be at odds with protecting opportunities for housing within villages. Housing needs to be provided in some settlements, each village should be assessed on its own merit. ongoing monitoring to ensure zoned residential land is developed, whereby within 5 years it is required intent to develop is demonstrated or risk re/dezoning. This would form part of ongoing implementation process & allow flexibility for change. (MUDPS/152/1)</p>		
<p><u>Growth of villages</u></p> <p>Strategy indicates growth in villages will be proportionate to current size and level of services. This basic calculation does not take into account some villages have greater range of services and provide for more sizeable rural hinterland. Those villages with better services should be afforded housing generous allocations which allow for a range and choice of housing locations to serve the local community. (MUDPS/100/9)</p> <p>Appendix 1 shows that as Bellaghy has 0.8% of population, the HGI share will be 0.8%. This belies the fact Bellaghy performs significant local function with greater range of community facilities and services than majority of other villages. Those villages with better services</p>	<p>MUDPS/100/9 MUDPS/100/10 MUDPS/100/11 MUDPS/128/1 MUDPS/138/3 MUDPS/152/2 MUDPS/152/3 MUDPS/184/5 MUDPS/185/5 MUDPS/187/5</p>	<p>7</p>

<p>should be afforded housing generous allocations which allow for a range and choice of housing locations to serve the local community. (MUDPS/100/10)</p> <p>Suggestion that smaller settlements should be allocated proportionate growth figures to those with a much greater range of services undermines the RDS objectives to ensure development and growth is located in sustainable locations. Those villages with better services should be afforded housing generous allocations which allow for a range and choice of housing locations to serve the local community. (MUDPS/100/11)</p> <p>Appendix 1 Housing Local indicators and economic local indicators, provides a housing local figure of only 9 units with no consideration or rating given to the level of services on offer as per policy text. Revise housing local indicators for villages in recognition of the services provided in conjunction to the percentage of existing households. (MUDPS/128/1)</p> <p>IVM 034 is supportive of appendix 1 however believe the 44 units indicated for Clady is not enough given its reclassification from a small settlement into a village. An increased HGI would increase flexibility for future development here. Increase the allocation of houses for Clady to ensure flexibility. (MUDPS/138/3)</p> <p>As per appendix 1, 264 committed sites remain in Bellaghy. A large proportion of zoned land has not been developed with no intent. This should not be carried through in the LDP. Rep also relies on POP submission for land adjoining Hunters Park, Bellaghy. (MUDPS/152/2, MUDPS/152/3)</p> <p>Given that villages have a greater level of services than small settlements, a greater percentage of Housing allocation should be awarded to villages with greater than 120 houses at the expense of small settlements. (MUDPS/184/5, MUDPS/185/5)</p> <p>It is considered that in order to maintain and sustain the existing level of services within villages such as Benburb, a greater level of housing should be allocated to the villages at the expense of rural housing. (MUDPS/187/5)</p>		
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LACK OF EVIDENCE PROVIDED ON THE NEED FOR SOCIAL HOUSING THROUGHOUT THE STRATEGY. (MUDPS/162/28)	MUDPS/162/28	
<p>SPF4 should be expanded to make it clear that sustainable sites will be given priority when identifying land for development and drawing development limits for settlements at Local Policies Plan stage. (MUDPS/193/3)</p> <p>Settlement limits for all settlements identified at Table 2 of the DPS will be</p>	MUDPS/193/3	
<p><u>WWTW Capacity</u> Paper is welcomed. WPDD have discussed the issued with NI Water who have concerns about the level of development in the main hubs where there are network and capacity constraints. NIW are concerned about the growing number of houses outside main s'tments. In the hubs, consider wastewater treatment capacity when zoning land and also adopt a phased approach to development. Ensure important two-way communication going forward. (MUDPS/115/282)</p> <p>Concerned that waste water treatment capacity is a limiting factor for development in many smaller rural settlements where housing need is present and development may be required over the plan period. DPS should consider zoning additional or bigger land parcels for housing where there are WWTW capacity issues so that alternative solutions (such as reed beds) are a feasible option for private and social housing development. (MUDPS/66/5)</p> <p>States draft plan contains growth outside of the 3 hubs but does not identify where predicted growth to occur. Issue must be considered in more detail in plan as wastewater system capacity should be a key consideration when zoning land for development. (MUDPS/170/2)</p>	MUDPS/115/282 MUDPS/66/5 MUDPS/170/2	
SPF5 – 4 issues		
<p><u>Too restrictive</u> Restrictive scope for development within small settlements (single houses and groups up to 6) is not appropriate for certain settlements. A total of 33 units identified in POP and DPS required to accommodate growth in Killeen, classed as small settlement. Re-designate Killeen as a village as per previous designation in D&ST 2010, or remove restrictive</p>		

<p>development opportunities for small settlements to allow appropriate growth reflective of size and scale of the settlement. (MUDPS/99/1)</p> <p>Only allowing development opportunities within small settlements to single houses and small groups of houses is too restrictive. Provided development is appropriate to the size and scale of the settlement, a specific upper limit should not be imposed. Reword SPF5 to: "Spatial Planning Framework 5 - Provide development opportunities within small settlements appropriate to their size and scale". (MUDPS/99/6)</p>		
<p>Would have liked to see the Tullywiggan settlement limit defined - as an owner of lands in the area it would have provided clarity for potential use on the land. (MUDPS/1/1)</p> <p>As explained at paragraphs 1.9 and 1.11 of the DPS, settlement limits will be identified at the Local Policies Plan. The LPP will be prepared in line with the published LDP Timetable.</p>	MUDPS/1/1	
<p>The has concerns with the suggestion that there will be flexibility to accommodate development outside the settlement limits - this goes against the principles of sustainable development. This SPF SHOULD BE REVIEWED TO BECOME INLINE WITH THE CURRENT PRINCIPLES OF SUSTAINABLE DEVELOPMENT AND ANY REASONS FOR MOVING AWAY FROM THESE PRINCIPLES SHOULD BE BASED ON A SOUND EVIDENCE BASE. (MUDPS/85/11)</p> <p>NIHE disagree with paragraph 4.25 which states that villages are not appropriate locations for key services and transport routes for people who live in the open countryside - villages are an important part of the settlement hierarchy. THIS SPF SHOULD BE REVIEWED TO BECOME INLINE WITH THE CURRENT PRINCIPLES OF SUSTAINABLE DEVELOPMENT AND ANY REASONS FOR MOVING AWAY FROM THESE PRINCIPLES SHOULD BE BASED ON A SOUND EVIDENCE BASE. (MUDPS/85/12)</p>	<p>MUDPS/85/11</p> <p>MUDPS/85/12</p>	
<p>Unclear how council have come to conclusion that small settlements 'are sustainable locations for people looking for individual dwellings or development of small group of houses'-in what way are these sustainable? How has transport been considered? (MUDPS/115/291)</p>	MUDPS/115/291	1

SPF 6 – 6 issues		
<p><u>Countryside approach too permissive</u></p> <p>Policies for development in countryside will not support achievement of SPF6- they will give rise to excessive and inappropriate development. Wording of SPF6, in combination with the operational policies, does not reflect policy direction of SPPS and RDS. (MUDPS/115/9, MUDPS/115/10)</p> <p>Where include policies and proposals which not consistent with RDS must provide robust evidence of local justification for departure. Department do not agree with number of households in countryside as being justification for addition opportunities for housing in countryside. Provide robust evidence for local departure additional opportunities for housing in countryside. (MUDPS/115/14)</p> <p>In relation to the HGI, there is disconnect between the strategy and Appendix 1 figures. The proposed allocations will encourage a dispersed settlement pattern and place undue pressure on the countryside in terms of landscape, infrastructure & environment. A significant reduction in housing allocated to the countryside through the provision of more restrictive area-specific/district-wide rural housing policy. Reps include specific site for inclusion within Magherafelt SDL, Creagh SDL to be zoned for housing, within Cookstown SDL as Phase 1 housing, and a specific site within Cookstown SDL, Magherafelt, Newmills and Dungannon/Coalisland. (MUDPS/32/1, MUDPS/33/1, MUDPS/36/1, MUDPS/38/1, MUDPS/52/1, MUDPS/86/1,)</p> <p>Allocation figures articulated in appendix 1 do not reflect a coherent strategy and will result in unsustainable development in the countryside, placing undue pressure on the countryside from a landscape, environmental and infrastructure perspective. Significant reduction in housing allocated to the countryside and that this must be delivered through the provision of more restrictive area-specific or district-wide rural (MUDPS/169/1)</p> <p>THE PROPOSED ALLOCATIONS WILL ENCOURAGE A DISPERSED PATTERN OF SETTLEMENT AND PLACE ENVIRONMENTAL, LANDSCAPE AND INFRASTRUCTURAL PRESSURE ON THE COUNTRYSIDE. THE FIGURES PROPOSED WOULD LEAD TO A</p>	<p>MUDPS/115/10 MUDPS/115/14 MUDPS/32/1, MUDPS/33/1, MUDPS/36/1, MUDPS/38/1, MUDPS/52/1, MUDPS/86/1, MUDPS/169/1 MUDPS/43/1, MUDPS/44/1, MUDPS/46/1, MUDPS/47/1, MUDPS/48/1, MUDPS/49/1, MUDPS/50/1, MUDPS/51/1 MUDPS/174/1, MUDPS/174/2/ MUDPS/174/3 MUDPS/54/1 MUDPS/130/1 MUDPS/132/1 MUDPS/95/6 MUDPS/89/1 MUDPS/60/3 MUDPS/78/5, MUDPS/83/1 MUDPS/78/6, MUDPS/83/2 MUDPS/147/3</p>	<p>32</p>

<p>HOUSING FIGURE WHICH WOULD BE 170% OVER THE HGI. A SIGNIFICANT REDUCTION IN HOUSING ALLOCATED TO THE COUNTRYSIDE AND THIS MUST BE DELIVERED THROUGH THE PROVISION OF MORE RESTRICTIVE AREA SPECIFIC OR DISTRICT WIDE RURAL HOUSING POLICIES. (MUDPS/43/1, MUDPS/44/1, MUDPS/46/1, MUDPS/47/1, MUDPS/48/1, MUDPS/49/1, MUDPS/50/1, MUDPS/51/1)</p> <p>Overly permissive of allowing housing developments and buildings in numerous scenarios would conflict with the RDS 60:40 urban/rural split (paragraph 3.17 of the RDS). Policy should be revised to align with the RDS. (MUDPS/174/1, MUDPS/174/2/ MUDPS/174/3)</p> <p>Unsound assumption that rate of rural housing will continue to be high which limits the quantum of housing in settlements to accord with HGI. Reviewing planning approval statistics, rural houses are likely to diminish during the plan period to around 2500. DPS states there will be a review of rural policies if approvals exceed 4380. Rep contends the predicted number of rural approvals is around 25000 and seeks the redistribution of the 2000 houses to settlements. (MUDPS/54/1)</p> <p>There is significant disconnect between the DPS and the number of houses allocated within appendix 1. 40% of housing in the countryside is unrealistic and is not considered sustainable development. Significant reduction in housing allocated to the countryside and this must be delivered through the provision of a more restrictive area-specific or district wide rural housing policy. (MUDPS/130/1)</p> <p>THE FIGURE OF HOUSES IN APPENDIX 1 ALONG WITH THE 40% RURAL HOUSING FIGURES RESULTS IN A HOUSING FIGURE OF 19,074, WHICH IS 170% OVER THE HGI. THIS CREATES FUNDAMNETAL TENSIONS BETWEEN THE STRATEGY AND THE PROPOSED GROWTH ALLOCATIONS. SIGNIFICANT REDUCTION IN NUMBERS OF HOUSING IN THE COUNTRYSIDE THROUGH A MORE RESTRCITIVE RURAL PLANNING POLICY. (MUDPS/132/1)</p>	<p>MUDPS/150/9 MUDPS/35/1 MUDPS/171/6 MUDPS/172/7, MUDPS/172/8, MUDPS/172/9 MUDPS/192/8 MUDPS/126/2 MUDPS/115/258 MUDPS/115/262 MUDPS/192/6, MUDPS/192/7</p>	
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<p>Councils approach places too great a reliance on the provision for housing within the open countryside and small settlements. The need for long term rural housing is not likely to be sustained as household sizes in the rural area decline. (MUDPS/95/6)</p> <p>Fermanagh and Omagh District Council note that the countryside has no HGI allocation instead if dwelling approvals exceed 40% this will trigger a policy change at the plan review – they query how this relates to the HGI which normally monitors the number of dwelling completions. (MUDPS/89/1)</p> <p>SPF fails to take account of the RDS and SPPS. (MUDPS/60/3)</p> <p>SPF has been formulated with no robust evidence base and is at odds with the objectives of the DPS. Formulate a more robust evidence base and reconsider SPF 6. (MUDPS/60/4)</p> <p>Housing figures for the countryside are unrealistic, allowing more houses to be developed in the countryside than in the main 3 towns. The allowance set out is contrary to the principles of the RDS 2035 (RG8) and is contrary to SPPS. It is recommended that further work is undertaken to consider the implications of SPF 6, particularly in relation to impact on the plan objectives (paragraph 3.15). (MUDPS/78/5, MUDPS/83/1)</p> <p>Council has failed to consider the environmental effects of such a higher number of dwellings within the countryside in terms of availability of utilities and the interrelationship of homes, jobs and local services and facilities. It is recommended that further work is undertaken to consider the implications of SPF 6, particularly in relation to the impact on the plan objectives (paragraph 3.15). (MUDPS/78/6, MUDPS/83/2)</p> <p>NIHE objects to SPF6 which allows dev. Of 4380 units or up to 40% of the district's HGIs in the open countryside this is more than that allocated in the main towns therefore this will not be considered sustainable development. HGI figures should be reviewed. (MUDPS/85/13)</p> <p>NIHE strongly support the aims of sustainable development but believes that a much higher proportion of houses should be allocated to the main towns, local towns, villages and small settlements rather than such a large proportion in the open countryside. (MUDPS/85/14)</p>		
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<p>THIS APPROACH TO HOUSING IN THE COUNTRYSIDE IS AT ODDS WITH REGIONAL POLICY AS PUT FORWARD IN THE RDS (RG8). COUNCIL SHOULD REVIEW THE PLAN WITH A VIEW TO DIRECT PART OF THE OPEN COUNTRYSIDE HOUSING ALLOCATION TO MORE SUSTAINABLE LOCATIONS SUCH AS LARGER VILLAGES (DRAPERSTOWN). (MUDPS/147/3)</p> <p>Council failed to consider the environmental effects of potentially 4,400 new dwellings in the countryside particularly landscape & visual impact. FODC DPS had a similar approach and DfI raised concerns this could conflict with principles set out in SPPS. Recommended further work is undertaken to consider the implications of SPF particularly in relation to impact on the landscape. Recommend comments made by DfI in representations to FODC DPS are considered in light of the approach proposed by mid ulster. (MUDPS/150/9)</p> <p>In relation to the HGI, there is disconnect between the strategy and Appendix 1 figures. The proposed allocations will encourage a dispersed settlement pattern and place undue pressure on the countryside in terms of landscape, infrastructure & environment. A significant reduction in housing allocated to the countryside through the provision of more restrictive area-specific/district-wide rural housing policy. Rep includes a specific site for inclusion within Clady SDL to be zoned for housing. (MUDPS/35/1)</p> <p>SPF 6 states that the countryside will not be subject to an allocation of the District's HGI however housing development will be monitored - this is contrary to RDS as it identifies that Housing Growth Figures should allow for both rural and urban housing rural housing is required to be given a formal allocation of the housing growth as per the RDS and as such the dps will be required to reflect this. (MUDPS/171/6)</p> <p>THE ALLOCATION OF 4380 DWELLINGS TO THE COUNTRYSIDE IS INAPPROPRIATE IN RESPECT OF SUSTAINABLE GOALS AND THE SPPS. ALTHOUGH THE COUNCIL MAKE AN ARGUMENT FOR SUCH, THE EVIDENCE PROVIDED IS FLAWED. AMENDMENTS ARE REQUIRED TO ENSURE ALL ELEMENTS OF THE PLAN STRATEGY ARE COHERENT AND CONSISTENT. RURAL HOUSING IS REQUIRED TO</p>		
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<p>BE GIVEN A FORMAL ALLOCATION OF THE HOUSING GROWTH FIGURE AS PER THE RDS AND AS SUCH THE DPS WILL BE REQUIRED TO REFLECT THIS. (MUDPS/172/7, MUDPS/172/8, MUDPS/172/9)</p> <p>There is no evidence to support the notion that 40%housing growth in the countryside is beneficial. Urban growth should be promoted because it is significantly more sustainable development. (MUDPS/192/8)</p> <p>It is thought that the HGI figures are not based on a robust evidence base - these figures should be based on completed or commenced development not only committed land as this would give a more accurate reflection of housing need throughout the district. The word 'approved' should be changed to completed or commenced to give an accurate reflection of what has happened on the ground in terms of the provision of actual housing during the plan period. MUDPS/126/1, (MUDPS/126/2)</p> <p>This SPF, which does not make specific HGI allocation for rural area appears to permit up to 40% of houses to c'side. This does not align with objective "to provide for 11,000 new homes...".Demonstrate principle of integration of land use & transport is given consideration in growth strategy, housing allocation & economic policies. Amend to better reflect Dept research on provision of cycle infra. Include policy on park&ride/share & car park (MUDPS/115/258)</p> <p>The dispersed rural nature of MU and the planned housing allocation for it will further accentuate the need to travel for goods good and services and put additional strain on natural resources. Is not coherent with Objective "to improve connectivity.." Demonstrate principle of integration of land use & transport is given consideration in growth strategy, housing allocation & economic policies. Amend to better reflect Dept research on provision of cycle infra. Include policy on park&ride/share & car park. (MUDPS/115/262)</p>		
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<p>SPF6 advances an unsustainable growth pattern by allowing too much new housing outside settlement limits. The aim to build 40% of new houses in the countryside represents urban sprawl and is inconsistent with regional policy. (MUDPS/192/6, MUDPS/192/7)</p>		
<p><u>Role of Monitoring in Countryside</u> Approvals in the countryside are to be monitored with 40% of the overall HGI figure triggering policy change. The mechanism for monitoring is unclear in terms of incorporating an early trigger for necessary review that allows sufficient lead in time. Representation considers that further information is required regarding the number of committed dwellings in the countryside and the projected numbers over the plan period. MUDPS/56/1, MUDPS/56/9, MUDPS/56/10, MUDPS/56/11)</p> <p>Concern regarding the 40% tipping point for housing growth in countryside-states MUDC should make available the conclusions of the Env. Assets appraisal & Landscape Assessment which allows the Plan to support up to 40% of the Districts HGI in the C'side. (MUDPS/59/1)</p> <p>Concern regarding 40% tipping point for housing growth in countryside- justification for future patterns of allocation based on historic patterns is not considered a sustainable approach- may not further sustainable patterns of development. (MUDPS/59/14)</p> <p>Concern re: 40% housing growth in C'side. No evidence to confirm if this can either further sustainable development/operate within environmental limits. Inconsistent with RDS & SPPS. Finite capacity of environment requires to be safeguarded in LDP process (MUDPS/59/16, MUDPS/59/17)</p> <p>NIHE would like further clarification on how this policy would be implemented - once the 40% housing growth is reached would applications for housing in the countryside still be accepted while the plan was under review? NIHE would like further clarification on how this policy would be implemented MUDPS/85/15</p>	<p>MUDPS/56/1, MUDPS/56/9, MUDPS/56/10, MUDPS/56/11 MUDPS/59/1 MUDPS/59/14 MUDPS/59/16, MUDPS/59/17 MUDPS/85/15 MUDPS/89/3</p>	<p>4</p>

<p>FODC has similar transportation characteristics and supports SPF 6 and the transportation approach with the facilitation of a strategy that suits the needs of mid ulster as a rural district. (MUDPS/89/3)</p>		
<p><u>RIPA's</u> Comment on criteria listed for RIPA's - include additional criteria. Include bullet point - 'be able to accommodate infrastructure improvement if considered necessary'. (MUDPS/115/136)</p> <p>Object to the proposed RIPAs as set. There is no sustainable logic to underpin the allocation of the Desertcreat Site. This appears to be an unrealistic, speculative proposal to create government-controlled lands. (MUDPS/192/9)</p> <p>Rep refers to site immediately south of Granville falling within spirit of RIPA meeting criteria in SPF6 & has been subject to interest by private business owners as they recognise it is an ideal site given transport links & proximity to infrastructure. Providing additional land within proximity to nodes of established industry at the edge of settlements &with direct links to arterial route would be a mechanism to enable Council to remain flexible & address changing circumstances throughout plan period. (MUDPS/151/1, MUDPS/151/2)</p> <p>Significant concern with policy approach to RIPA's. Unclear why Desertcreat is chosen since no existing industrial activity. Effect of RIPAs will be to provide add opps for new economic devel in countryside - will undermine objectives of rds&spps and DPS. (MUDPS/115/11)</p> <p>Rep queries scale of existing industrial activity to meet ripa & can this be associated with established enterprises that may not adjoin land but are visually connected. Rep states policy does not identify a threshold&queries is this subjective. Provide clarity on site selection. Ongoing monitoring to determine how each potentially adopted designation is progressing, this would justify extension whereby this is not speculative & attached to an established business with genuine need for extension. (MUDPS/151/4)</p>	<p>MUDPS/115/136 MUDPS/192/9 MUDPS/151/1 MUDPS/151/2 MUDPS/115/11 MUDPS/151/4 MUDPS/156/4 MUDPS/156/5 MUDPS/156/6 MUDPS/156/9 MUDPS/167/11</p>	<p>5</p>

<p>The scale of established businesses vary across the district. Smaller established enterprises should not be precluded from benefitting from proposed RIPA designation. Suggested site off Kilrea Road meets each of criteria listed for RIPA selection. The suggested site should be given due consideration to be designated a RIPA as it meets the selection criteria and is compliant with the economic objectives advocated throughout the dPS. (MUDPS/156/4)</p> <p>There needs to be clarification on the scale of existing industrial activity needed to meet RIPA designation. Include indication of scale of existing industrial activity required to meet threshold for site to be considered for RIPA designation. (MUDPS/156/5)</p> <p>The RIPA policy needs to consider how it will assess any potential increase to established RIPAs that emerge through the plan process. Once land within the RIPA is exhausted, would proposal for expansion be considered against ECON2? (MUDPS/156/6)</p> <p>Providing a degree of clarity on RIPA site identification and selection would prove useful for next stage of plan process. Ongoing monitoring of how each RIPA is progressing throughout plan period would identify any need for possible extension to site boundary. Extension would be justified on genuine need rather than speculation. (MUDPS/156/9)</p> <p>Concern regarding selection criteria for RIPAs as it only refers to designated sites and not undesignated areas containing other habitats. The criteria relate to siting of RIPAs in relation to environmental designations and not effects For consistency and clarity the policy should refer to policies NH1 - NH5. Change the wording in this policy to refer to the obligations under the Natural heritage policies NH1 - NH5.MUDPS/167/11</p>		
<p><u>Accessibility and Transport</u></p> <p>This SPF does not support the objective to build Cookstown, Dungannon etc. This policy will serve to compound and potentially exacerbate the travel time to acute hospital and does not constitute a coherent strategy. Demonstrate principle of integration of land use & transport is given consideration in growth strategy, housing allocation & economic policies. Amend to better reflect Dept research on provision of cycle infra. Include policy on park&ride/share & car park. (MUDPS/115/257)</p>	MUDPS/115/257	1

<p>SPF6 does not appropriately consider accessibility analyses and transport implications. Does not flow coherently from objective "to improve connectivity..." as will potentially accentuate need to travel. (MUDPS/115/264)</p> <p>Useful to provide cross reference to strategic policy. Noted council making no attempt to 'shape' their area or aim for a more sustainable pattern of growth with the area to enable citizens to access key services in all modes. No ref to public transport. (MUDPS/115/292)</p> <p>Does 'existing access' relate to only vehicular - or other modes? In 'close to proximity to a main transport corridor' what does 'close' mean? What is a 'main transport corridor'? At 4.40 refer to requirement for TA to be prepared. (MUDPS/115/294)</p>		
<p><u>Economic Development in Countryside</u> SPF 6 makes provision for economic development in countryside, however makes no reference to consideration of accessibility - concerning for those without a private car. (MUDPS/115/261)</p> <p>Noted Council has identified 'successful economic development within the countryside'-what is definition of 'success'. (MUDPS/115/293)</p> <p>Have not presented compelling evidence to justify departure from strategic approach in RDS and SPPS on operational approach to economic development in countryside. (MUDPS/115/12)</p> <p>WELCOMES THE COUNCILS SUPPORT FOR FARM DIVERSIFICATION AND POLICY TO FACILTATE PEOPLE WORKING FROM HOME (MUDPS/162/31)</p> <p>Recognise large no. of entrepreneurs in countryside by encouraging farm diversification and home working. Policy ECON 2 represents a very permissive approach in c'side-empahsis on new buildings rather than re-use. Adversely impact on landscape and environ. (MUDPS/115/24)</p>	MUDPS/115/261 MUDPS/115/293 MUDPS/115/12 MUDPS/162/31 MUDPS/115/24	4

<p><u>WWTW Concerns</u></p> <p>Concern regarding resilience of wastewater infrastructure with respect to growth aspiration of 40% HGI outside of major settlements. Currently there are existing wastewater capacity issues in terms of treatment works serving villages & small settlements. (MUDPS/170/3, MUDPS/167/11)</p>	<p>MUDPS/170/3, MUDPS/167/11</p>	<p>2</p>
<p>SPF 7 – 1 issue</p>		
<p><u>SPF 7 Specific Comments</u></p> <p>Welcomes the inclusion of sports criteria in the definition of DRC's & the acknowledgement that sport plays a critical social and economic role in these areas. (MUDPS/134/1)</p> <p>NIHE do not support the designation of DRCs as this is not considered sustainable development. Dispersed living can isolate people from services and can also have detrimental environmental effects on the environment due to lack of infrastructure. (MUDPS/85/17, MUDPS/85/18)</p> <p>SPF7 is unsound as it promotes unsustainable patterns of development in the countryside. It is inconsistent with regional policy because it will unnecessarily and unsustainably extend a rural housing policy. (MUDPS/192/10)</p> <p>SPPS does not include provision for DRC's. Should ensure we have appropriate evidence to justify the continued designation. Strong reservations about Policy CT4 which applies to them. (MUDPS/115/13)</p>	<p>MUDPS/134/1 MUDPS/85/17, MUDPS/85/18 MUDPS/192/10 MUDPS/115/13</p>	<p>4</p>
<p>SPF8 – 1 Issue</p>		
<p><u>SPF8 Specific Comments</u></p> <p>Draft transportation policies do not fully reflect the SPF. Fail to recognise strategic imperative to locate new development in areas well served by existing infrastructure e.g. residential. Lack of ambition to achieving reduced dependence on private car. (MUDPS/115/16, MUDPS/115/17)</p>	<p>MUDPS/115/16, MUDPS/115/17 MUDPS/115/265 MUDPS/115/295 MUDPS/115/296 MUDPS/115/298</p>	<p>2</p>

<p>Provision of safe environs for pedestrian and cyclist in SPF8 does not necessarily mean dedicated cycle ways and doesn't coherently flow from objective "to improve connectivity..." Park&Ride/Share has substantial role to play but no appropriate policy in Plan. Demonstrate principle of integration of land use & transport is given consideration in growth strategy, housing allocation & economic policies. Amend to better reflect Dept research on provision of cycle infra. Include policy on park&ride/share & car park (MUDPS/115/265)</p> <p>In general wording in DPS does not reflect paras 4.47-4.51. Need additional emphasis on need for improvements in walking, cycling and parking management. (MUDPS/115/295)</p> <p>Narrative should acknowledge that current settlement pattern in MU does not lend itself to the provision of viable public transport services. Research shows people want segregated or traffic-free routes-amend DPS to reflect this. Amended wording suggested for 4.47 regarding segregated cycle or traffic free cycle ways. (MUDPS/115/296)</p> <p>Approach to linking transport and land use should also apply to housing. Department would expect that accessibility analyses should be employed when selecting all land use zonings-not only in towns. 4.49 should refer to cycling accessibility. (MUDPS/115/297)</p> <p>Road alignments should be referenced. (MUDPS/115/298)</p> <p>THIS PARAGRAPH (4.47) IS COUNTER PRODUCTIVE AS IT EFFECTIVELY DISCOURAGES THE PROVISION OF DEDICATED CLYCLE WAYS. (MUDPS/142/1)</p>	MUDPS/142/1	
SPF 10 – 2 issues		
<p><u>SPF 10</u></p> <p>Important or vulnerable may extend to neighbouring council areas-effective cross boundary working necessary. Note cross boundary forums-welcome and supportive of this work. Should be able to demonstrate not conflict. Note policy presented ahead of SCG. (MUDPS/115/20)</p>	MUDPS/115/20 MUDPS/162/32 MUDPS/96/29, MUDPS/96/30, MUDPS/96/31, MUDPS/96/32	3

<p>THE COUNCIL NEEDS TO EXPLORE THE CRITERIA AND TO DECIDE IF MORE LANDSCAPES ARE CAPABLE OF PROTECTION THAN THOSE WHICH HAVE BEEN EARMARKED. (MUDPS/162/32)</p> <p>Suite of publications prescriptive without being based on up to date info. Little detail provided on methodology used to reach policies and no definition of key terms. Therefore unable to determine if councils assessments carried out by competent experts. (MUDPS/96/29, MUDPS/96/30, MUDPS/96/31, MUDPS/96/32)</p>		
<p>Guidance on flood inundation now recognises that there will be situation were a full risk assessment will not be required based on the condition of the reservoir dams and structures. We therefore advise that it is appropriate to insert “if necessary” in policy FLD4 in our draft plan strategy so that the policy would read “...where it has been demonstrated if necessary through a flood risk assessment ...”</p> <p>The reason for this change is because a revised technical guidance note has been released. Therefore in the J&A relating to this policy we will say that in assessing any proposal account will be given to prevailing regional guidance and advice.</p>	MUDPS/145/1	
SPF3 in context of Map 1.4 - Opportunity Site for Recreation with supporting economic mixed use development - 4 issues		
<p><u>Inclusion within SDL</u></p> <p>Policy ECON2 seeks to control and curtail economic development in the countryside, the historical clay works justifies inclusion of the lands within the SDL which would then benefit from less restrictive policy control making the site more commercially attractive to investment and would align with paragraph 6.93 of the SPPS. (MUDPS/119/1)</p>	MUDPS/119/1	1
<p><u>Approach too restrictive</u></p> <p>A more flexible approach is required in accordance with SPF3. The council has not taken full account of the requirement of SPPS and PPS4. Given the former industrial use, these lands could be restored in accordance with Policy MIN 5- Restoration of Mineral Site. Therefore, the site should benefit from the positive policy approach set out in PED4 of PPS4.</p>	MUDPS/59/146, MUDPS/119/2-3	2

Inappropriate to apply the boundary of the permission or conditions of the race track consent as KSR- not all conditions may apply to all of the site. The entire clay works land should be included (Appendix 6) and the designation amended to promote a variety of mixed uses on the lands. (MUDPS/59/146, MUDPS/119/2-3)		
<u>Priority habitat</u> Priority habitat is present on the site. Paragraph 6.196 of SPPS states LDP's should seek to protect and integrate certain features of the natural heritage when zoning sites for development through KSRs and mitigation/compensatory measures should be in place to ensure important habitats are not lost. (MUDPS/167/31)	MUDPS/167/31	1
<u>Landscape assessment</u> Unclear the landscape assessment methodology by which the zones were defined/redefined and how the historic environment bases were used in such a process. (MUDPS/77/254)	MUDPS/77/254	1
Economic Development zonings – 8 issues		
a) Key Site Requirements should be reviewed b) Concerns regarding suitability of existing roads and promotion of public transport c) Failure to reference need for walking, cycling and public transport linkages	MUDPS/27/3 MUDPS/115/137 MUDPS/115/138 MUDPS/115/317 MUDPS/115/318 MUDPS/115/319 MUDPS/115/320 MUDPS/115/321	2
<u>Zone D ECON 1</u> a) Irregular allocation	MUDPS/42/1	1
<u>Zone D ECON 2</u> a) Site unsuitable for extra traffic volumes	MUDPS/115/139	1

<u>Zone D ECON 3</u>	MUDPS/59/18	1
a) No recognition of the area of wet grassland around the lake		
<u>Zone D ECON 4</u>	MUDPS/59/19-20	1
a) Long term maintenance and protection of fen habitat not fully addressed		
<u>Zone D ECON 5</u>	MUDPS/84/1-3	1
a) Zone should be removed		
<u>General Comments on Development Zones</u>	MUDPS/77/252-256 MUDPS/117/1 MUDPS/87/1 MUDPS/167/27-31	4
a) Zonings unsound		
b) Interim supply of land is insufficient		
c) Removal of land zoned		
d) Mitigation and/or compensatory measures should be put in place to ensure important habitats are not lost		
<u>Rural Industrial Policy Areas (RIPAs)</u>	MUDPS/85/16	3
a) RIPA designations should require a sequential test	MUDPS/101/51	
b) RIPA designations are inadequate	MUDPS/136/3	

c) KSRs for RIPAs are restrictive		
Alternative Economic Zone Sites – 5 issues		
Lands at Dungannon Enterprise Centre	MUDPS/53	1
Lands at Killyman Road, Dungannon	MUDPS/58	1
94 Old Eglish Road, Dungannon	MUDPS/63	1
Lands north of proposed D ECON 4	MUDPS/117	1
Lands at Eskragh Road, Dungannon	MUDPS/42	1
Alternative RIPa Sites – 1 issue		
Lands at Hillhead Road, Creagh – Shivers Business Park (MUDPS/34/1)	MUDPS/34/1	
Lands at Tullywiggan Road, Tullywiggan – Par Renewables Ltd (MUDPS/37/1)	MUDPS/37/1	
Lands at Creagh Road, Creagh – GTG Biogas Ltd (MUDPS/39/1)	MUDPS/39/1	
Lands at Creagh Road, Creagh – Glassdon Recycling Ltd (MUDPS/40/1)	MUDPS/40/1	
Lands at Aghnagar Road, Ballygawley – Northway Mushrooms Ltd (MUDPS/45/1, MUDPS/101/51)	MUDPS/45/1	
Lands at Tamnamore, Dungannon – Capper Trading Ltd operating at this site. (MUDPS/133)	MUDPS/101/51	
Lands southwest of Toome at Creagh Road – (MUDPS/151)	MUDPS/133	
Lands located off main Kilrea Road –	MUDPS/151	
	MUDPS/156	

Summary (Original Paper)

91 issues raised

- General – 12 issues
- Creating Jobs and Promoting Prosperity – 5 issues
- Enhancing the environment and improving infrastructure – 7 issues
- Growth Strategy and SPF – 4 issues
- Phase 2 Land – 2 issues
- SPF 1 – 4 issues
- Settlement Hierarchy – 3 issues
- SPF 2 – 10 issues
- SPF3 – 5 issues
- SPF 4 – 8 issues
- SPF 5 – 4 issues
- SPF 6 – 6 issues
- SPF 7 – 1 issues
- SPF 8 – 1 issues
- SPF 10 – 1 issue
- SPF 3 / Map 1.4 – 4 issues
- Economic Development Zonings – 8 issues
- Alternative Economic Development Zonings – 5 issues

Alternative RIPA – 1 issue

Counter Representations - Plan Vision, Objectives, Growth Strategy and Spatial Planning Framework – 21 Counter Reps		
Counter-Representation Respondent	Counter-Representation Reference Number	Reference number Counter-Representation relates to
Turley on behalf of ABO Wind Ltd	DPSCR/127	MUDPS/89
DfC Historic Environment Division	DPSCR/14	MUDPS/48
DfC Historic Environment Division	DPSCR/20	MUDPS/46
DfC Historic Environment Division	DPSCR/67	MUDPS/157
DfC Historic Environment Division	DPSCR/23	MUDPS/49
Emma Walker, Turley	DPSCR/119	MUDPS/22
Emma Walker, Turley	DPSCR/157	MUDPS/22
Emma Walker, Turley	DPSCR/87	MUDPS/89
Emma Walker, Turley	DPSCR/79	MUDPS/22
DfC Historic Environment	DPSCR/43	MUDPS/95
DfC Historic Environment	DPSCR/29	MUDPS/1
SPF 3		
DfC Historic Environment Division	DPSCR/60	MUDPS/119
DPS is not the correct stage of the Plan process to consider specific sites		
	DPSCR/10	
	DPSCR/13	
	DPSCR/15	
	DPSCR/16	
	DPSCR/19	
	DPSCR/31	
	DPSCR/36	
	DPSCR/59	
	DPSCR/61	

Addendum - Plan Vision, Objectives, Growth Strategy and Spatial Planning Framework – 27 issues		
Issue Raised by Representation/s	Rep / element no.	No. of reps cited against issue
Inadequate allocations for economic growth	MUDPS/137/22, MUDPS/214/4	2
SPF 5 is based on outdated figures from 2012 and clarification needed to policy to avoid ambiguity.	MUDPS/223/2 MUDPS/214/16	2
Housing allocations	MUDPS/214/2, MUDPS/223/3, MUDPS/224/9, MUDPS/224/10, MUDPS/225/8, MUDPS/225/9	4
Opposition to DRC designations	MUDPS/214/5	1
<u>DPS Timetable</u> Tullywiggan Settlement delineation timetable for review of their development boundaries. DPS is no longer in keeping with the SCI and Timetable. LDP timetable needs to be updated. DPS has not been carried out in accordance with the published timetable as it is now 15months behind schedule. The Plan period should be amended to reflect the years 2020-2035	MUDPS/154/7, MUDPS/171/12, MUDPS/172/12, MUDPS/214/15, MUDPS/215/1,	5
<u>SPF – 6: Rural Enterprises</u> Paragraph 4.36 - Policies on rural economic enterprises need to allow for single business	MUDPS/214/17	1
<u>Glossary of Terms</u>	MUDPS/214/42	1

ASAI is not defined in glossary section - P. 273		
<u>Signage</u> Page 262 - Guidance should be extended to include inappropriately bright and distracting signs. Cites example of one such sign at Bridger Street, Moneymore.	MUDPS/214/43	1
<u>Not all Information published</u> Not all relevant information as required by REG 15 has been made available alongside the publication of the DPS. For instance, Strategic Settlement Evaluation, Housing Needs Assessment, updated housing monitor.	MUDPS/215/2	1
<u>SPF 2 fails to take account of RDS and is at odds with SPF 4.</u> SPF 2 unsound as it fails to take account of the direction set out in the RDS (SFG 13) 2035 in terms of directing growth in terms of housing into main hub settlements. This is also at odds with SPF 4 of DPS which aims to see villages as local service centres. Review Strategic Housing Allocation (SHA) considering direction set out in RDS. Reword SPF3-SPF6 in a way which is in accordance with SHA.	MUDPS/215/3, MUDPS/215/4	1
<u>SPF's not supported by up to date evidence base.</u> SPF 4 is unsound because it is inconsistent with the RDS (SFG 13) and is not supported by an up to date evidence base within the Strategic Settlement Evaluation. Reword policy to include the importance of village regeneration proposals as per P.77 of RDS. SPF 2 is based on outdated evidence base (Paragraph 4.16). Evidence base needs to be updated.	MUDPS/171/13, MUDPS/172/13, MUDPS/215/5, MUDPS/215/6, MUDPS/224/3, MUDPS/224/4, MUDPS/224/5, MUDPS/225/2, MUDPS/225/3, MUDPS/225/4	5
<u>DPS has failed to adequately account for WWT capacity for houses outside settlements.</u> 40% of houses are outside of settlements, without specifying location. DPS has failed to adequately account of WWT capacity for these houses therefore in conflict with table 3.2 of the RDS.	MUDPS/170/25, MUDPS/170/28,	1

NI Water suggest MUDC should be mindful of capacity and encroachment. They suggest additional text.		
Early engagement with NI Water should be incorporated into KSR's for all economic zonings at Granville.	MUDPS/170/25, MUDPS/170/28,	1
Addendum to public utilities paper on WWTW capacity as information is inconsistent with NI Waters message.	MUDPS/170/38	1
<u>Rural Housing Figures – SPF 2 and Appendix 1</u> The figures for rural housing are not counted in the overall allocation. Give rural housing a formal allocation and they should be included in the overall allocation and this would lead to an increased overall growth figure of 15,400 units.	MUDPS/171/14, MUDPS/171/15, MUDPS/172/14, MUDPS/172/15	2
<u>Villages</u> The statement that villages are not seen as key service centres or places to direct people to live should be removed as it is contrary to sustainable development. SPF doesn't set out a coherent strategy insofar as how the Council aims to facilitate development lands within villages. LPP can't flow from this (SPF 4).	MUDPS/170/38, MUDPS/171/16, MUDPS/171/21, MUDPS/172/16, MUDPS/172/21	3
Housing Allocations – Appendix 1 Allocation of housing is based on split of existing households. This is an overly simplistic approach based on household figures which are outdated. Not based on RDS. Donaghmore used as an example. Figures for committed units are not accurate as they show residual zonings from April 2015. These do not represent a robust evidence base. Figures need uplifted to reflect zonings for the period 2020-2035 and should consider more recent published housing monitor information. Sites counted as committed units do not benefit from live planning permission and therefore are not capable of being classed as "committed." Likewise, not clear if sites that have a "negative response" to survey have been discounted?	MUDPS/171/18, MUDPS/171/19, MUDPS/171/20, MUDPS/171/21, MUDPS/172/18, MUDPS/172/19, MUDPS/172/20, MUDPS/172/21	2

<p><u>Climate Change</u> Include reference to NI's 2nd Climate Change Adaptation Programme 2019-24. Will be the responsibility of councils to ensure Climate Adaptation has been considered during the development of their LDPs. Council may wish to engage with Climate NI to gain further insight and assistance in bringing forward local planning policies which have regard to climate change issues.</p>	<p>MUDPS/115/336, MUDPS/115/337</p>	
<p><u>Access for people without a Car</u> Ensuring access for those that do not have access to a private vehicle must be considered within a wider context of the regional strategic objectives. Objective must reduce reliance & dominance of private vehicle. Objective should be reviewed to reflect the regional strategy objectives for transportation and land-use planning as outlined in the SPPS, RDS and A New Approach.</p>	<p>MUDPS/115/338, MUDPS/115/339, MUDPS/115/340, MUDPS/115/341, MUDPS/115/342</p>	<p>1</p>
<p><u>Housing in the Countryside</u> Permitting substantial housing in countryside (page 32-53) will severely hinder the integration of transport and land-use. This is out of alignment with regional strategic objectives. The dPS needs to promote patterns of development that allows for the integration of transport and land-use.</p>	<p>MUDPS/115/343, MUDPS/115/344</p>	<p>1</p>
<p><u>Roads Infrastructure and Integrated land-use and transport.</u> Paragraph 2.8 - Improving roads infrastructure not a panacea. Growth Strategy has a key role to play. Unclear LDPs role to address (or worsen) accessibility challenges has been fully considered. The dPS needs to promote patterns of development that allows for the integration of transport and land-use. (Page 78) - Growth Strategy does not reflect approach outlined in the SA/SEA. DPS will continue & reinforce patterns of development that will perpetuate the use of private car. Paragraph 4.49 - Council have not made appropriate use of the Accessibility Analysis tools that have been made available to the office. This approach should be key element when selecting & prioritising which areas are identified for growth.</p>	<p>MUDPS/115/345, MUDPS/115/347, MUDPS/115/348, MUDPS/115/349, MUDPS/115/350, MUDPS/115/35, MUDPS/115/352</p>	<p>1</p>

<p>DPS in current form will maintain the prevalent settlement pattern of the area, rather than attempt to 'shape the district' in a way that balances local needs and regional policy objectives.</p> <p>Economic Development Policies do not appropriately apply the principles of integrated land-use and transport.</p>		
<p><u>Inadequate Policy Framework for when PPS's Cease</u></p> <p>DPS does not provide adequate policy framework for when PPSs cease to have effect in areas of accessibility, access, parking & movement of people & goods. We strongly recommend the use of these policies as a sound evidence base for the development of LDPs. Absence of robust decision making framework will present challenges for drafting of LPP & development management.</p>	<p>MUDPS/115/355, MUDPS/115/357, MUDPS/115/358, MUDPS/115/359</p>	<p>1</p>
<p><u>Sustainable patterns of transport</u></p> <p>Paragraph 4.21 – should consider patterns of transport which reduce the need for motorised transport, encourage active travel and public transport.</p>		
<p><u>SPF 6 and SA/SEA objective 22.</u></p> <p>Dfl note in relation to SPF 6, that a number of new small settlements have been designated and the SA states that when assessed against SA/SEA Objective 22 (To encourage efficient patterns of movement in support of economic growth) the designation of these settlements would “Likely positive impact by achieving compact urban forms and reducing the proliferation of individual accesses onto main routes.” Dfl are unsure of the basis for this assessment. They say that their (the small settlements) character, location and densities may not reflect this. The approach should have cognisance of regional strategic objectives for transportation & land-use outlined in 6.297 of SPPS.</p>	<p>MUDPS/115/362</p>	<p>1</p>
<p><u>Park and Ride / Park and Share</u></p> <p>Taking account of bullet point 4 under para 6.301, this para should be broadened to new transport schemes, reflecting the potential role of park and ride/share and active travel networks.</p>	<p>MUDPS/115/363</p>	<p>1</p>

<p><u>Insufficient Policy basis in relation to Green and Blue Infrastructure</u> Page 45 of DPS. Insofar as it relates to '...integrated with broader green and blue infrastructure systems'. There is an insufficient policy base to support the delivery of this.</p>	MUDPS/115/364	1
<p><u>Marine Plan</u> Helpful to set out marine legislation requirements for determining planning applications that affect or might affect the marine area. It is essential that these are given consideration in decision making. DAERA strongly advise to include appropriate ref to UK Marine Policy Statement and draft Marine Plan. Also, give consideration and reference considerations and policy objectives contained within these documents. Needs to be clear potential impact on the marine area (its uses, activities and environment - including ecosystem services). Not solely restricted to impacts on land. Advised to have full regard to environmental considerations within the UK MPS that relate to MSFD and MFD. Also, that relate to Surface Water Management and Waste Water Treatment and Disposal. Regard should be given for UK MPS policy objectives for Marine Protected Areas & especially as protected marine species are present in the districts rivers and Lough Neagh.</p>	MUDPS/167/56. MUDPS/167/57, MUDPS/167/58, MUDPS/167/59, MUDPS/167/60	1
Addendum – Summary – 27 issues		
Total 27 issues		

Counter Representations - Plan Vision, Objectives, Growth Strategy and Spatial Planning Framework – 4 counter reps		
Counter-Representation Respondent	Counter-Representation Reference Number	Reference number Counter-Representation relates to
Mr Maurice Devlin c/o INALUS LIMITED	DPSCR/225	MUDPS/54
Mr Maurice Devlin c/o INALUS LIMITED	DPSCR/226	MUDPS/210
Mr Maurice Devlin c/o INALUS LIMITED	DPSCR/227	MUDPS/2

Mr Dermot Donnelly c/o TA GOURLEY PLANNING CONSULTANCY	DPSCR/228	MUDPS/24
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Summary – Original + Addendum	
<p>issues raised</p> <ul style="list-style-type: none"> • Total = 118 issues <p>91 issues raised (Original Paper)</p> <ul style="list-style-type: none"> • General – 12 issues • Creating Jobs and Promoting Prosperity – 5 issues • Enhancing the environment and improving infrastructure – 7 issues • Growth Strategy and SPF – 4 issues • Phase 2 Land – 2 issues • SPF 1 – 4 issues • Settlement Hierarchy – 3 issues • SPF 2 – 10 issues • SPF3 – 5 issues • SPF 4 – 8 issues • SPF 5 – 4 issues • SPF 6 – 6 issues • SPF 7 – 1 issues • SPF 8 – 1 issues • SPF 10 – 1 issue • SPF 3 / Map 1.4 – 4 issues • Economic Development Zonings – 8 issues • Alternative Economic Development Zonings – 5 issues 	

<ul style="list-style-type: none"> Alternative RIPA – 1 issue 27 issues raised (addendum)	
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Representation submissions received in relation to topic area: (Total = 106 submissions)

MUDPS/

1, 2, 4, 9, 10, 12, 14, 23, 25, 27, 32, 33, 34, 35, 36, 37, 38, 39, 40, 42, 43, 44, 45, 47, 46, 48, 49, 50, 51, 52, 53, 54, 56, 57, 58, 59, 60, 63, 65, 66, 67, 75, 77, 78, 83, 84, 85, 87, 89, 93, 95, 96, 98, 99, 100, 101, 115, 116, 117, 118, 119, 124, 126, 127, 128, 130, 132, 133, 134, 136, 137, 138, 142, 143, 145, 147, 150, 151, 152, 154, 156, 157, 158, 162, 165, 167, 169, 170, 171, 172, 174, 177, 178, 184, 185, 186, 187, 188, 190, 192, 193, 214, 215, 223, 224, 225

Counter Representations Received: (25)

DPSCR/

10, 13, 14, 15, 16, 19, 20, 23, 29, 31, 36, 43, 59, 60, 61, 67, 79, 87, 119, 127, 157, 225, 226, 227, 228

General Principles

General Principles – Original Topic Paper – 11issues		
Issue Raised by Representation/s	Rep / element no.	No. of reps cited against issue
Policy GP1		
Headnote to the policy conflicts with SPPS	MUDPS/59/21, MUDPS/77/257, MUDPS/174/5 MUDPS/174/6	1
Biodiversity	MUDPS/59/22, MUDPS/59/23, MUDPS/59/85, MUDPS/137/5, MUDPS/137/6, MUDPS/138/6, MUDPS/138/7, MUDPS/139/4, MUDPS/139/5	4
Transportation	MUDPS/115/159 MUDPS/115/147, MUDPS/115/148, MUDPS/115/149, MUDPS/115/150, MUDPS/115/151, MUDPS/115/152, MUDPS/115/153, MUDPS/115/154,	2

	MUDPS/115/155, MUDPS/115/156, MUDPS/115/157, MUDPS/115/158, MUDPS/115/159, MUDPS/115/160, MUDPS/115/161, MUDPS/115/162, MUDPS/115/163, MUDPS/115/164, MUDPS/115/165, MUDPS/115/166, MUDPS/115/167, MUDPS/115/168, MUDPS/115/169, MUDPS/115/170)	
	MUDPS/59/130	
	MUDPS/115/130, MUDPS/115/147, MUDPS/115/150, MUDPS/115/151, MUDPS/115/152, MUDPS/115/153, MUDPS/115/154, MUDPS/115/155, MUDPS/115/156, MUDPS/115/157, MUDPS/115/158, MUDPS/115/159, MUDPS/115/160, MUDPS/115/161, MUDPS/115/162,	

	MUDPS/115/163 MUDPS/115/164	
LED Advertising	MUDPS/115/168, MUDPS/115/169, MUDPS/115/170 MUDPS/192/42	2
Delete UD1 and Amend GP1	MUDPS/60/5, MUDPS/60/6, MUDPS/76/1, MUDPS/78/7 & MUDPS/118/2	4
Parking	MUDPS/85/22 MUDPS/115/165 MUDPS/115/166 MUDPS/115/167 MUDPS/115/300 MUDPS/118 MUDPS/137 MUDPS/192	5
a) SuDS, Passive Solar Design and Renewable Energy Technologies	MUDPS/85/23 MUDPS/85/24 MUDPS/25	2
b) Waste, sewerage and drainage	MUDPS/115/276 MUDPS/170/5 MUDPS/170/14	2
c) Developer Contributions	MUDPS/190/5	1
d) Safe Arrangements	MUDPS/190/4	1
e) Siting, Design and External Appearance	MUDPS/76/3 MUDPS/115/26	2
Summary – General Principles – Original Paper		
11 issues		

Addendum – General Principles – 0 new issues		
Issue Raised by Representation/s	Rep / element no.	No. of reps cited against issue
No new issues raised		

Summary – Original + Addendum
<p>issues raised</p> <ul style="list-style-type: none"> • Total = 11 issues <p>11 issues raised (Original Paper)</p> <p>0 <u>new</u> issues raised (addendum)</p>

Representation submissions received in relation to topic area: (Total = 21 submissions)

MUDPS/

29, 31, 59, 60, 76, 77, 78, 85, 115, 118, 137, 138, 139, 159, 162, 170, 174, 190, 192, 215, 241,

Counter Representations Received: (0)

Housing in Settlements

Housing in Settlements – Original Topic Paper – 42 issues		
Issue Raised by Representation/s	Rep / element no.	No. of reps cited against issue
Housing in Settlements Strategy – 4 issues		
a) Accessibility The Department question whether the phasing will appropriately consider the accessibility of potential zonings and prioritise accordingly. They query whether the reference to accessibility refers to locational accessibility for which DfI have provided accessibility analysis maps and guidance, or access for people with mobility issues?	MUDPS/115/301, MUDPS/115/302	1
b) Phase 2 land as a land reserve. It is argued that phase 2 housing lands should act as a land reserve to account for changing need over the plan period. Thus, Council should ensure phase 1 lands within main towns represent the full allocation of 6600 dwellings which will reduce risk of under provision. They continue to call for flexibility to be afforded to housing land, particularly for landowners who may not develop land within 5 years but plan to develop by 2030.	MUDPS/171/10 MUDPS/172/10 MUDPS/192/12	2
c) Delete undeveloped land from extant settlement limits It is submitted that the DPS should indicate that land which is in extant settlement limits but not developed will be deleted from the limits. They continue request that additional land will be included inside village limits at LPP stage to overcome concerns that land owners in rural settlements often have an attachment to their land that stretches back generations. This "link to land" issue has consistently impacted on the release of land in rural settlements.	MUDPS/193/4	1
d) Consultation Process NIFHA notes that as the key provider of social and intermediate housing in NI housing associations should be a key stakeholder in the LDP making process. Disappointingly associations have been given limited opportunity to be involved or to assist with evidence gathering.	MUDPS/118/14	1

Housing Overview – 1 issue		
a) Define ‘affordable housing’ NIHE strongly support mixed tenures which can be integrated into private housing developments. However a clear definition of affordable housing is needed to provide certainty for developers and so there is a better understanding for all stakeholders.	MUDPS/85/26	1
Policy HOU1 – Protection of land zoned for Housing – 10 issues		
a) Allow social and affordable housing on phase 1 land Provision for social and affordable housing is called for on Phase 1 land as opposed to only Phase 2 land noted in HOU1.	MUDPS/62/1	
b) Amend text to "meet an identified affordable housing need". NIHE support the phased approach to housing zonings and specifically the exception allowing phase 2 land to be released for social housing. However would like statement amended to say 'meet an identified affordable housing need'.	MUDPS/85/27, MUDPS/85/28	
c) Remove this policy from the dPS It is submitted that Policy HOU1 assumes all permissions will be built. Some zoned sites may never be developed. A phased approach could prevent other more suitable and viable sites being developed. Believe the market is best placed to decide which sites are developed first.	MUDPS/99/7	
d) Query part (i) - not operable until the adoption of the LPP The Department query use of criteria/exception (i) regarding release of Phase 2 land because prep of LPP provide opportunity to re-evaluate phase 1 & 2 - criteria not operable until adoption of LPP.	MUDPS/115/27	
e) Clarify basis for zoning phase 2 land in Magherafelt It is submitted that in the justification and amplification there is contradiction on zoning of Phase 2 lands in Magherafelt. Clarification is sought on the basis for zoning phase 2 in Magherafelt given numbers in Appendix 1 which indicates there is no need for additional housing.	MUDPS/115/28	
f) Make clearer the distinction between policy approaches for phase 1 and 2 land Dfl contest that the HOU1 requirements for Phase 1 and 2 is unclear as drafted especially for non-residential uses which will be permitted on zoned land. They suggest the Council consider making a clearer distinction between policy approach to phase 1 and 2.	MUDPS/115/29	

<p>g) Has the Council undertaken assessment to inform the approach to the release of land to phase 1.</p> <p>To 'take account' of the position of phase 2 land in relation to town centre, overall accessibility to health and community etc. is welcomed. DfI query whether the Council has undertaken an assessment of all phase 1 and 2 sites to inform the above approach?</p>	MUDPS/115/303	
<p>h) Re-examine and remove stagnant land and rezone</p> <p>It is submitted that no phase 2 housing of Dungannon extant area plan has been developed or committed planning permission. It is suggested that current zoned land is re-examined and stagnant land removed.</p>	MUDPS/158/2, MUDPS/158/3, MUDPS/158/5,	
<p>i) Too inflexible - policy should not preclude non-residential uses unless it would lead to a shortfall of housing land.</p> <p>HOU1 states non-residential uses on housing zonings will conflict unless for certain circumstances. SPPS encourages flexibility to alternative uses, housing zonings generally have not been protected. Policy HOU1 is too inflexible and not consistent with SPPS. The policy should be amended so that non-residential uses are not precluded on either phase 1 or 2 housing land unless this would lead to a shortfall of housing land over the plan period.</p>	MUDPS/160/6	
<p>j) Paragraph 7.19</p> <p>Concern over what this paragraph means.</p>	MUDPS/115/304	
Policy HOU2 – Quality Residential Development – 19 issues		
<p>a) Change the definition of social housing</p> <p>Co- Ownership consider the DPS sound however suggest that the definition of social housing should be expanded from that of the definition outlined in the SPPS to include the definition of intermediate housing.</p>	MUDPS/5/1, MUDPS/5/2	1
<p>b) Biodiversity</p> <p>RSPB submit that this policy should require biodiversity to be designed into the built environment with further details on how to do this could then be contained within an appropriate supplementary planning guidance document on design.</p>	MUDPS/59/24, MUDPS/59/25, MUDPS/59/26, MUDPS/59/27, MUDPS/59/28.	1

<p>The policy also lacks accordance with RDS & SPPS, the NI biodiversity Strategy & EU Biodiversity Strategy and the Wildlife & Natural Env Act NI 2011. It represents a backward step in policy formulation for sustainable development & biodiversity.</p> <p>It should state that planning conditions will be used to require both extensions to existing properties & all new developments to provide sites for species that nest or roost in the built environment.</p>		
<p>c) Vital policy information should be within text box</p> <p>It is submitted that planning case law directs that policy should be clearly set out within the policy text box. It is also submitted that reference is made to open space in residential developments in the justification and amplification section (para 7.31), no individual policy has been provided.</p>	<p><i>MUDPS/60/8, MUDPS/60/11, MUDPS/60/17, MUDPS/76/4, MUDPS/76/7, MUDPS/76/14 MUDPS/78/8, MUDPS/78/10, MUDPS/78/13, MUDPS/78/20 MUDPS/118/4, MUDPS/118/8, MUDPS/118/13 MUDPS/174/9</i></p>	<p>5</p>
<p>d) Social / affordable housing thresholds / needs</p> <p>It is noted that the DPS should actively support the development of social/affordable housing in rural areas where a need exists. It is contended that the 25unit/1 hectare threshold is inappropriate for smaller towns and villages. The DPS fails to address phasing development under threshold to avoid conditions. The policy is incoherent with no % threshold for 1 hectare sites but 25% for 2 hectare sites.</p> <p>It is contested that criterion (iii) of HOU2 has no evidence base to support the requirement for 25% social housing. It should be redrafted and focus solely on the promotion of a variety of housing tenures across the district.</p> <p>Tension is also noted between the headings of paragraph 7.26 and 7.27 and the subsequent text. In addition no information has been provided to demonstrate how criterion (iii) can respond to changing circumstances.</p> <p>NIHE suggest a lower threshold should be provided to cater for housing need in rural areas such as villages and smaller settlements. They express concern with the threshold proposed and the capability of meeting housing needs as they believe that applications for major development will be</p>	<p><i>MUDPS/14/3, MUDPS/60/12, MUDPS/60/14, MUDPS/60/15 MUDPS/66/1 MUDPS/76/8, MUDPS/76/10, MUDPS/76/11, MUDPS/76/12, MUDPS/76/13 MUDPS/78/9, MUDPS/78/14, MUDPS/78/15, MUDPS/78/16, MUDPS/78/17,</i></p>	<p>8</p>

<p>limited. They suggest that while an allocation approach through KSR's could be used in areas of high housing need, a development management policy (with the lower threshold or opportunity to adjust the threshold where there is an acute need) would address the issue of applying KSR's to committed sites and would cater for housing need on windfall sites and in rural settlements.</p> <p>NIFHA consider that when applying a threshold Council should consider the existing mechanisms for the delivery of social housing and density should be applied on a site by site basis. They note that Council should ensure their evidence base has assessed the need for both social and intermediate housing and KSR should be based on detailed and up to date housing need. Also policy requirements for the design of residential development should be based on a robust assessment of need.</p> <p>It is also contended that any assessment of need should factor in the quality of existing stock to determine whether replacement stock should be planned for within the plan period.</p>	<p>MUDPS/78/18, MUDPS/78/19 MUDPS/85/99, MUDPS/85/100 MUDPS/92/4, MUDPS/92/6 MUDPS/118/7, MUDPS/118/9, MUDPS/118/10, MUDPS/118/15, MUDPS/118/17, MUDPS/118/18, MUDPS/118/20</p>	
<p>e) Not coherent with SPF2 or other proposed residential or design policies</p> <p>It has not been demonstrated how this policy is coherent with aspects of SPF2, other proposed residential and design policies or with the other aspects of HOU2 - criterion (i), (ii) and (iii). Criterion (iii) should be redrafted and focus solely on the promotion of a variety of housing tenures across the District, underpinned by a robust evidence base.</p> <p>They continue to state that criteria (i) is not founded on evidence which demonstrates that the density range set out in 7.20 is realistic and achievable taking account of (ii). We note an urban capacity study would have assisted in informing these criterion.</p> <p>They recommend criteria (i) should read:</p> <p>'An increase in the density of housing and mixed use developments will be promoted within town centres and other locations which benefit from accessibility to public transport facilities' and paragraph 7.20 should be moved to LPP and identified as a guide.</p>	<p>MUDPS/60/7, MUDPS/60/9, MUDPS/60/13, MUDPS/60/16, MUDPS/60/18 MUDPS/76/5, MUDPS/76/6, MUDPS/76/9, MUDPS/78/11, MUDPS/78/12, MUDPS/78/23, MUDPS/118/5, MUDPS/118/8, MUDPS/118/11, MUDPS/118/12</p>	4
<p>f) Additional flexibility to meet affordable housing need should be considered</p> <p>NIHE support criterion (ii) however believe that there are alternative options that should be considered in order to meet affordable housing need. They would like additional flexibility to meet affordable housing need, over the plan period than provided by the Key Site requirement / allocation approach set out in the DPS. Policy HOU2 should be revised.</p>	<p>MUDPS/85/29, MUDPS/85/31 MUDPS/118/19</p>	2

NIFHA note that in general, policy wording should be flexible to adopt changes over time particularly in relation to the delivery of different affordable housing products.		
g) Revise to align with the MUDC community plan. Currently the demand for housing for people with disabilities cannot be met as there is no requirement for houses to be built as lifetime homes - homes which are accessible for all regardless of age or ability - HOU2 is not in line with RDS 2035 HOU2 does not take account of the community plan which states that actions delivered must be accessible for all to benefit from, with consideration given to the most vulnerable and those with disabilities.	MUDPS/85/30, MUDPS/85/32, MUDPS/85/33	1
h) Zone sites in smaller settlements NIHE submit that the DPS does not take account of SPPS and sites should be zoned in larger settlements and in smaller settlements housing should meet the full range of identified need. Where a site is required to meet a category of need, it should be identified in the plan.	MUDPS/85/34	1
i) Revise to take into account the need for appropriate housing for the elderly The draft programme for government delivery plan states there is an under supply of housing for the elderly and appropriate actions should be taken i.e. should be addressed in documents such as LDPs. The DPS does not identify a need for elderly. HOU2 should be revised to take into account the need for appropriate housing for the elderly.	MUDPS/85/35	1
j) Include criteria that affordable housing is not readily distinguishable in terms of external design Pleased to see MUDC DPS reflects recommendations of a research report CIH published on the future of social housing policy, mixed tenure developments are valued as they are seen to support sustainable communities. Recommend the DPS incorporate an additional policy that affordable housing is not readily distinguishable in terms of external design in mixed tenure developments.	MUDPS/92/5	1
k) Social Housing It is noted that the requirements outlined in paragraph 7.26 are not contained within policy wording and an assumption is made that it will not be stringently enforced. Clarification is therefore sought. It is suggested that the policy should clearly state if there will be a threshold that will need to be met with regards to social housing, and should threshold be met, a demonstrated need in the area should be identified.	MUDPS/99/8, MUDPS/99/9 MUDPS/140/1, MUDPS/140/2, MUDPS/140/3,	3

It is considered unnecessary to impose social housing requirements on developments in areas where no need exists. If there is a blanket policy, some developers may reduce residential development in general, resulting in fewer housing projects, undermining LDP targets.	MUDPS/140/4, MUDPS/140/5 MUDPS/162/4, MUDPS/162/36	
l) Same status to zoned and un-zoned land Concern over affording same status to zoned and un-zoned land. This is not supportive of phased approach to release of housing land in HOU1.	MUDPS/115/30, MUDPS/115/305	1
m) Developers meet full cost of road infrastructure or improvements if necessitated by their development. DfI Roads, consider it essential that developers meet full cost of road infrastructure or improvements if necessitated by their development. They recommend, 'improvements' is added to criteria (vi).	MUDPS/115/215, MUDPS/115/216	1
n) Include affordable housing within the policy in (relation to density thresholds) In terms of paragraph 7.26 and the 25% rule for the provision of social housing in developments which have 50 units or more, it is believed that the policy should be reworded to include affordable housing.	MUDPS/126/3	1
o) Include exceptional circumstances for open space requirements It is submitted that in relation to 10% open space provision on sites of 1 hectare or development of 25 units or more, the Council should include an exceptional circumstances case. For example where a developer has proposed a larger plot size with the allocation of amenity space provided through private amenity space.	MUDPS/126/4, MUDPS/126/5	1
p) Clarify/ define a habitable room Clarity should be provided within J&A on what is considered a 'habitable room'. It is often considered a living room /playroom or kitchen/dining room. This allows for amenity impacts to be properly considered against location of habitable rooms.	MUDPS/138/11	1
q) Wording 'to cater for the needs of families and small households...' is superfluous Support is offered in relation to the proposed minimum density of 10-30 units per hectare, however the latter of the policy which states: '...to cater for the needs of families and small households...' should be removed as it is superfluous to the overall thrust of the policy.	MUDPS/138/12 MUDPS/139/8	2

<p>r) Include flexibility for separation distance</p> <p>The policy does not align with current guidance on separation distances - it is more restrictive than that set out in Creating Places and it does not incorporate an appropriate degree of flexibility for when 10m requirement can't be met.</p> <p>Policy should be reworded to state 'providing adequate garden areas for new housing with a rear garden depth of around 10 metres'.</p>	<p>MUDPS/138/14, MUDPS/138/15 MUDPS/139/7, MUDPS/139/10</p>	<p>2</p>
<p>s) Respect character - increased density only in exceptional circumstances</p> <p>Within established residential areas government advises that it is imperative to ensure that proposed new housing development respect the environ and local character. Increased density should only be allowed in exceptional circumstances - para 6.127 SPPS. To accord with the SPPS the wording of policy HOU2 should be revised.</p>	<p>MUDPS/174/8</p>	<p>1</p>
<p>Policy HOU3 – Residential Extensions – 3 issues</p>		
<p>a) State that the policy is applicable to all dwellings</p> <p>The policy would benefit from clearly stating that it applied to all dwelling houses, including single dwellings in countryside.</p>	<p>MUDPS/115/31 & MUDPS/174/17</p>	<p>2</p>
<p>b) Move text to policy box</p> <p>Reference to 'over dominance' etc. in justification and amplification may benefit from being in policy box.</p>	<p>MUDPS/115/31</p>	<p>1</p>
<p>c) Provide separate policy for residential extensions in the countryside / Include provision for larger extensions</p> <p>There should be a separate policy for residential extensions in the countryside. The policy for extensions in the countryside is at present too onerous and prescriptive where larger curtilages can afford greater opportunities for extensions. Include provision for very small dwellings to be extended to provide a reasonable level of accommodation within them when extended. The second criterion should include the line '(except where the dwelling to be extended is small in scale and a larger extension is required to provide an adequate level of modern accommodation)'.</p>	<p>MUDPS/126/6, MUDPS/126/7 MUDPS/189/1 1</p>	<p>2</p>
<p>Policy HOU4 - Conversion of existing buildings to flats, apartments or houses in multiple occupation – 3 issues</p>		

a) Access to public road / safety The Department refers to advice provided at the POP that policies PPS3, DCAN15, PPS7 and PPS13 are brought forward in LDP. They have concerns that the policy wording proposed does not fully address issues such as access to the public road and safety.	MUDPS/115/217, MUDPS/115/218	1
b) Clarify that the policy relates to buildings within the settlement limits Although HOU4 is prior to policies relating to housing in the countryside, this policy should explicitly clarify in the headnote that the flat conversion policy relates to buildings within the settlement only to avoid any potential ambiguity.	MUDPS/174/10, MUDPS/174/11, MUDPS/174/12	1
c) Additional criteria required Policy should also include additional criteria on such proposals having no adverse effect on: The character of an established area including ATC/AVC and conservation areas. The character, principal components, archaeological, historical interests etc.	MUDPS/174/10, MUDPS/174/11, MUDPS/174/12	1
Policy TH1 – Travelers Accommodation – 2 issues		
a) Single family traveller transit or serviced site in the countryside The Department note that HOU4 broadly reflective of Policy HS3 of PPS12, however have concern with policy in context of countryside. Clarification is sought on single family transit or serviced site in countryside with no need demonstrated.	MUDPS/85/38 MUDPS/115/32, MUDPS/115/33	2
b) Travelers needs assessment / consultation The Group query the status of the Travelers needs assessment - this is a requirement - not clear how the traveling community has been consulted.	MUDPS/162/34	2
Summary (Original Paper)		
42 issues raised <ul style="list-style-type: none"> • Housing in Settlements Strategy – 4 issues • Housing Overview – 1 issue • Policy HOU1 – Protection of land zoned for Housing – 10 issues • Policy HOU2 – Quality Residential Development – 19 issues 		

- Policy HOU3 – Residential Extensions – 3 issues
- Policy HOU4 - Conversion of existing buildings to flats, apartments or houses in multiple occupation – 3 issues
- Policy TH1 – Travelers Accommodation – 2 issues

Addendum - Housing in Settlements – 14 issues		
Issue Raised by Representation/s	Rep / element no.	No. of reps cited against issue
<i>b) DfI suggest that the wording of HOU1 is revisited to fully align with regional strategic objectives for transportation and land-use planning in Para 6.297 and 6.301 of SPPS</i>	MUDPS/115/366	1
<i>c) Policy HOU2 should reduce need for motorised transport, encourage active travel & facilitate travel by public transport in preference to private car. Public transport should be referenced.</i>	MUDPS/115/367 MUDPS/115/368	1
<i>d) NI Water encourages Council to be mindful of sewerage capacity and collection/ treatment when determining land zonings.</i>	MUDPS/170/33	1
<i>e) Lack of clarity over whether the 30-60% allocation figure is in relation to Phase 1 or Phase 2 land. Council must ensure an adequate supply of land by facilitating 60% of the housing allocation via phase 1 zonings in the three main hubs.</i>	MUDPS/171/17 & MUDPS/172/17	2
<i>f) Not necessary to reference the migrant population in Para 7.44. Amend wording to remove reference to migrant population.</i>	MUDPS/214/18	1
<i>g) In Policy TH1 some reference should be made to impact on neighbours when considering travellers sites.</i>	MUDPS/214/19	1
<i>k) Paragraphs 7.26-7.27 relate to House types and tenure, yet the paragraphs only refer to social housing, which is at odds with SPPS definition of affordable housing.</i>	MUDPS/215/14	1

n) <i>Policy HOU2 sets an arbitrary limit for rear separation distances, with no latitude given for imaginative design solutions. Emphasise that imaginative design solutions can sometimes resolve problems of this nature.</i>	MUDPS/231/15 & MUDPS/231/16	1
o) <i>Tandem development should not always presume against, as often there are no adverse effects. Allow for tandem development where sites are well screened or where imaginative design solutions can minimise any amenity impact.</i>	MUDPS/231/17 MUDPS/231/18	1
q) <i>Provision of Adequate Public and Private Open Space, Para 7.31 and Para 7.33, do not allow for flexibility.</i>	MUDPS/231/21 MUDPS/231/22	1
r) <i>Policy HOU4 (c) does not allow for conversion of buildings smaller than 150m2 but which could potentially accommodate conversion to smaller units.</i>	MUDPS/231/23 MUDPS/231/24	1
s) <i>If Policy HOU4 (e) taken literally, would preclude access from the side.</i>	MUDPS/231/25 MUDPS/231/26	1
v) <i>Para 7.25, if policy adhered to slavishly this will automatically debar certain proposals even where careful design solutions can overcome problems typically associated with tandem development.</i>	MUDPS/241/11 MUDPS/241/12	1
w) <i>Provision of Adequate Public and Private Open Space, Para 7.31 and Para 7.33, do not allow for flexibility. Little recognition for local circumstances.</i>	MUDPS/241/13, MUDPS/241/14 MUDPS/241/15 MUDPS/241/16	1
Summary – 14 issues		

Summary (Original Paper + Addendum)
56 issues raised (42 + 14)

- Housing in Settlements Strategy – 4 issues
- Housing Overview – 1 issue
- Policy HOU1 – Protection of land zoned for Housing – 10 issues
- Policy HOU2 – Quality Residential Development – 19 issues
- Policy HOU3 – Residential Extensions – 3 issues
- Policy HOU4 - Conversion of existing buildings to flats, apartments or houses in multiple occupation – 3 issues
- Policy TH1 – Travelers Accommodation – 2 issues
- Addendum – 14 issues

Representation submissions received in relation to topic area: (Total = 38 submissions)

MUDPS/

5, 14, 59, 60, 62, 66, 76, 78, 85, 92, 99, 115, 118, 126, 138, 139, 140, 158, 160, 162, 170, 171, 172, 174, 184, 185, 189, 192, 193, 213, 215, 224, 225, 226, 230, 231, 233, 241

Counter Representations (0)

Housing in the Countryside

Housing in the Countryside – Original Topic Paper – issues		
Issue Raised by Representation/s	Rep / element no.	No. of reps cited against issue
Housing in the Countryside Strategy – 2 issues		
Policies for development in the countryside will not support achievement of SPF 6 – they will give rise to excessive and inappropriate development. Council have not presented local evidence to justify 40% and departure from RDS and SPPS. Approach gives rise to substantial concerns. It appears Council is significantly relaxing rural housing policy which will only serve to perpetuate transport issues.	MUDPS/115, MUDPS/115/9, MUDPS/115/10, MUDPS/115/12 MUDPS/115/306, MUDPS/59/32	2
A Large population living in the open countryside DfI note that the DPS distinguishes Mid Ulster from other areas in relation to number of households in countryside - but does not acknowledge issues with large population living in open countryside.	MUDPS/115/34	1
Policy CT 1- General Policy – 4 issues		
Policy appears to take account of regional policy approach to cluster, consolidate and group new development with existing buildings. However Policy CT1 contains a broad exception where there are 'environmental or operational reasons' - this significantly weakens it.	MUDPS/115/35	1
POP advice provided stating important current PPS3, DCAN15, PPS7 & PPS13 brought forward in new plan. Concern that GP1 d, e and f do not fully address key considerations. Concern not sufficient coverage or linkage.	MUDPS/115/149, MUDPS/115/219, MUDPS/115/220 MUDPS/115/224	1
NIHE would like to see further criteria that new development should not contribute to "build up" in the countryside. NIHE would also like to see the reference to new planting in Paragraph 8.20 restricted to native species.	MUDPS/85/39	1

Integration can come in the form of vegetation and landform screening to the foreground of a proposal, the word backdrop is too prescriptive and should be removed.	MUDPS/126/8 MUDPS/126/9	2
Policy CT2 – Dwellings in the Countryside – 47 issues		
Policy undermines protection of countryside and conflicts with RDS 60:40 urban/rural split; new policy may result in unsustainable patterns of growth NIHE support the development in the countryside policy as contained within the SPPS. Housing development resulting from this policy should be included within the allocation for housing in the countryside. Because of 40% of houses are located in the Countryside then this reinforces the need to prevent sterilisation of mineral reserves from development of new houses.	MUDPS/115/36, MUDPS/174/13, MUDPS/192/13 MUDPS/192/14 MUDPS/85/40 MUDPS/59/34 MUDPS/29/9	6
Proposed additional provisions for new dwellings are noted. It is unclear if assessments have been carried out to inform potential numbers and distribution of new houses as well as environmental impact.	MUDPS/56/15, MUDPS/56/16, MUDPS/56/17 & MUDPS/56/18	1
Policy CT2 does not take account of Community Plan re ambulance waiting times, lack of public transport etc. It is not support of achieving Community Plan outcomes.	MUDPS/115/37	1
Policy CT2- Criteria (a) Dwelling in an existing non-farm cluster		
Concern approach does not require cluster to appear as visual entity as required by SPPS- potential to increase number of clusters capable of meeting policy and therefore number of dwellings under this criteria	MUDPS/115/38	1
Include 'employment centre/building' as an additional focal point - it reflects historic rural settlement patterns	MUDPS/126/10	1
Remove word 'substantial' from a group of four or more substantial buildings and replace 'existing buildings' in the last sentence with 'existing development'	MUDPS/189/2	1

<u>Policy CT2- Criteria (b) Dwelling infilling a small gap site</u>		
Concern regarding allowing one dwelling between two - not justified by evidence. No acknowledgement that infill should be within substantial and otherwise built-up frontage. No basis to say two dwellings would constitute this. Will contribute to ribboning	MUDPS/115/39	1
Policy wording relating to policy CT2 (b) should correspond with the accompanying amplification text. We recommend that the word dwelling is replaced by building as per amplification text.	MUDPS/126/12	1
<u>Policy CT2- Criteria (c) Replacement Dwelling</u>		
Concern policy allows off-site replacement without careful consideration to impact on character of area. No guidance on scale, massing, height for a replacement dwelling.	MUDPS/77/268 & 269	2
Policy justification should include that 'replacement dwellings must not have a visual impact significantly greater than the existing building' as per SPPS	MUDPS/85/45, MUDPS/115/40	2
Justification and Amplification should clarify no replacement of listed buildings Justification and Amplification should also clarify that where original building is retained it will not be eligible for replacement again	MUDPS/115/40	1
Change wording from 'all external structural walls must be intact' to '3 walls are intact'	MUDPS/126/11	1
HED consider the Policy Text and Amplification is not sound / unclear, does not take sufficient account of RDS RG11, 3.30 and SPPS 6.24 and 6.73 (bullet points) - Policy Item c, d, f and h. - Refer Pages 31-32 of Rep. Potential for confusion & conflict between this policy & HE13. This policy should be omitted as it is covered by HE 13	MUDPS/77/260 & MUDPS/77/261, MUDPS/85/45	2
Remove image of a vernacular farm house - this type of building is exceptionally rare within the area - it should be used in association with HE13 not CT2 - remove from CT2 and insert HE13.	MUDPS/77/262 & MUDPS/77/263	1
<u>Policy CT2- criteria (d) Conversion / re-use of existing buildings for residential use</u>		

Concern regarding last sentence of this policy - potential to significantly impact character of setting / character of vernacular dwellings	MUDPS/77/260 & MUDPS/77/261	1
In Justification and Amplification, para 8.40, reference to 'listed' buildings should be removed as re-use of listed buildings is covered in policies HE9, HE10 & HE11	MUDPS/77/264 & MUDPS/77/265	1
Remove 'bad neighbour' from Justification and Amplification para 8.42. unsound - may cause mis-interpretation. This could increase threat of wilful neglect to non-listed vernacular buildings	MUDPS/77/266 & MUDPS/77/267	1
Concern policy does not reflect SPPS test of 'locally important buildings'	MUDPS/115/41 & MUDPS/174/14	2
Policy allows for replacement of a non-residential building to a dwelling - policy box heading should reflect this	MUDPS/115/41	1
Include policy wording 'Any extensions, alterations or adaptations should not result in a net loss of biodiversity'. Policy should refer to biodiversity features i.e. nesting/roosting bricks, green roofs etc	MUDPS/59/233, MUDPS/59/30 & MUDPS/59/31	1
<u>Policy CT2- Criteria (e) - Dwelling on a farm</u>		
Occupancy conditions should be attached to dwelling for retiring farmer to ensure property is not sold within a short time frame Dwelling on farm should be visually linked or sited to cluster with a group of buildings on farms- no exceptions including for retiring farmer	MUDPS/85/41 & MUDPS/85/44, MUDPS/115/42	2
Policy does not refer to SPPS criteria of no dwellings / development opportunities being sold off or transferred from farm holding within 10 years of the date of the application	MUDPS/115/42	1
No reference to integration of a new dwelling or rural character requirement as per SPPS although notes that some of these issues are addressed in GP1	MUDPS/115/42	1

The Justification and Amplification definition of agricultural activity (para 8.46) refers to previous EC Reg No.73/2009 (in PPS 21) as opposed to updated EC Reg No 1307/2013 (SPPS)	MUDPS/115/42	1
Concerns that policy does not fully address access to public road; limited linkage to GP1 & transport policies, policy should state 'where practicable access to the dwelling should be obtained from an existing lane'.	MUDPS/115/221 MUDPS/115/222	1
Policy CT2- Criteria (f) - Dwelling in a farm cluster		
Criteria (f) should be removed as it conflicts with criteria (e) If the farm business is no longer active what is need for a further dwelling - as traditionally the purpose of a farm dwelling was to ensure continued working of farm passes from one generation to next. Approach does not take account of SPPS and is not supported by adequate evidenced justification - will give rise to unsustainable increase in residential development - threatens objectives of DPS - significant risk to soundness	MUDPS/85/42, MUDPS/174/15 MUDPS/115/43	3
Include wording 'or adjacent to' a farm cluster and remove 'excluding domestic garages and small sheds'. This will allow for rounding off. Many traditional small farms may comprise of a dwelling and 1 or 2 small buildings such as a byre, stable, or piggery.	MUDPS/189/2	
4.11 Policy CT2 Criteria (g) - Dwelling to meet Personal and Domestic Circumstances		
Criteria (g) negates criteria (h). Definition of carer should be provided for clarity and should exclude childcare. Criteria (g) Dwelling to meet personal and domestic circumstances largely takes account of SPPS however the department would question whether an attached dwelling is an appropriate solution.	MUDPS/85/43 & MUDPS/115/44	
Criterion (h) 'Dwelling for a carer or someone availing of care' is an approach that has the potential to give rise to significant and unsustainable increase in residential development in the countryside. Council has failed to articulate clearly the justification or evidence underpinning this policy which does not take account of SPPS, The reference to research	MUDPS/115/45 & MUDPS/174/16	2

indicating that just over 10% of the population rely on a degree of care in relation to the elderly or children is not adequately referenced and clarification is requested of the source.		
4.12 Policy CT2 Criteria (i) - Dwelling for a Business Enterprise		
Policy approach differs from the SPPS requirement for a site specific need that makes it essential and states only that there should be a site specific and operational requirement for an employee to live next to the business. The justification and amplification further contradicts the policy wording by stating that an established business may require residential accommodation for one of the firms employees to live at the site for security reasons alone. It is DfI's view that the need to provide improved security alone is unlikely to warrant the grant of planning permission.	MUDPS/115/46	1
4.13 Policy CT2 (j) - Dwelling for Holder of Commercial Fishing licence		
8.61 - must be more flexible if you are to attract fishermen back into the industry - remove '6 years fishing licence criteria' and 'must have fished in mid ulster in the last 6 years' - what is the justification for this - Page 22 of rep.	MUDPS/162/29 & MUDPS/162/41	1
The policy provision at (j) for a dwelling for the holder of a commercial fishing licence is not provided for in regional policy. Council has not provided evidenced local justification of the basis of introducing a policy to provide dwellings in the countryside for the holder of a commercial fishing licence. Although HRA anticipates resultant development from fishermen policy to be low- monitoring and review programme needed to ensure such development does not exceed environmental limits.	MUDPS/59/33, MUDPS/115/47 & MUDPS/174/16	3
Representation states the rationale for the actual policy area boundary where the dwelling must be located with respect the provision for a dwelling for the holder of commercial fishing licence policy is unclear. What is the operational basis for permitting the holder of a commercial fishing licence the opportunity of a dwelling in the area identified adjacent to Lough Neagh? The Department is	MUDPS/56/19 & MUDPS/115/47	2

of the opinion that the Council has not presented an evidential need to make provision for supporting the local eel fishing communities.		
Concern raised that many farmers are also holders of commercial fishing licences - which doubles up their opportunity of obtaining dwellings in the countryside	MUDPS/192/15	1
Protect Slieve Gallion Group consider paragraph 8.56 of the DPS to be somewhat restrictive and should be reconsidered. Paragraph 8.56 of the DPS states that 'All permissions granted under this policy will be subject to a condition restricting the occupation of the dwelling to a named individual and their dependents.'	MUDPS/162/40	1
4.14 Policy CT3 - Social and affordable housing in the countryside		
Policy should also include provision for small scale purpose built housing, again based on need confirmed by the relevant authority and if necessary linked to and established social farm incorporating horticultural opportunities.	MUDPS/62/2	1
Support advocated for this policy however policy should refer to affordable housing (social and intermediate housing).	MUDPS/85/46	1
Policy need to take account of existing infrastructure, access to public road and consideration given to all modes of transport.	MUDPS/115/223	1
The J&A refers to a small group in SPPS, this is not stated in the actual policy box and could therefore weaken the policy	MUDPS/174/18	1
4.15 Policy CT4 - Dispersed Rural Communities		
SPPS makes no provision for DRCs but acknowledged we have 3 existing. Council need to provide evidence of economic and social disadvantage that underpins existing DRC	MUDPS/115/49	1

designation and in any new DRC's brought forward in the future. Clachan accords with previous regional operational policy. Concern with provision for single dwellings within DRC.		
DRC designations not supported by NIHE as they create isolation for individuals from a range of different services For reasons discussed elsewhere in this representation in respect of SPF7, objections are raised with regards policy CT4.	MUDPS/85/47 & MUDPS/192/16	2
Query how a 'substantial economic and social contribution' will be assessed. Clarification requested as to what constitutes 'appropriate economic development' and tourism, community facilities and 'cottage industries'	MUDPS/85/48	
What is the rationale for using a 'clachan' style approach it is not clear in the amplification text.	MUDPS/162/42	
Policy allows for up to 6 dwellings in countryside-significant implications for NI Water as Package Wastewater Treatment Plants may be offered for adoption. Policy not sustainable - further small wastewater assets for management by NI Water, there are also funding issues	MUDPS/170/4	1
Broughderg and Davagh Upper DRC overlie the Owenkillew SAC. Policy CT4 is promotive of development within DRCs however in European sites there should be no presumption for development. Policy therefore inconsistent with EU Directives / SPPS. DRC zones directly abuts SAC. Page 128 of HRA Report states that DRC do not require a HRA. However Cookstown Area Plan did not undergo HRA. Given proximity to European Site the plan must flag up requirement for HRA.	MUDPS/167/7 & MUDPS/168/11	2
4.16 Policy CT5 - Temporary/Residential Caravans/Mobile Homes		
Policy too restrictive - states that other countries have used this as a housing solution in the countryside and that no consideration has been given to innovation and technology- modern mobile homes can be made from biodegradable materials.	MUDPS/162/43 & MUDPS/192/43	2
	MUDPS/189/3	1

Recommends adjusting temporary period from 3 years to 5 years as this would allow temporary accommodation to remain on site for lifetime of planning permission.		
Summary – Original Paper		
53 issues <ul style="list-style-type: none"> Housing in the Countryside Strategy – 2 issues Policy CT 1 - General Policy – 4 issues Policy CT2 – Dwellings in the Countryside – 47 issues 		

Counter Representations – Housing in the Countryside – Original Paper - 20 Counter Reps		
Counter-Representation Respondent	Counter-Representation Reference Number	Reference number Counter-Representation relates to
	DPSCR/80 DPSCR/81 DPSCR/89 DPSCR/99 DPSCR/101 DPSCR/102 DPSCR/103 DPSCR/120 DPSCR/121 DPSCR/129 DPSCR/139 DPSCR/141 DPSCR/142 DPSCR/143 DPSCR/160 DPSCR/161 DPSCR/179 DPSCR/189	

	DPSCR/192 DPSCR/193	
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Addendum – Housing in the Countryside - 12 issues		
Issue Raised by Representation/s	Rep / element no.	No. of reps cited against issue
Policy CT2 – Dwellings in the Countryside - 11 issues		
Policy CT2 needs to be capable of reducing the amount of derelict, ruinous and unsightly buildings in the countryside by allowing more opportunities for redevelopment.	MUDPS/189/4	1
In relation to criteria f) of Policy CT2, reduce number of substantial buildings on the farm cluster from 3 down to 2. Many traditional small farm groups contained limited number of buildings.	MUDPS/189/5	1
In relation to criteria b) of Policy CT2, remove the stipulation that a dwelling either side of an infill site must have its own defined curtilage.	MUDPS/189/6	1
In relation to criteria e) of Policy CT2, terms like "next to" and visually linked are unclear and need more clarity.	MUDPS/214/22	1
CT 2 (a) does not allow neatly for the development of a fourth innard to a crossroads for example; does not provide neatly for clustering where there is a substantial structure but not a building.	MUDPS/231/27 MUDPS/231/28	1
CT 2 (b) does not allow for situations where there is a small strip of land to the front of a site, or where a dwelling presents onto a road but only its access actually adjoins the road.	MUDPS/231/29 MUDPS/231/30	1

CT 2 (c) does not provide for the replacement of buildings which no longer display the characteristics of dwelling houses.	MUDPS/231/31 & MUDPS/231/32	1
CT 2 (d) does not provide for conversion of buildings that are substantial, which may be modern but non-traditional.	MUDPS/231/33 & MUDPS/231/34	1
Policy CT 2 (e), too long between opportunities.	MUDPS/231/35 & MUDPS/231/36	1
Policy CT 2 (f) does not allow neatly for a site that is opposite or beside but not directly abutting other development.	MUDPS/231/37 & MUDPS/231/38	1
Policy CT 2 presumes all farms will have existing agricultural buildings. The Policy is too restrictive where more than one child needs a site.	MUDPS/231/36 & MUDPS/140/17 & MUDPS/140/18	2
Policy CT 5 - TEMPORARY RESIDENTIAL CARAVANS / MOBILE HOMES – 1 issue		
Policy CT5 not clear. It implies that permission will be granted for a new dwelling if mobile is also approved.	MUDPS/214/21	1
Summary - Addendum		
12 issues CT2 Dwellings in the Countryside – 11 issues CT5 Temporary Residential Caravans / Mobile Homes – 1 issue		

Summary – Original + Addendum	
Original = 53 issues <ul style="list-style-type: none"> Housing in the Countryside Strategy – 2 issues Policy CT 1 - General Policy – 4 issues 	

- Policy CT2 – Dwellings in the Countryside – 47 issues

Addendum = 12 issues

- CT2 Dwellings in the Countryside – 11 issues
- CT5 Temporary Residential Caravans / Mobile Homes – 1 issue

Total: 65 issues

Representation submissions received in relation to topic area: (Total = 22)

MUDPS/

29, 30, 56, 59, 62, 66, 77, 85, 115, 126, 159, 162, 167, 168, 170, 174, 177, 189, 192, 214, 231, 241

Counter Representations Received: (20)

DPSCR/

80, 81, 89, 99, 101, 102, 103, 120, 121, 129, 139, 141, 142, 143, 160, 161, 179, 189, 192, 193,

Health, Education and Community Uses

Health, Education and Community Uses – Original Topic Paper – 11 issues		
Issue Raised by Representation/s	Rep / element no.	No. of reps cited against issue
Policy COY 1- Community Uses – 11 issues		
The text highlights the lack of services in the Mid Ulster Area such as A&E provision, counselling, citizens advice centres and a lack of mental health provision. It does not acknowledge the number of deaths by suicide in the text.	MUDPS/180/7	1
Clarification is sought as to whether ‘community uses’ includes health and educational uses within the context of Policy COY 1. Concerns have also been raised regarding the policy in that it fails to acknowledge or address challenges posed to service providers for spatially dispersed populations.	MUDPS/115/51	1
Further clarification is needed around what is meant by ‘exceptional circumstances’ and ‘comprehensive development of surrounding lands.’ Therefore, the implementation/application of the policy is unclear and clarity is sought.	MUDPS/147/4	1
The strategic settlement evaluation paper is considerably out of date and it has been requested that the council review this paper to ensure the policy is founded on an up-to-date evidence base.	MUDPS/147/5	1
Identifies the lack of an acute hospital in Mid Ulster as an area of major concern given the current population and the predicted population growth in Mid Ulster. Asks for consideration to be given to access schemes from the remotest areas to be developed and prioritised. The Council must advocate for better health services in Mid Ulster.	MUDPS/162/44	1

The strategy is narrowly focused and will have minimal effect for the majority of citizens. Consideration must be given to the links between chronic diseases statistics and predictive analysis plus the best available evidence to devise policies to improve the health and wellbeing for those living in Mid Ulster.	MUDPS/162/45	1
Paragraph 9.15 states that it aims to reduce the percentage of health related deaths in Mid Ulster, yet how it intends to do this is not clear. More information is required and the link between environment and health warrants escalation and further integration in all aspects of this strategy.	MUDPS/162/46	1
It has been suggested that Policy COY 1 should reflect the fact that small-scale housing can represent social developments with community wide benefits within the health care environment.	MUDPS/62/3	1
Recommended to include a planning gain/developer contribution policy within this section to provide community facilities.	MUDPS/85/50	1
It has been suggested that the Council consider incorporating a specific policy for Specialist Residential Accommodation as part of this policy.	MUDPS/147/6	1
Requesting the strategy acknowledges an outline planning application for a consolidated Primary Health Care Centre which is consistent with the 'health care hubs' strategy.	MUDPS/192/17	1
Summary – Health, Education & Community Uses - 11 issues		
Total = 11 issues <ul style="list-style-type: none"> • Original Paper - Policy COY 1- Community Uses – 11 issues • Addendum – No new issues (General comments noted) 		

Representation submissions received in relation to topic area: (Total = 11)

MUDPS/

31, 56, 62, 85, 115, 137, 147, 159, 162, 180, 192,

Counter Representations Received: (0)

Urban Design

Urban Design – Original Topic Paper – 7 issues		
Issue Raised by Representation/s	Rep / element no.	No. of reps cited against issue
Policy UD1 - Urban Design – issues		
a)Biodiversity The section is limited on key design features from a biodiversity perspective, the policy should require biodiversity be designed into the built environment. Further details could be contained within an appropriate supplementary guidance document on design that would refer back to the UD 1- Urban Design Policy.	MUDPS/59/35, MUDPS/59/36, MUDPS/59/37, MUDPS/59/38, MUDPS/59/39	1
b)Building Height Restriction There is no evidence of a building height assessment to support or justify a restriction of 2-3 storeys on prevailing building heights within the settlement limit. This should be removed as it is contrary to regional policy which promotes compact urban forms.	MUDPS/76/2 MUDPS/192/18, MUDPS/192/19, MUDPS/192/20, MUDPS/192/21, MUDPS/192/22	2
c)SuDS The Council should promote use of SuDS within Public Realm Schemes/ streetscape improvement schemes in order to improve the resilience of existing drainage systems as SuDS attenuates storm water & thereby mitigates its effect on drainage network capacity.	MUDPS/115/278 MUDPS/170/20	2
d)Design and Access Statement Clarification is sought on when a Design and Access Statement is required with calls for the submission of a Design Concept Statement for residential applications and a Design and Access Statement for major applications.	MUDPS/76/16 MUDPS/118/3 MUDPS/137/8 MUDPS/138/16 MUDPS/139/11	5

e)Heritage Assets Consideration should be given to the design of development within and close to sensitive heritage assets and their settings. Further criterion should be added to state that design of development should have no significant adverse effect on unlisted and listed buildings, monuments in state care and scheduled monuments, and on the character of areas recognised for their landscape or townscape value, such as Areas of Outstanding Natural Beauty, Conservation Areas, Areas of Townscape Character and Areas of Special Archaeological Interest (as per paragraph 4.26 of the SPPS).	MUDPS/174/19, MUDPS/174/20	1
f)Policy UD1 to be removed The policy is incoherent and potentially confusing with design policies referenced in both GP1 and UD1. Design policies should be contained within one overarching policy with UD1 deleted and criterion (c) of GP1 redrafted.	MUDPS/76/15 MUDPS/118/22	2
g)Rural Design A note is made that in relation to design, the policy it relates to urban only but what about rural design?	MUDPS/174/72	1
Summary – 7 issues		
Policy UD1 – Urban Design – 7 issues		

Addendum - Urban Design – 2 issues		
Issue Raised by Representation/s	Rep / element no.	No. of reps cited against issue
Policy UD1 - Urban Design – 2 issues		

Policy UD1 is unsound as it replicates policy in GP1 and fails to make clear that Design and Access Statement are not needed unless application is for major development.	MUDPS/215/9	1
UD1, J&A states building heights should respect existing building height of 2-3 storeys - no evidence for this as typical building height and as such, it limits flexibility.	MUDPS/215/10	1

Summary – Original + Addendum
<p>Original = 7 issues</p> <ul style="list-style-type: none"> • Policy UD1 – Urban Design = 7 issues <p>Addendum = 2 issues</p> <p>Total: 9 issues</p>

Representation submissions received in relation to topic area: (Total = 11)

MUDPS/

59, 76, 115, 118, 137, 138, 139, 170, 174, 192, 215

Counter Representations Received: (0)

Open Space, Recreation and Leisure

Open Space, Recreation and Leisure – Original Paper = 14 issues		
Issue Raised by Representation/s	Rep / element no.	No. of reps cited against issue
Open Space, Recreation and Leisure Strategy = 1 issue		
Reference to SuDS No mention of the use of SUDS in new open space, this could potentially be included.	MUDPS/115/281	1
Policy OS 1 – Protection of Open Space = 3 issues		
Link to tourism Passive recreation facilitates could be further promoted including walks and trails in the Sperrins by linking with the tourism strategy and marketing such activities.	MUDPS/162/47	1
Biodiversity Strengthen policy on the importance of biodiversity protection. Biodiversity and nature educational programmes and data gathering projects should be sponsored by MUDC as well as new bee hives at MUDC owned parks/forests.	MUDPS/162/47	1
Fails to align with SPPS SPPS sets out a general presumption against the loss of open space however allows for exceptions to the loss of open space where there is no significant detrimental impact. Policy should be revised to reflect SPPS paragraph 6.205. Consideration should be given to the rezoning of open space surrounding centres to allow for the expansion of business/industry uses.	MUDPS/174/22 MUDPS/53/2	2

Policy OS 2 – Protection of River Corridors = 2 issues		
A. Policy unclear		
<ul style="list-style-type: none"> (i) Policy may benefit from inclusion of paragraph 11.20 within policy box. (ii) The term 'Main River' requires clarification, as well as clarification whether policy applies to urban and rural areas. Owenkillew and Ballinderry Rivers are SACs therefore J&A should state 'Planning permission will only be granted for a development proposal that, individually or in combination with existing/proposed plans/projects is not likely to have a significant effect on these SACs'. (iii) Policy should include guidance to ensure main river banks do not create unnatural landscapes. Policy should refer to developing/maintaining public access to river corridors for angling/engagement with nature/ facilitating community connectivity. 	MUDPS/115/54 MUDPS/56/2, MUDPS/56/22 MUDPS/56/21, MUDPS/56/22, MUDPS/167/26, MUDPS/168/10, MUDPS/134/7	5
B. Policy requires greater flexibility		
<ul style="list-style-type: none"> (i) Policy as currently worded does not provide flexibility to enable it to deal with changing circumstances. Policy OS2 should be reworded to state "proposals on sites adjacent to a main river will 'normally' conflict with the plan". (MUDPS/125/1) (ii) It is noted that there is no evidence for the proposed 10m biodiversity strip within the policy review paper and it would appear to be an arbitrary figure. This aspect of the wording should be included as guidance rather than a rule to provide a greater degree of flexibility. (MUDPS/138/17, MUDPS/192/24, MUDPS/192/25) 	MUDPS/125/1 MUDPS/138/17, MUDPS/192/24, MUDPS/192/25	3
Policy OS 3 – Outdoor Sport and Recreation = 6 issues		
Noise generating sport		
Shooting is discussed negatively under noise generating sport, however clay pigeon shooting can draw visitors which can help support local services therefore policy should encourage outdoor sport in the countryside such as clay pigeon shooting. Paragraph 11.26 should reference clay pigeon shooting and paragraph 11.28 should state these activities help sustain rural economy by supporting regeneration and creating employment.	MUDPS/95/2	1

Open Space Policy Requirement Paragraph 7.31 should be a specific policy requirement requiring open space provision	MUDPS/115/55	1
Align with SPPS Sports facilities in the countryside conflicts with SPPS, intensive sport should be in settlement. Evidence is required to support this deviation. Noise Generating Sports and Outdoor Recreational Activities, Floodlight and Development of Facilities ancillary to Water Sports should be addressed in the policy box. Policy does not address noise sensitive uses including schools, hospitals, places of worship and residential which are included in the SPPS.	MUDPS/115/55	1
Development outside SCA Policy sets out the approach to this type of development outside of the SCA, however some detail should be included within the policy box. The term "open development" is ambiguous and requires clarification.	MUDPS/115/330	1
Failure to consider traffic generated DfI provided advice to the POP consultation that policies PPS3, DCAN15, PPS7 and PPS13 are brought forward in LDP. Policy needs to take account of existing infrastructure, access to public road, road safety, parking and traffic progression and give consideration to all modes of transport.	MUDPS/115/225-226	1
Policy requires amendments Criteria (a) of Policy OS3 is unsound as there is no defined database of the 'best and most versatile agricultural land' in the district. 'Watersports Enhanced Together-Get Wet Toolkit' should be referred to as it outlines good practice in development. Further planning criteria is required to ensure no significant impact on features of importance to natural or built heritage or visual amenity to allow integration into the landscape.	MUDPS/192/26, MUDPS/192/27, MUDPS/134/8, MUDPS/174/21	3

Policy OS 4 – Indoor Sport and Intensive Outdoor Sports Facilities = 2 issues		
Take account of SPPS Policy OS4 conflicts with SPPS which states intensive sports facilities should be located within settlements. The robustness of OS4 should be strengthened to explicitly state that the applicant must demonstrate specific locational need for intensive sports proposals outside the settlement.	MUDPS/115/56, MUDPS/174/23	2
Failure to consider traffic generated <i>DfI provided advice at POP that policies PPS3, DCAN15, PPS7 and PPS13 are brought forward in LDP. Policy needs to take account of existing infrastructure, access to public road, road safety, parking and traffic progression and give consideration to all modes of transport.</i>	MUDPS/115/227, MUDPS/115/28	1
Summary (Original Paper) = 14 issues		
<ul style="list-style-type: none"> • Open Space, Recreation and Leisure Strategy = 1 issue • Policy OS 1 – Protection of Open Space = 3 issues • Policy OS 2 – Protection of River Corridors = 2 issues • Policy OS 3 – Outdoor Sport and Recreation = 6 issues • Policy OS 4 – Indoor Sport and Intensive Outdoor Sports Facilities = 2 issues 		

Summary – Original + Addendum
Original = 14 issues <ul style="list-style-type: none"> • Open Space, Recreation and Leisure Strategy = 1 issue • Policy OS 1 – Protection of Open Space = 3 issues • Policy OS 2 – Protection of River Corridors = 2 issues • Policy OS 3 – Outdoor Sport and Recreation = 6 issues • Policy OS 4 – Indoor Sport and Intensive Outdoor Sports Facilities = 2 issues • Addendum = no <u>new</u> issues raised Total: 14 issues

Representation submissions received in relation to issues raised in topic area: (Total = 14) (excludes support)

MUDPS/

53, 56, 95, 115, 125, 134, 138, 162, 167, 168, 174, 192, 214, 231, 241

Counter Representations Received: (0)

Economic Development

Economic Development – Original Paper = 31 issues		
Issue Raised by Representation/s	Rep / element no.	No. of reps cited against issue
Economic Development Strategy = 2 issues		
Inclusion of RIPA policies RIPA policies should not be included in this stage of the Plan process, and the allocations do not meet the tests. No weight should be given to the RIPA policy areas in advance of DFI scrutiny and independent examination. Clarification on what exactly a RIPA is.	MUDPS/192/28 MUDPS/190/7 MUDPS/136/1-2 .	2
Potential loss of industrial land The relaxation of the protection afforded under current policy has the potential to lead to a loss of industrial lands in both towns (Maghera and Coalisland). Provision of economic land to only the 3 main towns does not allow for changing circumstances throughout plan period. DPS identifies many industrial and business enterprises in rural areas, so to focus on 3 towns is detrimental to district as a whole.	MUDPS/190/8 MUDPS/98/7 MUDPS/99/10	3
Policy ECON 1 = 7 issues		
No clarity on the suitability of district centres for office development The policy does not provide any clarity on the suitability of district centres for office development.	MUDPS/94/6	1
PS should identify sites suitable for mixed use development	MUDPS/100/1, MUDPS/100/5	1

<p>The Plan should identify sites suitable for mixed-use development where a combination of employment uses and housing may provide a means to stimulate economic growth in particular circumstances. The SPPS notes "LDPs should identify opportunities for mixed use development...where this would create synergy and underpin the economic viability of the development as a whole".</p>		
<p>DPS should indicate a flexible approach will be adopted for economic development proposals</p> <p>Permit suitable areas to be developed wider than Class B2-B4, e.g. care homes, hotels, Class B1 where appropriate.</p> <p>It should be stated that ECON1 refers to uses class B1-B4 and Sui Generis uses. It should also be stated that b2-b4 will not be acceptable in the PRC, unless associated with an existing use or form part of a m.u.d.</p>	<p>MUDPS/100/4, MUDPS/100/12 MUDPS/148/1</p>	<p>2</p>
<p>Policy should provide direction for assessment for local towns which will not be zoned for economic land</p> <p>DfI Roads state if the intention is not to zone economic land within the local towns, then we should be satisfied that Policy ECON1 provides sufficient policy direction for assessment within these settlements.</p>	<p>MUDPS/115/57</p>	<p>1</p>
<p>Policy does not appropriately apply principles of integrated land use and transport</p> <p>DfI Roads wish for it to be demonstrated that the principle of integration of land use and transport is given appropriate consideration in identification of their growth strategy, housing allocations and economic policies.</p>	<p>MUDPS/115/254, 255,260</p>	<p>1</p>

<p>Evidence base is not robust and is outdated</p> <p>The evidence base is not robust and is outdated as it is dated 2016. It does not reflect advances in technology, for example advances in robotics and automation, which has resulted in lower employee to land requirement densities. New survey required to establish more up to date employment density numbers.</p>	<p>MUDPS/127/3-4 MUDPS/192/29-30</p>	<p>2</p>
<p>Settlement limits should be defined at this stage</p> <p>Recognises that economic land zoned at LPP, but inclusion or non-inclusion within settlement is relevant at this stage as it will determine which of ECON1 or ECON2 applies. ECON2 imposes higher threshold and would disadvantage development at this site. Plan needs updated to reflect existing employment areas which form part of the identified settlement. Should include modest rounding off to facilitate moderate growth at this site during plan period.</p>	<p>MUDPS/157/6-17</p>	<p>1</p>
<p>Policy ECON 2 = 17 issues</p>		
<p>Cumulative impact of additional opportunities in countryside will adversely impact on landscape and environmental quality</p> <p>DfI are concerned policy could be seen to promote development in the countryside, and it is not supportive of SPPS objectives, specifically the level of new building outside settlements. Policy is not consistent with regional policy and departure from this must be justified. DfI state this is a permissive policy approach where the emphasis is on new buildings rather than the re-use of existing structures as advocated in the SPPS. No compelling evidence to justify this departure from the RDS and SPPS. (MUDPS/115/25) (MUDPS/115/58)</p> <p>DfI concerned criteria (a) has potential to result in significant new economic development in countryside and note preference B2 not stated in policy. (MUDPS/59)</p> <p>DfI believe circumstances for criteria (e) is subjective and there is a lower bar to overcome. (MUDPS/115/60)</p>	<p>MUDPS/115/25 MUDPS/115/58 MUDPS/59 MUDPS/115/60 MUDPS/115/61 MUDPS/115/229-232</p>	<p>2</p>

<p>DfI believe conditions for criteria (f) more flexible than SPPS, without the requirement of a locally important building, and will result in significant new economic development in countryside. (MUDPS/115/61)</p> <p>DfI have concerns this policy could promote proliferation of economic development in the countryside due to perceived low threshold of acceptability. (MUDPS/115/229-232)</p>		
<p>Clarity on what MUDC consider to be acceptable contribution to the local economy and level of community support.</p> <p>DfI noted in all cases an assessment of the likely contribution the enterprise will make to the local economy and information on the level of community support is needed. DfI requested clarification on what would be consider to be acceptable contribution to the local economy and level of community support. (MUDPS/115/62)</p>	MUDPS/115/62	1
<p>Policy fails to take cognisance of RIPA sites that are not deemed as 'Strategic'</p> <p>Rep states Policy ECON 2 fails to take cognisance of RIPA sites that are not deemed as 'Strategic' and requests clarification.</p>	MUDPS/37/1	1
<p>No clarification on acceptable uses within RIPAs and areas detailed in Policy</p> <p>Unclear whether RIPAs permit expansion of employment uses beyond set limits. Concern that due consideration has not been given to the environment and economic growth within settlements including in ABC borough. [Representation requests clarification as to acceptable uses within RIPAs and areas detailed in Policy ECON 2] (MUDPS/56/12-14)</p>	MUDPS/56/12-14	1
<p>Amend policy wording</p> <p>Amend policy amplification wording from 'it will therefore be necessary to carry out a relevant wildlife survey, where these species are identified' to 'where the presence of a protected species is suspected'. The revised text should also refer back to the language & legislation contained within SPPS- para 6.180 and 6.181. (MUDPS/59/40-42)</p>	MUDPS/59/40-42	1
<p>Include an additional criteria for cattlemart</p>	MUDPS/95/1	1

<p>Include an additional criteria to Econ 2 for a cattlemart that is located in an area where no mart currently operates and where there is a need. Amend Para 12.20 to include 'cattlemart' as a 'welcome investment in rural mid ulster'. (MUDPS/95/1)</p>		
<p>Include provision for industry which is related to quarrying activity, but off-site Agrees with the principle of ECON 2, and how it provides for existing quarry related activity, however the policy must also cater for existing 'off-site' related industries which for various reasons cannot be located close to the quarry. Provisions should be included which allows for industry which is related to quarrying activity but sited at a different location. (MUDPS/101/52)(MUDPS/103/8)(MUDPS/105/9)</p>	<p>MUDPS/101/52 MUDPS/103/8 MUDPS/105/9</p>	<p>3</p>
<p>Introduce a sequential test for economic development in the countryside A sequential test for economic development in the countryside would be beneficial in order to ensure existing zoned land is utilised, or land in settlements where possible, as there are superior linkages and clustering with other services here. (MUDPS/148/2)</p>	<p>MUDPS/148/2</p>	<p>1</p>
<p>Policy not consistent with SPPS and Policy AFR2 The policy does not clarify that farm businesses must be currently active and established for a minimum of 6 years as per the SPPS. The policy is also inconsistent with policy AFR2 of the local plan. Policy ECON2 should be revised to be consistent with government advice and policy AFR2. (MUDPS/174/25)</p>	<p>MUDPS/174/25</p>	<p>1</p>
<p>Word 'self-employment' should be removed from criteria (a) or a definition for self-employment should be provided In response to criterion (a) it is recommended that the word 'self-employment' is removed from the policy or a definition is provided for self-employment. (MUDPS/126/13-14)</p>	<p>MUDPS/126/13-14</p>	<p>1</p>
<p>Amend criteria (b) to reflect Para 8.33-8.34 Criteria (b) should be altered to reflect the wording in Paragraph 8.33-8.34 with regards to development of a small gap site.</p>	<p>MUDPS/148/5</p>	<p>1</p>
<p>Objection to final paragraph in ECON 2 This element of the policy does not include the reasonable flexibility required to ensure the plan can deal with changing circumstances.</p>	<p>MUDPS/192/30</p>	<p>1</p>

(MUDPS/192/30)		
Criterion (e) should differentiate between expansion for isolated business sites and RIPAs Criterion (e) of Policy Econ 2 does not distinguish between an expansion for isolated business sites or potential RIPAs. Criterion should differentiate between the two types of development schemes as these could vary considerably in scale and need. (MUDPS/151/5, MUDPS/156/7-8)	MUDPS/151/5, MUDPS/156/7-8	2
Amend policy wording criterion (e) Plan needs to be updated to reflect operational needs to existing employers to grow and respond to market demands. Remove "...and where the economic use makes a significant contribution to the local economy." from policy ECON 2 criterion (e). (MUDPS/157/13-15)	MUDPS/157/13-15	1
Amend policy wording criteria (h) Criterion (h) should be reworded because not all major industrial / economic proposals will make a contribution to the NI economy but will instead make a contribution to the mid ulster economy. Change wording of criterion (h) from 'regional economy' to 'district economy'. (MUDPS/148/3)	MUDPS/148/3	
Amend criterion (j) The policy should include reference in this criteria to the manufacture of bituminous road materials. (MUDPS/29/12)	MUDPS/29/12	
Exception should be provided for a new building away from the farm group An exception should be provided for a new building away from the farm group, if it has a significant level of integration and screening, as there would be very limited visual impact and no detrimental harm on rural character. (MUDPS/148/6)	MUDPS/148/6	
Policy ECON 3 = 3 issues		
Policy unclear	MUDPS/115/63	1

DfI Roads comment it is unclear how this policy will apply to Coalisland and Maghera. It is unclear if the land there is to be de-zoned or re-zoned. Para 12.25 of the Justification & Amplification contradicts matters. (MUDPS/115/63)		
Amend policy wording Rep agrees alternative uses on unzoned economic land should not be precluded, however requirement must 'result in environmental benefits' is unreasonable and unnecessary. This is onerous and could prejudice regeneration of brownfield sites contrary to RG7 of RDS. (MUDPS/160/7)	MUDPS/160/7	1
Inconsistent policy test Policy ECON3 introduces inconsistent policy tests for WMF use which leads to cherry picking policy and disorderly decision making. The DPS should provide clear policy supporting development of renewable biomass plants in appropriate areas. Suggested change that explicit wording in ECON 3 that WMF on zoned economic land/land last used for economic use accords with DPS subject to compatibility with adjacent uses and should not be tasked with proving community and employment benefits to locate in industrial areas. (MUDPS/87/2)	MUDPS/87/2	1
Policy ECON 4 = 2 issues		
Include areas of safeguarding for mineral resources around existing quarries. Mineral Product Association NI believe ECON 4 is clear rationale for safeguarding areas of mineral resource around existing quarries. Suggest to include areas of safeguarding for mineral resources around existing quarries. (MUDPS/29/13)	MUDPS/29/13	1
Include reference to 'new or expanded use' Whilst Invest NI consider the policy to be in general conformity with the SPPS, they request further consideration to including the reference to 'new or expanded uses'. (MUDPS/190/9)	MUDPS/190/9	1

Summary (Original Paper) = 31 Issues

- Economic Development Strategy = 2 issues
- Policy ECON 1 – Economic Development in Settlements = 7 issues
- Policy ECON 2 – Economic Development in the Countryside = 17 issues
- Policy ECON 3 – Protection of Zoned Land and Existing Economic Development Sites = 3 issues
- Policy ECON 4 – Development Incompatible with Economic Development Uses = 2 issues

Addendum - Economic Development = 9 issues

Issue Raised by Representation/s	Rep / element no.	No. of reps cited against issue
Shops on edge of settlements are detrimental to rest of the settlement, Moneymore is a prime example.	MUDPS/214/25	1
The representation supports the zoning of DECON 6 but argues that the Plan will only be considered sound with additional zoning of 11Ha to the North as per application LA09/2017/1407/O.	MUDPS/221/1-10	1
Economic development zones or mixed use economic development zones in Coalisland not explicitly mentioned in policy ECON 2 (C). Similarly, no mention of small business park (subject to planning appeal) at Ballynakilly.	MUDPS/231/41, MUDPS/231/42, MUDPS/238/9, MUDPS/238/10, MUDPS/239/15, MUDPS/239/16, MUDPS/241/19 & MUDPS/241/20	4
The requirement in ECON 2 (E) to demonstrate that relocation is not possible is required prematurely. It should be limited to major applications only or significant expansions.	MUDPS/231/43, MUDPS/231/44,	2

	MUDPS/238/11 & MUDPS/238/12	
No consideration given to other benefits when considering the possibility of developing land zoned for economic development, for other uses. Policy ECON 3 should permit the change of use of industrial land in settlement limits where there is no need to protect it for employment purposes and / or redevelopment would result in environmental, social, recreational or economic benefits.	MUDPS/231/45, MUDPS/231/46, MUDPS/231/17, MUDPS/231/18, MUDPS/238/17 & MUDPS/238/18	2
Policy ECON 3 - Environmental benefits appear to be mandatory - this does not allow for community or other benefits; does not appear to provide for the alternative use of sites that have previous or pending applications.	MUDPS/240/21, MUDPS/240/22, MUDPS/241/21 & MUDPS/241/22	2
The site specific requirement for major industrial development in the rural area should be removed from policy to allow for development where applicants can show a comprehensive attempt to find an alternative location.	MUDPS/238/13 & MUDPS/238/14	1
In relation policy ECON 2 (i) the requirement that the use will be associated with the settlement should be removed.	MUDPS/238/15 & MUDPS/238/16	1
Policy ECON 2 (D) does not make provision for economic expansion of an enterprise within the settlement limit, where the extension would be outside the S/L.	MUDPS/240/19 & MUDPS/240/20	1
Summary (Addendum) = 9 issues		

Summary – Original + Addendum = 40 issues
<p>Original = 31 issues</p> <ul style="list-style-type: none"> • Economic Development Strategy = 2 issues • Policy ECON 1 – Economic Development in Settlements = 7 issues • Policy ECON 2 – Economic Development in the Countryside = 17 issues • Policy ECON 3 – Protection of Zoned Land and Existing Economic Development Sites = 3 issues • Policy ECON 4 – Development Incompatible with Economic Development Uses = 2 issues <p>Addendum = 9 new issues</p>

Addendum = 9 issues

Total: 40 issues

Representation submissions received in relation to issues raised in topic area: (Total = 32) (excludes support)

MUDPS/

29, 37, 56, 59, 87, 94, 95, 98, 99, 100, 101, 103, 105, 115, 126, 127, 136, 148, 151, 157, 156, 160, 174, 190, 192, 214, 221, 231, 238, 239, 240, 241

Counter Representations Received: (0)

Retailing, Offices and Town Centres

Retailing, Offices and Town Centres		
Regional Context - Common Issues – 5 issues		
Issue Raised by Representation/s	Rep / element no.	No. of reps cited against issue
<p>Filling Stations (RE1, RE3, RE4)</p> <p>Without a specific policy in relation to filling stations it will result in a continued 'policy lacuna' on such matters given no regional policy has been provided in the SPPS to replace that previously under PPS5. Filling stations as its main use is not retail and is not a main town centre use as defined by SPPS should not be subject to a town centres first site assessment. It is important to clarify this.</p> <p>Reword second paragraph of RE3 to include the line 'excluding petrol filling stations with ancillary retail floorspace'</p>	<p>MUDPS/137/11 MUDPS/137/12 MUDPS/137/13 MUDPS/137/14 MUDPS/137/15 MUDPS/137/16</p>	1
<p>Floor space threshold (RE3, RE4, RE5, RE6)</p> <p>It is felt that the 100sq. Metres net floorspace threshold for proposals outside of the town centre is very small and there does not appear to be an evidence base to support it. RETAIL NI would suggest that a 200 sq. metres threshold would be more appropriate in the circumstances.</p> <p>Regarding the 1000sq. Metres threshold, whilst this is line with the SPPS, the SPPS also allows flexibility to lower this threshold (6.283 of SPPS). Therefore a one size fits all approach is not robust or sound in this regard. It is suggested that the threshold is reduced to 500 sq. metres.</p> <p>The 100 sq. metres floorspace figure contained in re 4 has no justification and appears to be arbitrary. RE3 should relate to comparison shopping and major retail proposals only; "retail development outside of town centres will only accord with the Plan where it has been demonstrated that there are no suitable sites available within the town centre."</p>	<p>MUDPS/115/68 MUDPS/148/12 MUDPS/148/13 MUDPS/148/15 MUDPS/148/16 MUDPS/164/3 MUDPS/164/6 MUDPS/164/7</p>	3

<p>DfI consider it is unclear if 100sqm in policy is gross, net retail or net floor area. Policy states units under 100sqm will not pose a significant threat. However, the impact of these is dependent on their number and location.</p>		
<p>Edge of centre sites and impact outside the district (RE3, RE5) Policy suggests developer only required to assesses impact on singular TC - this should be all TC's in catchment. Edge of centre sites cannot be considered out of centre. The sequential approach is welcomed. The 300m from town centre distance used to justify "edge of centre" is taken from the SPPS and perhaps a more accurate reflection for the relatively smaller main and local towns in Mid Ulster would be 150-200m. Change default distance of 300m from edge of town centre to 150-200m. The impact on retail provision on nearby settlements outside of MUDC should be considered. This should be clearly set out within policy to ensure due consideration is given to negative impacts on retail provision within neighbouring councils settlements</p>	<p>MUDPS/56/1 MUDPS/56/26 MUDPS/56/38 MUDPS/115/67 MUDPS/148/11</p>	<p>3</p>
<p>Protection of single retail businesses & service stations (RE5, RE6) RE5 seeks to protect the viability of an existing retail outlet. Neither RDS or SPPS seek to protect single retail businesses. This restricts competition, leads to limited choice & higher prices. Retail Strategy identifies local towns and villages as centres to meet the needs of the area and the hinterland. This is not followed through in policy. Policy RE 5 will discourage investment in these areas and this is at odds with the strategic approach. RE5 protects existing retail even if poor. Sentence, "similarly any new development must not..." is too protective and should be deleted. Unclear whether the potential impact from retail service stations on existing retail in settlements within MUDC & ABC has been considered.</p>	<p>MUDPS/56/43 MUDPS/56/44 MUDPS/160/3 MUDPS/160/4 MUDPS/164/4</p>	
<p>Contrary to strategic approach (RE4, RE6) Reword RE4; "within towns, suitably located neighbourhood shops will accord with the plan provided they do not conflict with the character or amenities of a residential area." If floor space is needed then it should be reflective of modern trends (see rep).</p>	<p>MUDPS/164/1 MUDPS/164/2 MUDPS/164/5</p>	<p>1</p>

<p>Retail Strategy identifies local towns and villages as centres to meet the needs of the area and the hinterland. This is not followed through in policy. Policy RE 6 will discourage investment in these areas and this is at odds with the strategic approach.</p> <p>Reword RE4; "within towns, suitably located neighbourhood shops will accord with the plan provided they do not conflict with the character or amenities of a residential area." If floor space is needed then it should be reflective of modern trends (see rep).</p> <p>Retail Strategy identifies local towns and villages as centres to meet the needs of the area and the hinterland. This is not followed through in policy. Policy RE 6 will discourage investment in these areas and this is at odds with the strategic approach.</p>		
Retailing, Offices and Town Centres Strategy – 5 issues		
<p>Retail Capacity Study required</p> <p>Prepare a retail capacity study to inform the retail hierarchy & policies. Dungannon will be the largest town in Mid-Ulster and has the weakest retail offer a full retail capacity study is required to focus growth.</p>	MUDPS/94/3	1
<p>Oaks Centre, Dungannon (Retail Strategy, RE3, RE7)</p> <p>There has been no up to date health check and current data is 4 years out of date. Without this, it is inappropriate to devise policies seeking to curtail retail growth at the well-established edge of centre retail development Oaks Centre.</p> <p>In addition the term 'hubs' is not a term used in the SPPS and would be better described as 'main towns'.</p> <p>Consolidating retail provision means strengthening retail provision. In order to 'retain district centres' they should be protected in the first instance under the DPS.</p> <p>Oaks Centre is located in an industrial & business area with a number of housing zonings which are undeveloped and would support additional day to day retail growth. Therefore likely significant demand for local day to day retailers. Amend policy RE3 and supporting text to specifically include district centres and particularly Oaks district centre as a potential appropriate out of town location for retail and main town centre uses.</p> <p>Illogical that District centres are not given same opportunity to accommodate office development as town & local centres. The DPS fails to recognise Oaks Centre potential to accommodate office development, which may not be accommodated within town centre.</p> <p>Amend policy RE7 and supporting text at Paragraph 13.46 to state proposals within a town</p>	MUDPS/94/1 MUDPS/94/4 MUDPS/94/5 MUDPS/94/7 MUDPS/94/8	1

<p>'or district centre' will accord with the plan for office and business uses unless specified otherwise.</p>		
<p>Edge of centre supermarkets Town centre first approach welcomed. Rationale for inclusion of 'edge of centre supermarkets and superstores' within hubs hierarchy is needed. They're not afforded protection in same way - shouldn't confuse with sequential test.</p>	MUDPS/115/64	1
<p>Local Centres There is a lack of evidence for not designating local centres. Local centres should be included within retail hierarchy to be consistent with paragraph 6.277 of SPPS. Failure to do so prohibits the ability of Council to designate these Centres within the LPP as these will not logically flow from one another. The inclusion of local centres will perform more positively with no negative impacts in the sustainability appraisal than Policy RE5. Para 13.47 states smaller office development should be located in existing local centres or in an area of existing economic or mixed-use activity which contradicts the retail strategy which states no local centres will be designated. No evidence provided to identify why expansion of edge of centre locations is unwarranted. Further research required to determine locations that would benefit from provision/retention of shops. Request further consideration is given to designating a local centre within Moygashel, in order to protect the retail offering for local residents. (map provided)</p>	MUDPS/154/1 MUDPS/154/2 MUDPS/154/3 MUDPS/154/4 MUDPS/154/5 MUDPS/154/6	1
<p>Town centre boundaries LIDL wish to construct replacement stores in Dungannon & Cookstown and are interested in Coalisland. Encourage boundaries of town centres are sufficiently large so there is a range of sites providing retail options as not all sites will be made available. Suggests no specific change to the DPS, the LPP will define the spatial extent of town centres.</p>	MUDPS/160/5	1
<p>RE1 Development within Town Centres – 2 issues</p>		
<p>PRC is undermined DfI suggest the intended protection afforded to the PRC is undermined as there isn't a requirement to demonstrate no suitable alternative site within PRC.</p>	MUDPS/115/65	1

Approval M/2014/0572/O The DPS acknowledges Dungannon has potential to expand spatially therefore, council must ensure sufficient provisions & no restrictions to compromise growth. A key feature to grow the vitality & vibrancy of Dungannon town centre will be Approval M/2014/0572/O, which should be protected when moving forward with the LDP process.	MUDPS/155/2	1
RE2 Retention of Shop Units in the Primary Retail Core – 4 issues		
The policy is internally conflicted. Policy RE 2 allows change of use in the first section, and prohibits all non-retail uses at the end. This is a conflict within the policy. Delete policy RE 2 on the basis that it is internally conflicted.	MUDPS/97/1	1
Molesworth Street Object to inclusion of Molesworth Street in primary retail core. Retail units remaining vacant could be reused as residential development. Council have not undertaken retail capacity study to understand demand and therefore not compliant with SPPS. Exclude client's lands at Molesworth Street from the Primary Retail core of Cookstown. (map provided) Include a policy that permits residential land use at ground floor on Molesworth Street to encourage footfall, diversity and mixed use.	MUDPS/97/2 MUDPS/97/3	1
Define 'significant loss' Policy acknowledges a busy and attractive PRC is key for vitality and viability. No clarification is provided on what is a 'significant loss'. Also, use of term tending' is subjective - in absence of further info difficult to be consistent.	MUDPS/115/66	1
LOTS and Public Realm The Rep is fully supportive of policy RE 2 and suggests some points for the council to consider as to how the PRC can be strengthened further. <ul style="list-style-type: none"> the promotion of LOTS in upper floors and the improvement of public realm to improve permeability. 	MUDPS/148/10	1
RE3 Retail and Main Town Centre Uses outside of Town Centres – 2 issues		
Define 'Suitable Sites' and 'no significant impacts.'	MUDPS/56/1 MUDPS/56/23	1

Representation is supportive of a sequential approach to retail and main town uses. Welcome further clarification within the justification and amplification of what is meant by 'suitable site' and 'no significant impact'.	MUDPS/56/24 MUDPS/56/39	
Requirement for an assessment of need There is no defined requirement for a need / capacity assessment or the parameters for any accompanying Retail Impact Assessment – should be included in the J&A. RE3 is inconsistent with Para 6.282 of SPPS in that it forms part of an up-to-date LDP yet still requires an assessment of need. Although SPPS refers to assessment of need this is not mandatory & does not state proposals will be refused if need is not met. Representation suggests the need test be omitted. Suggest policy is altered to confirm that site suitability within town centre encompasses viability as per para 6.289 of SPPS.	MUDPS/148/14 MUDPS/160/1 MUDPS/160/2	2
RE4 Neighbourhood Shops – 1 issue		
Define a Neighbourhood shop A clear definition of what constitutes a 'neighbourhood shop' may strengthen the policy.	MUDPS/56/25	
RE5 Retail and Related Uses in Villages and Small Settlements – 1 issue		
Scale and nature appropriate to character. Council reminded of need to revitalise small towns and villages in line with RDS. Policy states such development will normally be restricted to 100sqm. Reminded such proposals must be of scale, nature etc. appropriate to character-as per SPPS.	MUDPS/115/69	1
RE6 Retail and Related Uses in the Countryside – 2 issues		
TRAN4 & Service stations Consistent with TRAN4 Policy indicates an acceptance that in general terms, small-scale retailing will be permitted in countryside. Department remind us of need for policies to be coherent & logically flow. Shop associated with a service station must be consistent with TRAN4. While policy refers to acceptability of a convenience shop linked to service station, the J&A refers to existing service stations. Para 13.42 refs reduced visual impact of shops adjacent to existing service stations-but depend on scale etc. could be significant.	MUDPS/115/72	1

<p>Small retail facilities</p> <p>No clarification as to what constitutes 'small retail facilities' nor advice given on how they can aid local rural economy. This could be open to interpretation and easily overcome. Whilst Retail NI agree with the general approach of RE6 they would query the evidence base of setting aside the previous threshold of 250 sq. metres (from withdrawn PPS5) and lowering it to 100 sq. metres. The policy should retain flexibility to assess site-specific circumstances and could introduce a retail impact assessment and as assessment of need for any proposal greater than 250 sq. metres to provide robust consideration. 100sq m net threshold for shops in the countryside particularly for petrol stations is too low and undermines the potential viability of petrol stations.</p>	<p>MUDPS/115/71 MUDPS/148/17 MUDPS/175/1</p>	<p>3</p>
<p>RE7 Financial and Professional Services, Office / Business Use Development – 2 issues</p>		
<p>B1 Industrial Use</p> <p>It is inappropriate that the policy directs b1 industrial use to district centres. To allocate industrial lands in peripheral locations instead of encouraging it to the District centre first is contrary to the principles of sustainability.</p>	<p>MUDPS/94/2</p>	<p>1</p>
<p>Impact of flexibility on town centres</p> <p>Rep. notes flexible approach to financial & professional services, offices/business use development along with provisions in ECON 2. Unclear whether due consideration has been given to impacts this flexibility could have on town centres within MUDC and ABCBC.</p>	<p>MUDPS/56/1 MUDPS/56/27 MUDPS/56/40 MUDPS/56/41</p>	<p>1</p>
<p>MAP 1.8 – 1 issue</p>		
<p>KSR DOS 05</p> <p>To ensure delivery on the core principles & objectives identified in the DPS, the KSR laid out in the extant area plan for designation DOS 05 should be carried forward to ensure the overarching objectives of the DPS will be upheld.</p>	<p>MUDPS/155/3</p>	<p>1</p>
<p>Summary</p>		
<p>25 issues raised</p> <ul style="list-style-type: none"> • Regional Context - Common Issues – 5 issues • Retailing, Offices and Town Centres Strategy – 5 issues 		

- RE1 Development within Town Centres – 2 issues
- RE2 Retention of Shop Units in the Primary Retail Core – 4 issues
- RE3 Retail and Main Town Centre Uses outside of Town Centres – 2 issues
- RE4 Neighbourhood Shops – 1 issues
- RE5 Retail and Related Uses in Villages and Small Settlements – 1 issues
- RE6 Retail and Related Uses in the Countryside – 2 issues
- RE7 Financial and Professional Services, Office / Business Use Development – 2 issues
- MAP 1.8 – 1 issues

Addendum - Retailing, Offices and Town Centres – 10 issues		
Issue Raised by Representation/s	Rep / element no.	No. of Reps cited against issue
Policy wording of RE3 Third para of Policy RE3, Traffic Impact Assessment should be replaced with Transport Assessment.	MUDPS/115/370	1
Policy RE 3 – Retail and Main Town Centre Uses outside of Town Centres	MUDPS/137/26	1
Policy RE 4 - Neighbourhood Shops	MUDPS/137/27	1
Town Centre approach within Retail Strategy	MUDPS/212/1	1
Opportunity Sites	MUDPS/212/2	1
Office Development in town centres	MUDPS/212/3	1

Policy RE6	MUDPS/214/26	1
Response to Common Issues	MUDPS/214/27	1
Common Issues, Retail and Related Uses in the Countryside.	MUDPS/231/47-54	1
Financial and Professional Services, Office/ Business Use Development	MUDPS/231/55 MUDPS/231/56	1
Summary		
10 Issues Raised		

Counter Representations - Plan Vision, Objectives, Growth Strategy and Spatial Planning Framework – 3 Counter Reps		
Counter-Representation Respondent	Counter-Representation Reference Number	Reference number Counter-Representation relates to
E. Loughrey	DPSCR/4	MUDPS/148
E. Loughrey	DPSCR/5	MUDPS/154
E. Loughrey	DPSCR/6	MUDPS/164

Summary – Plan Introduction, Context and Key Issues (Original + Addendum)
<u>35 Issues Raised</u> <ul style="list-style-type: none"> • Regional Context - Common Issues – 5 issues • Retailing, Offices and Town Centres Strategy – 5 issues • RE1 Development within Town Centres – 2 issues • RE2 Retention of Shop Units in the Primary Retail Core – 4 issues • RE3 Retail and Main Town Centre Uses outside of Town Centres – 2 issues • RE4 Neighbourhood Shops – 1 issues

- RE5 Retail and Related Uses in Villages and Small Settlements – 1 issues
- RE6 Retail and Related Uses in the Countryside – 2 issues
- RE7 Financial and Professional Services, Office / Business Use Development – 2 issues
- MAP 1.8 – 1 issues
- Addendum – 10 issues

Representation submissions received in relation to topic area: (Total = 14)

MUDPS/56, MUDPS/94, MUDPS/97, MUDPS/115, MUDPS/137, MUDPS/148, MUDPS/154, MUDPS/155, MUDPS/160, MUDPS/164, MUDPS/175, MUDPS/212, MUDPS/214 and MUDPS/231.

Counter Representations Received: (3)

DPSCR/4

DPSCR/5

DPSCR/6

Minerals

Plan Introduction, Context and Key Issues – MINERALS		
Minerals Overview - 6		
Issue Raised by Representation/s	Rep / element no.	No. of reps cited against issue
The evidence base is flawed and unreliable. The baseline figure for the economic value of minerals to Mid Ulster is questionable.	MUDPS/29/1 MUDPS/29/11 MUDPS/29/20 MUDPS/64/1 MUDPS/82/6 MUDPS/101/77 MUDPS/101/28 MUDPS/102/20 MUDPS/103/1 MUDPS/104/1 MUDPS/105/1 MUDPS/106/2 MUDPS/107/2 MUDPS/108/1 MUDPS/109/1 MUDPS/110/4 MUDPS/112/1 MUDPS/113/1 MUDPS/114/1	16

The DPS has failed to safeguard the most important mineral resource in the whole District – Sand and Gravel.	MUDPS/29/6 MUDPS/29/23 MUDPS/29/24 MUDPS/106/8 MUDPS/107/3	2
The starting point for the consideration of minerals is already weighted in favour of a certain viewpoint. Some reps state that it is weighted in favour of the minerals industry whilst others argue it is weighted in favour of environmental protection, to the detriment of the minerals industry.	MUDPS/26/2 MUDPS/29/18 MUDPS/29/21 MUDPS/180/2 MUDPS/180/3 MUDPS/180/4	3
The approach in the DPS will not allow for a professional application of policy but will leave the minerals industry at the behest of the consultees and their own agenda.	MUDPS/106/1 MUDPS/102/19	2
Instead of promoting a reliance on minerals development, the DPS should seek alternative forms of economic growth, and it has failed to do this.	MUDPS/120/20 MUDPS/162/15 MUDPS/178/329 MUDPS/178/292 MUDPS/178/293 MUDPS/178/294 MUDPS/191/292 MUDPS/191/294 MUDPS/191/329	4
The DPS refers to “mining and quarrying” when there is no mining in Mid Ulster. This terminology is not used in the RDS, which only refers to “quarrying.”	MUDPS/178/213 MUDPS/191/213	2
Minerals Strategy - 14		
A range of issues have been identified which relate to the planning application lodged by Dalradian in the Fermanagh and Omagh District (LA10/2017/1249/F). These issues include a wide range of issues including:	MUDPS/178/120 MUDPS/178/121 MUDPS/178/122	2

<ul style="list-style-type: none"> • impacts on health, • the production of radioactive waste, • the proximity to community facilities, • use of cyanide, • traffic impacts, • EU position on use cyanide, • impacts on waterways, local RAMSAR site and wildlife, • production of ammonia, • use of explosives, • impact on tourism / dark skies • tax exempt status of gold and silver • impact on local engineering companies 	MUDPS/178/123 MUDPS/178/124 MUDPS/178/125 MUDPS/178/126 MUDPS/178/127 MUDPS/178/128 MUDPS/178/137 MUDPS/178/138 MUDPS/178/139 MUDPS/178/140 MUDPS/178/141 MUDPS/178/142 MUDPS/178/144 MUDPS/178/157 MUDPS/178/158 MUDPS/178/171 MUDPS/178/175 MUDPS/178/177 MUDPS/178/197 MUDPS/191/120 MUDPS/191/121 MUDPS/191/122 MUDPS/191/123 MUDPS/191/124 MUDPS/191/125 MUDPS/191/126 MUDPS/191/127 MUDPS/191/128 MUDPS/191/137 MUDPS/191/138 MUDPS/191/139 MUDPS/191/140,	
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	MUDPS/191/141 MUDPS/191/142 MUDPS/191/144 MUDPS/191/157 MUDPS/191/158 MUDPS/191/171 MUDPS/191/175 MUDPS/191/177 MUDPS/191/197	
The Strategy is deeply conflicted. On the one hand it promotes tourism whilst also promoting mineral extraction in the AONB, which will affect ASSI and SAC designations.	MUDPS/178/206 MUDPS/191/206	2
Areas of Constraint on Mineral Development (ACMD) - 10		
DPS has continued the approach from the POP and has introduced ACMD's across most of the AONB without showing evidence from the Mineral Resource map or levels of production from the industry.	MUDPS/29/14 MUDPS/29/29 MUDPS/106/9	2
DPS has failed to consider the report into the MAP by the PAC. The boundaries of the ACMD's have merely been shifted on environmental grounds.	MUDPS/29/15 MUDPS/29/29 MUDPS/29/34	1
The imposition of ACMD's without sufficient evidence regarding supply and demand is unsound.	MUDPS/135/1	1
ACMD's are unsound because the methodology used to define them, The Landscape Character Assessment Review, is not based on detailed landscape of sensitivity studies specific to mineral development.	MUDPS/29/34 MUDPS/82/6 MUDPS/101/18 MUDPS/104/5 MUDPS/105/5 MUDPS/105/7 MUDPS/107/5 MUDPS/109/2 MUDPS/111/3 MUDPS/112/4	9

AONB overlaps the ACMD designation, which suggests that there is no need for an ACMD designation as sufficient protection already exists.	MUDPS/101/20	1
There is a lack of evidence to justify why ACMD designations come so close to the boundaries of existing sand and gravel workings.	MUDPS/101/21	1
ACMD's are not necessary. EIA is required for quarrying applications and as such, a case-by-case consideration of the effects on the environment will ensure a proper assessment of environmental impacts.	MUDPS/166/1 MUDPS/166/2 MUDPS/166/3 MUDPS/166/4 MUDPS/166/5	1
ACMD's should also be designated at Lough Patrick, Sixtowns and at wetlands in an around Maghera / Washing Bay, maps provided.	MUDPS/59/43 MUDPS/59/45 MUDPS/59/230	1
The ACMD should be extended to include the entirety of the AONB.	MUDPS/120/5	1
Where there are important resources in environmental areas, their extraction should still be permitted under careful criteria and the ensuring of highest standards as well as acceptable restoration proposals.	MUDPS/29/16	1
Policy MIN1 and Mineral Reserve Policy Areas (MRPA's) – 6 Issues		
The areas designated as MRPA's are weighted in favour of one operator and they fail to afford protection to any of our sand and gravel resources, which are the most valuable to mid Ulster.	MUDPS/28/1 MUDPS/29/17 MUDPS/29/24 MUDPS/64/4 MUDPS/82/1 MUDPS/101/10 MUDPS/101/11 MUDPS/101/31 MUDPS/102/6 MUDPS/102/7 MUDPS/102/11 MUDPS/105/3	9

	MUDPS/107/3 MUDPS/112/2 MUDPS/114/2	
The areas of MRPA's do not recognise gold or any other precious commodity and are therefore contrary to the SPPS which requires councils to protect minerals which are of "economic or conservation value."	MUDPS/83/4 MUDPS/83/7	1
MRPA's only protect minerals within them. There is no protection from surface development outside of MRPA's and therefore the DPS is not in line with the SPPS.	MUDPS/83/5 MUDPS/836	1
MRPA's are not based on a robust evidence base. There was a reliance on the Mineral Resource Map and no consultations with businesses in neighbouring LGD's. This is contrary to the SPPS, which states that the DPS should ensure a supply of minerals for both the local and the regional market.	MUDPS/82/1 MUDPS/102/2 MUDPS/102/3 MUDPS/102/4 MUDPS/102/13	2
MRPA's will stop the sustainable expansion of settlements and will impact negatively on the health and well-being of residents.	MUDPS/120/3, MUDPS/162/25, MUDPS/178/305 MUDPS/178/306 MUDPS/178/307 MUDPS/191/305 MUDPS/191/306 MUDPS/191/307	4
MIN 1 fails to identify areas for mineral conservation such as hydrocarbons, which should be preserved if we are to avoid the worst effects of climate change	MUDPS/178/308 MUDPS/178/309 MUDPS/178/310 MUDPS/191/308 MUDPS/191/309 MUDPS/191/310	2
Policy MIN2 – 18 Issues		

Exceptions to allow for development within an ACMD as well as the allowance of development outside of ACMD's will still mean there are negative environmental impacts from mineral extraction. ACMD's should be expanded.	MUDPS/120/5 MUDPS/120/6 MUDPS/162/49 MUDPS/162/50 MUDPS/162/51 MUDPS/162/52 MUDPS/162/53 MUDPS/162/54 MUDPS/178/314 MUDPS/191/314	4
There should be a moratorium on all mineral extraction until a range of criteria is complied with - criteria listed in the REP.	MUDPS/162/67 MUDPS/162/68 MUDPS/162/69 MUDPS/162/70 MUDPS/162/71 MUDPS/162/72 MUDPS/162/73 MUDPS/162/74 MUDPS/162/75 MUDPS/162/76 MUDPS/162/77 MUDPS/162/78 MUDPS/180/8	2
The precautionary approach advocated by the DPS is at odds with the SPPS, which promotes a balanced approach.	MUDPS/29/26 MUDPS/29/27 MUDPS/31/20 MUDPS/82/7	17

	MUDPS/82/8 MUDPS/101/36 MUDPS/101/37 MUDPS/102/15 MUDPS/102/16 MUDPS/103/4 MUDPS/104/1 MUDPS/105/6 MUDPS/106/10 MUDPS/107/6 MUDPS/108/3 MUDPS/109/4 MUDPS/110/2 MUDPS/111/4 MUDPS/112/5 MUDPS/113/5 MUDPS/114/4	
The J&A of MIN 2 projects a negative image of the minerals industry as environmentally damaging. There is no evidence to support this view.	MUDPS/29/25 MUDPS/64/5 MUDPS/83/11 MUDPS/101/33 MUDPS/101/46 MUDPS/101/50	4
The evidence base for defining ACMD's is not sufficiently robust AND THE Council has not taken on board the recommendations of the GM consultants in carrying out the LCAR.	MUDPS/83/10 MUDPS/106/9	2
No evidence has been presented to show how other environmental designations do not afford a similar level of protection to that afforded by ACMD's. In addition, policy criteria in	MUDPS/83/8 MUDPS/83/9 MUDPS/101/19	2

MIN 2, which will need to be satisfied in any case, will ensure adequate protection without need for ACMDs.		
Language in the policy as well as some of the policy tests are not taken from the SPPS e.g. “undue harm or loss,” “essential characteristics” and “impair the safety and amenity of road users.”	MUDPS/101/39 MUDPS/101/40 MUDPS/101/41 MUDPS/101/42 MUDPS/101/43 MUDPS/107/7 MUDPS/108/4 MUDPS/109/5 MUDPS/110/3 MUDPS/113/6 MUDPS/113/7 MUDPS/114/6	7
The term, “significant biodiversity loss” has no basis or definition in guidance and will lead to further confusion.	MUDPS/82/9 MUDPS/82/11 MUDPS/102/17 MUDPS/103/5 MUDPS/104/6 MUDPS/106/11 MUDPS/111/5 MUDPS/112/6 MUDPS/114/5	8
The criterion that states there should be no risk to public safety uses incorrect language as it is difficult to measure risk in terms of amenity. The correct language should be “significantly impair” amenity. Also, the term “scar” the landscape is incorrect language and not reflective of regional policy.	MUDPS/101/41 MUDPS/101/45	2
There should be a presumption against all development within ACMD’s including minor expansion.	MUDPS/174/26 MUDPS/174/27	1

The term “short term extraction” is not defined and there is no evidence to justify this time period being included in the ACMD policy as an exception.	MUDPS/83/12	
Both MIN 2 and MIN 3 do not take account of landscape quality, historic environment or protection of the water environment and are therefore not in keeping with 6.152 of the SPPS.	MUDPS/77/278 MUDPS/77279	1
SPPS allows exceptions within ACMD. Exceptions should be included within the policy wording of MIN2.	MUDPS/115/76	1
SPPS makes no provision for processing of hard rock or aggregates at existing quarries & this could significantly increase operations of existing quarries-may not be sustainable.	MUDPS/115/78	1
Policies PPS 3, DCAN 15, PPS 7 and PPS 13 should be brought forward in the LDP in order to ensure that traffic considerations are addressed. Account needs to be taken of existing infrastructure, access, parking and road safety.	MUDPS/115/233 MUDPS/115/234 MUDPS/115/235 MUDPS/115/236 MUDPS/178/214 MUDPS/191/214	3
The term “minor expansion in MIN 2 should be removed and replaced with appropriate expansion in order to allow more flexibility in policy.	MUDPS/135/2	1
Where mineral development is proposed within a natural heritage site, then policy wording from MIN 2 should be aligned with relevant natural policies (NH1-5). MIN 2 should make this clear i.e. that relative NH policies will apply.	MUDPS/167/8 MUDPS/168/2	2
The wording 'shall not accord with the plan' is weak and should be strengthened to set clear presumption against such proposals. In relation to 14.22 sufficient and robust evidence must be provided on all impacts not only human health and safety.	MUDPS/174/30	1
Policy MIN3 – 17 Issues		
There is opposition to the presumption in favour of valuable minerals. The proposal to allow for the extraction of precious minerals is putting human health at risk, aiding the destruction of the environment, destroying tourism and has ignored rural proofing. The majority of people do not want the processing or extraction of precious minerals. Instead, they want the Sperrins as a tourist destination. Rural proofing and needs of rural dwellers seem to have been ignored in this regard. Concern also expressed over the use of cyanide and toxic substances, which MUDC seem to be ignorant of. All mention of precious minerals should be removed from the DPS and PD rights should be stopped.	MUDPS/71/1 MUDPS/71/3, MUDPS/120/11 MUDPS/162/55 MUDPS/162/56 MUDPS/162/57 MUDPS/162/58 MUDPS/178/4	7

	MUDPS/178/11 MUDPS/178/12 MUDPS/178/13 MUDPS/178/14 MUDPS/178/15 MUDPS/178/16 MUDPS/178/17 MUDPS/178/18 MUDPS/178/19 MUDPS/178/20 MUDPS/178/21 MUDPS/178/22 MUDPS/178/23 MUDPS/178/24 MUDPS/178/25 MUDPS/178/26 MUDPS/178/27 MUDPS/178/28 MUDPS/178/29 MUDPS/178/30 MUDPS/178/31 MUDPS/178/32, MUDPS/178/33, MUDPS/178/34, MUDPS/178/35, MUDPS/178/65, MUDPS/178/66, MUDPS/178/67, MUDPS/178/68, MUDPS/178/69, MUDPS/178/70, MUDPS/178/71,	
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	MUDPS/178/72, MUDPS/178/129, MUDPS/178/130, MUDPS/178/131, MUDPS/178/132, MUDPS/178/133, MUDPS/178/134, MUDPS/178/135, MUDPS/178/136, MUDPS/178/176, MUDPS/178/193, MUDPS/178/195, MUDPS/178/198, MUDPS/178/200, MUDPS/178/210, MUDPS/178/242, MUDPS/180/6, MUDPS/180/10, MUDPS/191/4, MUDPS/191/11, MUDPS/191/12, MUDPS/191/13, MUDPS/191/14, MUDPS/191/15, MUDPS/191/16, MUDPS/191/17, MUDPS/191/18, MUDPS/191/19, MUDPS/191/20, MUDPS/191/21, MUDPS/191/22, MUDPS/191/23,	
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	MUDPS/191/24, MUDPS/191/25, MUDPS/191/26, MUDPS/191/27, MUDPS/191/28, MUDPS/191/29, MUDPS/191/30, MUDPS/191/31, MUDPS/191/32, MUDPS/191/33, MUDPS/191/34, MUDPS/191/35, MUDPS/191/65, MUDPS/191/66, MUDPS/191/67, MUDPS/191/68, MUDPS/191/69, MUDPS/191/70, MUDPS/191/71, MUDPS/191/72, MUDPS/191/129, MUDPS/191/130, MUDPS/191/131, MUDPS/191/132, MUDPS/191/133, MUDPS/191/134, MUDPS/191/135, MUDPS/191/136, MUDPS/191/176, MUDPS/191/178, MUDPS/191/193, MUDPS/191/195,	
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	MUDPS/191/200 MUDPS/191/210 MUDPS/191/242 MUDPS/204/2	
MUDC has a precious minerals agenda and will seek to promote precious minerals at the expense of European designated sites.	MUDPS/178/57 MUDPS/178/58 MUDPS/178/59 MUDPS/178/60 MUDPS/178/61 MUDPS/178/62 MUDPS/178/63 MUDPS/178/64 MUDPS/191/57 MUDPS/191/58 MUDPS/191/59 MUDPS/191/60 MUDPS/191/61 MUDPS/191/62 MUDPS/191/63 MUDPS/191/64	2
Economic benefits should not be the primary factor in determining extraction of precious minerals. Impact on health and our natural heritage should also be important considerations. Council will be liable for any health concerns, which arise.	MUDPS/162/100 MUDPS/178/173 MUDPS/178/224 MUDPS/178/225 MUDPS/178/226 MUDPS/178/227 MUDPS/178/228 MUDPS/178/229 MUDPS/191/173	3

	MUDPS/191/224 MUDPS/191/225 MUDPS/191/226 MUDPS/191/227 MUDPS/191/228 MUDPS/191/229	
The term “metalliferous minerals” is too specific and excludes other uncommon, low value minerals, which are important to the local economy.	MUDPS/6/1 MUDPS/6/2	1
The requirement to prove there will be no negative impact on human health may be impossible to meet. All activity will have some level of impact.	MUDPS/6/3 MUDPS/6/4 MUDPS/31/15 MUDPS/120/9	3
Precautionary principle is not in keeping with the SPPS.	MUDPS/29/28 MUDPS/31/14	2
The policy refers only to human health and should be widened to include environmental impacts.	MUDPS/59/57 MUDPS/59/58	1
There is no safeguarding of resources of gold from surface development despite acknowledgement of their existence.	MUDPS/83/14	1
There is no provision in current or regional policy, which restricts or prohibits the use of chemicals in extraction of minerals. No evidence has been provided for bringing in such a restriction.	MUDPS/31/16 MUDPS/83/16 MUDPS/83/15 MUDPS/83/17	1
The use of the word “significant” re. human health and environmental impacts is open to interpretation. Therefore, the policy is invalid.	MUDPS/178/316 MUDPS/178/317 MUDPS191/316 MUDPS/191/317	2

<p>Objection recorded to the presumption in favour of extraction of valuable minerals. The objection is based on the environmentally damaging methods of extraction – 5 reasons are (slightly abbreviated);</p> <ol style="list-style-type: none"> 1. there is sufficient gold in circulation to meet current world industrial needs and there are alternatives such as urban mining (mining existing waste) to recover gold and other valuable minerals. 2. The policy presumption in favour of mineral exploitation 'in any area' that may be 'particularly valuable to the economy' 6.157 is exceptionally permissive - strongly object to 6.157 not sound. 3. The economic evidence from around the world demonstrates that these industries extract wealth from local economies, can adversely affect jobs in tourism and agriculture and leave long term problems with often irreparable damage...; 4. With the introduction of the plan-led system the council is not obliged to follow a permissive policy and have a duty to pursue council own policies in the DPS; 5. A precautionary approach must be adopted - lack of sound primary and secondary regulatory framework - catch up is needed - so a robust planning framework can be established - to do otherwise is premature. 	MUDPS/120/10, MUDPS/162/22, MUDPS/162/24, MUDPS/162/62, MUDPS/162/63, MUDPS/162/64, MUDPS/162/65, MUDPS/162/66, MUDPS/162/79, MUDPS/162/80, MUDPS/162/81, MUDPS/162/82, MUDPS/162/83, MUDPS/162/84, MUDPS/162/85, MUDPS/162/86, MUDPS/162/87, MUDPS/162/88, MUDPS/162/89, MUDPS/162/90, MUDPS/178/318, MUDPS/178/319 MUDPS/178/320.	3
<p>There is no evidence provided to back up the claim by the DPS that metalliferous minerals bring economic benefits.</p>	MUDPS/162/59 MUDPS/162/60 MUDPS/162/61 MUDPS/162/62 MUDPS/162/63	1

	MUDPS/162/64 MUDPS/162/65 MUDPS/162/66 MUDPS/162/67 – MUDPS/162/162	
Policy MIN 3 conflicts with government advice that unconventional Hydrocarbon Extraction will not constitute an exception until evidence that is more robust is available on the environmental impacts. The presumption in favour of valuable minerals is contrary to the SPPS requirement to protect areas from mineral development (ACMDs).	MUDPS/29/32 MUDPS/174/28 MUDPS/174/29	2
Policy should be replaced with a presumption against all hydrocarbons and valuable minerals. Policy regarding “unconventional hydrocarbons” should be replaced with a policy covering all “hydrocarbons.”	MUDPS/120/1	1
The LDP refers to valuable minerals such as gold, silver, lead and copper.” Such reference to minerals as precious metals represents a change from the RDS and should be removed from the DPS.	MUDPS/178/169 MUDPS/191/169	2
MUDC have passed a council motion in January 2019, which opposes gold mining, and therefore the DPS must reflect this.	MUDPS/178/194 MUDPS/178/178 MUDPS/191/194 MUDPS/191/178	2
There is a seam of uranium running from Donegal to Fintona. This proposed policy will see the exploitation of this seam and will inevitably lead to fracking and lignite mining in Mid Ulster.	MUDPS/191/196 MUDPS/178/196	2
Policy MIN4 – 5 Issues		
Policy is too vague and will allow too many scenarios where too much peat extraction is permitted. For example, the scenario of “where the peatland is not reasonably capable of restoration” has not been adequately explained.	MUDPS/59/48 MUDPS/59/50 MUDPS/59/54 MUDPS/59/47 MUDPS/120/12 MUDPS/162/92	4

	MUDPS/167/12 MUDPS/167/13 MUDPS/167/14 MUDPS/167/15 MUDPS/167/16 MUDPS/167/17 MUDPS/167/18 MUDPS/167/19	
The wording of the policy regarding instances where it is demonstrated that peat extraction is linked to a management and restoration plan is too vague and should be removed as it is contrary to peatland conservation.	MUDPS/59/51 MUDPS/59/52	1
Council proposes through its approach to minerals development to destroy many important ecosystems such as peat bogs. Peat extraction results in the annual release of 400,000 tonnes of CO2. MUDC needs to take climate change commitments seriously.	MUDPS/59/53, MUDPS/59/55, MUDPS/178/167 MUDPS/191/167	3
Para 14.28 should read, “for those sites currently being extracted, restoration plans should be in place for them.”	MUDPS/59/49	1
Ballynahone Bog and Curran Bog should be protected from peat extraction.	MUDPS/59/44	1
Policy MIN5 – 5 Issues		
The benefits of a restoration scheme may be assessed via an application on a case-by-case basis.	MUDPS/64/6	1
The policy is based on an unsound premise that minerals development can have a major negative impact on the visual amenity of the landscape.	MUDPS/83/18	1
The policy wording is vague and open to interpretation, particularly the use of the words, “where appropriate.”	MUDPS/101/48 MUDPS/115/81 MUDPS/120/13 MUDPS/162/93 MUDPS/178/323 MUDPS/191/323	6

Restoration is woefully inadequate. Council must insist on public liability insurance with cover paid in advance of mining.	MUDPS/178/230- MUDPS/178/235 MUDPS/191/230- MUDPS/191/235	2
Preferred types of after use should not be restricted in policy	MUDPS/114/7	1
Policy MIN6 – 1 Issue		
Policy should include a statement saying that disused mines cannot be used to dispose of hazardous waste.	MUDPS/120/1 MUDPS/178/324 MUDPS/191/324	3
Summary		
Total 84 Issues raised		

Addendum - Minerals		
Issue Raised by Representation/s	Rep / element no.	No. of Reps cited against issue
The representation asks what expertise the Council have in relation to these matters and queries how we 'engage' in relation them.	MUDPS/214/28	1
Summary		
1 Issue Raised		

Counter Representations – MINERALS – Counter Reps		
Counter-Representation Respondent	Counter-Representation Reference Number	Reference number Counter-Representation relates to
TURLEY	DPSCR/157	MUDPS/22

TURLEY	DPSCR/158	MUDPS/29
TURLEY	DPSCR/159	MUDPS/31
TURLEY	DPSCR/160	MUDPS/56
TURLEY	DPSCR/161	MUDPS/59
TURLEY	DPSCR/163	MUDPS/71
TURLEY	DPSCR/167	MUDPS/89
TURLEY	DPSCR/168-178	MUDPS/101-105, MUDPS107-112
TURLEY	DPSCR/179	MUDPS/115
TURLEY	DPSCR/180	MUDPS/120
TURLEY	DPSCR/186	MUDPS/141
TURLEY	DPSCR/187	MUDPS/144
TURLEY	DPSCR/188	MUDPS/159
TURLEY	DPSCR/193	MUDPS/174
TURLEY	DPSCR/194-198	MUDPS/178, MUDPS/180-182, MUDPS/191
TURLEY	DPSCR/208-211	MUDPS/204
DERRY CITY AND STRABANE DISTRICT COUNCIL	DPSCR/215	MUDPS/29
DERRY CITY AND STRABANE DISTRICT COUNCIL	DPSCR/216	MUDPS/31
DERRY CITY AND STRABANE DISTRICT COUNCIL	DPSCR/219	MUDPS/64
DERRY CITY AND STRABANE DISTRICT	DPSCR/220	MUDPS/82
DERRY CITY AND STRABANE DISTRICT	DPSCR/221	MUDPS/83

DERRY CITY AND STRABANE DISTRICT	DPSCR/224	MUDPS/101
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Summary – Minerals (Original + Addendum)

85 Issues raised

- **Minerals Overview 6 Issues**
- **Minerals Strategy 14 Issues**
- **Other Strategic 2 Issues**
- **Areas of Constraint on Mineral Development (ACMD) 10 Issues**
- **MIN1 6 Issues**
- **MIN2 18 Issues**
- **MIN3 17 Issues**
- **MIN4 5 Issues**
- **MIN5 5 Issues**
- **MIN6 1 Issue**
- **Addendum 1 Issue**

Representation submissions received in relation to topic area: (Total =36)

MUDPS/6, MUDPS/26, MUDPS/28, MUDPS/29, MUDPS/31, MUDPS/59, MUDPS/62, MUDPS/64, MUDPS/64, MUDPS/71, MUDPS/82, MUDPS/83, MUDPS/101, MUDPS/102, MUDPS/103, MUDPS/104, MUDPS/105, MUDPS/106, MUDPS/107, MUDPS/108, MUDPS/109, MUDPS/110, MUDPS/111, MUDPS/112, MUDPS/113, MUDPS/114, MUDPS/115, MUDPS/120, MUDPS/162, MUDPS/166, MUDPS/135, MUDPS/174, MUDPS/178, MUDPS/180, MUDOS/191. MUDPS/204/2

Counter Representations Received: (41)

DPSCR/157, DPSCR/158, DPSCR/159, DPSCR/160, DPSCR/161, DPSCR/163, DPSCR/167, DPSCR/168-178, DPSCR/179, DPSCR/180, DPSCR/186, DPSCR/187, DPSCR/188, DPSCR/193, DPSCR/194, DPSCR/194, DPSCR/195, DPSCR/196, DPSCR/197, DPSCR/198, DPSCR/208, DPSCR/209, DPSCR/210, DRSCR/211, DPSCR/215, DPSCR/216, DPSCR/219, DPSCR/220, DPSCR/221 AND DPSCR/224

Tourism

Tourism – Original Topic Paper		
Tourist Strategy		
Issue Raised by Representation/s	Rep / element no.	No. of reps cited against issue
Impact on the environment, biodiversity and wildlife refugees Clarification requested on the impact on the natural environment, biodiversity and Lough Neagh from the proposed Tourism policies. There should be strong policy protection for Wildlife Refuges' zonings and areas of natural/semi natural habitat which lack formal designation.	MUDPS/56/46-47, MUDPS/56/29-30, MUDPS/153/59, MUDPS/59/59-60, MUDPS/59/63	3
Appropriate types of development Unclear whether types of development other than tourism would be acceptable within tourism conservation or opportunity zones if general countryside policy is complied with.	MUDPS/56/31, MUDPS/56/32	1
Importance of Wetland Lough Beg Swan Fields and Certain Wetland Birds 'Loughs Neagh and Beg Water Based Sites' and 'Land Based Sites' directly adjacent to TOZ's should be prioritised. In creating sustainable visitor access, for example at Traad Point, the opportunity to redevelop the wetland in the area should not be lost.	MUDPS/59/62, MUDPS/59/152	1
Pre-determined TOZ and TCZ designations DPS has not allowed people the opportunity to choose what we do or do not want. TOZ and TCZ designations are pre-determined and should be removed as they limits options and provide means to industrialise the region.	MUDPS/178/6, MDPS/191/6	2

<p>Failure to prioritise Sperrin AONB and protect from industrialisation</p> <p>Both the TOZ and TCZ are concentrated outside the Sperrin Mountains and must extend across the Sperrins AONB which should be prioritised to develop tourism. TCZs and TOZs should be removed and entire Sperrins area should seek national park status. The entire region is an unexploited hub set aside for precious metals and industrialisation.</p>	<p>MUDPS/162/103, MUDPS/178/36-56, MUDPS/191/36-56, MUDPS/204/1</p>	<p>4</p>
<p>The role of culture in promoting tourism</p> <p>Representation refers to the key role of culture, including language, in building a shared community which acts as a driver to promote tourism & economic regeneration.</p>	<p>MUDPS/134/11</p>	<p>1</p>
<p>Policy TOU1 – Protection of Tourism Assets and Tourist Accommodation</p>		
<p>Protection of tourism accommodation –</p> <p>No robust evidence presented to justify the proposed restrictions on the identified tourism accommodation sites of Glenavon Hotel and Greenvale Hotel. The SPPS does not set out any emphasis on the protection of existing tourist accommodation from re-development.</p>	<p>MUDPS/55/1; MUDPS/61/1; MUDPS/79/1-3; MUDPS/80/1-3; MUDPS/90/1; MUDPS/115/83; MUDPS/161/1</p>	<p>7</p>
<p>Failure to take account of Regional Planning Policy –</p> <p>Policy fails to take sufficient account of specific sections of the RDS and SPPS. Part b has the potential to detrimentally impact heritage assets and their settings.</p> <p>Policy fails to identify how impact on a tourism asset will be assessed.</p> <p>Policy does not sufficiently protect Owenkillew SAC which is located within boundary of TOZ and overlies TCZ. TCZ overlies Owenkillew SAC, J&A should clarify heritage interests referred to in the policy box including designated European Sites given the potential to result in significant effects. Policy should refer to policies NH1 - NH5 for clarity.</p>	<p>MUDPS/77/270-277</p> <p>MUDPS/83/21-22</p> <p>MUDPS/167/9, MUDPS/168/3</p>	<p>4</p>

Policy fails to take account of the SPPS exception of valuable mineral extraction within designated sites. Policy wording is more restrictive and should be revised to reflect the SPPS.	MUDPS/83/21-22	
<p>TCZ Exceptions - Separate policy should be provided for TCZ, clarification requested on how exception (b) fits in a TCZ.</p> <p>Impact of TCZ exceptions on the AONB has not been considered while DPS restricts other forms of development in the AONB.</p> <p>Information on tourism assets should be available. Policy should reflect the SPPS.</p>	<p>MUDPS/174/31-33</p> <p>MUDPS/83/23</p> <p>MUDPS/83/23</p>	2
<p>Policy wording requires strengthening - National trust would prefer policy strengthened to explicitly state that planning permission would not be granted rather than 'shall conflict with the plan' as this terminology weakens the policy.</p>	MUDPS/174/34	1
<p>Policy wording requires greater flexibility - The proposed wording for TOU1 introduces a more restrictive policy approach than the SPPS and is unjustified. Policy does not provide flexibility to deal with changing circumstances and should be reworded to state "development shall 'normally' conflict with the plan" or provide exceptions.</p>	MUDPS/125/2, MUDPS/83/20	2
<p>Mineral Development in TCZ – Representation queries Councils sustainable tourism approach to policy but embracing toxic mineral extraction in the AONB.</p>	MUDPS/178/207, MUDPS/191/207	2

Policy TOU 2 – Resort Destination Development		
Policy does not take account of existing policy or infrastructure - Department provided advice at POP that policies PPS3, DCAN15, PPS7 and PPS13 are brought forward in LDP. Policies for tourism need to take account of existing infrastructure, access to public roads, road safety and accessibility-walking, cycling, public transport, parking and traffic progression.	MUDPS/115/237-238	1
Policy should cross-reference with TOU1 - Policy should cross-reference with TOU1 in relation to safeguarding tourism assets from unnecessary, inappropriate or excessive development. J&A implies policy will be applied once however this is omitted from policy headnote which would give greater weight.	MUDPS/174/39	1
Policy should accord with SPPS - Policy should contain criterion on nature, scale, design and wider environmental impacts, as well as a site specific need test with a new major tourism development in the countryside being permitted in the countryside in exceptional circumstances as per the SPPS. J&A means policy is extremely limited amounting to a single-use policy.	MUDPS/56/33-34, MUDPS/174/35-38, MUDPS/115/84	3
Policy TOU3 – Tourism Accommodation		
Impact of relaxation of policy not fully considered The relaxation of policy requires assessment of impacts on the landscape and neighbouring councils. Clarification is requested on why Dispersed Rural Communities are afforded the same standing as settlements. Design Concept Statements should be a policy requirement not J&A. J&A should provide definitions of policy wording such as easy access.	MUDPS/56/35, MUDPS/83/24-25, MUDPS/115/85	3
Not in accordance with legislation or existing policy Department POP response advised PPS3, DCAN15, PPS7 and PPS13 should be brought forward in LDP. Policies for tourism need to take account of existing infrastructure,	MUDPS/115/239-240, MUDPS/174/40	3

<p>accessibility, traffic progression, public transport, safety and walking/cycling. Policy should also include criteria on the nature, scale, design, environment and residential amenity.</p> <p>Clarification required on the specific reference to internationally designated habitats only. J&A requirement with respect wildlife and heritage interests (para 15.35) does not go far enough to meet legislative requirements. Final paragraph weakens policy tests set out in SPPS (para 6.175-6.178) and PPS 2 Policy NH1. Policy should be revised in accordance with SPPS.</p> <p>Policy conflicts with protecting tourism assets. Clarification required on what constitutes a suitable building.</p>	<p>MUDPS/59/74-77</p> <p>MUDPS/174/41</p>	
<p>Policy should cross reference with Natural Heritage</p> <p>Policy should reference Natural Heritage Policies. TOU3 should further biodiversity with no net loss consistent with NI&EU Biodiversity Strategy.</p>	<p>MUDPS/59/78</p>	<p>1</p>
<p>Policy TOU4 – Other Tourism Facilities/Amenities and Attractions</p>		
<p>Policy should be strengthened</p> <p>Policy criteria should be strengthened akin to suggestions for Policy TOU1 and TOU2 and should include reference to regionally important proposals or extensions to existing development.</p> <p>TOZ boundaries should not overlap SAC, SPA or European designations. HRA Report and Policy should specifically refer to impact on integrity of European sites. TOU4 promotes development within TOZ however within European Sites there should be no presumption for development.</p> <p>Clarification required on outdoor tourism proposals within a SCA.</p>	<p>MUDPS/174/42-44</p> <p>MUDPS/168/4, MUDPS/167/6</p> <p>MUDPS/56/36</p>	<p>4</p>

<p>Impact to Biodiversity and Protected Species LDP has critical role in safeguarding protected species and habitats from inappropriate development. The potential disturbance to key birds from recreational tourism should be considered, particularly wet grassland along Lough Neagh and Lough Beg. Policy should reference Natural Heritage Policies. TOU4 should further biodiversity with no net loss consistent with NI&EU Biodiversity Strategy.</p>	<p>MUDPS/59/65, MUDPS/59/68, MUDPS/59/81, MUDPS/174/43</p>	<p>2</p>
<p>Should replicate text from existing policy Department POP response advised PPS3, DCAN15, PPS7 and PPS13 should be brought forward in LDP. Policies needs to take account of existing infrastructure, accessibility, traffic progression, public transport, safety and walking/cycling.</p> <p>Clarification required on reference to internationally designated habitats only.</p> <p>The facilitation of proposals 'dependent on their impact on rural character, landscape, heritage & other amenity considerations' does not go far enough in meeting SPPS, PPS 2, NI & EU Biodiversity strategies & WANE Act (NI) 2011.</p>	<p>MUDPS/115/241-242</p> <p>MUDPS/59/79-80</p> <p>MUDPS/59/80, MUDPS/167/6</p>	<p>3</p>
<p>Impact to landscape There is a limited amount of supporting evidence to support the policy proposal, particularly a comprehensive assessment of the landscape character and quality. Recommended further assessment carried out to understand the impact of tourism development in the countryside and on the landscape from the proposed relaxation policy.</p>	<p>MUDPS/78/21-22, MUDPS/83/26-27</p>	<p>2</p>
<p>Circumstances for development Policy appears to overlap into open space and recreation policy.</p> <p>Clarification required on the circumstances in which a new building would be justified.</p> <p>Clarification required on what is considered a significant adverse impact as this is open to misinterpretation.</p>	<p>MUDPS/115/86</p> <p>MUDPS/115/86</p> <p>MUDPS/115/86</p>	<p>2</p>

Policy should include reference to Clay Pigeon Shooting among the list of tourism attractions in the countryside.	MUDPS/176/1	
TOZ designations - Map 1.16, 1.17, 1.18, 1.19		
Impact on designated sites New policies should be considered in a sensitive manner to avoid damage or promote extensive development in this area, however some development for education and recreation should be promoted. The efforts of TWCC should be taken into consideration when future development is proposed at the site. TOZ designations are within SPA and ASSI therefore development must take account of the international and national designations. Whilst there is an opportunity to create public access at Traad Point, the opportunity to redevelop the area as a wetland should not be lost. There is a good reed bed habitat just south of TOZ and it is a BTO Constant Effort Site.	MUDPS/59/148-151, MUDPS/146/1-4	2
Clarification on the future of Traad Point Requests clarification on the contradictory approach of designating Traad Point as a TOZ and the inclusion by MUDC of Traad Point as part of a scoping study for a travellers' halting site.	MUDPS/73/1, MUDPS/81/3, MUDPS/88/3, MUDPS/121/7, MUDPS/122/7	5
District Proposals Map 1a		
Consideration of an additional TCZ Requests consideration should be given to designating an additional proposed Tourism Conservation Zone around Patrick's Lough (Appendix A) - an area of Blanket bog and also an important area locally for cuckoo and historically curlew.	MUDPS/59/73, MUDPS/59/153	1
District Proposals Map 1d		

Proposed modifications to provide nature tourism Requests modifications to map 1d (Appendix B) to include an SCA extension to Curran Bog and Ballynahone Bog, as well as north of the proposed A6 road and an AOCWTHS designation where whooper swans have been identified. Representation states proposed modifications seek to provide a strategic vision for tourism at a landscape scale e.g. Bann Valley vision area or SW Lough Neagh which could be managed sustainably for nature tourism.	MUDPS/59/72	1
Summary		
27 issues raised		

Addendum - Tourism		
Issue Raised by Representation/s	Rep / element no.	No. of Reps cited against issue
TOU 2 – Resort Destination Development		
No new issue raised, see Para 6.3(a) of original topic paper.	MUDPS/115/371	
TOU 4 – Other Tourism facilities/amenities and attractions		
No new issue raised, see Para 6.5 (c) of original topic paper.	MUDPS/115/372	
TOZ designations - Map 1.16, 1.17, 1.18, 1.19		
No new issue raised, see Para 6.6 (a) of original topic paper.	MUDPS/123/2	
Policy TOU1 – Protection of Tourism Assets and Tourist Accommodation		
Protection of tourism accommodation – No new issue raised, see Para 6.2 (a) of original topic paper.	MUDPS/214/29	
TCZ Exceptions - No new issue raised, see Para 6.2 (c) of original topic paper.	MUDPS/231/57	
No new issue raised, see Para 6.1 (b) of original topic paper.	MUDPS/241/23	

No new issue raised, see Para 6.1 (b) of original topic paper.	MUDPS/241/24	
No new issue raised, see Para 6.1 (b) of original topic paper.	MUDPS/241/25	
No new issue raised, see Para 6.1 (b) of original topic paper.	MUDPS/241/26	
Summary		
9 issues raised		

Counter Representations - Tourism		
Counter-Representation Respondent	Counter-Representation Reference Number	Reference number Counter-Representation relates to
Turley on behalf of SSE Renewables	DPSCR/83	MUDPS/73
Turley on behalf of SSE Renewables	DPSCR/92	MUDPS/123
Turley on behalf of ABO Wind	DPSCR/123	MUDPS/73
Turley on behalf of ABO Wind	DPSCR/132	MUDPS/123
Turley on behalf of Dalradian Gold	DPSCR/160	MUDPS/56
Turley on behalf of Dalradian Gold	DPSCR/167	MUDPS/89
Turley on behalf of Dalradian Gold	DPSCR/179	MUDPS/115
Derry City & Strabane District Council	DPSCR/221	MUDPS/83

36 issues raised

- Tourist Strategy – 6 issues
- Policy TOU 1 – Protection of Tourism Assets and Tourist Accommodation - 6 issues
- Policy TOU 2 – Resort Destination Development - 3 issues
- Policy TOU 3 – Tourism Accommodation – 3 issues

- Policy TOU 4 – Other Tourism Facilities/Amenities and Attractions – 5 issues
- TOZ Designations – Maps 1.16, 1.17, 1.18, 1.19 – 2 issues
- District Proposals Map 1a – 1 issue
- District Proposals Map 1d – 1 issue
- Addendum - 9 issues

Representation submissions received in relation to topic area: (Total = 34)

MUDPS/

55, 56, 59, 61, 73, 77, 78, 79, 80, 81, 83, 88, 90, 115, 121, 122, 123, 125, 134, 146, 153, 161, 162, 167, 168, 174, 176, 178, 191, 204, 213, 214, 231, 241

Counter Representations Received: (8)

DPSCR/

83, 92, 123, 132, 160, 167, 179 & 221

Agriculture, Forestry and Fishing

Agriculture, Forestry and Fishing – Original Topic Paper		
Issue Raised by Representation/s	Rep / element no.	No. of reps cited against issue
Policy AFR1- Agriculture and Forestry Development and Development Ancillary to Commercial Fishing		
Robust evidence is required to support the development opportunity available for fishermen who meet the criteria set out for development ancillary to commercial fishing.	MUDPS/115/87	1
Policy AFR1 fails the soundness test CE4 in that it is not reasonably flexible to deal with changing circumstances, in particular in terms of new buildings, which may be needed for new farms.	MUDPS/126/15	1
Policy AFR1 conflicts with the SPPS in that it allows for new farm enterprises. The SPPS states that farms have to be established for at least 6 years and active.	MUDPS/174/47	1
Policy AFR1 does not provide policy criteria on the need for development related to this policy to integrate into the countryside and respect the rural character. The policy allows circumvention of regional policy relating to how development must integrate and respect the rural character.	MUDPS/174/46 MUDPS/192/31 MUDPS/192/32 MUDPS/192/33	2
Policy AFR1 which will allow the development of a building ancillary to commercial fishing will not protect the countryside from excessive, inappropriate or obtrusive development, which is contrary to the SPPS.	MUDPS/174/48	1

Justification & Amplification text states that the development should be located next to existing agricultural and forestry buildings and guidance where a building is sited away. Additionally it also provides details on a new farm start up requiring a new building. Recommended to this is included within the policy text.	MUDPS/115/88 MUDPS/115/89	1
The wording of Policy AFR1 suggests that only intensive farming proposals need to demonstrate that they will not result in significant adverse environmental effects. Suggested change to the wording is, "Proposals for agricultural developments must demonstrate that they will not have a significant adverse environmental impact, particularly in relation to ammonia production."	MUDPS/167/23	1
Justification and Amplification text of Policy AFR1 should include an explanation of issues surrounding livestock installations and ammonia. It has been suggested that the following text is added; 'Ammonia (NH3) is a gas emitted into the air as a result of many farming activities such as the housing of livestock, the storage and spreading of animal manures and slurries and the use of chemical fertiliser. Air pollution related to ammonia, and the associated nitrogen deposition, is known to have damaging impact on sensitive habitats, wider biodiversity and ecosystem resilience, as well as human health. Agriculture is the dominant source of ammonia emissions, currently making up to 94% of Northern Ireland's current emission levels, the concentration at which environmental damage occurs.'	MUDPS/167/24	1
In paragraph 16.11 the wording, "... while ensuring the environment is protected" should be added to the end of the sentence.	MUDPS/167/24	1
The justification and amplification text of Policy AFR1 should include clarification on permitted development rights for agricultural buildings. The following text has been provided: "When conferring Permitted Development (PD) rights to agricultural developments, there should be strict adherence to The Planning (General Permitted Development) Order (Northern Ireland) 2015, Permitted Development 3 and Part 7 of the Schedule 'Agricultural Buildings and Operations.' Only when subject to the provisions of this Order and regulations 55 and 56 of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995,	MUDPS/167/25	1

can planning permission be granted for the classes of development described as permitted development.		
Welcomes that Policy AFR1 relates to established active agricultural/forestry holdings in accordance with strategic policy. However, to align with the SPPS, such proposals must be necessary for the sufficient operation of the holding or enterprise.	MUDPS/174/45	1
Policy AFR2 does not refer to the value of redundant/old buildings for protected species, nor does it include criteria that such proposals have no adverse impact on the character or quality of sensitive rural landscapes, biodiversity, built or natural heritage assets and their settings.	MUDPS/59/82 MUDPS/174/49	2
The policy and amplification text of policy AFR2 does not refer to differing policy & legislative provisions of the two types of protected species, i.e. EU & National. It is recommended that the text should refer back to the language and legislation contained within paragraphs 6.180 and 6.181 of the SPPS for EU protected and nationally protected species.	MUDPS/ 59/83 MUDPS/59/84	1
It has been recommended that paragraph 12.17 of Policy ECON 2 be copied across to Policy AFR2 and amended to state that a wildlife survey be carried out where the presence of a protected species is suspected.	MUDPS/174/50	1
Summary		
14 issues raised		

Addendum – Agriculture, Fishing and Forestry		
Issue Raised by Representation/s	Rep / element no.	No. of Reps cited against issue

How will agricultural sheds be controlled? Guidance needed on what is acceptable.	MUDPS/214/30	1
Supports Policy AFR 2 but needs modified to provide for certain other forms of development that are not buildings e.g. yard etc.	MUDP/231/73	1
Policy AFR 1 does not provide for the first building on a unit, or a building on an outlier farm.	MUDPS/238/19 & MUDPS/238/20, MUDPS/240/23 & MUDPS/240/24	2
Summary		
3 issues raised		

Counter Representations – Agriculture, Forestry and Fishing		
Counter-Representation Respondent	Counter-Representation Reference Number	Reference number Counter-Representation relates to
N/A	N/A	N/A

<u>17 issues raised</u>
<ul style="list-style-type: none"> Policy AFR1 – Agriculture and Forestry Development and Development Ancillary to Commercial Fishing – 14 issues Addendum – 3 issues

Representation submissions received in relation to topic area: (Total = 10)

MUDPS/

59, 115, 126, 167, 174, 192, 214, 231, 238, 240

Counter Representations Received: (0)

Historic Environment

Historic Environment – Original Topic Paper		
Historic Environment Policies		
Issue Raised by Representation/s	Rep / element no.	No. of reps cited against issue
Historic Environment Strategy		
DfI and DfC, HED consider Historic Strategy and Strategic Planning Policies HE1 to HE16 unsound as they do not achieve the strategic objective or the objectives of Regional Planning Policy, namely RDS2035, paragraph 3.30 and RG11; and, SPPS Section 6.	MUDPS/77 MUDPS/115	2
DfC, HED consider HE1 – HE16 are not in alignment with MUDC's Preferred Option Paper, nor do they take account of the subsequent POP representations following the public consultation process; namely, feedback POP representation on 20.12.2016 and 30.07.2018	MUDPS/77	1
DfC, HED has suggested the removal of specific wording from paragraph 17.3-17.9, ' <i>sterile museum pieces</i> ' and should consider the use of historic buildings in use not limited to the hotel sector and to have given a wider coverage across the district council. They are concerned about the specific phrasing, wording and tone of the introduction / overview of the Historic Environment strategic planning policy	MUDPS/77	1
Enabling Development of a Historical Significant Place		
DfI and DfC, HED notes reference is made to Enabling Development, a policy requirement set out in SPPS 6.25, however, no policy is within the Plan Strategy document. DfI also highlight this suggested discrepancy. HED consider the lack of an Enabling Development policy fails the Procedural Test (P2) and Consistency Test (C3)	MUDPS/77 MUDPS/115	2

Spatial Hierarchy & Archaeology		
DfI, DfC, HED and other Representations suggest consideration should be given to the order of draft Planning Policies HE1 – HE4, to reflect a sound hierarchy for archaeological remains and the inter-relationship of Areas of Significant Archaeological Interest (ASAI)s and Regionally Important archaeological remains. Specifically that it does not align with SPPS 6.29. Several representations have raised concerns regarding the lack of a clear sequencing, structure and content of planning policies HE1 to HE16	MUDPS/77, MUDPS/115, MUDPS/141, MUDPS/150, MUDPS/153, MUDPS/162, MUDPS/179	7
Historic Environment Legislative Context		
No direct reference to Legislative Context. Several representations have indicated a need for inclusion of relevant legislation related to the historic environment such as the Valletta Convention ¹ , the Venice Charter ² , the Granada Convention ³ , the Florence Convention ⁴ and the Faro Convention ⁵ .	MUDPS/77, MUDPS/115, MUDPS/141, MUDPS/150, MUDPS/153, MUDPS/162, MUDPS/179	7
What are the ‘exceptional circumstances?’		
Several representations have raised concerns regarding the meaning of the term ‘ <i>exceptional circumstances</i> ’; seeking details and clarification of what the term means in the context of HE1 – HE7.	MUDPS/77, MUDPS/83, MUDPS/115, MUDPS/135, MUDPS/141,	9

¹ European Treaty Series – No.143 European Convention on the Protection of the Archaeological Heritage (Revised) Valetta, 16.I.1992

² International Charter for the Conservation and Restoration of Monuments and Sites, The Venice Charter (as amended), 1964

³ Convention for the protection of the architectural Heritage of Europe, The Granada Convention (as amended), 1985

⁴ European Landscape Convention, Council of Europe, (as amended) Florence, 2000

⁵ The Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro, 27.10.2005

	MUDPS/150, MUDPS/153, MUDPS/162, MUDPS/182	
HE1: Beaghmore Stone Circles – Area of Significant Archaeological Interest (ASAI) (pages 175 -176).		
Representations raised the suggestion to amend Map 1.20 to identify cross-council context of the designated ASAI has been considered	MUDPS/83, MUDPS/115, MUDPS/135, MUDPS/141, MUDPS/150, MUDPS/153, MUDPS/162, MUDPS/182.	8
Several representations have raised issues regarding the soundness of the specific evidence used to identify Beaghmore Stone Circles ASAI and failure to identify the features if the ASAI to be protected	MUDPS/83, MUDPS/115, MUDPS/135, MUDPS/141, MUDPS/150, MUDPS/153, MUDPS/162, MUDPS/182	8
HE2: Creggandevsky – Area of Significant Archaeological Interest (pages 177-178).		
Representations raised the suggestion to amend Map 1.21 to identify cross-council context of the designated ASAI has been considered.	MUDPS/83, MUDPS/162, MUDPS/178, MUDPS/191	4

Representations have raised issues regarding the soundness of the specific evidence used to identify Creggandevsky ASAI.	MUDPS/83, MUDPS/162, MUDPS/178, MUDPS/191	4
HE3: Tullaghoge – Area of Significant Archaeological Interest (ASAI) (Page 178)		
A Site –Specific Representation received relating directly to Tullaghoge ASAI	MUDPS/51	1
Several representations have raised issues regarding the soundness of the specific evidence used to identify Tullaghoge ASAI.	MUDPS/83, MUDPS/115, MUDPS/162	3
HE4: Archaeological Remains of Regional Importance and Their Setting (pages 179-180).		
DfC, HED raised issues around the legal requirement for Scheduled Monument Consent has been raised by DfC, HED.	MUDPS/77, MUDPS/115, MUDPS/162	3
HE5: Archaeological Remains of Local Importance and their Settings (page 180).		
DfI and DfC, HED raised concerns regarding specific text and wording. DfC, HED requested the removal of all references to State Care Monuments specifically within paragraph 17.26	MUDPS/77 MUDPS/115	2
HE6: Areas of Archaeological Potential (AAP) (pages 180 – 181)		
DfC, HED have raised confusion regarding the purpose of a Strategic Planning Policy on Areas of Archaeological Potential (AAP). DfC, HED and DfI have provided several detailed amendments to specific paragraphs and policy text	MUDPS/77 MUDPS/115	2

HE7: Archaeological Assessment, Evaluation and Mitigation (pages 181-182)		
DfI and DfC, HED have suggested detailed amendments for specific boxed text and provided detailed amendments to specific paragraphs; several representations have stated that the Policy is unsound, confusing particularly paragraphs 17.31 – 17.35	MUDPS/77 MUDPS/115	2
DfC, HED have stated that paragraphs 17.38 and 17.39 need to be reconsidered to make them sound and to facilitate and clarify the reporting process for unexpected archaeological discoveries. DfI raised concerns that the Policy as worded may lessen the intention of the Planning Policies BH3 and BH4, of PPS6 and Section 6.0 of SPPS	MUDPS/77 MUDPS/115.	2
DfC, HED have raised concerns regarding language used relating to excavation licencing.	MUDPS/77	1
HE8: Registered Historic Parks, Gardens and Demesnes (Pages 182-183)		
DfC, HED and others have suggested amendments for specific boxed text to clarify ‘ <i>assessment criteria</i> ’ and provided amendments to specific paragraphs	MUDPS/77, MUDPS/125, MUDPS/174.	3
HE9: Change of Use, Alteration or Extension of a Listed Building (Pages 184-185)		
Representations have raised concerns that the approach taken with regard to draft Policy HE9 has altered emphasis and created significant misinterpretation regarding the protection, conservation and enhancement of a listed building / structure. DfC, HED in particular have raised concerns regarding the potential of the approach to result in the contravention of legislative protection and failure to meet obligations under international conventions on the protection of the historic landscape ⁶ ; the cultural and natural heritage ⁷ ; the architectural	MUDPS/77, MUDPS/125, MUDPS/174, MUDPS/179	4

⁶ European Landscape Convention (Florence, Council of Europe, 2000)

⁷ Convention concerning the Protection of the World Cultural and Natural Heritage (Venice, UNESCO, 1972)

heritage ⁸ , and, the archaeological heritage ⁹ . DfC, HED have suggested amendments for specific boxed text, re-formatting within the boxed text to prevent confusion.		
Representations have raised concerns regarding the justification and amplification text stating it is unsound, as it does not assist in clarifying the meaning of the policy; or, the decision making process in relation to works impact a listed building or its setting. The development in the setting of a listed building has no protection under the current policy text or test(s). One issue relates to the legal requirement for Listed Building Consent and Design and Access Statements.	MUDPS/77, MUDPS/125, MUDPS/174, MUDPS/179	4
HE10 – Demolition of a Listed Building (pages 184-185)		
Representations highlight there must be a clear presumption in favour of retaining listed buildings. Demolition is the last resort, only in exceptional circumstance. DfC, HED and others have stated that the draft Policy HE10 does not take sufficient account of RDS, notably 2.10 and 3.30, SPPS notably 5.16, 6.4, 6.12 and 6.15.	MUDPS/77, MUDPS/115, MUDPS/174	3
DfC, HED have raised the need for a Full Planning Application must be submitted alongside a Demolition consent application. In addition, they have highlighted the requirement to record the listed building prior to any proposed demolition, partial or whole	MUDPS/77, MUDPS/115, MUDPS/174.	3
Representations have raised concerns regarding the justification and amplification text stating it is unsound, as it does not assist in clarifying the meaning of the policy; or, the decision making process in relation to justification for demolition of a listed building.	MUDPS/77, MUDPS/115 and MUDPS/174.	3
DfC, HED and The National Trust have raised specific concerns regarding the introduction of a third exceptional case scenario not in the SPPS.	MUDPS/77 MUDPS/174	2

⁸ Convention for the Protection of the Architectural Heritage of Europe (Granada, Council of Europe, 1985)

⁹ European Convention on the Protection of the Archaeological Heritage (Valletta, Council of Europe, 1992)

Missing subheading under Policy HE10	MUDPS/77	1
HE11 Advertisement on a Listed Building or Structure (Pages 185 – 186)		
DfC, HED considers the policy does not take sufficient account of SPPS, notably 4.26 and 6.14. DfC, HED and others have suggested changes to boxed text and amendments to specific paragraphs	MUDPS/77 MUDPS/174	2
HE12 Designated Conservation Areas and their historic setting (Pages 186–189)		
Representations raised concerns regarding Policy HE12 stating that it does not take sufficient account of SPPS, notably 3.29, 5.9, 5.16, 6.18 and 6.19. DfC, HED and others have suggested changes to boxed text amendments to specific paragraphs. Some concerns regarding the amalgamation of existing Policies BH12, BH13 and BH14 of PPS6 are noted. Representations have suggested that HE12 as written applies a lesser test. Other representations consider the Policy to be unnecessarily constrain and should be more flexible to allow the sensitive renewal and redevelopment of conservation areas including demolition	MUDPS/77, MUDPS/115, MUDPS/174, MUDPS/179, MUDPS/192.	5
DfC, HED suggest that paragraph 17.63 should state only Full Planning Applications shall be acceptable within a designated Conservation Area	MUDPS/77, MUDPS/115, MUDPS/174, MUDPS/179, MUDPS/192	5
HE13 Non-listed Historic Vernacular Buildings (Pages 189–190)		

Representations have raised concerns regarding draft Policy HE13 particularly DfC, HED and National Trust. They consider the policy text to be unsound as it does not take sufficient account of RDS RG 11, notably 3.30 and the SPPS, notably 4.26, 5.9, 5.16, 6.21, 6.24 and 6.67. Representations suggested specific changes to boxed text and amendments to paragraphs provided	MUDPS/77, MUDPS/155, MUDPS/174.	3
DfI and the National Trust are concerned that the wording gives rise to potential misinterpretation. DfI note that the policy relies heavily on the will of the developer to adhere to its requirements and ask the council to consider what the dPS can do to encourage this kind of development. DfI also suggest a cross reference between this policy and policies CT2, ECON2 and TOU3, which allow for conversion and re-use of existing buildings for residential, economic and tourism development	MUDPS/77, MUDPS/155, MUDPS/174.	3
HE14 Areas of Townscape / Village Character (Pages 190–191)		
DfC, HED, DfI and National Trust consider Policy HE14 is unsound as insufficient account has been taken of SPPS 5.9, 6.21 and 6.22. The draft Policy is incoherent and there are no subheadings and is inconsistent with SPPS regarding demolition of an unlisted building within a designated ATC or AVC. Other representations consider the Policy to be unnecessarily constrain and should be more flexible to allow the sensitive renewal and redevelopment of ATC / AVC's including demolition.	MUDPS/77, MUDPS/155, MUDPS/174.	3
HE15 Industrial Heritage Assets (Page 191)		
Although DfC, HED has welcomed the provision of a policy around the protection of industrial heritage assets, they state that the policy lacks significant detail relating to how development will be considered against the protection of the industrial heritage asset. The National Trust and others suggest the policy although, welcomed, include a list of criteria to protect industrial heritage assets and their settings from inappropriate development.	MUDPS/77, MUDPS/115 MUDPS/174	3

HE16 Local Landscape Policy Areas (Page 191)		
Although DfC, HED considers the opening sentence of the Policy HE16 fails the consistency test as it does not take sufficient account of SPPS, notably 6.29. The National Trust and others suggest specific word changes and suggest re-writing Policy text to provide a robust policy.	MUDPS/77, MUDPS/125, MUDPS/174	3
Summary		
35 issues raised		

Addendum – Historic Environment		
Issue Raised by Representation/s	Rep / element no.	No. of Reps cited against issue
Historic Environment Strategy		
Historic Environment Plan Strategy Policies must provide strong protection for historic buildings / structures and there must be prompt enforcement when buildings demolished without written consent.	MUDPS/209/1	1
Historic Environment Plan Strategy Policies should advocate for a presumption in favour of retaining listed buildings.	MUDPS/209/2	1
Policy HE5		

POLICY HE5 concerns raised regarding specific wording of Policy HE5, namely, ‘unless it has been clearly demonstrated that the importance of the proposed development outweighs the value of the archaeological remains and/ or their settings.’ Representation suggested wording needs to be more specific and robust.	MUDPS/214/31	1
Policy HE10		
Concerns raised regarding Enforcement Action specific to Listed Buildings / structures, specifically, demolished without written consent or fall into disrepair.	MUDPS/214/32	1
The cost of refurbishment is not referenced in Historic Environment Policies, which is relevant. An exceptional reason should include where it is proven not to be economically viable to refurbish, and/or where the scale of intervention is such that the proposal cannot be truly described as refurbishment.	MUDPS/231/58-60	1
Policy HE11		
Concerns raised regarding Enforcement Action specific to unauthorized advertisement / signage affixed to listed buildings / structures.	MUDPS/214/33	1
Policy HE12		
Demolition of Listed buildings does not contain any tests regarding economic viability of repairs. Definition of ‘capable of active reuse’. This is subjective and is not properly defined.	MUDPS/241/27 MUDPS/241/28	1
Policy HE14		

POLICY HE14 Demolition of Listed buildings does not contain any tests regarding economic viability of repairs. Definition of 'capable of active reuse'. This is subjective and not properly defined.	MUDPS/241/29 MUDPS/241/30	1
Policy HE15		
POLICY HE15 proposed addition to the Industrial Heritage Register suggested.	MUDPS/214/35	1
Summary		
9 issues raised		

Counter Representations – Historic Environment		
Counter-Representation Respondent	Counter-Representation Reference Number	Reference number Counter-Representation relates to
N/A		

44 issues raised:

- Historic Environment Strategy – 3 issues
- Enabling Development of a Historical Significant Place– 1 issue
- Spatial Hierarchy & Archaeology – 1 issue
- Historic Environment Legislative Context – 1 issue
- What are the 'exceptional circumstances?' – 1 issue
- HE1: Beaghmore Stone Circles – Area of Significant Archaeological Interest (ASAI) (pages 175 – 176) – 2 issues
- HE2: Creggandevsky – Area of Significant Archaeological Interest (pages 177-178) – 2 issues
- HE3: Tullaghoge – Area of Significant Archaeological Interest (ASAI) (Page 178) – 2 issues
- HE4: Archaeological Remains of Regional Importance and Their Setting (pages 179 – 180) – 1 issue

- HE5: Archaeological Remains of Local Importance and their Settings (page 180 – 1 issue
- HE6: Areas of Archaeological Potential (AAP)(pages 180 – 181) – 1 issue
- HE7: Archaeological Assessment, Evaluation and Mitigation (pages 181-182)
- HE7: Archaeological Assessment, Evaluation and Mitigation (pages 181-182) – 3 issues
- HE8: Registered Historic Parks, Gardens and Demesnes (Pages 182-183) – 1 issue
- HE9: Change of Use, Alteration or Extension of a Listed Building (Pages 184-185) – 2 issues
- HE10 – Demolition of a Listed Building (pages 184-185) – 5 issues
- HE11 Advertisement on a Listed Building or Structure (Pages 185 – 186) – 1 issue
- HE12 Designated Conservation Areas and their historic setting (Pages 186–189) – 2 issues
- HE13 Non-listed Historic Vernacular Buildings (Pages 189–190) – 2 issues
- HE14 Areas of Townscape / Village Character (Pages 190–191 – 1 issue
- HE15 Industrial Heritage Assets (Page 191) – 1 issue
- HE16 Local Landscape Policy Areas (Page 191) – 1 issue
- Addendum – 9 issues

Representation submissions received in relation to topic area: (Total = 17)

MUDPS/51, 77, 83, 115, 125, 135, 141, 150, 153, 155, 162, 174, 178, 179, 182, 191, 192

Counter Representations Received: (0)

N/A

Natural Heritage

Natural Heritage – Original Topic Paper		
Issue Raised by Representation/s	Rep / element no.	No. of reps cited against issue
Natural Heritage Strategy		
The SPPS clearly sets out the EU Directives and legislative framework that protect our natural heritage environment. However, there is little acknowledgement that this statutory framework exists to protect important environmental features. The Department would welcome greater recognition of the statutory framework for the protection of environmental features.	MUDPS/115	1
The natural heritage strategic approach should be extended to state that the Council will seek to categorise other areas of constraint.	MUDPS/162/110	1
It is hard to reconcile the approach of the Council in protecting the Traad area with its continued scoping of the area as a potential halting site for travellers accommodation. These two things are incompatible and represent contradictory approaches.	MUDPS/163/8	1
Draft Plan Strategy has failed to take consideration of international law and essentially allows for the destruction of natural environment. The Black Bog is an internationally recognised Ramsar site and protected under the Ramsar convention, whereby adverse changes to the ecological character is prohibited as per Article 3.2. LDP should safeguard this unique wetland. FODC should use LDP to protect Ramsars, ASSI's, SAC's, nature parks	MUDPS/178 MUDPS/191	2

and AONB, instead of creating loopholes to allow mining and saturation of wind turbines. LDP works against public interests.		
Policy NH1-6 allow exclusions/mitigation to allow destruction of designated land/protected species. Natural heritage should not be impacted under any circumstances which goes against SEA & HRA. Representation queries where in the SEA does it provide Council with guidance to develop this exemption clauses?	MUDPS/178 MUDPS/191	2
RSPB request an additional 1km buffer area to SPA/ASSI areas at Lough Neagh / Beg as priority species are not confined to the protected area	MUDPS/59/70 MUDPS/59/71	1
Policy NH1 International Designations		
States planning authorities should ensure that full protection is afforded to both designated & non- designated sites important for wildlife & biodiversity.	MUDPS/59/3	1
Recommended that the more detailed wording of Policy NH1 contained within PPS 2 should be included within the Draft Plan Strategy. The proposed policy should include exceptional circumstances test, as this would add clarity for involved in the planning process.	MUDPS/59/91	1
There is no reference to the actual statutory provisions: 2009/147/EC Birds Directive and 92/43/EEC the Habitats Directive. Consideration should be given to the future proofing of wording around any 'Brexit' legislative implications.	MUDPS/59/92	1
Recommends that paragraph 5.6 pf PPS 2 is copied across to the justification and amplification section of DPS Policy NH1.	MUDPS/59/94	1
Paragraph 18.17 of the Justification and Amplification should be included within the policy box as it reflects the relevant SPPS policy.	MUDPS/115/111	1
Policy as currently worded does not provide flexibility to enable it to deal with changing circumstances. The inclusion of the word 'normally' or provision of exceptions in policy is necessary in many instances to ensure there is no confusion of policies.	MUDPS/125/6	1

Policy NH2 Protected Species		
Policy wording has changed the wording test for European protected species from 'likely to harm' (para 6.180 of SPPS) to 'likely harm'. To avoid potential for the weakening of protection for such species, strongly recommends 'likely to harm' remains in NH2.	MUDPS/59/93	1
Policy is inflexible. This policy should be changed to reflect that adequate mitigation or compensation is a possible solution in all cases.	MUDPS/192/37	1
Recommends that paragraph 5.6 of PPS 2 is copied across to the justification and amplification section of Draft Plan Strategy Policy NH1 (Possible error as representation appears to be referring to Policy NH2).	MUDPS/59/94	1
Policy NH3 National Designations		
The first line of Policy NH3 and criteria (a) read in contradiction with one another and add another test to wording, which is not present in regional policy SPPS 6.183 – 6.185 or of PPS2 NH3. This is likely to confuse the reader.	MUDPS/59/95	1
Criteria would benefit from being expressed more clearly in line with SPPS, inclusion of criteria (b) regarding social, economic – economic benefits causes ambiguity. May lessen the level of protection, which should be afforded.	MUDPS/115/112	1
Policy is inflexible. This policy should be changed to reflect the fact that adequate mitigation or compensation is a possible solution in all cases.	MUDPS/192/38	1
Policy NH5 Other Habitats, Species or Features of Natural Importance		
Policy application is more restrictive than paragraph 5.12 of PPS 2, Policy NH5. This could exclude other features, which make a significant contribution to biodiversity.	MUDPS/59/96	1

Proposed policy should be consistent with Section 1 of the Wildlife and Natural Environment Act (NI) 2011, which places a duty on public bodies to further the conservation of biodiversity and NI / EU Biodiversity strategies to halt loss of biodiversity by 2020.	MUDPS/59/97	1
Policy includes a presumption in favour of the retention of all trees. This is considered unenforceable. There are no restrictions on felling trees in other cases, except for TPOs, so applicants will simply choose to remove trees before making applications.	MUDPS/192/39	1
Policy NH6 Areas of Outstanding Natural Beauty		
Proposed policy wording should refer to the full range of considerations and not just the 'distinctive special character and landscape quality'. This is much narrower interpretation of regional policy PPS 2 NH 6 and para 6.187 of SPPS. Whilst para. 18.31 of DPS addressed the omissions they are weakened as they are not within policy box. In order to accord with the NI and EU Biodiversity Strategy which collectively seek to halt the loss of biodiversity and ecosystem services by 2010, it is strongly recommended that the first paragraph of draft Policy NH6 be amended.	MUDPS/59/98, MUDPS/59/99, MUDPS/115/113, MUDPS/167/4, MUDPS/167/5, MUDPS/174/68	4
Until weaknesses of Policy RNW1 has been addressed the cross reference with Policy NH6 renders this policy unsound. NH6 J&A sets out account will be taken of LCA when considering proposals within the AONB, Council LCA is not considered to be robust. Justification and amplification of policy NH6 sets out that account will be taken of landscape capacity and LCA prepared as part of the draft plan process. As stated previously NILCA 2000 is now outdated and the Council's review of the same is flawed.	MUDPS/150/36 MUDPS/150/42 MUDPS/83/35	2
This policy sets out that development will be required to be sensitive to the character of the AONB. With reference to the weaknesses identified within the mineral policies, the same weaknesses apply to policy NH6 which renders this policy unsound.	MUDPS/83/36	1
DfI are aware of Sperrins Forum work. Policy unclear as to what engagement there has been with other 3 councils.	MUDPS/115/21	1

Concern raised that there is no management plan for the Sperrins AONB. States that the Sperrin AONB is the only AONB in the UK that has no management plan and management body.	MUDPS/134/10	1
Policy fails to mention proposals having to take account of the relevant LCA and the Sperrin AONB Management Plan and/or local design guide (paragraph 6.188 of the SPPS). This should be included within the policy headnote to provide consistency with SPPS.	MUDPS/174/69	1
NH6 should provide a presumption against developments that would negatively impact the distinctiveness of the Sperrins AONB and the recognition of individual and cumulative impacts.	MUDPS/174/67	1
Policy does not align with the neighbouring Council's policy for the Sperrins AONB, which cuts across both council areas.	MUDPS/174/70	1
Policy fails to protect heritage assets from inappropriate renewable energy development albeit it is acknowledged in 22.6, 22.7 and 22.10. Criteria and rigorous tests should be applied to protect heritage assets from inappropriate development.	MUDPS/174/71	1
This policy sets out that development will be required to be sensitive to the character of the AONB. With reference to the weaknesses identified within the mineral policies, the same weaknesses apply to policy NH6 which renders this policy unsound.	MUDPS/83/34	1
Rep refers to Policy L01 (not in our DPS) stating this undermines the AONB designation, which should be of the highest protection and conservation. The proposal map has only a small area of the Sperrins AONB designation.	MUDPS/178/243 MUDPS/191/243	2
Policy SCA1 Special Countryside Areas		
The introduction of spatial restrictive policies such as AOCWTHS and SCA could greatly inhibit wind energy development particularly given existing separation distance constraints and is considered contrary to DPS objectives to promote renewable energy.	MUDPS/41/1	1

Council's appraisal of SCA's suggest NED supported the concept however no details of consultation or agreement provided. The lack of information and robustness in the assessment demonstrates proposed SCA's are founded on flawed evidence.	MUDPS/41/7	1
LDP has critical role in making space for creation and management of additional habitat along shore of Lough Neagh and Lough Beg for sustainable strategic tourism at a landscape scale.	MUDPS/59/69	1
SCA introduces an additional layer of constraint, which overlaps the AOCWTHS and further restricts wind energy development. Given the conflict between SCA1 and DPS objectives, this policy would fail test CE1.	MUDPS/96/21	1
RES supportive of existing policy. LDP should provide broad guidance in relation to the plan area. Detailed assessment of individual applications is much better reserved for the visual impact assessments as part of EIA to be performed by experts.	MUDPS/96/24	1
RES considers that extent of SCA is founded on flawed evidence. RES recommend that further work is undertaken by MUDC to review evidence base and revise proposals accordingly. RES would welcome the opportunity to participate in this consultation.	MUDPS/96/94	1
Regarding the SCA at the Loughshore, the Landscape Character Area review has failed to consider the capacity of the landscape to absorb minerals development. Landing points around Lough Neagh have been excluded from the proposed SCA and this is to be welcomed. However, it would be wise to specifically name the areas excluded and also to state within the DPS the reason for their exclusion from the SCA.	MUDPS/101/2, MUDPS/101/53, MUDPS/107/8, MUDPS/113/8	3
Inclusion of the proposals maps showing the SCA are helpful and align with SPPS policy. SCA are warranted for exceptional landscapes. The exceptional criteria in the policy undermines the intent due to the widening scope for development opportunities. Under the exceptions 'open development' and 'in-situ' are not explained and evidence is not provided to support these additional opportunities. They contradict the designation. Paragraph 18.15 reads as a policy requirement and as such should be in the policy box.	MUDPS/115/108 MUDPS/115/109	1

Council should be able to demonstrate how this policy is sustainable in terms of the spatial strategy when considered in combination with countryside policies and growth policies.	MUDPS/115/110	1
The boundary of the proposed SCA's have been defined based upon a desktop assessment and NILCA 2000. Relying on out of date evidence, not bespoke to the district is flawed and therefore assessment of such data is flawed.	MUDPS/150/19 MUDPS/153/41	2
The Landscape Character Assessment Review has failed to have regard to or adequately address weaknesses identified by GM Design Associates and cannot be relied upon as robust evidence to justify the designations of an SCA in the district or the proposed extent of such areas.	MUDPS/150/20	1
SCA's should look to alternative ways to provide electricity in Slieve Beagh and the High Sperrins SCA during the lifetime of the strategy.	MUDPS/162/111	1
DAERA concerned that their letter dated 03/05/2018 has not been taken up regarding the need to create a separate AoHSV policy at Lough Neagh/Lough Beg. Without an adequate buffer, the landscape quality of SCA will be susceptible to adjacent developments.	MUDPS/167/2	1
SCA methodology excludes areas of amenity grassland etc. DAERA concerned as methodology makes no reference to legislative protection given to the lough under Birds Directive. Also, development on amenity grassland has potential to negatively impact SCA.	MUDPS/167/3	1
Draft Plan Strategy at no point allowed the people of Mid Ulster the opportunity to choose what they did or did not want. The SCA designation is pre-determined. On what basis and by whom? Should be removed as it limits options. MUDC has provided means to industrialise the region.	MUDPS/178/5 MUDPS/191/5	2
Object to SCA 1 which places a virtual ban on development within the proposed SCA areas – it is not reasonably flexible to deal with changing circumstances.	MUDPS/192/36	1

Proposed Extension to SCA - District Proposals Maps		
Requests modifications to Map 1d (Appendix 1) to include an SCA extension to Curran Bog and Ballynahone Bog, as well as north of the proposed A6 road and an AOCWTHS designation where whooper swans have been identified. Representation states proposed modifications seek to provide a strategic vision for tourism at a landscape scale e.g. Bann Valley vision area or SW Lough Neagh which could be managed sustainably for nature tourism.	MUDPS/59/72, MUDPS/59/87, MUDPS/59/88, MUDPS/59/155	1
RSPB highlight Owenkillew / Ballinderry Rivers are missing from Area of International Importance Map 1.1 Growth Strategy	MUDPS/59/144	1
RSPB requests Extension to SCA1 specifically for Hen Harriers and Whooper Swans Map 1c	MUDPS/59/86 MUDPS/59/154	1
RSPB requests proposed modifications to Map 1e to SCA to be consistent with other SCA zonings, extended at the SW corner of Lough Neagh to replicate the RAMSAR international designation	MUDPS/59/90 MUDPS/59/156	1
Summary		
52 issues raised		

Addendum – Natural Heritage		
Issue Raised by Representation/s	Rep / element no.	No. of Reps cited against issue
Natural Heritage Strategy		

NATURAL HERITAGE STRATEGY concerns raised regarding a specific site, namely, TRAAD POINT, a Tourism Opportunity Zone. Concern raised specifically to Council scoping report on a potential Travelers' Halt at the location.	MUDPS/213/7	1
Policy SCA1		
Policy SCA1 does not acknowledge the avoidance of harm for 'rounding off' and consolidating existing clusters of development or infill opportunities. Suggested amendment of Policy SCA1 to allow for 'rounding off' or consolidating existing clusters of development or infill opportunities related to 'informal cluster of buildings'	MUDPS/231/61 MUDPS/231/62	1
The Group acknowledge the importance of the objective to provide protection to prized landscapes. However, are concerned that the extent of the SCA1 area, specifically to the north / cross Council connections will prevent key important electrical infrastructure. Concern raised regarding lack of robust evidence for justification of the SCA1 area.	MUDPS/234/22, MUDPS/234/23, MUDPS/234/24, MUDPS/234/25	1
Summary		
3 issues raised		

Counter Representations – Natural Heritage		
Counter-Representation Respondent	Counter-Representation Reference Number	Reference number Counter-Representation relates to
Dermot Madden DfC	DPSCR/57	MUDPS/113
Turley on behalf of SSE Renewables	DPSCR/81	MUDPS/59
Turley on behalf of SSE Renewables	DPSCR/84	DPSCR/84
Turley on behalf of SSE Renewables	DPSCR/86	MUDPS/88
Turley on behalf of SSE Renewables	DPSCR/89	MUDPS/115
Turley on behalf of SSE Renewables	DPSCR/90	MUDPS/121
Turley on behalf of SSE Renewables	DPSCR/91	MUDPS/122

Turley on behalf of SSE Renewables	DPSCR/93	MUDPS/131
Turley on behalf of SSE Renewables	DPSCR/94	MUDPS/134
Turley on behalf of SSE Renewables	DPSCR/95	MUDPS/137
Turley on behalf of SSE Renewables	DPSCR/96	MUDPS/141
Turley on behalf of SSE Renewables	DPSCR/97	MUDPS/144
Turley on behalf of SSE Renewables	DPSCR/99	MUDPS/162
Turley on behalf of SSE Renewables	DPSCR/100	MUDPS/163
Turley on behalf of SSE Renewables	DPSCR/101	MUDPS/167
Turley on behalf of SSE Renewables	DPSCR/103	MUDPS/174
Turley on behalf of SSE Renewables	DPSCR/106	MUDPS/182
Turley on behalf of SSE Renewables	DPSCR/108	MUDPS/194
Turley on behalf of SSE Renewables	DPSCR/109	MUDPS/195
Turley on behalf of SSE Renewables	DPSCR/110	MUDPS/196
Turley on behalf of SSE Renewables	DPSCR/111	MUDPS/197
Turley on behalf of SSE Renewables	DPSCR/112	MUDPS/198
Turley on behalf of SSE Renewables	DPSCR/113	MUDPS/199
Turley on behalf of SSE Renewables	DPSCR/114	MUDPS/200
Turley on behalf of SSE Renewables	DPSCR/115	MUDPS/201
Turley on behalf of SSE Renewables	DPSCR/116	MUDPS/202
Turley on behalf of ABO Wind	DPSCR/120	MUDPS/56
Turley on behalf of ABO Wind	DPSCR/121	MUDPS/59
Turley on behalf of ABO Wind	DPSCR/122	MUDPS/70
Turley on behalf of ABO Wind	DPSCR/124	MUDPS/81

Turley on behalf of ABO Wind	DPSCR/126	MUDPS/88
Turley on behalf of ABO Wind	DPSCR/128	MUDPS/108
Turley on behalf of ABO Wind	DPSCR/129	MUDPS/115
Turley on behalf of ABO Wind	DPSCR/130	MUDPS/121
Turley on behalf of ABO Wind	DPSCR/131	MUDPS/122
Turley on behalf of ABO Wind	DPSCR/133	MUDPS/131
Turley on behalf of ABO Wind	DPSCR/134	MUDPS/134
Turley on behalf of ABO Wind	DPSCR/138	MUDPS/159
Turley on behalf of ABO Wind	DPSCR/139	MUDPS/162
Turley on behalf of ABO Wind	DPSCR/140	MUDPS/163
Turley on behalf of ABO Wind	DPSCR/141	MUDPS/167
Turley on behalf of ABO Wind	DPSCR/143	MUDPS/174
Turley on behalf of ABO Wind	DPSCR/148	MUDPS/194
Turley on behalf of ABO Wind	DPSCR/149	MUDPS/195
Turley on behalf of ABO Wind	DPSCR/150	MUDPS/196
Turley on behalf of ABO Wind	DPSCR/151	MUDPS/197
Turley on behalf of ABO Wind	DPSCR/152	MUDPS/198
Turley on behalf of ABO Wind	DPSCR/153	MUDPS/199
Turley on behalf of ABO Wind	DPSCR/154	MUDPS/200
Turley on behalf of ABO Wind	DPSCR/155	MUDPS/201
Turley on behalf of ABO Wind	DPSCR/156	MUDPS/202
Turley on behalf of Dalradian Gold	DPSCR/161	MUDPS/59
Turley on behalf of Dalradian Gold	DPSCR/162	MUDPS/70

Turley on behalf of Dalradian Gold	DPSCR/184	MUDPS/131
Turley on behalf of Dalradian Gold	DPSCR/185	MUDPS/134
Turley on behalf of Dalradian Gold	DPSCR/199	MUDPS/194
Turley on behalf of Dalradian Gold	DPSCR/200	MUDPS/195
Turley on behalf of Dalradian Gold	DPSCR/201	MUDPS/196
Turley on behalf of Dalradian Gold	DPSCR/202	MUDPS/197
Turley on behalf of Dalradian Gold	DPSCR/203	MUDPS/198
Turley on behalf of Dalradian Gold	DPSCR/204	MUDPS/199
Turley on behalf of Dalradian Gold	DPSCR/205	MUDPS/200
Turley on behalf of Dalradian Gold	DPSCR/206	MUDPS/201
Turley on behalf of Dalradian Gold	DPSCR/207	MUDPS/202

55 issues raised (Original & Addendum)

- Natural Heritage Strategy – 7 issues
- Policy NH1 International Designations – 6 issues
- Policy NH2 Protected Species – 3 issues
- Policy NH3 National Designations – 3 issues
- Policy NH5 Other Habitats, Species or features of Natural Importance – 3 issues
- Policy NH6 Areas of Outstanding Natural Beauty – 11 issues
- Policy SCA1 Special Countryside Areas – 18 issues
- Proposal extension to SCA – District Proposals Maps – 4 issues

Representation submissions received in relation to topic area: (Total =19)

MUDPS/41, 59, 83, 96, 101, 107, 113, 115, 125, 134, 150, 153, 162, 163, 167, 174, 178, 191, 192, 213, 231, 234

Flood Risk

Flood Risk – Original Topic Paper		
Flood Risk Strategy		
Issue Raised by Representation/s	Rep / element no.	No. of reps cited against issue
Water Quality DAERA WMU reiterates their comments to the POP that water quality issues need to be fully addressed in the DPS and a dedicated water quality section should be included in the DPS, separate from topic of 'flooding'.	MUDPS/167/32	1
Greater detail required on SuDS Lack of detail on SuDS including how Council will ensure SuDS are included in new development, are they to be used within private property, does the council envisage use of KSR's and advice on public adoptability .	MUDPS/115/279, MUDPS/170/1	2
Modifications required to wording and detail The acronym SuDs is incorrect and should be replaced with SuDS. The term 'suitably qualified engineer' should be replaced with 'Panel Engineer' in accordance with the Reservoirs Act (NI) 2015. Recommends reference is made to the DFI's Water & Drainage Policy Divisions 'Technical Flood Risk Guidance in Relation to Allowances for Climate Change in NI (2019)' and Sustainable Water-A Long-Term Water Strategy for NI.	MUDPS/170/21, MUDPS/170/19, MUDPS/170/16, MUDPS/115/280	2
Policy FLD 1 – Fluvial Floodplains		
Policy should replicate existing policy Policy should be amended to replicate PPS15 which is to restrict new development in flood prone areas in accordance with the EU Flood Directive, the RDS and SPPS. Natural floodplains and watercourses should be retained as flood alleviation and not subject to	MUDPS/59/100-106	1

development pressure, particularly residential development or including conversion to open space in residential development which could impact on biodiversity. Policy wording should include the 2 criteria to be met referenced in PPS15 FLD1, as well as the wording of paragraph 6.16, 6.18 and 6.26 and the term 'significant intensification of use' referenced in the policy exceptions.		
Policy format is confusing Considered policy formulation could cause confusion and is difficult to follow. Exceptions to policy could be more clearly laid out. Second bullet point should refer to regional or sub-regional economic importance as per SPPS. Policy wording should state flood protection and / or management measures will only be acceptable if carried out by Rivers Agency. Paragraph 19.5 omits reference to development located close to flood defence.	MUDPS/59/107, MUDPS/115/114	2
Policy requires greater flexibility Policy does not provide flexibility to enable it to deal with changing circumstances. Policy wording should be amended to include the word 'normally' to state 'development will not 'normally' be acceptable within the fluvial floodplain. 'Such as power supply and emergency services ' and 'storage of hazardous substances' should be omitted.	MUDPS/125/7	1
Policy FLD 2 – Development and Surface Water (Pluvial) Flood Risk outside Flood Plains		
Policy wording requires amendments Policy FLD2 final sentence should be amended to state 'any adverse impacts beyond site' as opposed to 'any impacts beyond the site'. Policy wording should require developers to include Design for Exceedance within Drainage Assessments.	MUDPS/115/115, MUDPS/170/18	2
Policy FLD 4 – Development in Proximity to Reservoirs		
Policy should align with legislation and SPPS Policy wording should be amended to align with SPPS. Policy should include a requirement to demonstrate condition, management and maintenance of reservoirs. Policy title should be amended to refer to 'controlled' reservoirs. Policy wording should include reference to sign-	MUDPS/115/117, MUDPS/115/270-271, MUDPS/170/22	2

off by a Panel in accordance with the Reservoirs Act (NI) 2015 and reference to forthcoming guidance on DA and FRA.		
Policy is too inflexible Policy FLD4 seems to move away from the Councils preferred approach based on the newly published DfI river reservoir map which is insufficient to justify this policy. Policy is too inflexible and onerous on the client. Policy FLD4 should be removed and focus on a better regulatory system ensuring the safety of the reservoirs, thus negating the need for such a policy.	MUDPS/145/1	1
Policy FLD 5 – Artificial Modification of Watercourse		
Policy not in accordance with RDS and SPPS Culverting and canalisation of watercourses does not further sustainable development as per RDS direction. Recommends that there be a presumption against culverting on water courses in all designated sites and supporting habitat consistent with SPPS and RDS.	MUDPS/59/108-9	1
Policy does not provide flexibility Policy does not provide flexibility to enable it to deal with changing circumstances, policy text should include the word 'normally'. The first exception should omit 'less than 10 metres' and change 'of' to 'to' as accepted by DfI Rivers and the 'unconnected with any development proposal' should be omitted from the second exception.	MUDPS/125/8	1
Summary		
11 issues raised		

Addendum – Flood Risk		
Issue Raised by Representation/s	Rep / element no.	No. of Reps cited

		against issue
FLD2 inadequate wording Policy FLD 2 should include criteria that stipulates there will be a maximum number of units permitted in flood plain to mitigate against developers submitting accumulatively.	MUDPS/214/36	1
Definition of Fluvial floodplains needs amended The definition of fluvial floodplains in the Plan Strategy does not appear to make any reference to Climate Change.	MUDPS/115/378	1
Amended wording References to Rivers Agency should read DFI Rivers.	MUDPS/115/379	1
Flood Maps Council advised to use flood mapping that includes the latest climate change predications thus taking account of most up-to-date information.	MUDPS/115/380	1
Flood Maps Council advised to use flood mapping that includes the latest climate change predications thus taking account of most up-to-date information.	MUDPS/115/380	1
Rewording of FLD4 DFI provided amended wording for FLD 4 which Council may wish to consider.	MUDPS/115/382	1
Climate change in NI. Reference should also be made to the Departments Technical Flood Risk Guidance in relation to Allowances for Climate Change in NI.	MUDPS/170/34	1
Prevention of development in areas of floodrisk	MUDPS/170/35	1

NI Water supports the application of the SPPS aim to prevent development in areas of floodrisk.		
Amended wording in document. Replace the term "suitably qualified engineer" with "panel engineer" in line with the reservoirs act. Replace all throughout document. & Text should include reference to a sign off being required by a Panel in accordance with reservoirs Act.	MUDPS/170/36 MUDPS/170/37	1
Rewording and clarification required within policy. Distinguish between privately managed reservoirs and those managed by a public body/statutory agency, make it clear that where public bodies/statutory agencies are involved in the monitoring process, that it is likely that any remedial works necessary will be undertaken within a reasonable time frame (at present developers are expected to provide a condition assurance, which is not always possible due to public authorities programming schedules); recognise that at present reservoir owners have a legal responsibility to safely manage and maintain their reservoirs.	MUDPS/231/63	1
Culverting Fails to recognise that culverting is not always detrimental; fails to recognise that applicants may already be in possession of a statutory consent to culvert a watercourse; fails to distinguish between the size of the watercourse.	MUDPS/231/64, MUDPS/231/65, MUDPS/240/25 & MUDPS/240/26	2
Culverting not always detrimental Fails to recognise that culverting is not always detrimental. Fails to recognise that applicants may already be in possession of a statutory consent to culvert a watercourse. Fails to deal with sites where culverting has already taken place to either side of a site.	MUDPS/231/21 MUDPS/241/33	2
Clarity required in policy. Appropriate controls are not defined. Distinguish between privately managed reservoirs and those managed by a public body/statutory agency; page 8.	MUDPS/241/31, MUDPS/241/32 MUDPS/241/34	1

Summary
13 issues raised

Counter Representations – Flood Risk		
Counter-Representation Respondent	Counter-Representation Reference Number	Reference number Counter-Representation relates to
N/A	N/A	N/A

<p><u>24 issues raised</u></p> <ul style="list-style-type: none"> • Flood Risk Strategy – 3 issues • Policy FLD 1 – Fluvial Floodplains – 3 issues • Policy FLD 2 – Development and Surface Water (Pluvial) Flood Risk outside Flood Plains – 1 issue • Policy FLD 4 – Development in Proximity to Reservoirs – 2 issues • Policy FLD 5 – Artificial Modification of Watercourse – 2 issues • Addendum – 13 issues

Representation submissions received in relation to topic area: (Total = 20)

MUDPS/

51, 77, 83, 115, 125, 135, 141, 150, 153, 155, 162, 174, 178, 179, 182, 191, 192, 209, 214, 231

Counter Representations Received: (0)

N/A

Waste Management

Waste Management – Original Topic Paper		
Issue Raised by Representation/s	Rep / element no.	No. of reps cited against issue
<u>Strategic Approach</u>		
DPS failed to take account of EU legislation on extractive waste	MUDPS/178/87 – 106, MUDPS/191/87 - 106	2
Underground radioactive Waste geological storage facility (GDF) has been sanctioned by NI Executive, imposed by Westminster government. GDF likely to be in the Sperrins, impacting n water supply. LDP should be rewritten to include provision of the GDF. GDF will make Sperrins an industrialised mining and wind energy region with intensive windfarms and being the dumping ground for the UK and Europe's nuclear waste. If Brexit occurs we will be the global nuclear waste receptacle e.g., USA, Japan, Australia.	MUDPS/178/159, MUDPS/178/160, MUDPS/191/159, MUDPS/191/160	2
<u>Policy WM1 - Waste Management: General Policy</u>		
The application of the precautionary principle with regard to the environment should be added to the amplification & justification section of policy WM 1 on waste management.	MUDPS/59/110	1
Policy WM1(vi) requires a demonstrated need for a facility within the context of the prevailing joint waste management plan. This is illogical as the need in JWMP is in respect of LACMW with no expressions of need for privatised waste streams/C&I waste.	MUDPS/87/4	1

<u>Policy WM1, WM2 & WM3</u>		
Dep't provided advice at POP that policies PPS3, DCAN15, PPS7 and PPS13 are brought forward in LDP. Concerns policies do not give full coverage or protection required for WM1,2&3. Doesn't take full account of access & infrastructure needs, parking, servicing.	MUDPS/115/243, MUDPS/115/244, MUDPS/115/247, MUDPS/115/248, MUDPS/115/245, MUDPS/115/246	1
<u>Policy WM 3 - Waste Management; Waste Disposal</u>		
Clarification sought on "Verifiable need for Landfill"	MUDPS/115/120	1
It's considered that this policy should reference practical restoration and aftercare as per policy WM1, as appropriate restoration is crucial.	MUDPS/115/120	1
<u>Policy WM 4 – Development in the vicinity of Waste Management Facilities.</u>		
The SPPS refers to separation of incompatible land uses but the DPS policy does not.	MUDPS/115/121	1
Summary		
8 issues raised		

Addendum – Waste Management		
Issue Raised by Representation/s	Rep / element no.	No. of Reps cited against issue
N/A		

Summary		
0 issues raised		

Counter Representations – Waste Management		
Counter-Representation Respondent	Counter-Representation Reference Number	Reference number Counter-Representation relates to
N/A	N/A	N/A

8 issues raised

- Strategic Approach – 2 issues
- Policy WM1 - Waste Management: General Policy – 2 issues
- Policy WM1, WM2 & WM3 – 1 issue
- Policy WM 3 - Waste Management; Waste Disposal – 2 issues
- Policy WM 4 – Development in the vicinity of Waste Management Facilities. – 1 issue
- Addendum – 0 issues

Representation submissions received in relation to topic area: (Total = 5)

MUDPS/

59, 87, 115, 178, 191

Counter Representations Received: (0)

N/A

Telecommunications

Telecommunications– Original Topic Paper		
Strategic Approach		
Issue Raised by Representation/s	Rep / element no. (all prefixed MUDPS/)	No. of reps cited against issue
The DPS is facilitating the provision of a 5G network, which experts have shown to be detrimental to the environment and to human health.	178/76, 178/77 191/76, 191/77	2
25m height restriction will still permit development, which is too high and will have a negative impact. All infrastructure should be undergrounded in order to ensure no negative impact on the AONB.	178/280,178/281, 178/282,178/283 178/284,178/285, 178/286,178/287, 178/288,178/289, 178/290,178/291, 191/280,191/281, 191/282,191/283, 191/284,191/285, 191/286,191/287, 191/288,191/289, 191/290,191/291	2
Areas of Constraint on Wind Turbines and High Structures (AOCWTHS)		
Recommends that the AOCWTHS be extended to include certain areas of habitat	59/89	1

importance such as Patricks Lough, Newferry, River Bann, area near Toome and lands north of Fivemiletown.		
The LCAR is a general view on various landscapes and does not consider individual proposals or the nature of specific sites.	153/22, 153/23	1
AOCWTHS does not take into account the variations in landscape, which can make some sites within the designation acceptable to wind energy.	96/41, 96/42, 96/43, 96/44, 96/45, 96/46, 96/47	1
LCAR relies on information from 2000 and doesn't take account of the current landscape position.	153/24	1
The process for defining the Area of Constraint has not taken into account or considered that upland areas are often the best locations for wind technology	153/25	1
Support expressed for AOCWTHS designations	181/6, 182/6	2
There is no detailed information provided to support statements made throughout the dPS on "vulnerable landscapes" and the "scenic qualities" of the Sperrins AONB. Without knowing what exactly these vulnerabilities and qualities are it is difficult to see how policies can be devised to guide development appropriately.	96/35	1
Policy TOHS 1		
The DPS should operate a less restrictive policy and should align itself with national government policy, which aspires that we become a world leading digital economy.	13/1	1
Use of NILCA 2000 is not robust and this means that the AOCWTHS has been founded on a flawed evidence base. No planning context or up to date photographs have been provided. Questions also raised over the time and expertise spent in analysing landscape to inform the AOCWTHS.	41/3, 83/40, 96/95, 150/25, 150/26, 96/25, 96/26, 96/27, 96/28	4

The LCAR has failed to address the weaknesses, which were identified by the GM consultants review and is not a robust evidence base to justify the designation of an SCA.	153/20, 153/21	1
No evidence has been provided to support the idea that structures over 15m are inappropriate. The SPPS states that not all turbines / wind farms are considered to be in appropriate (6.231) and neither does it advocate an AOCWTHS. TOHS 1 is in conflict with the SPPS.	83/38, 83/39, 96/56, 150/22, 153/14, 153/15, 153/16, 153/19	4
Restrictions included in this policy will reduce the ability of the LDP to be flexible enough to allow for the generation of sufficient energy supplies.	41/6, 91/2, 153/17	3
The naming of the policy is misleading and reflects a bias against wind turbines, as they are also high structures. To single them out in this way shows a bias against their development.	96/9, 96/10, 192/40	2
The process for defining the Area of Constraint has not taken into account or considered that upland areas are often the best locations for wind technology.	153/25	1
Council have not considered or taken account of how bespoke elements of individual proposals can result in a proposal being acceptable.	150/27	1

Addendum - Telecommunications		
Issue Raised by Representation/s	Rep / element no.	No. of Reps cited against issue
Lacks detail - legislative context missing; the Digital Economy Act 2017; role of Ofcom; UK government strategies future telecoms infrastructure review July 2018; NI digital infrastructure strategy draft industrial strategy for NI - project stratum broadband; Council needs to update baseline data. Also lack of consideration of OFCOMS Connected Nations 2019 Report; NI regional supplement.	31/30, 31/31	1
Wind turbines should be more extensively limited or banned in AONB's. Height restrictions are insufficient.	214/37	1
Welcomes the acknowledgement of the importance of good telecommunications in rural areas.	234/10	1
Welcomes the acknowledgement of the importance of overhead cables in providing a good electricity network.	234/11	1
Concern expressed that the DPS has not provided a policy for the upgrading of energy infrastructure.	234/12	1
DPS is unclear and open to interpretation as to what a high structure is; does it relate to structures of 15m in height or 25m in height for instance?	234/13, 234/14, 234/15, 234/16	1
Para. 21.18 of TOHS 1 has the potential to conflict with RG5 of the RDS (deliver a secure and sustainable energy supply).	234/17, 234/18, 234/19, 234/20, 234/21	1

Counter Representations - Telecommunications		
Counter-Representation Respondent	Counter-Representation Reference Number	Reference number Counter-Representation relates to
Turley on Behalf of SSE	DPSCR/79	MUDPS/22
Turley on Behalf of SSE	DPSCR/81	MUDPS/59
Turley on Behalf of SSE	DPSCR/83	MUDPS/73
Turley on Behalf of SSE	DPSCR/84	MUDPS/81
Turley on Behalf of SSE	DPSCR/86	MUDPS/88
Turley on Behalf of SSE	DPSCR/87	MUDPS/89
Turley on Behalf of SSE	DPSCR/89	MUDPS/115
Turley on Behalf of SSE	DPSCR/96	MUDPS/141
Turley on Behalf of SSE	DPSCR/97	MUDPS/144
Turley on Behalf of SSE	DPSCR/98	MUDPS/159
Turley on Behalf of SSE	DPSCR/100	MUDPS/163
Turley on Behalf of SSE	DPSCR/102	MUDPS/168
Turley on Behalf of SSE	DPSCR/103	MUDPS/174
Turley on Behalf of SSE	DPSCR/104	MUDPS/178
Turley on Behalf of SSE	DPSCR/105	MUDPS/181
Turley on Behalf of SSE	DPSCR/108	MUDPS/194
Turley on Behalf of SSE	DPSCR/109	MUDPS/195
Turley on Behalf of SSE	DPSCR/110	MUDPS/196
Turley on Behalf of SSE	DPSCR/111	MUDPS/197
Turley on Behalf of SSE	DPSCR/112	MUDPS/198

Turley on Behalf of SSE	DPSCR/113	MUDPS/199
Turley on Behalf of SSE	DPSCR/114	MUDPS/200
Turley on Behalf of SSE	DPSCR/115	MUDPS/201
Turley on Behalf of SSE	DPSCR/116	MUDPS/202
Turley	DPSCR/119	MUDPS/22
Turley	DPSCR/121	MUDPS/59
Turley	DPSCR/123	MUDPS/73
Turley	DPSCR/124	MUDPS/81
Turley	DPSCR/126	MUDPS/88
Turley	DPSCR/127	MUDPS/89
Turley	DPSCR/129	MUDPS/115
Turley	DPSCR/130	MUDPS/121
Turley	DPSCR/131	MUDPS/122
Turley	DPSCR/132	MUDPS/123
Turley	DPSCR/135	MUDPS/137
Turley	DPSCR/136	MUDPS/141
Turley	DPSCR/137	MUDPS/144
Turley	DPSCR/138	MUDPS/159
Turley	DPSCR/140	MUDPS/163
Turley	DPSCR/141	MUDPS/167
Turley	DPSCR/142	MUDPS/168
Turley	DPSCR/146	MUDPS/182
Turley	DPSCR/148	MUDPS/194

Turley	DPSCR/149	MUDPS/195
Turley	DPSCR/150	MUDPS/196
Turley	DPSCR/151	MUDPS/197
Turley	DPSCR/152	MUDPS/198
Turley	DPSCR/153	MUDPS/199
Turley	DPSCR/154	MUDPS/200
Turley	DPSCR/155	MUDPS/201
Turley	DPSCR/156	MUDPS/202
Emma Walker	DPSCR/164	
Emma Walker	DPSCR/165	
Emma Walker	DPSCR/166	
Emma Walker	DPSCR/181	
Emma Walker	DPSCR/182	
Emma Walker	DPSCR/183	
Emma Walker	DPSCR/190	
Derry City and Strabane District Council	DPSCR/216	MUDPS/31
Derry City and Strabane District Council	DPSCR/217	MUDPS/41
Derry City and Strabane District Council	DPSCR/218	MUDPS/59
Derry City and Strabane District Council	DPSCR/221	MUDPS/83
Derry City and Strabane District Council	DPSCR/222	MUDPS/91
Derry City and Strabane District Council	DPSCR/223	MUDPS/96

24 issues raised

- Strategic Approach– 2 issues
- AOCWTHS – 7 issues
- TOHS 1 – 8 issues
- Addendum – 7 issues

Representation submissions received in relation to topic area: (Total = 15)

MUDPS/

13, 31, 41, 59, 83, 91, 96, 150, 153, 178, 181, 182, 191, 214, 234

Counter Representations Received: (64)

Renewable Energy

Renewable Energy		
Renewables Overview and Strategy – 20 issues		
Issue Raised by Representation/s	Rep / element no. (prefixed MUDPS/)	No. of reps cited against issue
Renewables Strategy and associated policies are too restrictive. Restricting turbines to below 15 metres will have serious implications for the building of new turbines across Mid Ulster, hindering the ability to meet renewable energy targets. These targets should not be considered as a cap	96/6, 96/8, 96/11, 96/12, 96/13, 96/14, 96/15, 96/16, 96/17, 153/11, 150/8, 31/4, 41/2	5
LCA review gives a broad overview of the policy and guidance contained within the SPPS and PPS 18, including the best practice guidance. However, these policies have been misinterpreted in order to facilitate a more restrictive policy than that which was intended in these documents. PPS 18 and the SPPS recognise that the use of landscape for human activity is acceptable and both documents recognise that visibility of wind energy development does not equate to unacceptability. Although the SPPS advocates a slightly more cautious approach to wind farm development within AONBs it does not recommend a blanket restriction on development in upland areas which is, in practice, what is proposed by the dPS. No evidence to show that all turbines over 15m are inappropriate	96/48-54, 150/28	2
97.25% of the district will be sterilised by the approach in the DPS. Approach to separation distances is different to that in position paper.	153/31, 153/24, 153/35, 153/36, 150/15	2
The Strategic approach in the DPS does not accurately reflect the SPPS and is indeed, in conflict with the SPPS as it will sterilise wind energy and prevent assessment on a case-by-case basis. No evidence has been offered for such a divergence from strategic policy.	115/122, 150/5, 153/3	3

No evidence has been provided to support the idea that structures over 15m are inappropriate. The SPPS states that not all turbines / wind farms are considered to be in appropriate (6.231) and neither does it advocate an AOCWTHS. TOHS 1 is in conflict with the SPPS.	83/38, 83/39, 150/22, 150/28, 150/31 153/14, 153/15, 153/16, 153/19	3
The DPS has failed to recognise its responsibility in the pursuit of reductions in CO2 emissions.	150/2, 153/1	2
Existing policies in PPS 18 and the SPPS are adequate in terms of providing environmental protection and this is shown in the treatment of some recent planning applications e.g. Ballynagilly Wind Farm application.	41/4, 96/19, 96/20, 96/90	2
The AOCWTHS has been based on outdated information from 2000. There is a lack of up to date technical assessment and questions are raised regarding the time and expertise spent in analysing landscape.	150/24, 150/29, 150/30, 96/25, 96/26, 96/27, 96/28, 96/37, 96/38, 96/39, 96/40	2
MUDC have failed to have wider cognisance of other impacts of wind energy. The level of investment generated per turbine and the jobs created have not been given adequate consideration.	96/18, 96/60, 96/61, 96/91, 96/92, 96/93	1
The draft Strategy has pre-determined a framework, which essentially guarantees the installation of wind turbines. Through this draft Plan Strategy, MUDC have provided a means to industrialise the region.	178/3, 178/8, 191/3, 191/8, 191/7, 178/7	2
The LDP should be capable of protecting the entire Sperrins region. Turbines can cause health problems and by failing to do this, MUDC are compliant in any health	178/74, 178/75, 178/256,	4

problems that will arise from wind energy development.	178/257, 178/258, 178/259, 178/260, 178/261, 178/262, 178/263, 178/264, 178/265, 178/266, 178/267, 191/74, 191/75, 191/256, 191/257, 191/258, 191/259, 191/267, 141/2, 144/2	
The DPS has effectively airbrushed the RAMASR site and the archaeological site as well as demoting SAC's and ASSI's in order to facilitate the industrialisation of the Sperrins	178/143, 191/143	2
The AOCWTHS should be extended to include Lough Patrick, Ballynahone Bog and Curran Bog, Whooper Swan Areas at Toome / Gortgill and Newferry, and area along the River Bann running from Newferry towards Kilrea and an Area north of Fivemiletown close to Lendrums Bridge Windfarm. Maps of areas proposed are included at Appendix 1.	59/66, 59/67	2
An area has been identified as one which should be included in the "single turbine	MUDPS/59	1

consultation zone" (see appendix 1).		
Areas which are saturated with turbines have been deemed as having capacity and the AONB is now a targeted area for wind turbines.	<i>MUDPS/178/163 and MUDPS/191/163</i>	2
DPS is at odds with the Community Plan and the SCI. It has ignored community involvement at the expense of the installation of turbines and mineral development. Health concerns and environmental objections have been set aside.	<i>178/161, 191/161</i>	2
There is no detailed information provided to support statements made throughout the dPS on "vulnerable landscapes" and the "scenic qualities" of the Sperrin AONB. Without knowing what exactly these vulnerabilities and qualities are it is difficult to see how policies can be devised to guide development appropriately.	<i>MUDPS/96/33, MUDPS/96/34, MUDPS/96/35, MUDPS/96/36</i>	4
The DPS refers to energy statistics for 2016 however there is a 2018 version of these statistics available.	<i>MUDPS/178/181 191 and MUDPS 191/178-191</i>	2
The statement at paragraph 22.2 is incorrect – should explain that the target is 40% of electricity from renewable sources and not 40% of <u>energy</u> from renewable sources.	<i>31/7</i>	1
Mid Ulster District Council need to work with Fermanagh and Omagh District Council in order to provide equal and adequate protection for the South Sperrins Region.	<i>141/3, 144/3, 181/4, 182/4, 194/3, 195/3, 196/3, 197/3, 198/3, 199/3, 200/3, 201/3, 202/3</i>	13
RNW 1		
HED consider the policy text to be unclear as it does not take sufficient account of SPPS 6.219 second bullet, 6.223 and 6.224 - no reference to the protection of heritage assets within the policy text.	<i>77/280, 115/123, 115/126</i>	2

Policies do not take account of variations in landscape. Parts of the Sperrins are capable of accommodating renewable energy due to the broad rounded profile of the uplands. Views into the AONB can be restricted and agricultural character of surrounding lowlands can help to restrict views. AOCWTHS will direct turbines to undeveloped areas instead of clustering with existing approvals	96/41, 96/42, 96/43, 96/44, 96/45, 96/46, 96/47.	1
The policy is more restrictive than and not consistent with existing policy in the SPPS and PPS 18. This approach will sterilise the majority of the District. This conflicts with the commitments to “remain a low carbon economy and an important energy producer,” as stated in the objectives section of the DPS	150/11, 150/12, 150/13, 150/14, 150/15, 150/23, 153/28, 153/29, 153/31, 153/32, 153/34, 192/41	3
There is an imbalanced focus on the environmental impacts of wind energy, especially the visual impacts. The policy does not focus on the environmental / economic benefits of wind turbines and fails to compare the impacts of wind energy with other forms of renewable energy.	41/10, 41/8, 41/9, 12/2, 96/56, 96/57, 96/58, 96/59	3
Queries raised on how the preferred approach from the POP has been set aside regarding separation distances.	16/1, 16/2, 16/3	1
Department for Economy welcomes the fact that favourable consideration will be given to re-use, re-powering and refurbishment but also states that where proposals are for taller turbines, this policy will hamper such initiatives from being implemented, because such turbines will not per permitted under the approach advocated in the DPS.	31/3, 31/5	1
Policy is a weakening of the strategic objectives of the SPPS and represents a carte blanche approach to wind energy development. It has narrowed the cautious approach and has removed the criteria set out for renewable energy development.	59/114, 59/115, 59/116, 59/117	1
The proposed policy refers to wind energy development on active peatland but the SPPS has a wider scope and includes impacts of all renewable energy development on active peatland.	59/120, 115/127, 115/128	2

Policy should be reworded to reflect this. Policy regarding renewable energy on active peatland does not accord with SPPS.		
Policy does not include some aspects of PPS 18 such as considering cases for re-use, repowering and refurbishment on their own merits and the requirements to locate proposals close to the source of the resource needed for a particular technology.	59/118, 59/119, 59/124	1
No statutory separation distances exist. The introduction of these along with the removal of the phrase “will generally apply” will hinder future renewable energy development. Also consideration needs to be given to draft ROI guidance to ensure a consistent approach regarding separation distances.	96/66, 96/67, 96/68, 96/69, 96/70, 96/71, 96/72, 96/73	1
MUDC should consider Scottish guidance and are encouraged to adopt a positive policy that supports re powering and co-location. Re powering is best environmental option and embraces the circular economy.	96/82, 96/83, 96/84, 96/85, 96/86, 96/87, 96/88, 96/89	1
The policy approach is inconsistent – it states that renewable energy will accord with the Plan outside of an SCA; then states that wind energy will only accord with the Plan outside an SCA and an AOCWTHS	150/10, 153/26, 153/27	2
The AOCWTHS overlay important international and national designations such as SPA / RAMSAR / SAC and therefore, in these areas there is a presumption in favour of small wind energy development.	168/5, 168/6, 168/7, 168/8	2
Policies PPS 3, DCAN 15, PPS 7 and PPS 13 should be brought forward in the LDP in order to ensure that traffic considerations are addressed. Account needs to be taken of existing infrastructure, access, parking and road safety.	115/249, 115/250	1
RES would challenge statement that lifespan of wind turbines is '20 - 25 years'. Numerous examples of wind farms operating beyond this e.g. bellacorick, mayo, llandinam, wales, royd moor, england and taff ely & bryn titli both in wales. With new technological development, lifespan can be up to 30 years.	96/74, 96/75, 96/76, 96/77, 96/78, 96/79, 96/80, 96/81	1

Policy does not cater for renewable energy development at sites of existing quarries.	101/54	1
Where renewable development is proposed within a natural heritage site, then policy wording from RNW 1 should be aligned with relevant natural policies (NH1-5). RNW 1 should make this clear i.e. that relative NH policies will apply.	167/10	1
Reference to planning conditions to impose decommissioning is a step further than policy in SPPS. All such proposals should be included in policy box, not J&A.	115/125	1
Summary		
38 issues raised		

Addendum – Renewable Energy		
Issue Raised by Representation/s	Rep / element no. (prefixed MUDPS/)	No. of Reps cited against issue
Plan Strategy must include comments made by UK business secretary that no onshore wind proposals will be permissible without local community consent.	16/4	1
Plan Strategy must include comments made by UK business secretary that no onshore wind proposals will be permissible without local community consent.	16/5	1
Support expressed for para. 22.5	31/21	1
Support expressed for para. 22.10	31/22	1
The rep seeks clarity on how the restriction of turbines to less than 15m within AOCWTHS ties in with permitted development.	31/26	1

The representation questions the dimensions for separating turbines from dwellings. Are they adequate and on what basis are they included.	214/38	1
Summary		
6 issues raised		

Counter Representations - Plan Introduction, Context and Key Issues		
Counter-Representation Respondent	Counter-Representation Reference Number	Reference number Counter-Representation relates to
Emma Walker	DPSCR/77	MUDPS/121
Emma Walker	DPSCR/78	MUDPS/16
Emma Walker	DPSCR/81	MUDPS/59
Emma Walker	DPSCR/85	MUDPS/87
Emma Walker	DPSCR/89	MUDPS/115
Emma Walker	DPSCR/95	MUDPS/137
Emma Walker	DPSCR/98	MUDPS/159
Emma Walker	DPSCR/101	MUDPS/167
Emma Walker	DPSCR/102	MUDPS/168
Emma Walker	DPSCR/103	MUDPS/174
Emma Walker	DPSCR/104	MUDPS/178
Emma Walker	DPSCR/107	MUDPS/191
Emma Walker	DPSCR/117	MUDPS/12
Emma Walker	DPSCR/118	MUDPS/16
Emma Walker	DPSCR/121	MUDPS/59

Emma Walker	DPSCR/125	MUDPS/87
Emma Walker	DPSCR/129	MUDPS/115
Emma Walker	DPSCR/135	MUDPS/137
Emma Walker	DPSCR/138	MUDPS/159
Emma Walker	DPSCR/141	MUDPS/167
Emma Walker	DPSCR/142	MUDPS/168
Emma Walker	DPSCR/143	MUDPS/174
Emma Walker	DPSCR/144	MUDPS/178
Emma Walker	DPSCR/145	MUDPS/181
Emma Walker	DPSCR/147	MUDPS/191

Summary – Renewable Energy (Original + Addendum)
<u>44 issues raised</u> <ul style="list-style-type: none"> • Renewables Overview and Strategy – 20 issues • RNW1 – Renewable Energy – 18 issues • Addendum – 6 issues

Representation submissions received in relation to topic area: (Total = 29)

MUDPS/

12, 16, 31, 41, 59, 77, 83, 96, 191, 115, 141, 144, 150, 153, 167, 168, 178, 181, 182, 191, 194, 195, 196, 197, 198, 199, 200, 201, 202

Counter Representations Received: (25)

Transportation

Transport – Original Topic Paper		
Specific Issues		
Issue Raised by Representation/s	Rep / element no. (all prefixed MUDPS/)	No. of reps cited against issue
Sustainable transportation and active travel Raised under the Transportation Strategy, TRAN1, TRAN2, TRAN3 and TRAN4	MUDPS/59/128, MUDPS/59/127, MUDPS/59/131, MUDPS/85/94, MUDPS/85/95, MUDPS/85/96, MUDPS/85/97, MUDPS/115/198, MUDPS/142/2, MUDPS/142/3, MUDPS/142/4	4
Insufficient coverage - Dfl guidance on the preparation of LDP policies. Raised under TRAN1, TRAN2, TRAN3 and TRAN4	MUDPS/115/310, MUDPS/115/311, MUDPS/115/174, MUDPS/115/175, MUDPS/115/176, MUDPS/115/177, MUDPS/115/178, MUDPS/115/179, MUDPS/115/189, MUDPS/115/190, MUDPS/115/191, MUDPS/115/312, MUDPS/115/173, MUDPS/115/199, MUDPS/115/200, MUDPS/115/201, MUDPS/115/202, MUDPS/115/212, MUDPS/115/213, MUDPS/115/214, MUDPS/115/313, MUDPS/115/256	1
Safeguarding existing permission Raised in relation to TRAN1 and TRAN3	MUDPS/155/5	1

Park & Ride / Park & Share Raised under TRAN3 and TRAN4	<i>MUDPS/115/132, MUDPS/115/180, MUDPS/115/181, MUDPS/115/182, MUDPS/115/203, MUDPS/115/204, MUDPS/115/205.</i>	1
Access to and hierarchy of public roads Raised under TRAN 3 and TRAN4	<i>MUDPS/115/183, MUDPS/115/184, MUDPS/115/185, MUDPS/115/186, MUDPS/115/187, MUDPS/115/188, MUDPS/115/209, MUDPS/115/210, MUDPS/115/211, MUDPS/115/206, MUDPS/115/207 & MUDPS/115/208.</i>	1
Transportation Overview		
Direct transport to accessible locations	MUDPS/115/234	1
Transportation Strategy		
General Comment - Co-operation at strategic planning level ensures the greatest added value is extracted from investment in shared infrastructure. Cross boundary in context of cross border working is important in securing wider regional objective. This is relevant to the A5	MUDPS/115/333	1
The A5WTC is a flagship infrastructure project, the Department would expect that it be referred to in the infrastructure section and shown on Map 1.1 (p.34) of the DPS.	MUDPS/115/172	1
Policy TRAN 1		
Cookstown Bypass – remove commitment that new road line will come forward by 2020	MUDPS/115/171	1

Policy TRAN 2		
Policy TRAN 2 – Disused Transport Routes - The Council does not appear to have taken account of policy and guidance issued by the Department specifically in terms of undertaking a transport survey of the district which is a statutory requirement under the Planning Act 2011	<i>MUDPS/7/1, MUDPS/7/2, MUDPS/7/3, MUDPS/7/4 MUDPS/115/307</i>	2
Policy TRAN 3		
GP1 or TRAN3 on car parking does not provide sufficient policy coverage to ensure appropriate parking and design	<i>MUDPS/115/192, MUDPS/115/193, MUDPS/115/194, MUDPS/115/308, MUDPS/155/4, MUDPS/155/6</i>	2
Concern that GP1 'D' is only policy on outdoor advertisement in the growing area of outdoor advertisement.	<i>MUDPS/115/195, MUDPS/115/196, MUDPS/115/197</i>	1
Policy TRAN 4		
Reference should be made to DFI published guidance - DCAN 15.	<i>MUDPS/115/309</i>	1
TRAN 4 too inflexible	<i>MUDPS/129/1, MUDPS/115/133</i>	2

Addendum - Transport		
Issue Raised by Representation/s	Rep / element no.	No. of Reps cited against issue
The draft Strategy does not mention upgrades to the A29 and is therefore contrary to the Community Plan. There is also no mention made of the need to bypass Moneymore, Cookstown and Dungannon.	MUDPS/214/1	1
What is the rationale for the 12 miles limit on roadside service stops	MUDPS/214/39	1
The representation which has been made is referring to the contents of the POP and not the DPS, however some comment is relevant - for instance, the rep agrees that land which has been identified for new road schemes should be protected.	MUDPS/211/2	1
does not fully encapsulate or reflect the Regional Strategic Objectives for transportation and land-use planning outlined in the SPPS.	MUDPS/115/374	1
Policy TRAN 3 - Car Parking is inconsistent with the thrust of transport policy set out in the RDS (e.g. RG9) and SPPS which seeks to reduce the use of the car. The DPS acknowledges Cookstown and Dungannon suffer from congestion and TRAN 3 would ensure this continues by encouraging cars to the town centre.	MUDPS/160/8	1

Summary

19 Issues Raised

- General – 5 Issues
- Transportation Overview -1 Issue
- Transportation Strategy – 2 Issues
- Policy TRAN 1 – 1 Issues
- Policy TRAN 2 – 1 Issue
- Policy TRAN 3 – 2 Issues
- Policy TRAN 4 – 2 Issues
- Addendum – 5 Issues

Representation submissions received in relation to topic area: (Total = 10)

MUDPS/

7, 59, 85, 115, 129, 142, 155, 160, 211, 214,

Settlements

Settlements		
Site specific requests for land to be included in various settlements – 23		
Issue Raised by Representation/s	Rep / element no. (all prefixed MUDPS/)	No. of reps cited against issue
Aghaginduff / Cabragh	MUDPS/186/9	1
Aughnacloy	MUDPS/184/8, MUDPS/185/8	2
Ballinderry	MUDPS/15/1	1
Ballygawley	MUDPS/74/2	1
Ballynakilly	MUDPS/139/12	1
Benburb	MUDPS/24/1, MUDPS/187/9, MUDPS/188/9	3
Clady	MUDPS/35/1, MUDPS/138/18	2
Coalisland	MUDPS/23/1, MUDPS/30/1, MUDPS/69/1, MUDPS/98/1	4

Cookstown	<i>MUDPS/52/1</i>	
Creagh	<i>MUDPS/47/2, MUDPS/36/1</i>	3
Draperstown	<i>MUDPS/132/2, MUDPS/147/7</i>	2
Gracefield	<i>MUDPS/48/2</i>	1
Gulladuff	<i>MUDPS/165/3</i>	1
Maghera	<i>MUDPS/95/8</i>	1
Newmills	<i>MUDPS/86/1</i>	1
Upperlands	<i>MUDPS/169/2</i>	1
Request for land to be zoned for housing - 9		
Coalisland - Requesting that the area, which is currently zoned as phase II housing, be promoted to phase I housing.	<i>MUDPS/49/1</i>	1
Cookstown - Requesting that the area, which is currently zoned as phase II housing, be promoted to phase I housing.	<i>MUDPS/46/2, MUDPS/38/1, MUDPS/38/2 MUDPS/72/1 MUDPS/130/2 MUDPS/52/1</i>	5
Creagh	<i>MUDPS/47/2, MUDPS/36/1</i>	2
Dungannon - Requesting that the area, which is currently zoned as phase 2 housing, be promoted to phase 1 housing.	<i>MUDPS/09/1</i>	1

Dungannon - Request that land be zoned for housing	<i>MUDPS/171/11</i>	1
A representation was made for two separate pieces of land; one to be zoned for economic use and one to be zoned for residential use within the settlement limit of Killeenan	<i>MUDPS/99/15, MUDPS/99/16</i>	2
Magherafelt - Representations have been made requesting separate pieces of land to be zoned for residential development within the Magherafelt settlement limit.	<i>MUDPS/11/2, MUDPS/32/1, MUDPS/33/1, MUDPS/43/2, MUDPS/44/2, MUDPS/50/2</i>	6
Moneymore - A Representation has been made identifying a site outside the current settlement limits requesting it to be zoned for housing.	<i>MUDPS/78/4</i>	1
Tullywiggan – Request that land in Tullywiggan be zoned for housing	<i>MUDPS/1/2, MUDPS/51/2</i>	2
Request for land to be zoned for industry / economic purposes – 4		
Creagh - Requesting lands at the East of the settlement limit to be zoned as an Economic Opportunity Site.	<i>MUDPS/47/2, MUDPS/36/1, MUDPS/36/2</i>	2
The representation states that the landowner has the intention to develop an area currently zoned for Industrial Use and would support the retention of this land.	<i>MUDPS/137/8</i>	1
Magherafelt - Requesting land identified in representations to be zoned for economic development.	<i>MUDPS/11/1</i>	1
Tamnamore - Notes that Tamnamore was identified as a potential candidate for a Rural Industrial Policy Area (RIPA) designation in the Preferred Options Paper (POP). They	<i>MUDPS/56/2</i>	1

welcome further engagement and discussion surrounding this as to ensure it does not adversely affect upon existing businesses.		
Other Issues – 1 issue		
KILLYMAN - The representation is requesting that the settlement limit of Killyman not be extended any further, as there is a sufficient amount of land remaining undeveloped in the Killyman.	MUDPS/68/1	1

Addendum – Settlements – 8 issues		
Issue Raised by Representation/s	Rep / element no.	No. of Reps cited against issue
DUNGANNON - Rep has included a map of lands owned by her client. Although the rep does not specifically state that the lands should be included, the implication is that lands should be included in S/L.	MUDPS/224/1	1
MAGHERA - Existing planning history on MA11 development ongoing linked to LA09.2019.1027.F and LA09.2020.0010.F proposed masterplan appendix 1.	MUDPS/137/20	1
SWATRAGH - Comment of support, rep agree with the designation of Swatragh as a village in the settlement hierarchy. <i>Rep calls for the lands in the attached map to be included within the settlement limit. Makes argument for these lands to be included in terms of infrastructural links, lack of constraints, access to services and suitability in terms of impact on local character.</i>	MUDPS/222/1 MUDPS/222/2 MUDPS/222/3	4
<i>Land to be included within Swatragh Settlement Limit</i>	MUDPS/233/12	

GLEN - Allocated housing units to Glen should be increased to reflect its unique position and lands shown in the representation should be considered for inclusion.	MUDPS/223/4	1
BALLINDERRY - Land to be included in settlement limit.	MUDPS/210/1	1
GULLADUFF - Letter from P. Birt Estate Agents notes there has been no residential development in Gulladuff since 2004. There is a growing level of demand and recently a large investment in new leisure facilities and it is in close proximity to the new A6 Belfast corridor.	MUDPS/165/4	1
<i>DONAGHMORE - Land to be included within Donaghmore Settlement Limit.</i>	MUDPS/230/45, 46 & MUDPS/230/47	2
Land to be included in Bellaghy Settlement Limit	MUDPS/235/1	1

Counter Representations - Settlements		
Counter Representation Respondent	Counter Representation Reference Number	Reference Number Counter-Representation relates to
Historic Environment Division	DPSCR/7	MUDPS/24
Historic Environment Division	DPSCR/8	MUDPS/32
Historic Environment Division	DPSCR/9	MUDPS/33
Historic Environment Division	DPSCR/11	MUDPS/35
Historic Environment Division	DPSCR/12	MUDPS/36

Historic Environment Division	DPSCR/14	MUDPS/38
Historic Environment Division	DPSCR/17	MUDPS/43
Historic Environment Division	DPSCR/18	MUDPS/44
Historic Environment Division	DPSCR/20	MUDPS/46
Historic Environment Division	DPSCR/21	MUDPS/47
Historic Environment Division	DPSCR/22	MUDPS/48
Historic Environment Division	DPSCR/23	MUDPS/49
Historic Environment Division	DPSCR/24	MUDPS/50
Historic Environment Division	DPSCR/26	MUDPS/130
Historic Environment Division	DPSCR/27	MUDPS/132
Historic Environment Division	DPSCR/28	MUDPS/169
Historic Environment Division	DPSCR/32	MUDPS/11
Historic Environment Division	DPSCR/33	MUDPS/15
Historic Environment Division	DPSCR/34	MUDPS/23
Historic Environment Division	DPSCR/37	MUDPS/52
Historic Environment Division	DPSCR/39	MUDPS/69

Historic Environment Division	DPSCR/40	MUDPS/72
Historic Environment Division	DPSCR/41	MUDPS/74
Historic Environment Division	DPSCR/43	MUDPS/95
Historic Environment Division	DPSCR/45	MUDPS/98
Historic Environment Division	DPSCR/46	MUDPS/99
Historic Environment Division	DPSCR/63	MUDPS/138
Historic Environment Division	DPSCR/65	MUDPS/147
Historic Environment Division	DPSCR/67	MUDPS/157
Historic Environment Division	DPSCR/69	MUDPS/171
Historic Environment Division	DPSCR/71	MUDPS/184
Historic Environment Division	DPSCR/72	MUDPS/185
Historic Environment Division	DPSCR/73	MUDPS/186
Historic Environment Division	DPSCR/74	MUDPS/187
Historic Environment Division	DPSCR/75	MUDPS/188
Historic Environment Division	DPSCR/76	MUDPS/51
WYG Planning	DPSCR/212	MUDPS/35

Summary

- Site specific requests for land to be included in various settlements – 23
- Request for land to be zoned for housing – 9
- Request for land to be zoned for industry / economic purposes – 4
- Other – 1
- Addendum – 8

Total = 45

Submissions: (52)

MUDPS/

1, 9, 11, 15, 23, 24, 30, 32, 33, 35, 36, 38, 43, 44, 46, 47, 48, 49, 50, 51, 52, 56, 68, 69, 72, 74, 78, 86, 95, 98, 99, 130, 132, 137, 138, 139, 147, 165, 169, 171, 184, 185, 186, 187, 188, 210, 222, 223, 224, 230, 233, 235

Counter Reps = 37

Habitats Regulations Assessment

Habitats Regulations Assessment– Original Topic Paper		
Specific Issues		
Issue Raised by Representation/s	Rep / element no.	No. of reps cited against issue
Draft HRA states in relation to Housing in the Countryside (Policy CT2) that the number of applications in this context (fishermen houses & developments as per para 18.1) is likely to be low, there is no evidence at this time to support such a conclusion.	<i>MUDPS/59/182 & MUDPS/59/225</i>	2
Concern re: absence of up-to-date information eg. on hen harrier population/ distribution, lack of in-combination assessments of other projects & other permitted on-going activities such as discharge consents/ abstraction licences	<i>MUDPS/59/212, MUDPS/59/226 & MUDPS/59/227</i>	3
Has concerns that AOCWTHS & SCA zonings exclude certain areas that are important hen harrier areas. This is based on 2016 Hen harrier Census. Need to update info on hen harrier ranges to inform locations of dev. that could impact on hen harrier.	<i>MUDPS/59/190</i>	1
It is evident from the text on hen harrier success in the Slieve beagh- mullaghfad-Lisnaskea SPA that the data is out of date (page 92). This undermines the soundness of the HRA in this regard.	<i>MUDPS/59/191</i>	1
Tests of Likely Significance & AA- draft HRA has been too narrow in its approach to the identification of other relevant plans & projects. In-combination effects cannot be continuously deferred to the next level of assessment	<i>MUDPS/59/196</i>	1
Concern re: timing of review of in-combination effects from other projects including those of adjacent councils. States such reviews should be undertaken before conclusions of 'no significance effects' can be drawn- this is premature	<i>MUDPS/59/201</i>	1

Concern that HRA states that in-combination effects from other projects /plans, will be reviewed before HRA is finalised. In absence of a complete review, the conclusion of no significant effect with mitigation is considered premature.	<i>MUDPS/59/202</i>	1
The effects of existing wind farms within & around the Slieve Beagh SPA on hen harriers should be considered in-combination	<i>MUDPS/59/198</i>	1
In respect of Owenkillew River SAC- it does not appear that cognisance has been made to pending planning application for Dalradian Gold mine, or pending application for sand abstraction within Lough Neagh/beg SPA & Ramsar.	<i>MUDPS/59/197</i>	1
HRA states 'the need to consider & assess further in-combination effects from other projects or plans incl. those of adjacent councils, will be reviewed before the HRA is finalised'. While such a review is welcome in principle, the timing of review is flawed	<i>MUDPS/59/200</i>	1
This section overlooks dPS -SPF 6. Concern re: Policy Area for Holders of Commercial Fishing Licence & developments permissible within Lough Neagh/Beg SCA (para 18.15 of dPS). Potential in-combination effects & increased dev. pressure on SPA & Ramsar	<i>MUDPS/59/181</i>	1
Concern re: acknowledged need to review other plans prior to finalisation of the HRA - RSPB is of the opinion that a conclusion of no likely significant effect at this time is premature	<i>MUDPS/59/213</i>	1
It's unclear as to whether any transboundary in-combination effects have been addressed within the HRA thus far. Concerned that the issue of trans-boundary projects appear to have been ignored.	<i>MUDPS/59/228</i>	1
Environmental Policies- page 13- Further consideration should be given to permitted ongoing activities such as discharge consents or abstraction licences.	<i>MUDPS/59/186</i>	1
Environmental Policies- Page 13- Within this stage it would also be necessary to consider projects that have been applied for but not yet granted, consented but not implemented, & consented but undergoing statutory review	<i>MUDPS/59/185</i>	1

Within this stage little/no cognisance has been given to in-combination effects with other plans & projects including permitted ongoing activities. As per the Habitats Directive, consideration of possible in-combination effects is part of the AA process.	<i>MUDPS/59/184</i>	1
Draft HRA has been too narrow in its approach to the identification of other relevant plans & has ignored projects. States that NIEA should be able to provide guidance on the plans or projects that need to be considered as part of the in-combination test.	<i>MUDPS/59/174</i>	1
Draft HRA -too narrow in its approach to the identification of other relevant plans /projects. It is necessary to consider projects that have been applied for but not yet granted, consented but not implemented & consented but undergoing statutory review	<i>MUDPS/59/175</i>	1
Indicators for monitoring objective to 'protect the natural environment' are insufficient as TOZs & potential impacts of intensive farming-in context of ammonia production & its impact on biodiversity either individually/collectively undermine this obj.	<i>MUDPS/59/192</i>	1
Development pressure should be monitored through the number & type of: permissions granted in the TOZs, exceptions granted for wind Turbines & high structures within AOCWTHS over 15m, & within Policy Area of Holders of Commercial Fishing Licence.	<i>MUDPS/59/194</i>	1
In addition to the measure 'the no. & type of permissions granted within SCAs' there should be a measure which provides for the no. & types of permissions within all natural heritage sites	<i>MUDPS/59/193</i>	1
The condition of internationally and nationally designated sites available from NIEA should also be included within Monitoring & Review section	<i>MUDPS/59/195</i>	1
Monitoring requirements should be extended to include the Policy Area of Holders of Commercial Fishing Licence to similarly monitor development pressure around the Loughshore	<i>MUDPS/59/224</i>	1
While RSPB welcomes the recommendation in dHRA to 'monitor development pressure in the Loughshore & Davagh Forest TOZs at each plan review'-there is no mention of such a monitoring proposal within the dPS (Section 24 Monitoring of our Plan)	<i>MUDPS/59/222 & MUDPS/59/223</i>	2
Where specific zoning covers or adjoins European sites, these must be clearly addressed to avoid adverse effect and to cross-reference Policy NH1 is inadequate to make individual policies sound. Must not be any presumption of development in European sites	<i>MUDPS/168/1</i>	1

The HRA assumes that a no. of SPPS policies which specifically apply to International Designations, will apply to the dPS & that they are material to all decisions on individual planning applications. HRA will need to monitor local tailoring closely	<i>MUDPS/59/177</i>	1
Welcomes cognisance of the CJEC Case C323/17 (People over Wind & Sweetman) & the cautious approach taken to screening the plan for potential impacts.	<i>MUDPS/59/178</i>	1
States that in order to secure the long-term presence & stability of the Natura 2000 sites & network climate change should be a key consideration in the application of the Appropriate Assessment (AA).	<i>MUDPS/59/179</i>	1
Concern that HRA places a heavy reliance on avoiding adverse effects at the LPP project-level via project-specific HRAs & an assumption that adverse effects can be avoided by mitigation considered & implemented at the LPP/ Project-level.	<i>MUDPS/59/172</i>	1
Of 14 recommendations set out only 2 relate to PS stage,2 relate to Plan Review stage & 10 relate to Development Management. Acknowledges HRA is at a strategic-level, concern however on heavy reliance on avoiding adverse impacts at LLP & Project- level	<i>MUDPS/59/203</i>	1
Assumption that adverse effects can be avoided by mitigation implemented at LPP/Project-level-Passes risk to developer whether mitigation measures will be able to avoid adverse effect on integrity at project-level, under-mines the value of strategic HRA	<i>MUDPS/59/204</i>	1
Its important that Mitigation measures (necessary to avoid adverse effect on European sites) are available on time, on site & are effective	<i>MUDPS/59/206</i>	1
It is important that Mitigation measures (necessary to avoid adverse effect on European sites) are available on time, on site & are effective	<i>MUDPS/59/205</i>	1
Need to establish the key sensitivities of the various protected sites to ensure that their needs are reflected in the design of the Plan, & to employ effective avoidance techniques as opposed to mitigation measures(as per tier 1 of mitigation hierarchy)	<i>MUDPS/59/207</i>	1

Concern re deferral of mitigating adverse effects to project level. The recommendations set out at 6 (International sites), 7 (TOZs), 8 (Waterfowl), 12 (Hen Harrier) & 14 (TOZs- Dev Pressure) should be included as additional recommendations	<i>MUDPS/59/208</i>	1
Reference is made to SLNCIs -The precise location of international sites in relation to SLNCIs is not yet known & as such no cognisance at this stage can be given to its actual ability as a protective measure in respect of international sites.	<i>MUDPS/59/189</i>	1
Concern that project-level mitigation measures (project- specific HRAs) leads to an inevitable requirement for such measures to be an absolute condition of any planning permission granted under the new MUDC LDP. Undermines value of strategic HRA.	<i>MUDPS/59/173</i>	1
Draft HRA informing the LDP is important- ideal time to establish what the key sensitivities of the various protected species are & to employ effective avoidance techniques as opposed to mitigation measures(as per tier 1 of the mitigation hierarchy)	<i>MUDPS/59/188</i>	1
Draft HRA informing the LDP is important-now is ideal time to establish what the key sensitivities of the various protected sites are(both within & those with linkages outwith the Council area)to ensure their needs are reflected in design of plan	<i>MUDPS/59/187</i>	1
Where specific zoning covers or adjoins European sites, these must be clearly addressed to avoid adverse effect and to cross-reference Policy NH1 is inadequate to make individual policies sound. Must not be any presumption of development in European sites	<i>MUDPS/168/1</i>	1
Should include Recommendation 8 (Water-fowl supporting habitat/flight paths) & 12 (Hen Harrier ranges) as changes to the hydrological regime can affect food availability /roost sites for Waterfowl.	<i>MUDPS/59/210</i>	1
Should include Recommendation 8 (Water-fowl supporting habitat/flight paths) & 12 (Hen Harrier ranges). Changes to upland hydrological regime on peatland & heather can reduce availability of suitable nesting habitat for hen harrier	<i>MUDPS/59/211</i>	1
Recommendation 6: (International Sites- Recreation) should be included. (Indirect disturbance- page 110)	<i>MUDPS/59/209</i>	1

Given RSPB concern with current wording of Policies NH2- NH 6- it is recommended that these policies should be screened in as exceptional circumstances are permitted & as such require further assessment.	<i>MUDPS/59/218 & MUDPS/59/219</i>	2
To facilitate the development of new community facilities...' has been screened out. However locations of possible development sites are not known & could increase the use of sensitive areas & thus increase disturbance potential.	<i>MUDPS/59/214</i>	1
SPF 10: This policy has been screened out, while it does aim to protect the environment, exceptional circumstances are however permitted & as such it would remain screened in for further assessment.	<i>MUDPS/59/215</i>	1
OS 1- This policy has been screened out on account that it 'does not change the location of or quantity of open space' however exceptional circumstances are permitted, & as such it should remain screened in for further assessment	<i>MUDPS/59/216</i>	1
TRAN 1- While this policy 'constrains development that could prejudice a transport scheme' there is no assessment of the promotion/facilitation of the road schemes themselves which could have a likely significant effect- this requires further assessment	<i>MUDPS/59/220</i>	1
Policies HE 1- HE 8 do not preclude all forms of development and/or allow exceptions circumstances, as such it should remain screened in for further assessment.	<i>MUDPS/59/217</i>	1
Given the omissions from or modifications to policies NH2 to NH 6 in comparison to the provisions of the SPPS & PPS 2, it is recommended that these policies be screened in.	<i>MUDPS/59/183</i>	1
Welcomes production of map 18 (Appendix 7 of HRA) but requests that the map (with their suggested modifications- see rep) is included within main body of Plan Strategy to provide additional clarity & be consistent with RDS & SPPS	<i>MUDPS/59/112</i>	1
Seeks clarification on the 'Single Turbine Consultation Zone' as this is the only reference to this zoning within both HRA & dPS. RSPB welcomes this zoning but states it does not cover all of the whooper swan areas as depicted on their map (see page 61)	<i>MUDPS/59/221</i>	1

The H.R.A is fatally flawed because it has not taken account of cumulative effects of development on a cross border or cross boundary basis. This is a breach of the ESPOO Convention and the Gothenburg Protocol.	MUDPS/162/97	1
States it's unclear whether any transboundary in-combination effects have been addressed within HRA- the issue of trans-boundary projects appears to have been ignored.	MUDPS/59/176	1
MUDC shares a land border with Republic of Ireland & a cross-border Natura 2000 site (Slieve Beagh SPA). Such a situation will need to be recognised & addressed regarding Brexit.	<i>MUDPS/59/180</i>	1
Broughderg and Davagh Upper DRC overlie the Owenkillew SAC. Policy CT4 is promotive of development within DRCs however in European sites there should be no presumption for development. Policy therefore inconsistent with EU Directives / SPPS.	MUDPS/167/7	1
DRC zones directly abuts SAC. Page 128 of HRA Report states that DRC do not require a HRA. However Cookstown Area Plan did not undergo HRA. Given proximity to European Site the plan must flag up requirement for HRA.	MUDPS/168/11	1
ACMDs cover part of SPA, SAC and Ramsar within district. Whilst restrictive for minerals, policy does allow for minor expansion. Policy states precautionary approach and onus on developer however onus is on Local Authority to carry out HRA.	<i>MUDPS/168/2</i>	1
OS 2 states that proposals on sites adjacent to a main river will conflict with the plan unless certain criteria are met. OS 2 policy applies to Owenkillew and Ballinderry Rivers but any proposal likely to have a significant effect requires HRA by council	<i>MUDPS/168/10</i>	1
AOCWTHS identified on Teal Lough SAC. Any development with associated infrastructure would impact negatively on the integrity of the site and would be unacceptable to DAERA.	<i>MUDPS/168/7</i>	1

AOCWTHS is identified over part of Owenkillew SAC. Any development associated infrastructure within or close to, could impact negatively on the integrity of the site and would not be acceptable to DAERA.	<i>MUDPS/168/8</i>	1
AOCWTHS overlies part of SPA/Ramsar. This sets a precedent and creates a presumption in favour of development (up to 15m hub height). MUDC has not ascertained that Policy RNW 1 will not adversely affect integrity of the site.	<i>MUDPS/168/5</i>	1
Renewable energy developments are identified in conservation objectives as a potential threat. Parts of European site have been zoned and could result in loss of 'habitat extent'. HRA has not assessed the impact of future developments arising from RNW1	<i>MUDPS/168/6</i>	1
Policy SCA1 states that certain development within SCA may be acceptable and cross references Policy CT2 in respect of Lough Neagh/lough Beg SCA however the policy makes no mention of need for HRA within European sites prior to planning approval	<i>MUDPS/168/9</i>	1
Policy states exceptions to TCZs will include minor improvements to infrastructure such as cycle ways, fishing stands etc. TCZ overlies Owenkillew SAC and has potential to result in significant effects on a European Site	<i>MUDPS/168/3</i>	1
Whilst Policy TOU1 states that special care should be given to ensure that any proposal respects and is sensitive to the character of the landscape and wildlife, it does not provide sufficient protection of Owenkillew SAC. Policy not consistent with SPPS	<i>MUDPS/167/9</i>	1
TOZs at Lough Neagh and Davagh overlap SAC and SPA sites introduces a presumption in favour of development. The Council has not ascertained that Policy TOU 4 will not adversely affect these sites.	<i>MUDPS/168/4</i>	1
TOZs designated over the boundaries of Lough Neagh SPA and Owenkillew River SAC. TOU 4 is promotive of development within TOZ however, within European Sites there should be no presumption for development. Not consistent with SPPS / EU Directives	<i>MUDPS/167/6</i>	1
Watersheds are shared between NI&ROI, cumulative impact is not understood with the degree of scientific certainty needed to inform robust planning which breaches SEA directive, ESPOO convention, Gothenburg protocol thus habitats regulation is flawed.	<i>MUDPS/120/17</i>	1
When will the HRA be available to the public?	<i>MUDPS/162/9</i>	1

Summary
70 issues raised

Counter Representations - Plan Introduction, Context and Key Issues		
Counter-Representation Respondent	Counter-Representation Reference Number	Reference number Counter-Representation relates to
N/A		

Summary
<u>70 issues raised</u> <ul style="list-style-type: none"> Addendum – 0 issues

Representation submissions received in relation to topic area: (Total = 5)

MUDPS/59, 120, 162, 167, 168

Counter Representations Received: (0)

0

SA/SEA

SA/SEA – Original Topic Paper		
SA/SEA PROCESS		
Issue Raised by Representation/s	Rep / element no.	No. of reps cited against issue
No SA scoping report was published prior to the POP public consultation report. This is a fundamental requirement of SEA/SA guidance and established best practice.	MUDPS/83/41, MUDPS/83/42	1
<p>MUDC has not taken account of SA/SEA nor the RDS. Table 2.2 of SEA objectives (final environmental report, sept 2015, all eleven of them support sustainable development, even 8 - material assets. Key principles of SA/SEA ignored.</p> <p>LDP ignores main focus of the SEA & related European legislation, RDS, HRS, SPPS, health legislation, human rights legislation. Entire document will fail to /comply with Aarhus convention and climate change legislation.</p>	MUDPS/178/205, MUDPS/191/205 MUDPS/178/216, MUDPS/178/217, MUDPS/178/218, MUDPS/178/219, MUDPS/178/220, MUDPS/178/221, MUDPS/178/222, MUDPS/178/331, MUDPS/191/216, MUDPS/191/217, MUDPS/191/218, MUDPS/191/219, MUDPS/191/220, MUDPS/191/221, MUDPS/191/222, MUDPS/191/331	2

The SEA is inadequate and reaches incorrect conclusions. It fails to take account of key information and legislation involving environmental protection. Where alternatives are presented there is insufficient analysis of what they mean.	MUDPS/162/94	1
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<p>Transboundary Issues</p> <p>DPS fails to address impacts of mining, quarrying & intensive agriculture for neighbouring council areas or impact of sites located in neighbouring councils on MUDC. No consideration is given to how adjacent council SEAs will strategically align together. Watersheds are shared between NI&ROI. Cumulative impacts from extractive industries & industrialised farms are not assessed with degree of certainty needed thus breaching SEA directive, Espoo & Gothenburg protocol & habitats regulation is fatally flawed</p> <p>Sea is inadequate, reaches incorrect conclusions & fails to take account of key evidence & legislation concerning environmental protection. Alternatives have insufficient breadth in scope to take account of RDS, sustainable development & climate change. Alternatives are constrained by 'development at any cost' ethic. Insufficient consideration of transboundary impacts to ROI. Duty to restore protected EU sites to favourable conservation status not addressed & duty to adopt precautionary approach ignored</p> <p>The sea fails to take into account key information, evidence and legislation concerning environmental protection. When alternatives are presented there is insufficient analysis & insufficient consideration of transboundary impacts of pollutants to the ROI</p> <p>DPS fails to address the cumulative impacts of mining, quarrying & intensive agriculture for neighbouring council areas. There is no consideration to how neighbouring council SEAs will strategically align together</p> <p>Watersheds are shared between NI&ROI, cumulative impact is not understood with the degree of scientific certainty needed to inform robust planning which breaches SEA directive, ESPOO convention, Gothenburg protocol thus habitats regulation is flawed.</p>	<p><i>MUDPS/178/330, MUDPS/191/330</i></p> <p><i>MUDPS/178/325, MUDPS/191/325</i></p> <p><i>MUDPS/120/15</i></p> <p><i>MUDPS/120/16</i></p> <p><i>MUDPS/120/17</i></p>	<p>4</p>
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<p>The SA/SEA does not take adequate account of cross border or cross boundary issues such as ammonia and nitrates pollution. There is no consideration given to the SEAs from other Councils and how these will align together.</p>	<p><i>MUDPS/162/98</i></p>	
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SA/SEA Baseline Evidence		
Should have provided a full list of the baseline information utilised & include the document 'State of Nature Report' as part of the review.	<i>MUDPS/59/158</i>	2
SA should make reference to Marine Act (NI) 2013 and Marine and Coastal Access Act 2009 and relevant marine policy documents i.e. UK Marine Policy Statement and the draft Marine Plan for NI in the SA. The above mentioned legislation and policy documents should be listed in Appendix 2.	<i>MUDPS/168/37</i>	
There are other relevant plans / policies & programmes that will affect/ influence the LDP/SA which have not been included in the list. The UK tier appears to be missing from the Plan Policies & Programmes. Review contained within Appendix 4.	<i>MUDPS/59/157</i>	1
NI Climate change adaption programme (NICCAP1) published 2014. UK Parliament publishes UK Climate change risk assessment every 5 years. NICCAP2 under development. Local Authorities have worked with Climate NI so may wish to add something specific in relation to MUDC	<i>MUDPS/168/34</i>	1
States it is important for SEA to demonstrate the relationship between different topics e.g. ecology & health - makes reference to useful reports - see rep for further details of these reports (SA page 6 of 15). Inter-relationship between different topics e.g. ecology & health, has not been addressed & there should be additional topic(s) to address the inter-relationship e.g. green infrastructure & ecosystem services.	<i>MUDPS59/159</i> <i>MUDPS/59/160</i>	1
An ecosystems approach to SEA is absent, its inclusion would allow consideration of the extent to which the LDP (& reasonable alternatives) delivers or affects ecosystems services (i.e. provisioning, regulating, cultural & supporting services).	<i>MUDPS/59/161</i>	1

SA/SEA Objectives / Framework		
The SEA has combined the distinct SEA topics of Biodiversity, Flora & Fauna within a single 'Sustainability Objective' to 'conserve & enhance biodiversity'. This gives limited regard to potential impacts on protected & priority species	<i>MUDPS/59/162</i>	1
<p>Recommends that the following SA Objective is included: Include green infrastructure & ecosystems services (see SPPS SEA by way of example)</p> <p>Recommends the following SA objective is included: 'Maintain and enhance the amount, range and quality of ecosystems services; and restore or enhance wider habitats and populations of species under the public body duty to conserve biodiversity.</p>	<i>MUDPS/59/163</i> <i>MUDPS/59/164</i>	1
Recommends including the following SA objective: 'Should include protection & enhancement of the status of aquatic & wetland ecosystems.'	<i>MUDPS/59/165</i>	1
Recommends including the following SA objective: 'Should also include a reference to minerals including maximising opportunities for the ecological restoration of redundant mineral sites'.	<i>MUDPS/59/166</i>	1
SA/SEA Framework Pages 26-27 HED consider that additional suitable decision making criteria in relation to the HE needs to be included - Refer Page 2 of Part 2 Rep.	<i>MUDPS/77/287</i>	1
SA should give recognition to MUDC's river pathways to marine area and their potential impacts on it. E.g. potential impacts on transitional and coastal waters, good ecological status and good environmental status need to be included within objective 9.	<i>MUDPS/168/35</i>	1
The potential impacts on and linkages to salmon need to be included and considered within objection 11 on biodiversity. As a result the appraisal of General Principles and natural heritage sections of the SA will need to be reviewed	<i>MUDPS/168/36</i>	1

Growth Strategy		
<p>The SA/SEA claims to assess alternative approaches however each alternative uses the RDS HGI at its starting point. The DPS was prepared to fit the HGI cap which is contrary to the RDS objectives and policies for rural areas, hubs and clusters.</p> <p>The SA/SEA claims to assess alternative approaches however each alternative uses the RDS HGI at its starting point. The DPS was prepared to fit the HGI cap which is contrary to the RDS objectives and policies for rural areas, hubs and clusters. Council need to revisit the assessment of alternatives and collate a more reasonable and realistic evidence base.</p>	<p>MUDPS/67/1</p> <p>MUDPS/93/1</p>	2
NILCA 2000 Landscape Character Assessment Review		
<p>LCA Review does not follow DAERA or Landscape Institute best practice guidelines. LCA review does not demonstrate how Natural England LCA document has been taken into account. No reference to landscape wheel. Cultural and heritage have been overlooked.</p> <p>DAERA concerned that LCA Review does not follow Landscape Institute or DAERA NIEA best practice guidelines as per 'An approach to LCA', Natural England 2014. Therefore DAERA do not agree with the scorings against SA/SEA objective 12 as there is a risk that without robust evidence base, the landscape character of Mid Ulster could be negatively impacted by some of the plan policies.</p>	<p>MUDPS/167/20</p> <p>MUDPS/168/33</p>	2
<p><i>The changes highlighted almost exclusively physical in nature but there is little analysis of alterations to landscape character. It points out distribution of wind turbines, dwellings roads etc. but overall impact on character not assessed.</i></p> <p><i>LCA Review highlights changes since NILCA 1999 but there is very little analysis and assessment of how changes have affected landscape in the broadest definition and the landscape character of the area.</i></p>	<p>MUDPS/167/21</p> <p>MUDPS/167/22</p>	1

Economic Development – RIPAs		
<p><i>Failure to assess manufacturing businesses in the Creagh as possible RIPA designations, as a reasonable alternative to proposed policy is considered to be a significant shortcoming of the SA/SEA process.</i></p> <p><i>The Councils failure to assess the manufacturing site at 2 Lisnamuck Road, as a reasonable alternative for a RIPA site is a shortcoming on the SA/SEA. Not stated but implied; include site in question as a RIPA designation.</i></p>	<p>MUDPS/103/7</p> <p>MUDPS/105/8</p>	2
Minerals		
<p><i>SA/SEA is flawed because it relies on under stated estimates of value of the minerals industry.</i></p>	MUDPS/64/7	1
<p><i>MUDC have failed to update the existing evidence base to accurately identify the baseline characteristics of the plan area which includes valuable minerals. Failure to identify all alternatives. Given that those presented will result in sterilisation of gold.</i></p>	MUDPS/83/49 & 83/50	1
<p><i>MRPA'S are not based upon a robust evidence base. No consideration has been given to LD Aggregates in terms of their expansion plans. The lands surrounding their sites should be protected from land development within the DPS.</i></p> <p><i>Whilst provision is made through MRPA's and Policy MIN1 for safeguarding mineral resources, no provision is made for areas where extraction is considered to be acceptable. SA/SEA is silent on this matter and should have treated it as a reasonable alternative.</i></p>	<p>MUDPS/82/2, MUDPS/82/3, MUDPS/82/10</p> <p>MUDPS/101/32</p>	2
<p><i>It is clear that the comments made by Dalradian have not been fully considered in the Preferred Options Paper Public Consultation Report Update, January 2019.</i></p> <p><i>POP consultation report update fails to appreciate the baseline situation of the plan area and identify the potential extent of valuable mineral deposits within the district, which will result in major long-term economic benefits to local economy.</i></p>	<p>MUDPS/83/43</p> <p>MUDPS/83/44</p>	2

Valuable Minerals		
Dalradian consider the absence of consideration of valuable minerals within the evidence base means the SA fails to correctly identify the baseline situation of the plan area and develop reasonable alternatives to address the key sustainability issues.	MUDPS/83/45	1
<p><i>With regard to MRPA's, none of the 3 reasonable alternatives identified propose MRPA's that recognise or protect the gold reserves for future extraction. Dalradian believes this conflicts directly with SPPS.</i></p> <p><i>The assessment of MRPA's is flawed as reasonable alternatives and the preferred option have failed to recognise and consider the valuable gold deposits within the policy despite clear evidence confirming their existence.</i></p> <p><i>In assessing options relating to mineral reserve policy areas, no quantifiable evidence has been put forward. In light of this, it's hard to see how accurate weight can be given to the relevant assessments.</i></p>	<p>MUDPS/83/53 & 83/54</p> <p>MUDPS/83/55</p> <p>MUDPS/101/56</p>	2
<i>SA states that mineral extraction is likely to lead to significant impacts on the landscape but that the policies should state to extract these responsibly. Dalradian agrees and this is based on a sound evidence base not imposing a blanket restriction.</i>	MUDPS/83/46	1
<i>Dalradian disagrees with the scoring in relation to the strategic approach for minerals. There is no evidence to back up this scoring and therefore the environmental impacts are 'uncertain' and should be scored as such in relation to option 1.</i>	MUDPS/83/47 & 83/51	1
<i>No sound basis for the justification where the precautionary approach detailed within draft policies MIN2 and MIN3 would be applied without the applications of ACMDs.</i>	MUDPS/83/48	1
<i>Dalradian disagree with scoring in relation to ACMD. The assumption of negative impacts is not based on a robust evidence base. Option 1 and 2 for ACMD in the SA score identically but</i>	MUDPS/83/51 & 83/52	2

<i>seek to promote only the environmental pillar of sustainable development, failing to acknowledge economic and social objectives. Therefore this fails to deliver sustainable development per SPPS.</i>		
<i>RDS 2035 does not mention mineral development, instead its key strategic guidance – economy, society and environment - focus on sustainable development. SEA refers to minerals but not once is it implied that the minerals are precious metals.</i>	<i>MUDPS/178/168, MUDPS/191/168</i>	<i>2</i>
Lough Neagh		
<i>SA/SEA Report is unsound because it is silent on the eventuality of planning permission for Lough Neagh being refused and what that shortfall would be for the minerals industry. This shortfall could be around 1million tonnes per annum</i>	<i>MUDPS/101/16</i>	<i>1</i>
<i>Given the economic importance of sand being extracted from Lough Neagh, no detail has been provided within the DPS regarding how the protection of this resource has been considered as a reasonable alternative. Council is encouraged to consider extending proposed designations to protect against alternative forms of development and the propositions of areas suitable for mineral development.</i>	<i>MUDPS/102/9, MUDPS/108/2, MUDPS/110/1, MUDPS/110/1 & MUDPS/111/1</i>	<i>4</i>
Minerals Safeguarding		
<i>Safeguarding of minerals at the land in question (specific sites named) in this representation, or indeed across the entire district has not been included as a reasonable alternative within the SA/SEA. Council is encouraged to consider extending proposed designations to protect against alternative forms of development and the propositions of areas suitable for mineral development.</i>	<i>MUDPS/103/2, MUDPS/104/3, MUDPS/105/4, MUDPS/106/3, MUDPS/106/4, MUDPS/107/4, MUDPS/112/3 & MUDPS/114/3</i>	<i>7</i>
Evidence		
<i>Data for the SA/SEA has been partially collected and also misinterpreted leading to an inaccurate socio economic picture being painted of the district. The SA/SEA is based on this picture and therefore is unsound</i>	<i>MUDPS/101/55</i>	<i>1</i>

<i>It is not clear how the SA/SEA has considered the precautionary approach against alternatives. Get rid of precautionary approach in MIN 2 in favour of wording which is loosely aligned to balancing the needs of the economy and the environment.</i>	MUDPS/101/38	1
<i>The impact of the ACMD designation on the Campbells site at Knockmany has not been assessed, nor has the alternative option of excluding it, as part of the SA/SEA process</i>	MUDPS/109/3	1
<i>Council has missed an opportunity to set directions and bring forward in the DPS, a policy on secondary minerals. This has not even been assessed as a reasonable alternative in the DPS. Include a policy on secondary minerals within the DPS or at least assess it as a reasonable alternative in the SA/SEA.</i>	MUDPS/114/9	1
<i>The SA/SEA is incorrect and inconsistent in relation to its assessment of Policy MIN 1 and the alternatives. It states that MIN 1 will not have any significant negative impacts yet goes on to say that 'both approaches are likely to be negative.'</i>	MUDPS/162/26	1
Historic Environment		
<i>HED maintain an independent role in relation to the LDP process, and operate a SLA with DAERA in relation to SEA, whereby they provide advice and comment in relation to matters of cultural heritage, including architectural and archaeological heritage</i>	MUDPS/77/286	1
<i>3.46 HED concerned comments since POP have not been taken fully into account - 3.49-50: HED role in this process has been advisory, and not to undertake scoring and assessment of the plan. DfI letter 24.01.2018</i>	MUDPS/77/288	1
<i>The SA/SEA demonstrates a lack of understanding of historic environment issues.</i>	MUDPS/77/21	1
<i>HED consider that the assessment of evidence in relation to Historic Environment is not robust and does not justify policy direction of HE dPS Policy.</i>	MUDPS/77/27	
	MUDPS/77/283 / 284	

<i>HED have significant concerns around soundness of the SA in relation to assessing effects on and in relation to the Historic Environment - SA does not provide robust evidence to support the HE policies - not in alignment with POP approach or SPPS.</i>		
<i>Not sound indicators for Historic Environment Policy to assess the effects of the plan – additional meaningful indicators suggested - refer page 16-18 Part 2 of Rep</i>	<i>MUDPS/77/291</i>	<i>1</i>
<i>SA/SEA implies a misinterpretation of the policies in their assessment in that it articulates that Evaluation and Assessment will be required by way of planning conditions - fails to take account HED letter 30.07.2018. page 9 rep</i>	<i>MUDPS/77/84 / 85 / 86 / 87</i>	<i>1</i>
<i>Page 42 not sound - summary of environmental characteristics – Historic Environment not included. Page 55 Evolution of Issues without the Plan - Cultural Heritage not sound - 4.72 – strongly disagree - Table 4.2 strongly disagree - 4.100 Assessment of Effects – disagree</i>	<i>MUDPS/77/289</i>	<i>1</i>
<i>HED strongly disagree with statement in 3.25 of the SA / SEA - that there will be no significant negative effects from the plan, either individually or cumulatively. MUDC's approach not sound and will lead to negative and significantly negative effects on Historic Environment.</i>	<i>MUDPS/77/285</i>	<i>1</i>
<i>HED disagree with some of the scoring afforded and the language used within the SA to justify and describe mitigation - review will be necessary refer page 6 Part 2 of Rep.</i>	<i>MUDPS/77/290</i>	<i>1</i>
Natural Environment		
<i>States no plan/programme/project should result in a significant direct impact upon important birds or bird habitats. Environmental Assessments (SEA,EIA, HRA) should be used as tools to minimise environmental impacts.</i>	<i>MUDPS/59/2 & MUDPS/59/170</i>	<i>1</i>
<i>The term 'significant biodiversity loss' has no basis or definition in guidance which will add confusion to developers rather than clarifying the existing difficulties encountered in interpretation of PPS2 and in particular the NH5 policies</i>	<i>MUDPS/82/10</i>	<i>1</i>
<i>Key elements of SEA was for sustainable development, this has not been specifically considered in relation to overall plans for industrialisation of the Sperrins AONB. AONB must remain intact hence the entire LDP must be re-written to accommodate same.</i>	<i>MUDPS/178/164, MUDPS/191/164</i>	<i>2</i>

<i>DPS fails to align with the national strategy - NI executive 'everyone involved - sustainable strategy' which aims to address global issues such as climate change. Climate change and need for mitigation and adaption is not addressed in any meaningful or coherent way.</i>	<i>MUDPS/178/326, MUDPS/191/326</i>	<i>2</i>
<i>RSPB believes that plan-making should seek to integrate the 3 pillars of sustainable development rather than balancing as this could potentially result in environmental trade-offs.</i>	<i>MUDPS/59/1</i>	<i>1</i>
<i>SEA is incorrect & inconsistent regarding mineral reserve policy areas. It states no significant negative impacts then states both approaches are likely to be negative in terms of all environmental indicators then concludes no major negative environmental effects. Baseline evidence on environmental and social effects of existing and previous extractive projects has not been carried out, then a sea of the potential environmental and social impacts of future activity cannot be relied upon.</i>	<i>MUDPS/178/311-313, MUDPS/191/311-313</i>	<i>2</i>
<i>There is insufficient scope when assessing alternatives, to take into account, sustainable development, climate change and the policies which underpin the RDS. There is no analysis of phosphates, nitrates and ammonia crisis on protected sites for example</i>	<i>MUDPS/162/95</i>	<i>1</i>
<i>SEA must take account of Cumulative impact of numerous precious metal mines and their associated chemical processes. Ignored by RDS, SEA and ignored by DPS. Independent body should assess this, appointed by MUDC to establish baseline.</i>	<i>MUDPS/178/172, MUDPS/191/172</i>	<i>2</i>
Scoring of SA/SEA Assessments – Natural Environment		
<i>SA/SEA appraisals for DRCs, Protection of River Corridors, Protection of Tourism Assets, Other Tourism facilities, Loughshore TOZs, Sperrins TOZs, AoCWTHS, Renewable Energy – SA/SEA 11 should be scored double negative unless comments for HRA adopted.</i>	<i>MUDPS/168/30</i>	<i>1</i>
<i>Policy does not explain 'where peat land is not reasonably capable of restoration and therefore no longer deemed active'. Just because an area of peatland is inactive does not mean that it is incapable of restoration and have no conservation interests. As a result DAERA does not agree with positive score for SA/SEA Conserve Biodiversity, page 266 - Policy MIN 4.</i>	<i>MUDPS/168/31</i>	<i>1</i>

<i>Both AONB options are assessed identically. Option (ii) selected but no reasons given. DPS complex cover of policies within AONB, with eight different zonings. NH6 is a lesser test and DAERA do not agree with positive scoring for SA/SEA 11 & 12. Therefore DAERA do not agree with a positive scoring for SA/SEA 11 Conserve Biodiversity and SA/SEA 12 Landscapes and Townscapes.</i>	MUDPS/168/32	1
Renewables / Telecommunications		
<i>The SA/SEA fails to robustly assign material weight to the economic and environmental benefits of renewable energy projects, with overriding rational and disproportionate reasoning for adopting SCA and AOCWTHS relating to visual amenity.</i> <i>SA states that all POP policy approaches performed well on environmental and economic SA objectives. The overriding rationale for adopting SCA/AOCWTHS is preservation of visual amenity, with inappropriate weight afforded economic benefits.</i>	MUDPS/41/5 MUDPS/96/62-65	2
<i>SA suggests that NED support concept of SCA however there is no indication of consultation with NED in relation to specific location and extent of SCA</i>	MUDPS/96/22	1
<i>Lack of information in the assessment demonstrates that the evidence used to inform this draft policy is inappropriate. RES suggest that extent of SCA is founded on flawed evidence.</i>	MUDPS/96/23	1
<i>With respect strategic approach to environmental protection, Option 1 did not result in adverse effects on any SA objective however no justification provided for rejecting this option. Guidance and case law require SA reports to consider reasonable alternatives to the same extent as the preferred option and explain why reasonable alternatives are rejected.</i>	MUDPS/150/1, MUDPS/153/6	2
<i>No evidence to support assertion wind energy development is likely to impact local tourism. In relation to environmental protection & energy, findings for SA objective 20 are no different for retaining existing policy/implementing more restrictive policy.</i>	MUDPS/150/4. MUDPS/153/8	2

<i>Page 284-286 focus on telecommunications & overhead cable with a single reference to wind energy. Therefore it is unclear whether the adverse landscape effect from retaining existing policy includes wind energy development and how this is derived.</i>	<i>MUDPS/150/6, MUDPS/153/4</i>	<i>2</i>
<i>No explanation for inconsistency between negative landscape effect retaining existing policy on Page 285 compared with positive landscape effect for retaining existing policy on page 77 given both refer to wind energy development.</i>	<i>MUDPS/150/7, MUDPS/153/10</i>	<i>2</i>
<i>SA report states following feedback from DfI, option 2&3 for environmental protection approach were combined as there was considered to be no discernible difference. No information provided on DfI Feedback & why these options are considered the same.</i>	<i>MUDPS/150/33, MUDPS/153/7</i>	<i>2</i>
<p><i>The 3 AoC are subject to SA, however SA fails to include a reasonable alternative i.e. retain existing policy. Preferred approach will sterilise wind energy in these designations preventing assessment on case by case basis therefore conflicting with SPPS. The approach to consider proposals on a case by case basis when assessing the ability of the landscape to accommodate wind energy development represents a reasonable and policy compliant alternative that should be considered.</i></p> <p><i>Preferred option for renewable energy is not considered a reasonable alternative to the rejected option to retain existing policy. SA report fails to identify and explain inconsistencies between preferred option and national policy.</i></p> <p><i>Divergence from national policy is not justified and should be supported by robust evidence base. SA states significant adverse landscape impacts from existing policy however this contradicts development pressure analysis and earlier stages of the SA process. Adopt policy in accordance with SPPS considering proposals on a case by case basis is a reasonable and policy-compliant alternative that should be considered.</i></p>	<p><i>MUDPS/150/5</i></p> <p><i>MUDPS/150/32, MUDPS/153/5</i></p> <p><i>MUDPS/153/9</i></p>	<i>2</i>
Transportation		

<i>SA page 14, point (iv) & page 61, table 4.2... What measures will be taken to improve connectivity using 'sustainable modes of transport' to counteract 'potential increased car and energy' anticipated from developments proposed within LDP.</i>	<i>MUDPS/168/38</i>	<i>1</i>
<i>Are there any further proposals for park and ride facilities to help reduce the increased congestion in areas like Dungannon?</i>	<i>MUDPS/168/39</i>	<i>1</i>
<i>Is there any plan to widen the air quality monitoring network to monitor and assist in measuring the effects of the proposed increase in congestion?</i>	<i>MUDPS/168/40</i>	<i>1</i>
<i>The SA/SEA has only considered alternatives in so far as they relate to private car and public transport. There has been no consideration given to walking or cycling.</i>	<i>MUDPS/142/5</i>	<i>1</i>
Monitoring – 5 issues		
<i>Advises that caution must be exercised in avoiding a situation where monitoring amounts to simply monitoring trends in the baseline environment which would have occurred irrespective of the LDP. Refers to Dev. Plan Practice Note 04. MUDPS/59/167</i>	<i>MUDPS/59/167</i>	<i>1</i>
<i>Recommend that MUDC refer to SEA prepared for the SPPS, sections 9.1.5, 9.2.1- 9.2.6. Suggests that MUDC includes the suggestions set out in 9.1.5 as part of its overall monitoring.</i>	<i>MUDPS/59/168</i>	<i>1</i>
<i>Monitoring should including the non-implementation of LDP policies as well as those which are implemented to ensure the identification of any unforeseen adverse effects through the non-implementation of a LDP policy at an early stage & allow remedial action.</i>	<i>MUDPS/59/169</i>	<i>1</i>
<i>Given the wide range of topics under the remit of LDP, additional measures for the monitoring of both its positive and negative impacts on the environment are suggested; Condition of natural heritage designated sites (both marine and terrestrial) within the LDP area (information provided from DAERA). Number and extent of developments approved and refused in relation to priority habitats and species / within or adjacent to designated sites (both marine and terrestrial) / on features of earth science importance, within ancient and long established woodland / within AONBs, LLPAs, AOHSVs and SCAs / Extent of blue-green infrastructure</i>	<i>MUDPS/168/12-29</i>	<i>1</i>

<i>within the LDP area / with 'Key Site Requirements' which include measures to protect and integrate species, habitats and natural heritage features (both marine and terrestrial) / The percentage of waterbodies at high, good, moderate, poor or bad status, as defined by the Water Framework Directive, in the LDP area using the publication date of the LDP as the baseline (information provided by DAERA) / for culverting of watercourses and sea defences/ Condition of marine (transitional and coastal) surface waters identified under the Water Framework Directive within the LDP area (information provided from DAERA) / in the inter-tidal area / in the developed and undeveloped coast (coastal development) / that considered marine policy documents (UK MPS / Marine Plan) / that considered land and sea interactions / that considered impacts on the marine area / also require a marine licence or other marine consents.</i>		
Total Issues raised - 76		

Addendum – SA/SEA		
Issue Raised by Representation/s	Rep / element no.	No. of Reps cited against issue
<i>Department of Economy raised concerns under C2 consistency test 2 no specific reference to GAS. The SA/SEA has not taken into account the role of natural gas in reducing Sulphur Dioxide Emission since 2001. No reference made to the existing Gas to the West Strategic Project sponsored by the Department for Economy. Nor is there reference to the benefits of GAS in comparison with coal or oil.</i>	MUDPS/31/27	1
<i>Department for Infrastructure raised specific concerns under CE2 test, related to LDPs role to address (or worsen) accessibility challenges not fully considered – absence of this issue in the assessment of the Growth Strategy against SA/SEA objectives 1, 2, 3, and 19.</i>	MUDPS/115/346	1

<i>DAERA raised a general point regarding lack of reference to Draft Marine Policy (Regional Level) and Marine Legislation Act NI.</i>	MUDPS/168/41	1
<i>DAERA raised a general point that SA /SEA Sustainability Objectives in relation to water quality and biodiversity does not attempt to draw out potential effects on the marine environment.</i>	MUDPS/168/42	1
<i>DAERA raised specific concerns regarding water quality and biodiversity, lack of specific Sustainability Objectives related directly to potential effects on the marine environment – i.e. water quality.</i>	MUDPS/168/43	1
<i>DAERA raised specific concerns regarding lack of direct reference to Marine Policy documents, namely, UK Marine Policy Statement and draft Marine Plan for NI. Marine Policy and Plans must take into account as part of the justification within the preferred policy / policy options or reasonable alternatives. Only terrestrial planning documents considered.</i>	MUDPS/168/44	1
Summary		
6 issues raised		

Counter Representations - Plan Introduction, Context and Key Issues		
Counter-Representation Respondent	Counter-Representation Reference Number	Reference number Counter-Representation relates to
Dept for Communities	DPSCR/42	MUDPS/82
Dept for Communities	DPSCR/48	MUDPS/101
Dept for Communities	DPSCR/49	MUDPS/102
Dept for Communities	DPSCR/50	MUDPS/104

Dept for Communities	DPSCR/51	MUDPS/105
Dept for Communities	DPSCR/52	MUDPS/106
Dept for Communities	DPSCR/53	MUDPS/107
Dept for Communities	DPSCR/54	MUDPS/109
Dept for Communities	DPSCR/55	MUDPS/111
Dept for Communities	DPSCR/56	MUDPS/112
Dept for Communities	DPSCR/57	MUDPS/113
Dept for Communities	DPSCR/58	MUDPS/114
Turley	DPSCR/81	MUDPS/59
Turley	DPSCR/82	MUDPS/70
Turley	DPSCR/88	MUDPS/108
Turley	DPSCR/99	MUDPS/162
Turley	DPSCR/101	MUDPS/167
Turley	DPSCR/102	MUDPS/168
Turley	DPSCR/104	MUDPS/178
Turley	DPSCR/107	MUDPS/191
Turley	DPSCR/121	MUDPS/59
Turley	DPSCR/128	MUDPS/108
Turley	DPSCR/139	MUDPS/162
Turley	DPSCR/141	MUDPS/167
Turley	DPSCR/142	MUDPS/168
Turley	DPSCR/144	MUDPS/178
Turley	DPSCR/147	MUDPS/191

Turley	DPSCR/161	MUDPS/59
Turley	DPSCR/168	MUDPS/101
Turley	DPSCR/169	MUDPS/102
Turley	DPSCR/171	MUDPS/104
Turley	DPSCR/172	MUDPS/105
Turley	DPSCR/173	MUDPS/107
Turley	DPSCR/175	MUDPS/109
Turley	DPSCR/176	MUDPS/110
Turley	DPSCR/177	MUDPS/111
Turley	DPSCR/178	MUDPS/112
Turley	DPSCR/180	MUDPS/120
Turley	DPSCR/189	MUDPS/162
Turley	DPSCR/191	MUDPS/167
Turley	DPSCR/192	MUDPS/168
Turley	DPSCR/194	MUDPS/178
Turley	DPSCR/198	MUDPS/191
Friends of the Earth	DPSCR/210	MUDPS/82
Friends of the Earth	DPSCR/211	MUDPS/83

Summary – 82 issues (Original + Addendum)	
Total = 82 issues <ul style="list-style-type: none"> SA/SEA Process = 4 issues SA/SEA Baseline Evidence = 5 issues 	

<ul style="list-style-type: none"> • SA/SEA Objectives / Framework = 7 issues • Growth Strategy = 1 issue • NILCA 2000 Landscape Character Assessment Review = 2 issues • RIPA's = 1 issue • Minerals = 4 issues • Valuable Minerals = 7 issues • Lough Neagh = 2 issues • Minerals Safeguarding = 1 issue • Evidence = 5 issues • Historic Environment = 8 issues • Natural Environment = 8 issues • Scoring of SA/SEA Assessments – Natural Heritage = 3 issues • Renewable / Telecommunications = 9 issues • Transportation = 5 issues • Monitoring = 4 issues • Addendum = 6 issues 	
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Representation submissions received in relation to topic area: (Total = 33)

MUDPS/

31, 41, 59, 64, 67, 77, 82, 83, 93, 96, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 114, 115, 120, 142, 150, 153, 162, 167, 168, 178, 191

Counter Representations Received: (45)

DPSCR/

Monitoring Our Plan

Monitoring Our Plan – Original Topic Paper		
Issue Raised by Representation/s	Rep / element no.	No. of reps cited against issue
Monitoring Overview & Strategy		
There is no clear mechanism for monitoring the Plan	MUDPS/178/20 MUDPS/191/201	2
There is no mention of indicators to be used to monitor the goal of “improving quality of life.”	MUDPS/162/7	1
Monitoring Outcomes, Indicators & Measures		
Outcomes, indicators and measures listed in the Monitoring of Our Plan section do not read across easily to the Objectives. For example; In Accommodating People and Creating Places section, there is no way of measuring the loss of open space In Creating Jobs and Promoting Prosperity, there is no indicator for promoting renewable energy or to encourage energy efficiencies The Outcome “mineral extraction will continue to provide...”is devoid of any indicators or measures which enable monitoring.	MUDPS/59/132, MUDPS/59/134, MUDPS/59/135, MUDPS/59/136, MUDPS/59/137, MUDPS/115/266	2
The measures, which are included in the monitoring section, are not SMART. There is no baseline information from which a trigger point can be identified for remedial action.	MUDPS/59/133 MUDPS/115/22	2
In the Enhancing the Environment and Improving Infrastructure monitoring section, the objective “to reduce flood risk and the adverse consequences of flooding” should have an associated outcome that there is no development within floodplains.	MUDPS/59/138	1

<p>The measure for monitoring which states that “the number and type of permissions granted within the SCA...” should also include the number and type of planning permission within all natural heritage sites as well as the condition of all international and national designations.</p>	<p>MUDPS/59/140, MUDPS/59/142, MUDPS/167/37 MUDPS/167/38, MUDPS/59/193</p>	<p>2</p>
<p>DAERA have suggested a range of measures that could be used to monitor both positive and negative impacts of the LDP. These include;</p> <p>Number of developments approved and refused in relation priority habitats and species and protected species and habitats</p> <p>Number and extent of developments approved on active peatland</p> <p>Number and extent of developments approved and refused on features of earth science importance.</p> <p>Number and extent of developments approved and refused within ancient and established woodland</p> <p>Number and extent of developments approved and refused within AONBs AoHSVs, LLPAs and SCAs.</p> <p>Extent of blue/green infrastructure within the LDP area</p> <p>Number and extent of developments with key site requirements which include measures to protect and integrate species, habitats and natural heritage features (both marine and terrestrial)</p> <p>Number and extent of developments approved and refused for culverting of watercourses and sea defences</p> <p>Condition of marine surface waters identified under the Water Framework Directive within the LDP area.</p> <p>Number and extent of developments approved and refused within the intertidal area.</p> <p>Number and extent of developments approved and refused which considered Marine Policy Documents</p> <p>Number and extent of Developments approved and refused in the developed and undeveloped coast</p> <p>Number and extent of developments approved and refused that considered land and sea interactions and any impacts on the marine area</p>	<p>MUDPS/167/39, MUDPS/167/40, MUDPS/167/41, MUDPS/167/42, MUDPS/167/43, MUDPS/167/44, MUDPS/167/45, MUDPS/167/46, MUDPS/167/47, MUDPS/167/48, MUDPS/167/49, MUDPS/167/50, MUDPS/167/51, MUDPS/167/52, MUDPS/167/53, MUDPS/167/54, MUDPS/167/55</p>	<p>1</p>

<p>Number and extent of developments approved which also require a marine license or other marine consents.</p> <p>The percentage of water bodies at high, good, moderate, poor or bad status as defined by the water framework directive in the LDP area using the publication date of the LDP as the baseline (information provided from DAERA).</p>		
In relation to the Enhancing the Environment and Improving Infrastructure table, HED are concerned that there are no indicators or measures included for the protection, conservation and enhancement of the historic environment.	MUDPS/77/281	1
<p>Development Pressure should be monitored via;</p> <p>Number and type of planning permissions granted within TOZs.</p> <p>Number of exceptions granted over 15m within the AOCWTHS.</p>	MUDPS/59/141	1
The draft HRA commits to monitoring the development pressure within Loughshore and Davagh TOZ's yet there is no commitment within the monitoring section of the draft Strategy to carry out such monitoring. Monitoring of the draft Strategy should involve the number and type of permissions within the TOZ's and exceptions granted within AOCWTHS.	MUDPS 59/194, MUDPS/59/102, MUDPS/59/222, MUDPS/59/223	1
The monitoring of the draft Strategy, which based on a flawed evidence base will only lead to a revision of the Strategy which is also flawed and which will contribute to reduced housing delivery.	MUDPS/75/4	1
Housing approvals in the countryside should be included as an indicator to ensure they don't exceed 40% of the HGI.	MUDPS/85/98	1
It is unclear which outcome relates to the objective of facilitating the development of new community facilities.	MUDPS/115/266 MUDPS/115/315	1
Outcomes 1 and 5 in the Enhancing the Environment section of the monitoring table are not reflected in corresponding indicators or measures.	MUDPS/115/267	1

The measures listed in the Enhancing the Environment and Improving Infrastructure Section are negative measures. It is better to prohibit permissions at the outset.	MUDPS/178/202 MUDPS/191/202	2
Plan Review		
The review of the Plan as outlined in the table is limited in its scope. Apart from the release of phase 2 land, there is no mechanism for meaningful change.	MUDPS/183/1 MUDSP/183/2	1
Summary		
16 issues raised		

Addendum – Monitoring our Plan		
Issue Raised by Representation/s	Rep / element no.	No. of Reps cited against issue
Consultations		
Outcomes 1 & 5 do not appear reflected in either the indicators of the measures. Can Council clarify how this will be monitored?	MUDPS/115/375	1
Housing Allocations		
30-60% of housing provided in our main towns is too wide a target to be meaningful and should be higher to encourage more urban living and less rural houses.	MUDPS/214/40	1
Economic Policies		
What is the basis for the figure 8,500 new jobs?	MUDPS/214/41	1

Summary
3 issues raised

Counter Representations – Monitoring Our Plan		
Counter-Representation Respondent	Counter-Representation Reference Number	Reference number Counter-Representation relates to
N/A	N/A	N/A

<u>19 issues raised</u> <ul style="list-style-type: none"> • Monitoring Overview & Strategy – 2 issues • Monitoring outcomes, Indicators & Measures – 13 issues • Plan Review – 1 issue • Addendum – 3 issues
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Representation submissions received in relation to topic area: (Total = 11)

MUDPS/

59, 75, 77, 85, 115, 162, 167, 178, 183, 191, 214

Counter Representations Received: (0)

N/A