



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

MID ULSTER

Design Policy Review
Urban Design

April 2016

Purpose: To provide members with an opportunity to consider existing planning policies as they pertain to Urban Design and to consider the need for alternative policies in light of the forthcoming Local Development Plan.

Content: The paper provides information on:

- (i) The Context of Urban Design in Mid Ulster and existing planning policies;
- (ii) Mid Ulster District Council (MUDC) objectives for Urban Design and the linkages between the MUDC objectives for future growth and the Sustainability Appraisal, Regional planning policy and Strategic Planning Policy Statement objectives;
- (iii) Review existing policies and consider preferred and alternative policy options for Urban Design within the Local Development Plan.

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

1.0 Introduction

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

Legislative Context

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

2.0 The Objectives

(a) Mid Ulster Council

2.1 Position Paper 1 outlined a number of key policy objectives that will assist the formulation of the new LDP working objectives. Of these objectives, the following relate to the promotion of urban design, these are highlighted below.

- (i) *To protect and consolidate the role of local towns and villages so that they act as local centres for shops and community services meeting the daily needs of their rural hinterlands.*
- (ii) *To accommodate cultural differences in our communities whilst promoting “shared spaces” to bring people together with equality of opportunity.*
- (iii) *The need to protect and enhance the natural and built environment to achieve biodiversity, quality design, enhanced leisure and economic opportunity and promote health and wellbeing.*

2.2 (b) **Sustainability Appraisal (SA) Objectives**

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

2.3 A key objective of the SA in relation to Urban Design is to encourage a sense of community identity and welfare. Current planning policy should take account of the need to;

- foster satisfaction and a sense of pride in the local area,
- improve understanding between different communities of their respective needs and concerns

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

- improve the landscape character and visual amenity of open spaces
- enhance the quality of priority areas for townscape and public realm enhancements
- protect and enhance local distinctiveness and sense of place
- minimise visual intrusion and protect views

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

- Minimise development on greenfield sites;

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

(c) Regional Development Strategy (RDS)

- 2.4 The RDS provides an overarching strategic planning framework to facilitate and guide the public and private sectors. It addresses economic, social and environmental issues aimed at achieving sustainable development and social cohesion. This overarching document sets out clear objectives for urban design that have been fully considered in formulating the objectives of the SPPS.
- 2.5 The RDS 2035 makes specific reference to the retailing needs of Cookstown, Dungannon and Magherafelt. It recognises that Cookstown has an emphasis on manufacturing, construction and retail and that it provides services to a wider rural hinterland. It recognises that Dungannon provides a specialist retail provision with the Linen Green which draws some 30% of its customer base from the Republic of Ireland. It also realises the commitment to public realm investment in the Town Centre. Magherafelt is identified as having a compact Town Centre with an excellent independent retail offer. It recognises the potential of the Town to grow a stronger retail and commercial centre.

(d) Strategic Planning Policy Statement (SPPS)

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

Town Centres and Retailing

- 2.8 The regional strategic objectives for Town Centres and Retailing that relate to urban design, consistent with regional guidance in the RDS, are to:
- Promote high quality design to ensure that town centres provide sustainable, attractive, accessible and safe environments.

The SPPS goes on to identify the Regional Strategic Policy for urban design that requires the policies and proposals for shops in villages and small settlements must be consistent with the aim, objectives and policy approach for town centres and retailing, meet local need (i.e. day-to-day needs), and be of a scale, nature and design appropriate to the character of the settlement.

- 2.9 The topic of Urban Design is not widely covered in strategic policy. The SPPS sets out Core Planning Principles, at the outset, which highlights principles that are currently absent from policy, which may be considered when delivering successful urban environments. These are detailed under:

- **Improving Health and Well-Being,**
- **Creating and Enhancing Shared Space, and**
- **Supporting Good Design and Positive Place-Making**

Each of the above core planning principles recognises the positive impact that considered, integrated public realm design, which respects the local context and is carefully integrated. The ability to provide an urban environment that actively contributes to and enhances community cohesion by promoting positive interaction can bring both individual and commercial benefits to an area by instilling a sense of ownership and stewardship over the local town or public space.

- 2.10 Identifying ownership or control of the public realm is often not straightforward. Often parcels of land that make up the whole are controlled by many individuals. The upkeep and maintenance of civic spaces and public parks is often provided by local or district councils. The formation of an operational policy may prove difficult to implement for this reason. There are elements that formulate Quality Urban Design that can clearly be controlled by the introduction of policy, for example Building Heights, Passive Design etc. However topics such as public realm design may be better controlled through general design guidance currently provided by Living Places Published 2014. Where a need has been identified in a specific area, or designated areas, local design guidance documenting the positive aspects that should be used to inform future development may be beneficial.

Planning Policy Statement 5 – Retailing and Town Centres

- 2.11 PPS 5 is the superseded policy document specifically relating to retailing and town centres in Northern Ireland and has been superseded and incorporated into the SPPS. Many of the themes running through PPS 5 are re-iterated in the SPPS. PPS 5 sets out policies for the control of retail development based on the locational relationship to existing town, district and local centres. The presumption being that town centres, particularly the primary retail core are the best location for major retail development. Therefore, in preparing development plans, the Department (now local councils) is required to set out retail policies in specific areas and identify locations for different types of retailing. In the main, this is achieved through the designation of town centre boundaries, primary retail cores and opportunity sites for retail development. Where appropriate, this may be supported by designating district village or local centre boundaries. The Department's main commitment is to protecting the viability and vitality of the town centre and paragraph 18 of PPS 5 states that this is done through a town centre health check.

- 2.12 The superseded PPS5 identified the importance of urban design within town centres and required development proposals in town centres to make a positive contribution to townscape and be sensitive to the character of the area surrounding the site in terms of design, scale and use of materials of both the buildings and the space around the buildings. It goes on to state that new development within town centres should minimise visual, functional and physical disruption and enhance or create interest, vitality and variety. Insensitive development which disrupts the scale and rhythm of townscape will be resisted. Building design will need to be architecturally sympathetic to the important townscape elements of sensitive locations, such as Conservation Areas or the settings of listed buildings. The Department may prepare development briefs for development opportunity sites which would set out the appropriate design guidance.

3.0 Urban Design and Quality Residential Environments Workshop

- 3.1 Councillor's attended a workshop to discuss urban design and quality residential environments and to consider the current policy approach and where these should be tailored to meet local circumstances in the Mid Ulster Council Area. There was a general consensus that planning policy is required to ensure that quality urban design and quality residential environments are enhanced. The topics discussed that relate specifically to Urban Design are outlined below.
- 3.2 With regard to urban design specifically in relation to Building height the general feedback would support maintaining the current building fabric of 2-3 storey building height within the towns of Dungannon, Cookstown and Magherafelt. Dungannon may facilitate taller buildings on a site specific basis where the topography accommodates. The identified higher proportion of migrant workers and the continued pressure on the existing housing stock may influence the building height within Dungannon. There was a principle to bring forward policy to maintain the general building height at 2-3 storeys with the flexibility to assess applications for taller buildings on a case by case basis.
- 3.3 It was highlighted that no policy is currently in place to address the design of public realm and landscaping of areas such as town centres, car parking, business parks, retail parks and industrial estates. The economic benefit that attractively designed public realm areas can bring to town centres was queried, or is the design of these areas solely for visual benefit. The discussion continued regarding the introduction of developer contributions and commuted monetary sums from all applications for commercial development within the town centre as policy to directly improve the public realm. This is currently operated in many UK areas and may be regarded as a current expectation of many developers. It was agreed that the policy should provide for landscaping that is appropriate to the scale of the proposal.

- 3.4 Materials and detailing was discussed together with the principles of passive design. It was felt that the current policy provision offered appropriate clarification in relation to materials and detailing and this should be brought forward in the formation of the LDP. The subject of passive design was tabled in the context of both modifications to existing buildings and consideration for new developments. It was felt that careful control of retrospective interventions should be noted in relation to listed buildings and buildings within a designation. Passive design should be encouraged as an integral element of new developments and should be reinforced by the introduction of policy.
- 3.5 Each of these topics discussed will be further examined below and policy options suggested to be included in the formation of the LDP.
- 3.6 A separate policy review in relation to Housing in Settlements concluded that the aspects of Good Design would be covered in the General Principles and would apply to all urban development and not simply housing. In that context it is considered appropriate to set out policy to ensure that urban development is designed in a manner that respects its surroundings. There are a number of options available to us in deciding how to address this matter. One option is to adopt an approach that each application is determined on its own merits. Another option may be to use QD1 of PPS 7, as it is considered that this policy provides a sound basis that would apply to all development. Potential policy wording has been included in the recommendations.

4.0 Building Height

- 4.1 Given recent planning permissions within the Mid Ulster District Council area, there is a requirement to address the issue of building height.
- 4.2 Building Height is not currently defined within Planning Policy in Northern Ireland. Guidance on Tall Buildings published in July 2007 by CABE and English Heritage sets out assessment criteria for tall buildings. They state that: *'It is not considered useful or necessary to define rigorously what is and what is not a tall building. It is clearly the case that a 10-storey building in a mainly two-storey neighbourhood will be thought of as a tall building by those affected, whereas in the centre of a large city it may not'*. A tall building may be seen as a building that is substantially taller than its neighbours. This statement reinforces that building height is defined by the surrounding context. The context must be understood to correctly assess the individual application.
- 4.3 The maximum height of proposed buildings is not currently addressed in any current PPS's. It is also absent from both the RDS 2035 and the SPPS. The term 'height' is discussed in relation to providing considered design solutions in several of PPS's namely PPS1, PPS6, PPS7 (including addendum's), PPS16 and PPS21. The SPPS states that height should be a consideration in 'place-making'.

- 4.4 Non statutory guidance contained in Creating Places again calls for height to be a consideration and suggests that variation in building heights can create diversity in the built environment. The 2014 publication Living Spaces makes no reference to building height.
- 4.5 **Magherafelt** developed around four principle streets, Broad Street, Market Street, Rainey Street and Queen Street. The town has continued to grow along the arterial routes radiating out from the town centre. The building height is predominately 2 storey along Queen Street and Market Street rising to 3 storeys at the Diamond Area. Both Broad Street and Rainey Street are predominately 3 storey with vertical proportions and a high solid to void ratio. Regarding topography the main level at the Diamond where all four streets converge. Market Street and Queen Street remain predominately on the same level as the Diamond. Whereas both Rainey Street and Broad Street gradually fall away.
- 4.6 Recent notable planning approvals have granted 3 storey with a set-back and 4 storey mixed use and residential buildings, a trend that should be resisted Please refer to Appendix B – Magherafelt Existing and Proposed Building Heights.



Market Street – Magherafelt



Broad Street – Magherafelt

- 4.7 **Cookstown** is dominated by the wide main street which is laid out between two high points to the North and South. Buildings fronting onto William Street and James Street in the town centre comprise of a mix of 2 and 3 storey with varying ridge level and form the commercial retail heart of the town. Extending out from the town centre to the south, Loy Street comprises of Commercial offices made up by 3 storey buildings and reducing in height to residential 2 storey as it moves out from the town centre.



James Street - Cookstown



Molesworth Street – Cookstown

- 4.8 Old Town Street to the north of the town centre is principally comprised of residential and is predominately 2 storey. Burn Road, Old Coagh Road and Orritor Road are predominately 2 storey. Molesworth Street is a mix of 2 and 3 storey. Recent applications have been approved for the development of 3 storey residential apartment developments with a small number of 4 storey residential buildings set back from the street. Please refer to Appendix C – Cookstown Existing and Proposed Building Heights.
- 4.9 **Dungannon** town has developed around the Market Square with streets radiating from it. The topography changes significantly within the town centre from the high point of Market Square decreasing to Railway Road in the South West. Much of Market Square is 3 storey in height with the occasional 4 storey. The surrounding streets are typically 2 – 3 storey height with steeped ridges responding to the topography. Beyond the central retail and commercial core, the built form becomes less compact with larger buildings facilitating various uses. To the East of Market Square the land falls away steeply towards Northland Row, accommodating a 4 storey residential development within the town centre at Castle Gardens. Located at Church Mews a further residential development comprising of 4 storey is situated. Planning approvals have been granted for several tall residential developments in various locations throughout Dungannon. Notably a 5 storeys apartment development has been approved at the junction of William Street and Ballygawley Road. Approval has also been gained for two 6 storey apartment developments at Park Road and moving away from the town centre at Killyman Road. Please refer to Appendix D – Dungannon Existing and Proposed Building Heights.



Market Square - Dungannon

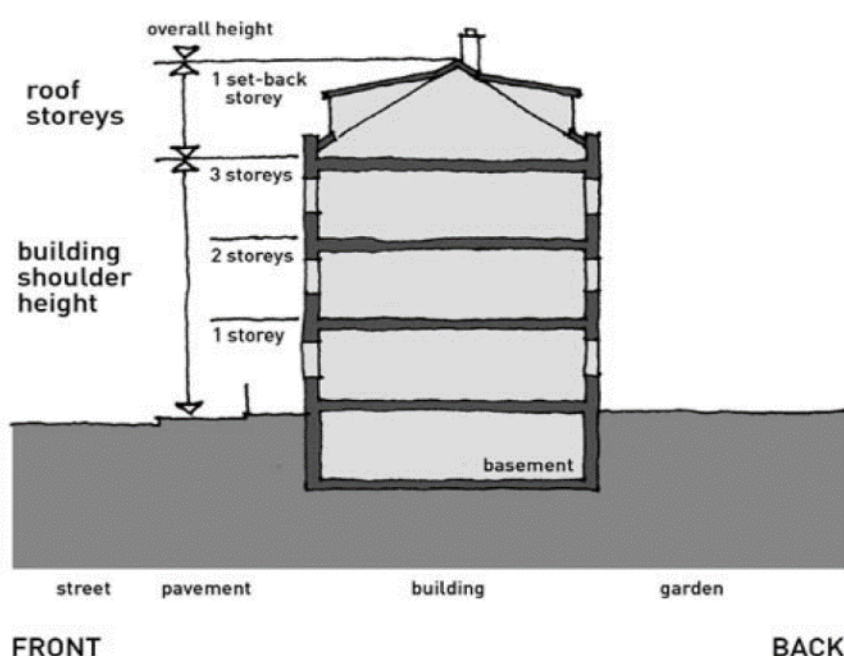


Irish Street – Dungannon

- 4.10 The existing building stock of the three main towns, outlined above, illustrate a relatively low building height with the majority being 2 – 3 storeys. Recent trends identified in approvals show a move to increased building heights in all three towns. As the common building height does not extend above 3 storey

careful consideration should be given to any application received above this storey height in relation to the points above.

- 4.11 The measurement of building height may take various forms, overall height, number of storeys or shoulder height. Overall height is the measurement from the pavement or external finished level to the ridge level. Storey height is commonly used as it can be easily visualised, normally referred to as single storey, two storeys etc. This definition can lead to preconceptions of building heights and does not reflect accurately the actual measured height of a building. Shoulder height is measured from the footpath to the eaves or parapet level. This form of measurement may be more representative to human scale as often the roof level cannot be easily determined from street level. The below diagram illustrates the different forms of building height measurement.



Bath Building Heights Strategy 2010

- 4.12 Historically taller buildings identified important community, industrial or financial buildings within the urban environment by providing a hierarchy of buildings and highlighting key structures in the townscape. Examples include places of worship, banks, town halls and buildings associated with industry. Many of our local towns and villages illustrate this and is still evident and relevant today.
- 4.13 Various building heights policies exist throughout Europe, restricting the overall height or number of stories permitted. The authors of the Dún Laoghaire-Rathdown County Development Plan Building Height Strategy

September 2011 drew reference from Berlin, Paris, Vienna, Dublin, London, Bristol and Rotterdam. The paper outlines four distinct approaches to the control of building heights.

- Maximum Building Height
- Area Specific Guidance ('Pre designed' zoning)
- Criteria Based Assessment
- Design Reviews and Expert Panels

- 4.14 Setting a maximum building height is a common approach in many European cities and bears reference to 19th century policy. Paris and Berlin have developed this model. More recently Bristol and Islington have adopted a maximum height strategy of 27m and 30m respectively. All case studies allowed for exceptional landmark buildings. This methodology provides certainty for professionals, developers and the general public due to the simplistic blanket policy approach.
- 4.15 The area specific method establishes guidance on building heights based on specific areas, commonly identified by maps. Zones are identified that may be more suitable for the development and integration of tall buildings. Often maps would be reinforced by policies and guidance with suggested maximum heights for particular areas. This approach recognises the individual characteristics of a given area and can provide opportunity sites as well as restricting development in more sensitive areas. It provides clear guidance to aid all interested parties and allow for a streamlined approach to applications and decision making. This method coupled with the provision of greater detailed design requirements would fit neatly into a Plan Led Planning System.
- 4.16 Criteria based assessment sets out a series of assessment criteria to form a decision based on the applicant's fulfilment of each measure. Each application would need to be accompanied by a design concept statement comprehensively addressing a pre-defined criteria. The criteria can act as an advisory tool to appraise the quality of the design and the justification of a tall building. The criteria based assessment provides a 'tool kit' for developers to accurately submit, and planning departments to assess applications within a pre-determined process. However as a standalone approach to the control of building height, it lacks the opportunity to establish an overall spatial vision that the Area Specific Guidance may offer. It also provides less certainty for developers on the likely outcome of an application if the area is not zoned for tall buildings.
- 4.17 Design Review and Expert Panel would subject each submission to a panel for assessment. The panel could be formed by a variety of interested parties, but not limited to architects, urban designers, town planners, roads engineers, environmental engineers and landscape architects together with a range of interested public representatives. The intention would be to evaluate each submission and establish a debate on individual buildings. To incorporate the

design review and expert panel approach within the current development control process would be time consuming, involving either the procurement of external consultants or employment of various professionals within each planning department. This approach does not provide certainty for applicants and similar to the criteria based assessment lacks the opportunity to establish an overall strategy for the urban design of specific areas.

- 4.18 Many UK authorities have adopted a combination of the above approaches to best inform the treatment of tall buildings in the urban setting. The publication of the SPPS brings forward the 2011 Planning (NI) Act's Plan Led system with the development and review of Local Development Plans which are to be used as the primary consideration in the determination of planning applications. With this in mind the planning process should be front loaded and areas zoned or specific sites identified which may be considered suitable for the development of tall or high buildings. This coupled with a detailed requirement under policy for the inclusion of a design concept statement at application stage and the appropriate use of pre application discussions would go some way to aid the application and determination process for both applicant and planning department.
- 4.19 Careful consideration must be given to planning proposals that involve high or tall building in assessing the potential impact on surrounding context including buildings in area of specific historical or architectural significance. Critical views of the potential development from within the townscape and the impact on context should bear significant weight when considering a development proposal.

4.20 Policy Options

- (a) Establish zoned areas of height constraint in the LDP within, but not limited to, town centres, to respect the context of local areas and buildings of architectural and historical merit to protect the established built environment.**
- (b) Introduce a general policy in the introduction to the LDP stating that the desire is to retain the existing prevailing building height of 2-3 storeys evident throughout the Local Plan Area. Any proposals for buildings over this storey height may be requested to demonstrate, by the submission of a D&AS, that it respects and positively contributes to the established character of the area.**

- 4.21 **Preferred Option.**
Combination of Options (a) and (b) is preferred. This approach will provide certainty for developers as well as restricting the developments of tall buildings.

4.22 Potential Policy Wording

New development must respect the prevailing building height of 2-3 stories within the district. Developments proposing buildings above this height will be required to submit a Design and Access Statement to demonstrate design quality when requested.

5.0 Public Realm

5.1 Planning Policy Statement 5 Retailing and Town Centres has been superseded by the publication of the SPPS. Under the Subject Policy of Town Centres and Retailing within the SPPS, Regional Strategic Policy calls for policies and proposals for shops and villages and small settlements must be consistent with the aim, objectives and policy approach for town centres and retailing, meet local need (i.e. day-to-day needs), and be of a scale, nature and design appropriate to the character of the settlement. This policy can be interpreted as relating to the building and its relation to the surrounding context. There is no current policy in place to address the design of the public realm within our towns and villages. Furthermore no current policy relates to the provision of landscaping to Retail parks, Business Parks and Industrial Estates.

5.2 Government Action for our Urban Environment Published by Place May 2011 sets out 3 action points to help deliver the Principles and Objectives of the Government's Architecture and Built Environment Policy published by DCAL in 2006. The publication by Place identifies that the delivery of good design of our built environment is controlled by a wide range of Government Departments, each with a different objective leading to a fragmented approach. With the recent changes in the structure in governance with control being taken back by Northern Ireland Politicians a real opportunity may now exist to take a more collaborative approach to design.

The 3 Action Points raised in the above publication by Place are as follows:

- Protect our Urban and Rural Environments,
- Enhance the quality of our cities, towns and villages, and
- Improve the knowledge of our places.

5.3 It highlights that no policy is currently in place for the design of our public realm and public buildings. It suggests that the policies set out in PPS7 QD1 should be expanded to encompass the entire built environment and not just residential. A lot of these suggestion have been addressed in the DOE's publication Living Places- An Urban Stewardship and Design Guide for Northern Ireland 2014.

- 5.4 The importance of the design of Public Realm was addressed in the Guidance publication Living Places in 2014. The guidance is pitched as a how to ‘think’ about design rather than a prescriptive ‘how to’ design publication. The publication sets out local Case Studies to demonstrate where public realm urban design has been successful both by historical and more recent examples. It also suggests that the ‘silo’ culture within government often results in an approach that can be parochial or sectoral.
- 5.5 The three main towns in the Mid Ulster Council all benefit from current public realm master plans that have been carried out or are currently underway, this reinforces the council’s commitment and recognises the value in providing an attractive public realm. The current master plans have been led by the council to take a collective approach to the development of our local towns. Such an initiative would be difficult to enforce on individual applications for redevelopment within the town centres as it may lead to a fragmented approach to the design of the townscape.
- 5.6 The importance of an attractive public realm and considered design solution for our villages and towns is well acknowledged through various guidance documents and more recently the SPPS. However the question still remains as to how policy can be introduced to achieve these goals. One possible suggestion would be to impose commuted sums or developer contributions to the local authority for any development proposals within designated town centres to contribute to a comprehensive public realm landscape strategy. The implementation and administration of any such contributions would require careful consideration. Introducing such a policy, in isolation of other council areas, may place Mid Ulster at an economic disadvantage and inadvertently discourage urban regeneration in the council area over the plan period.
- 5.7 It was noted from the workshop that the transition between the urban and rural landscape is often overlooked with the main approaches to local towns and settlements punctuated by a series of unattractive left over spaces on the fringes of development. The introduction of a policy to include considered boundary landscaping for developments located on the periphery of towns and settlements should be contemplated.
- 5.8 Another topic that was addressed at the workshop was out of town retail and business parks often being dominated by a mass areas of tarmac providing car parking spaces to serve these facilities. Often no soft landscaping is considered to help break these areas down and offer visual relief. The superseded PPS5 Policy requests that applications for warehouses and factory outlets is ‘*satisfactory in terms of car parking, design and landscaping*’. It does not offer any guidance or requirements on how these considerations should be demonstrated as part of a detailed planning application. Consideration should be given to the introduction of a policy for large areas of car parking provision to be interrupted and the visual impact to be broken down by the introduction of soft landscaping.

5.9 Policy Options

- (a) Continue to assess individual applications within urban areas on their individual merit as per current procedure.**
- (b) Introduce developer contributions for all commercial applications within the town centre to promote the development of the local public realm to encourage community cohesion and attract investment.**
- (c) Provide policy for the requirement for a landscape strategy to form part of the submission for all major commercial, industrial and leisure applications to demonstrate how they have reduced the impact of large expanses of car parking as well as integrate into the local context.**
- (d) Picking up on the discussion in Government Action for our Urban Environment Published by Place May 2011, when it calls for the details of Policy QD1 of PPS7 should apply to all development and not only restricted to Residential developments. General design policy should be included at the outset of the plan.**

5.10 Preferred Option.

Combination of Options (a), (c) and (d) is preferred. Although it may be considered a suitable option to introduce developers contributions to further develop our town centres, further research may be required to provide the basis for this decision to be made.

5.11 Potential Policy Wording

Adequate Provision is made for Public and Private Open Space - It is important that green areas are both an integral part of development and opportunities are taken to link and connect landscaping and access to the wider blue and green infrastructure. Where appropriate planted areas or discrete groups of trees will be required along site boundaries and in large areas of car parking in order to soften the visual impact of the development and assist in its integration with the surrounding area. Particular attention should be given to the transition between urban and rural environments.

6.0 Materials and Detailing

- 6.1 A rich variety of architectural detailing and a diverse use of material is evident within the settlements throughout the Mid Ulster Area. Often the building**

materials used have a connection to the surrounding area and provide a distinctive sense of place. The three main towns of Dungannon, Cookstown and Magherafelt all contain notable buildings from which future developments should draw upon to inform proposed materials and detailing.

- 6.2 In areas that have been specifically designated or are located in close proximity to buildings or monuments of historical, architectural and archeologically significance. The sensitive use of suitable materials and appropriate architectural detailing is paramount. Any potential development opportunities that are identified in the LDP that may be impacted by any of the above classifications should be identified and particular attention given to materials and detailing.
- 6.3 The SPSS places particular importance on the careful consideration of materials and detailing in Core Planning Principles by asserting: *New buildings and their surroundings have a significant effect on the character and quality of a place. They define public spaces, streets and vistas and create the context for future development. The planning system has a positive role in making successful places through its influence on the type, quantum, scale, height, massing, layout, materials, design and location of development and the use of land.* It goes on to pay particular reference to the treatment of Conservation Areas in Regional Strategic Policy under Archaeology and Built Heritage, when it calls for (new development to) *respect the characteristics of adjoining buildings in the area by way of its scale, form, materials and detailing.* PPS7 Policy QD1, which solely applies to residential development, also refers to materials and detailing. There may be an option to extend the policy wording of QD1 to cover all types of development in the urban environment to include commercial, industrial, leisure and civic.

6.4 Policy Options

- (a) The current policy on materials and detailing currently relates to residential schemes only. This could be extended to cover all developments within the urban context.**
- (b) Through the required submission of Design and Access Statements when requested to accompany all applications within the urban context, the agent has the opportunity to clearly demonstrate their individual design approach to each site. It should clearly analyse the context to include, but not limited to, materials and local architectural detailing.**

6.5 Preferred Option.

Combination of Options (a) and (b) is preferred.

6.6 Potential Policy Wording

The development respects the surrounding Context and the Character of the area - in terms of topography, existing vegetation as well as layout, scale, proportions, massing and appearance of buildings, structures and hard and soft landscaped areas. The design of the development should draw upon the best local traditions of form, materials and detailing. Where appropriate a Design and Access Statement may be requested to demonstrate this.

7.0 Passive Design Principles

- 7.1 Passive design principles are based on the careful consideration of design and techniques to best utilise the attributes and have minimal impact on the environment of any site. Another key principle is to reduce the reliance on the use of energy produced from the burning of fossil fuels. The desire of any passive technology is to best utilise any resource that is available.
- 7.2 The definition of Passive Solar Design (PSD) taken from PPS18- Renewable Energy, refers to the use of solar energy for the heating and cooling of buildings. Using this approach, the building itself or some part of it will take advantage of the natural energy in materials and air created by exposure to the sun. PSD needs to be considered at the design stage as it provides effectively a one-off opportunity to save energy during the lifetime of a building, generally at no cost. In modern housing the potential to save up to 20–25% of heating and lighting energy can be accrued by the application of PSD principles. Early planning decisions on site selection, road access arrangements, building orientation and spacing and landscape design can all influence the ability of new development to employ PSD techniques effectively.
- 7.3 The SPPS through regional strategic objectives under the Renewable Energy section calls for the integration of renewable energy technology into the design, siting and layout of new developments and promote greater application of the principles of Passive Solar Design. This principle is brought forward into regional strategic policy where it states: *Councils should set out policies and proposals in their Local Development Plans (LDPs) that support a diverse range of renewable energy development, including the integration of micro-generation and passive solar design.* The SPPS recognises the benefits and the wider environmental, economic and social benefits that renewable energy development can achieve.
- 7.4 Policy RE2 Integrated Renewable Energy and Passive Solar Design' in PPS18 currently provides the context for PSD and micro-generation technologies. This policy is not directly related to urban developments, but encourages the use of renewable energy technologies and PSD both in the design of new buildings and through the appropriate retrofitting of such

technologies to existing buildings. This would mainly be through the installation of small scale renewable technologies (micro-generation), many of which currently benefit from permitted development (PD) rights.

- 7.5 PPS18 simply encourages the use of renewable technologies in developments, it does not set a requirement for it to form part of an application to develop land. Picking up from the discussion at the recent workshop, policy should be introduced to require the applicant to clearly demonstrate how they have considered passive design principles in the laying out or adaptation of urban schemes.
- 7.6 As stated previously many small scale renewable technologies such as solar panels, fall under PD rights and therefore cannot be controlled under policy. An important point to note that PD rights in relation to micro generation equipment does not apply in relation to works involving Listed Buildings. Installation to all buildings within a conservation area must be carefully considered to reduce visual impact and should be sited away from public view. These restricted PD rights do not apply to Areas of Townscape Character.
- 7.7 Current guidance contained within Creating Places refers to the use of PSD in the section dealing with orientation. It does not provide any illustrative examples as to best practice in achieving effective passive design. Building on Tradition- A Sustainable design guide for the Northern Ireland Countryside provides greater detail in the form of guidance on areas including orientation, insulation, the use of renewable energies, the conservation and reuse of water and the implementation of SuDs. The introduction of illustrative guidance on Passive Design Techniques should be included at the outset of the LDP bearing reference to the current guidance in the rural design guide.
- 7.8 A policy which requires passive solar design to be incorporated into the overall design for all urban development seems a more logical step, following on from an existing policy of encouragement. This would be more in line with the SPPS's suggestions on how to mitigate and adapt to climate change i.e. 'requiring the siting, design and layout of all new development to limit likely greenhouse gas emissions and minimise resource and energy requirements'

7.9 Policy Options

- a) Adopt the existing policy approach whereby Integrated Renewable Energy and Passive Solar Design is encouraged in all development.**
- b) Amend policy so that all development including new build and extensions and alterations are required to demonstrate, where appropriate that passive design principles and renewable energy**

technology has been taken into account in a suitable manner into the overall design and layout of the development.

7.10 Preferred Option

Option (b) is the preferred option.

7.11 Potential Policy Wording

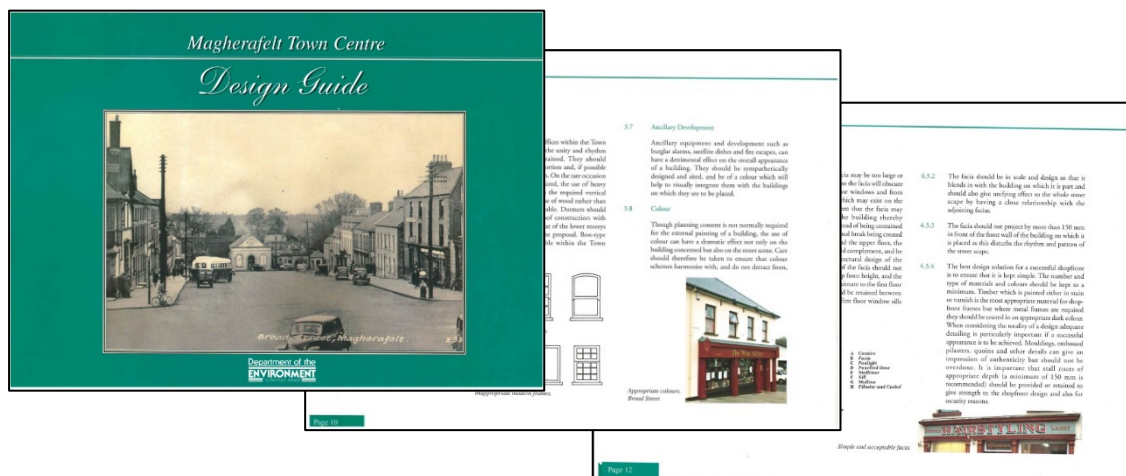
The potential policy wording of this policy is set out in the Renewables paper and is as follows;

Where appropriate the principles of passive solar design and use of renewable technologies shall be taken into account in the siting, design and layout of all new development.

8.0 Settlement Specific Design Guidance

8.1 The SPPS offers the opportunity to bring forward plans, policies and guidance documents in the LDP specific to local urban areas. These areas may not be of a distinctive character to warrant Conservation Area designation. However, because of their own unique identity, it may be appropriate to identify and define these as areas of townscape or village character.

8.2 Previously the DOE would have produced area specific design guidance in the format of a booklet to identify architectural and historic attributes of a particular area to aid the applicant in providing applications that respond to the local context. Magherafelt Town Centre design guide was published August 1995 and is the only publication that relates to the Mid Ulster Council Area. The guidance contained historical details on the formation of the town as well as indicating noteworthy buildings. It included such information as shop front design and provided details of listed building within the town.



8.3 Policy Options

- c) Continue to operate current procedure by assessing each application on a case by case basis.
- d) Produce Design Guidance specific to identified individual settlements within the district. Guidance could be contained at the introduction to each settlement within the LDP.

8.4 Preferred Option

Option (b) is the preferred option as this will allow for the individuality of each settlement to be reflected in the Guide where appropriate and ensures that the guidance is tailored to reflect these circumstances.

9.0 Urban Design Policy Wording

- 9.1 It is considered that the urban design policy for the Mid Ulster LDP could be worded along the following lines:

Planning permission will be granted for development in settlements which accords with the plan providing:

- (a) The development respects the surrounding Context and the Character of the area*** - in terms of topography, existing vegetation as well as layout, scale, proportions, massing and appearance of buildings, structures and hard and soft landscaped areas. The design of the development should draw upon the best local traditions of form, materials and detailing. Where appropriate a Design and Access Statement may be requested to demonstrate this;
- (b) Adequate Provision is made for Public and Private Open Space*** - It is important that green areas are both an integral part of development and opportunities are taken to link and connect landscaping and access to the wider blue and green infrastructure. Where appropriate planted areas or discrete groups of trees will be required along site boundaries and in large areas of car parking in order to soften the visual impact of the development and assist in its integration with the surrounding area. Particular attention should be given to the transition between urban and rural environments;
- (c) Access for all is provided*** - The development allows for a movement pattern that provides for pedestrians, cyclists, those with mobility difficulties and those relying on public transport. Where appropriate measures to ensure traffic calming should be incorporated into a development. Existing public rights of way must be respected;

(d) The development is adequately designed to promote personal safety and deter crime;

(e) The development respects the prevailing building height of 2-3 stories within the district - developments proposing buildings above this height will be required to submit a Design and Access Statement to demonstrate design quality when requested.

10.0 Recommendation

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

Appendices

Appendix A – PPS7 Policy QD1

Appendix B – Magherafelt Existing and Recently Approved Building Heights.

Appendix C – Cookstown Existing and Recently Approved Building Heights.

Appendix D – Dungannon Existing and Recently Approved Building Heights.

Appendix A – Extract PPS 7 Policy QD 1 Quality in New Residential Development

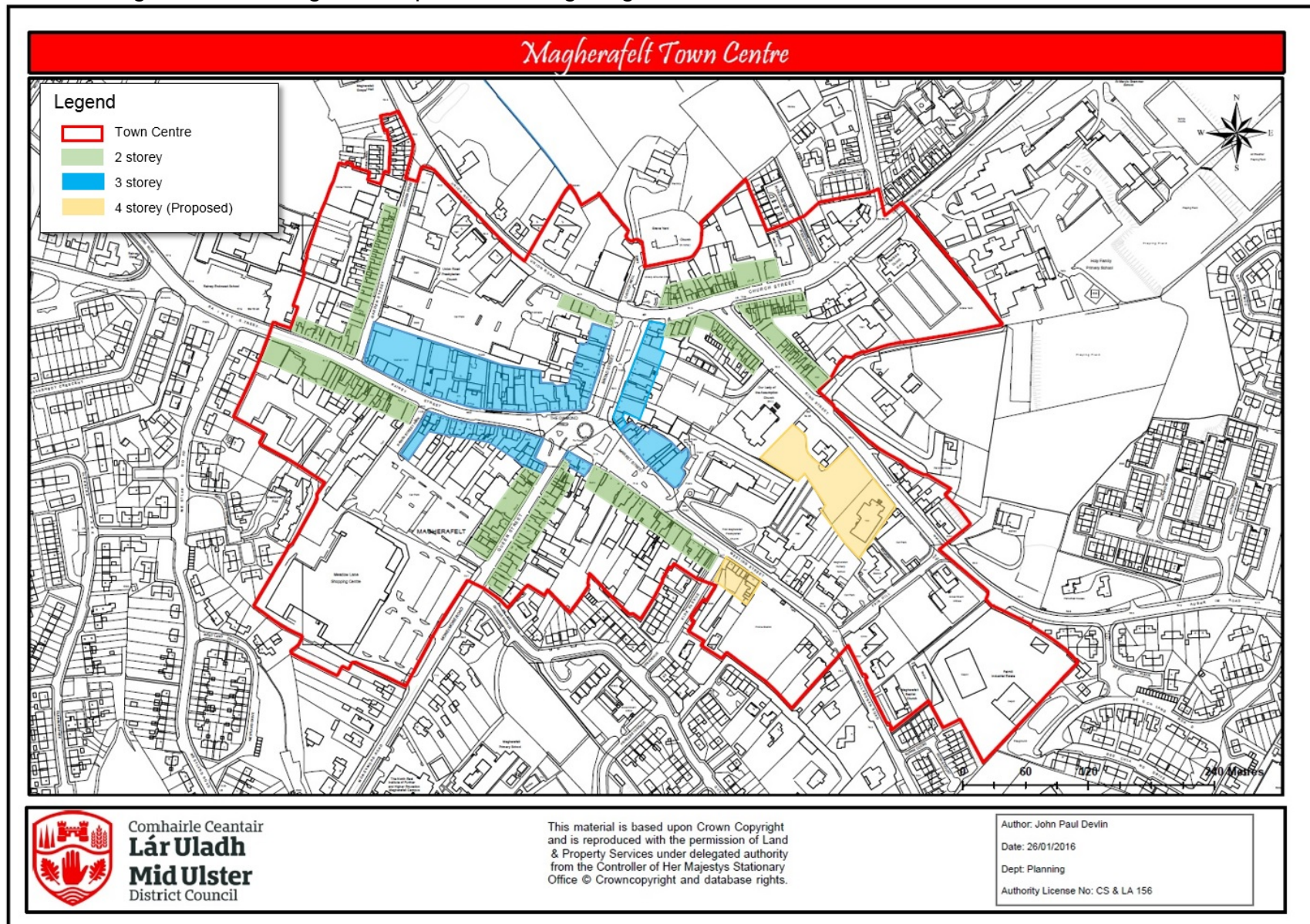
Planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment. The design and layout of residential development should be based on an overall design concept that draws upon the positive aspects of the character and appearance of the surrounding area. In established residential areas proposals for housing development will not be permitted where they would result in unacceptable damage to the local character, environmental quality or residential amenity of these areas. In Conservation Areas and Areas of Townscape Character housing proposals will be required to maintain or enhance their distinctive character and appearance. In the primarily residential parts of these designated areas proposals involving intensification of site usage or site coverage will only be permitted in exceptional circumstances.

All proposals for residential development will be expected to conform to all of the following criteria:

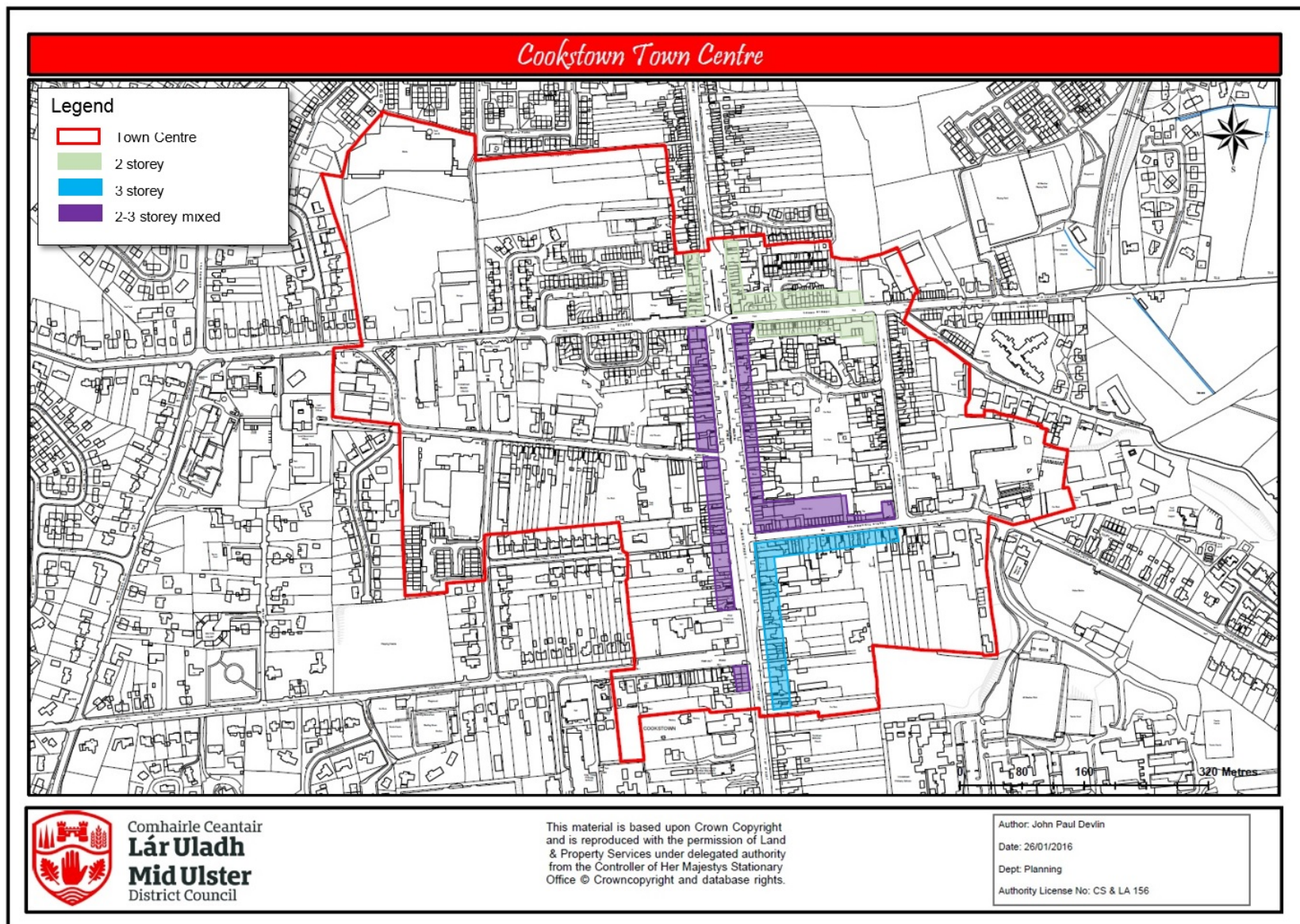
- (a) the development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas;
- (b) features of the archaeological and built heritage, and landscape features are identified and, where appropriate, protected and integrated in a suitable manner into the overall design and layout of the development;
- (c) adequate provision is made for public and private open space and landscaped areas as an integral part of the development. Where appropriate, planted areas or discrete groups of trees will be required along site boundaries in order to soften the visual impact of the development and assist in its integration with the surrounding area;
- (d) adequate provision is made for necessary local neighbourhood facilities, to be provided by the developer as an integral part of the development;
- (e) a movement pattern is provided that supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way, provides adequate and convenient access to public transport and incorporates traffic calming measures;
- (f) adequate and appropriate provision is made for parking;
- (g) the design of the development draws upon the best local traditions of form, materials and detailing;
- (h) the design and layout will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance; and
- (i) the development is designed to deter crime and promote personal safety.

Any proposal for residential development which fails to produce an appropriate quality of design will not be permitted, even on land identified for residential use in a development plan.

Appendix B – Magherafelt Existing and Proposed Building Heights.



Appendix C – Cookstown Existing and Proposed Building Heights.



Appendix D – Dungannon Existing and Proposed Building Heights.

