



# LOCAL DEVELOPMENT PLAN 2030 – DRAFT PLAN STRATEGY

FEBRUARY 2019



Comhairle Ceantair  
**Lár Uladh**  
**Mid Ulster**  
District Council

## Foreword by Chair of Mid Ulster District Council, Councillor Sean McPeake

The publication of the Local Development Plan 2030– Draft Plan Strategy is a significant milestone for Mid Ulster District Council.

It follows the transfer of planning powers in April 2015 which provided us as a local authority – for the first time in decades - with the opportunity to truly tailor our plan to address the specific needs of the Mid Ulster District.

The Draft Plan Strategy sets out our vision for planning land use up to 2030 and details the objectives, spatial planning framework and planning policies which we propose to use to deliver that vision.

It supports the vision of the Mid Ulster Community Plan to create a region which is ‘a welcoming place where our people are content, healthy and safe; educated and skilled; where our economy is thriving; our environment and heritage are sustained; and where our public services excel’.

Our Strategy aims to encourage growth in Cookstown, Dungannon and Magherafelt which are our main service centres and the most accessible places in the district, particularly for those without a car.

At the same time, however, the plan seeks to balance the needs of our urban centres with those of our rural communities, which require vibrant local towns and villages to meet their daily needs.

The Draft Plan therefore facilitates business, employment, housing, community and recreational facilities in our towns, while recognising the needs of people in the countryside, providing opportunities to build a house or start a rural enterprise in a sustainable manner.

Improving our infrastructure and protecting our environment are also key themes in this Strategy, as the Council lobbies for a by-pass for Cookstown and Dungannon, improvements to the A29, as well as to the A4 and A5 transport corridors.

We also recognise that we are custodians of some of the world’s most important wetlands, peatlands and mountain landscapes and we have taken measures to try to protect these in the plan development.

This is the first formal stage in the preparation of our Local Development Plan 2030 and is the culmination of several years’ work after the publication of the Preferred Options Paper (POP) in November 2016. It has been compiled taking account of the public representations made in response to the POP and with the sustained input from Mid Ulster Councillors in the intervening period.

We continue to engage too with our neighbouring councils through cross boundary working groups, the instigation of which has been led by this Council.

We now invite the people of Mid Ulster and other interested parties to consider the Draft Plan Strategy and look forward to receiving their views in this first period of plan consultation.

**Councillor Sean McPeake**  
Chair  
Mid Ulster District Council







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# ■ INTRODUCTION

## 1.0 INTRODUCTION

- 1.1 To fulfil our legislative duty in the context of The Planning (NI) Act 2011, Mid Ulster District Council has prepared this Local Development Plan (LDP) document, the Plan Strategy (hereinafter referred to as the Plan Strategy) for the period 2015-2030. The Plan Strategy has been prepared taking account of regional strategic policy and guidance.



*Figure 1: Map of the area covered by Mid Ulster District Council Local Development Plan in context of Northern Ireland*

- 1.2 The purpose of the Mid Ulster District Council Local Development Plan, comprising the Plan Strategy and Local Policies Plan, is to inform the general public, statutory authorities, developers and other interested bodies of the policy framework and land use proposals that will implement the strategic objectives of the Regional Development Strategy and guide development decisions within Mid Ulster District Council up to 2030. This Plan Strategy is the first stage of a two stage Local Development Plan for the District. The Local Development Plan will also consist of the Local Policies Plan (LPP), which is the second stage of the plan making process.

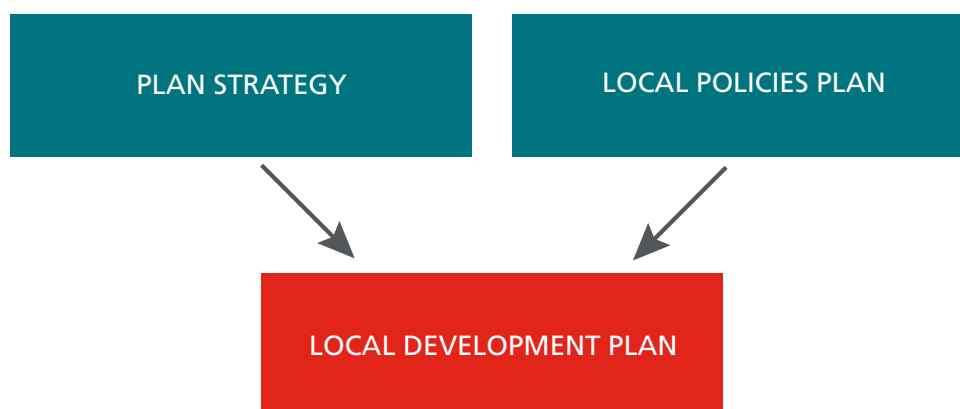
### 1.3 The Plan Strategy;

- Sets out the strategic objectives of Mid Ulster District Council in relation to accommodating growth in the form of new homes and economic development activities to improve the quality of life and meet the needs of our growing population, whilst also protecting the environment.
- Informs the general public, statutory authorities and developers of the policy framework against which all proposals will be assessed.
- Provides certainty for developers by indicating what sort of development will (and will not) conform with the Plan.
- Provides information on how we will monitor the Plan objectives to ensure that they are being achieved.

1.4 The Plan Strategy provides a clear local planning framework to address key issues facing our District, providing certainty and the basis for efficient planning decisions. It is underpinned by an extensive evidence base combined with detailed community engagement undertaken as part of the Preferred Options Paper consultation process.

1.5 The Plan Strategy includes our vision, our strategic objectives and our growth strategy, incorporating our spatial planning framework for Mid Ulster for the Plan period. The policies against which planning decisions will be assessed are set out in the general principles planning policy and subject policies within this Plan Strategy.

1.6 The Plan covers all of Mid Ulster District and provides the local policy framework against which all development proposals will be assessed. This Plan differs from previous plans in that it contains general principles planning policy that will apply to all development. The local development plan system aims to move away from a narrow land use focus towards a 'place shaping' approach which incorporates a spatial analysis and visioning process. This new style of local development plan provides a unique opportunity for our Council to genuinely shape places for our local communities, enabling a joined up approach, incorporating linkages to other functions such as regeneration, local economic development and community planning.



*Figure 2 – Two parts of Local Development Plan*

1.7 The Plan will be monitored annually and reviewed on a 5 year cycle in order to keep it up to date and relevant, taking account of any changes in regional strategic policy. An annual monitoring report is a requirement of the Planning Act and will be produced to measure the effectiveness of the Plan in achieving its objectives. A monitoring section explaining the outcome and measures relevant to each of the objectives and topics in the Plan is also provided.



## The Local Development Plan for Mid Ulster

- 1.8 The Plan Strategy is one of two documents, which makes up the Local Development Plan. The Plan Strategy sets out the strategic objectives which cover the entire District and will be used as a tool on a daily basis to assess planning applications. It also provides the framework for the criteria on how growth should be accommodated, the criteria for how such land should be zoned for development or protected and how settlement limits should be defined. In assessing proposals account must be taken not only of the individual policies contained in Part 2 of this document but also the Strategy which underpins them.
- 1.9 The Local Policies Plan is the second stage of the Local Development Plan and identifies settlement limits, zonings and environmental designations.
- 1.10 Until such times as the Local Policies Plan has been prepared the three existing (extant) Area Plans:
- Cookstown Area Plan 2010;
  - Dungannon and South Tyrone Area Plan 2010;
  - Magherafelt Area Plan 2015;
- will remain in operation and in effect represent the Local Policies Plan until such times as it has been prepared.
- 1.11 The Plan Strategy contains a District Proposals Map (Maps 1a-1f) which identifies spatial designations, constraints and zonings and some of these are also shown on A4 maps within this document. The District Proposals Map shows the settlement limits as currently defined in the three existing (extant) Area Plans. This Proposals Map will be republished with the Local Policies Plan (LPP) to reflect any changes to settlement limits that may come about in preparing the LPP.
- 1.12 Where there is a conflict between the extant plans or any future Local Policies Plan or the Plan Strategy, greatest weight will be attached to the Plan Strategy. This includes differences in terms of either the written statement or the accompanying plans. Where there are differences between the written documents and any accompanying plan maps, the written statement takes primacy.



Figure 3 – Plan Process Timetable

## The Evolution of the Plan Strategy

- 1.13 The revised Statement of Community Involvement (SCI) sets out how the Council involves the community in the preparation of the Local Development Plan and development management function. The Plan Strategy has been prepared in accordance with that Statement. The Local Development Plan Timetable has also been revised and sets out the indicative timeframes for the key stages in the plan making process.
- 1.14 Prior to the publication of this Plan Strategy we have undertaken significant evidence gathering to inform the preparation of this Plan. The background preparatory work is available to view on the Council website. The Local Development Plan Preferred Options Paper (POP) was published in November 2016 and subject to 12 weeks of public consultation. Consideration and analysis of the representations received to the POP are set out in the published Public Consultation Report and (and where relevant related background evidence papers). In light of the consultation process revisions have been made to the approach to some of the preferred options contained in the POP.

## The Community Plan for Mid Ulster

- 1.15 The Local Government Act (Northern Ireland) 2014 introduced a statutory link between a Council's Community Plan and Local Development Plan. Therefore our Local Development Plan must take account of our Community Plan. Community planning is "a process led by a Council in conjunction with partners and communities to develop and implement a shared vision for their area, a long term vision which relates to all aspects of community life and which also involves working together to plan and deliver better services which make a real difference to people's lives". The duty of community planning requires a Council to lead the process of creating a long term vision for the social, environmental and economic wellbeing of their area and its citizens, in partnership with the community and service providers in their area.
- 1.16 Public participation, particularly at the early stages of Local Development Plan preparation is crucial in identifying relevant issues and local views in the plan process from the outset. The evidence gathered as part of the Community Planning process in Mid Ulster has been an important consideration in developing this Plan Strategy. The two Plans work in tandem towards the same vision for a Council area and its communities and set the long term social, economic and environmental objectives for our District, with the Local Development Plan being the spatial representation of the Community Plan. The Local Development Plan seeks to implement the outcomes of the Community Plan and the links between them are explained within the policy subjects in part two of this Plan Strategy.
- 1.17 The Local Development Plan for Mid Ulster supports and spatially represents our Community Plan vision...

**"Mid Ulster....a welcoming place where our people are content, healthy and safe: educated and skilled; where our economy is thriving; our environment and heritage are sustained; and where our public services excel."**

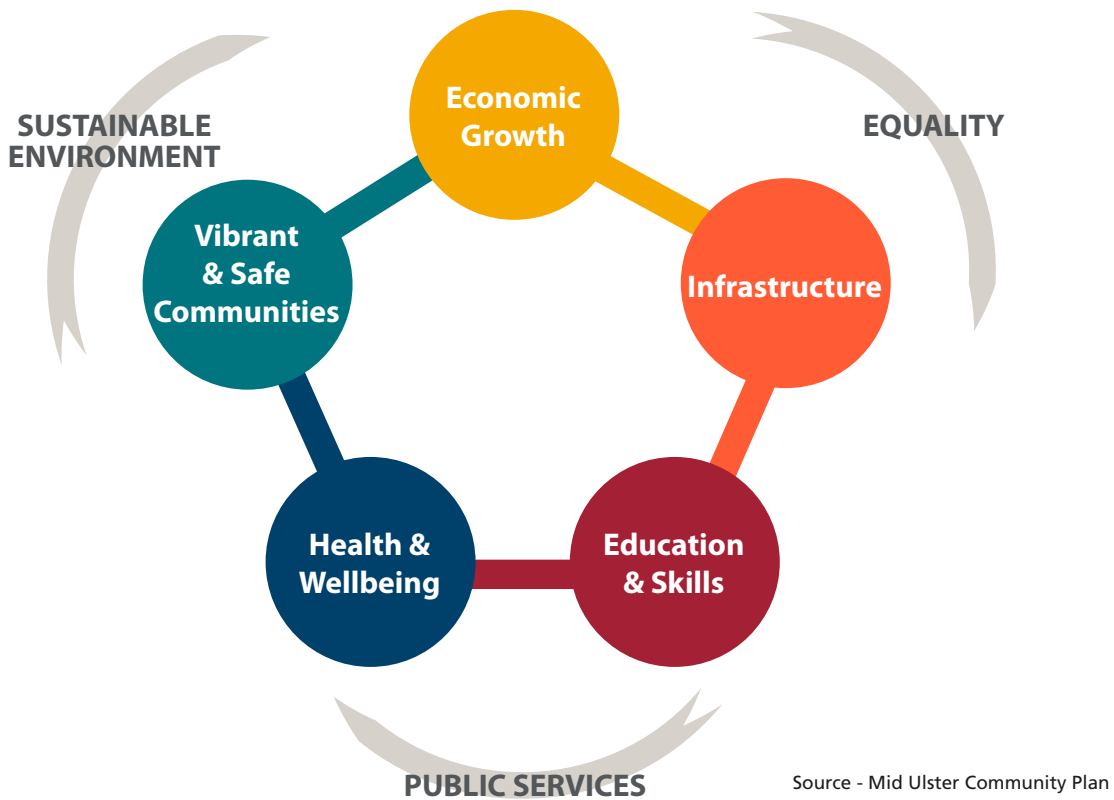


Figure 4 – Key themes of Community Plan

### Relationship to Other Strategies, Plans and Priorities

- 1.18 In preparing LDPs strategic planning policy states that we must take account of the RDS 2035, the Sustainable Development Strategy for Northern Ireland, the SPPS and any other policies or advice in guidance issued by the Department such as landscape character assessments and conservation area design guides.

### Planning Act (Northern Ireland) 2011 and the Planning (Local Development Plan) Regulations (Northern Ireland) 2015

- 1.19 This Plan is prepared under the provisions of The Planning (Northern Ireland) Act 2011, taking into account European, national and regional policies that have implications for the future pattern of development. The Planning Act (Northern Ireland) 2011 requires the Plan Strategy sets out:
- the Councils objectives in relation to the development and use of land in the District;
  - its strategic policies for the implementation of these objectives; and
  - such other matters as may be prescribed.
- 1.20 The Act also requires that in preparing the Plan Strategy account is taken of the Regional Development Strategy, the Community Plan, any policy or advice contained in guidance issued by the Department, and such other matters as the Department may prescribe, or in a particular case direct, and may have regard to other information and considerations as appear to the Council to be relevant.
- 1.21 The Local Development Plan Regulations go on to prescribe that the Plan Strategy must contain a reasoned justification of the policies contained in it.



## The draft Northern Ireland Programme for Government

- 1.22 The draft Northern Ireland Programme for Government is designed to help deliver improved wellbeing for all citizens in Northern Ireland. It encompasses the themes of equality of opportunity and partnership between central government and local government as well as the private and voluntary sectors.
- 1.23 It uses an outcome based approach which focusses on current and desired outcomes and how these outcomes can be measured against indicators which assess impact made and are not necessarily concerned with the amount of money spent or the number of programmes which are introduced.
- 1.24 Article 20 of the Planning Act (Northern Ireland) 2011 states that the LDP should have regard for the PfG. Our Plan Strategy will help to address the following PfG outcomes;
- We prosper through a strong competitive regionally balanced economy
  - We have more people working in better jobs
  - We live and work sustainably – protecting the environment
  - We have a more equal society
  - We enjoy long, healthy, active lives
  - We are an innovative, creative society, where people can fulfil their potential
  - We care for others and help those in need
  - We are a shared society that respects diversity
  - We are a confident, welcoming, outward looking society
  - We have created a place where people want to live and work, to visit and invest
  - We have high quality public services
  - We connect people and opportunities through our infrastructure
  - We give our children and young people the best start in life

## Principles of Sustainable Development

- 1.25 The Northern Ireland Executive's, 'Everyone's Involved - Sustainable Development Strategy,' (May 2010) aims to put in place economic, social and environmental measures to ensure that we can continue to grow our economy, improve our society and communities and utilise our natural resources in an environmentally sustainable manner.
- 1.26 The Sustainable Development Strategy intends to strengthen the framework to address global issues such as climate change and sets out the following six guiding principles:
- living within environmental limits;
  - ensuring a strong, healthy, just and equal society;
  - achieving a sustainable economy;
  - promoting good governance;
  - using sound science responsibly; and,
  - promoting opportunity and innovation.

## The Regional Development Strategy 2035

- 1.27 The Regional Development Strategy (RDS) “Building a Better Future,” (March 2012) provides a strategic and long term vision on the future development of Northern Ireland up to 2035. It contains regional guidance to provide policy direction in relation to the economy, society and environment and spatial planning framework guidance tailored to each component of the spatial planning framework. It sets the context in which to make policy and development decisions in order to achieve sustainable development throughout the region.
- 1.28 The Regional Development Strategy (RDS) sets out a Spatial Development Strategy (SDS) to guide the physical development of the Region to 2025. The SDS is a hub, corridor and gateway framework designed to:
- guide physical development throughout Northern Ireland over the next 25 years, subject to adjustment on review;
  - facilitate economic growth by identifying a network of locational opportunities for investment and development;
  - accommodate the necessary housing growth;
  - promote balanced community development;
  - create the conditions for improved and equitable access to a range of employment, commercial, health, education and community services across urban and rural areas; and
  - protect and enhance the natural and built environments.
- 1.29 The RDS identifies Dungannon and Cookstown as main hubs and Magherafelt as a local hub. Promoting co-operation between places and encouraging clustering of hubs so that services do not need to be duplicated but rather shared, it highlights these three towns which have the potential for growth and which provide a range of services to the surrounding areas as having the potential to form a cluster and are well positioned on two Key Transport Corridors.
- 1.30 In the context of Mid Ulster’s largely rural demographic the RDS emphasises the need to sustain rural communities living in smaller towns, villages and the open countryside and notes that to sustain rural communities will require new development and employment opportunities, which respect the local, social and environmental circumstances. With a key consideration being how these communities access services.

## Regional Transportation Strategy

- 1.31 Ensuring a Sustainable Transport Future (ESTF) - A New Approach to Regional Transportation (June 2011) complements the RDS and contains high level aims and strategic objectives to support the growth of the economy, enhance the quality of life for all and reduce the environmental impact of transport. The document sets out the approach to regional transportation and is used to guide strategic investment decisions beyond 2015.

## Regional Strategic Transport Network Transport Plan (RSTNTP) and Mid Ulster District Council Local Transport Strategy

- 1.32 The Department for Infrastructure (DFI) is currently preparing a Regional Strategic Transport Network Transport Plan (RSTNTP) and a Mid Ulster District Council Local Transport Strategy. These documents will reflect the Department for Infrastructures’ intentions for the District and will inform the Local Development Plan.

## The Strategic Planning Policy Statement - Planning for Sustainable Development

- 1.33 The Strategic Planning Policy Statement (SPPS) has been one of the most significant developments in terms of the policy context for the emerging Local Development Plan. It sets out the strategic direction for new Councils to bring forward detailed operational policies within LDP's. It also provides the core planning principles to underpin delivery of the two tier planning system with the aim of furthering sustainable development, which are;
- Improving Health and Well-being;
  - Creating and Enhancing Shared Space;
  - Supporting Sustainable Economic Growth;
  - Supporting Good Design and Positive Place Making; and
  - Preserving and Improving the Built and Natural Environment.
- 1.34 The SPPS sets out the new approach the development plan making and contains subject policies and guidance on how they are to be delivered.

### Planning in Republic of Ireland

- 1.35 The RDS encourages cross border co-operation, particularly with regards to improving communications, developing economic and enterprise networks and protecting and managing the environment. This is also encouraged in the Republic of Ireland where a planning framework is provided by development plans and guidance at national, regional, county and local level.
- 1.36 The National Planning Framework (NPF) 2040 is the Irish Governments high level strategic plan for shaping future growth and development of Ireland. It is published with a 10 year national investment plan as one vision – Project Ireland 2040.
- 1.37 The NPF states that its implementation in tandem with the Regional Development Strategy (RDS) for Northern Ireland will assist in addressing the shared challenges of: managing our growth strategically for long term benefit in terms of economic and social development and environmental quality; and working together for mutual advantage in areas such as economic development and promotion, co-ordination of social and physical infrastructure provision and environmental management.
- 1.38 The NPF sees that this collaborative work will be supported by the Framework for Co-operation on Spatial Strategies between Ireland and Northern Ireland, which will be updated and reviewed as required. In the context of ongoing North-South cooperation across a wide range of policy areas, there are three key categories of practical co-operation between relevant Departments and local authorities in Ireland and Northern Ireland that will both support and be supported by the implementation of the NPF: Working together for economic advantage; co-ordination of investment in infrastructure; and managing our shared environment responsibly.

1.39 In the context of the Central Border Area the National Planning Framework sets out a clear road map for the development of strong urban centres in the North West and along the Dublin- Belfast Corridor. Between these two areas, the central border area is predominantly rural in character, but includes a number of county towns and other settlements that fulfil important regional and cross-border economic and service roles for their wider rural hinterlands. Significant improvements in digital and physical infrastructure, such as the N2/A5 in particular, subject to the maintenance of seamless cross-border movement for people, goods and services, will create new opportunities, with the central border area strategically connected, located almost equidistant between the Dublin, Belfast and Derry City regions. The NPF supports further growth and investment in the county towns in the central border counties and strengthening accessibility from and to the central border area. From a heritage and tourism perspective, the central border area offers unique, rugged backdrops encompassing drumlins, lakelands, upland bogs and forests, incorporating geology, literature, art, pre-Christian and industrial heritage together with a network of smaller towns and villages on both sides of the border.

### Other Strategies and Plans

1.40 In preparing this Plan Strategy regard has also been given to the following: The Northern Ireland Biodiversity Strategy; The Northern Ireland Waste Management Strategy Delivering Resource Efficiency; 'Lifetime Opportunities - the Government's Anti-Poverty and Social Inclusion Strategy for Northern Ireland,' Mid Ulster District Council Corporate Plan 2015-2019; and, Mid Ulster Economic Development Plan – Our Plan for Growth.

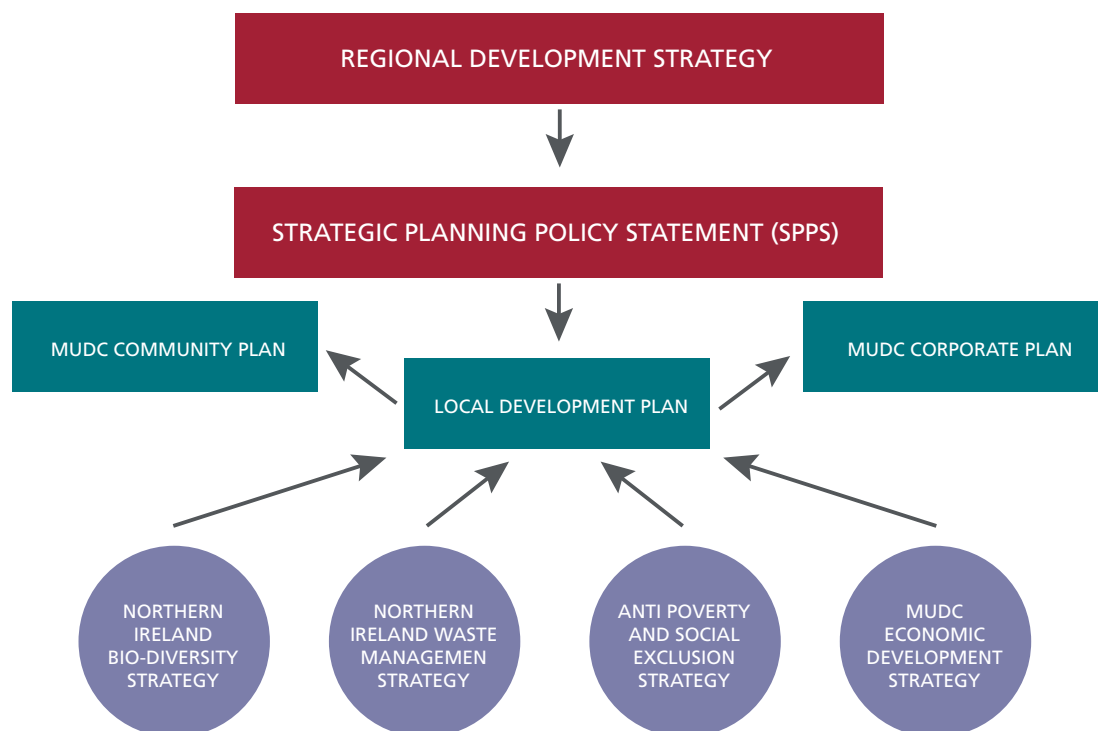


Figure 5 – Link to other Plans and Strategies



## **Our Neighbouring Councils**

- 1.41 Section 3(5) of the 2011 Planning Act requires that we consult with our neighbours. In addition to the necessary formal consultation, this Council has led the way in establishing three cross boundary forums with the aims of ensuring that our respective local development plans do not conflict with the other but also to ensure open dialogue and good practice so that we do not operate in isolation in the new plan making system.
- 1.42 Given our central position, Mid Ulster District Council are neighbours with Fermanagh and Omagh District Council, Armagh City, Banbridge and Craigavon Borough Council, Mid and East Antrim Borough Council, Causeway Coast and Glens Borough Council and Antrim and Newtownabbey Borough Council. We are also neighbours with Monaghan County Council in Ireland. Three cross boundary forums have been established under the three themes of 'The Sperrins', 'Cross Border' and 'Lough Neagh'. The cross boundary work of the three forums will continue through this plan making process, and to-date we are working towards agreeing a Statement of Common Ground on the key shared issues and setting out our commitments on how we propose to address them. In addition to this this Council has also had ongoing communication with our neighbouring Councils as part of our respective plan making processes.

## **Supporting Assessments And Appraisals**

- 1.43 This Plan Strategy has been subject to a number of assessments and appraisals which are explained in summary below and each is contained within a separate supporting document accompanying this Plan Strategy.

## **Sustainability Appraisal incorporating Strategic Environmental Assessment Report**

- 1.44 The Northern Ireland (Miscellaneous Provisions) Act 2006 requires all Northern Ireland Departments and a Council, in exercising their functions, to act in the way they consider best calculated to contribute to the achievement of sustainable development.
- 1.45 The Planning Act (Northern Ireland) 2011 (the 2011 Act) binds this duty by requiring those who exercise any function in relation to local development plans to do so with the objective of furthering sustainable development. Additionally it requires an SA to be carried out for the PS and LPP, respectively to promote sustainable development through the integration of social, environmental and economic considerations into the preparation process.
- 1.46 The SA also incorporates the Strategic Environmental Assessment in order to comply with the objective of the European Directive 2001/42/EC (SEA Directive) which is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with the view to promoting sustainable development. The SEA Directive was transposed into Northern Ireland legislation through the Environmental Assessment of Plans and Programmes Regulations (NI) 2004, which requires plans to be subjected to, and informed by, an SEA.

1.47 The main difference between SA and SEA is that SA is wider in scope as it covers the social and economic effects of plans, as well as the more environmentally focused considerations of SEA as required by the SEA Directive. Whilst the requirement to carry out a SA and SEA are distinct, it is possible to satisfy both these requirements through a combined appraisal process, SA incorporating SEA. The Environmental Report which accompanies this Plan Strategy incorporates the SA and SEA and explains the rationale for the approach taken in this Plan Strategy.

LOCAL DEVELOPMENT PLAN STAGE	SUSTAINABILITY APPRAISAL PROCESS
<ul style="list-style-type: none"> <li>Agreed Timetable and Statement of Community Involvement (SCI)</li> <li>POP</li> </ul>	A (1) – SA Scoping Report for Consultation Body
	A (2) – SA Interim Report
<ul style="list-style-type: none"> <li>Draft Plan Strategy</li> </ul>	B – Assessment of Alternatives and any likely significant effects of DPS against SA Objectives
	C – Preparation of SA Report in accordance with Regulation 11, including requirements as set out in Schedule 2 of EAPP (NI) Regs 2004
	D – Consultation

Figure 6 – Stages of The Sustainability Appraisal (Incorporating SEA) carried out to date

### Rural Proofing

1.48 The Northern Ireland Assembly embarked on an exercise to enhance the rural proofing process by placing it on a statutory footing. As a result the Rural Needs Act received Royal Assent on the 9th May 2016 became a requirement for Local Council’s on 1 June 2017. The Act seeks to safeguard the needs of rural communities, to promote a fair and inclusive rural society by introducing a duty on government and Councils to consider the needs of our rural dwellers when they are developing their policies and delivering public services. This new legislation, imposes a statutory duty on Mid Ulster Council to consider rural needs when developing, adopting, implementing or revising policies, strategies and plans and designing and delivering public services.

1.49 A Rural Needs Impact Assessment accompanies this plan and incorporates the principles of rural proofing.

### Equality of Opportunity

1.50 Section 75 of the Northern Ireland Act 1998, Equality of Opportunity, requires public authorities to carry out their functions with due regard to the need to promote equality of opportunity between

- persons of different religious belief, political opinion, racial group, age, marital status, and sexual orientation;
- men and women generally;
- persons with a disability and persons without; and
- persons with dependants and persons without.

- 1.53 The Act also requires promotion of good relations between persons of different religious belief, political opinion and racial group. The Plan Strategy is accompanied by an Equality Impact Screening Report examining the likely effects of our policies and proposals on the promotion of equality of opportunity.

### **Natural Heritage / Habitats Regulations Assessment (HRA)**

- 1.54 International treaties and designations provide protection for our most important natural heritage in Mid Ulster. The 'Northern Ireland Biodiversity Strategy' (2002) aims to protect and enhance biodiversity up to 2016. It examines threats to biodiversity, provides an analysis of issues, sets out long term goals and discusses appropriate mechanisms and the role of key departments and stakeholders in biodiversity conservation. Following reports on its progress a new biodiversity strategy is being prepared to help halt the loss of biodiversity and degradation of ecosystems up to 2020.
- 1.55 Another requirement placed on the Council as the responsible planning authority is to undertake a Habitats Regulations Assessment (HRA) in accordance with Article 6 (3) of the Habitats Directive (92/43/EEC) "on the conservation of natural habitats and of wild fauna and flora" - known as the Habitats Directive. In Northern Ireland, the main piece of legislation relating to nature conservation is contained in the Wildlife (Northern Ireland) Order 1985. This is supplemented by the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 for the conservation of natural habitats, wild fauna and flora.
- 1.56 The HRA concerns Natura 2000 sites, which are areas protected for their conservation value. These areas consist of: Special Protection Areas (SPAs), which are designated as sites important for birds; Special Areas of Conservation (SACs), which are sites designated to protect important habitats and species; and Ramsar sites, which are globally protected wetlands. The HRA has been conducted alongside the SA/SEA appraisal process to ensure the processes inform each other.
- 1.57 The HRA is provided as a separate report to accompany and support this Plan Strategy.

# ■ MID ULSTER CONTEXT AND KEY ISSUES



## 2.0 MID ULSTER CONTEXT AND KEY ISSUES

- 2.1 Mid Ulster District straddles two counties running from Swatragh in the north to Fivemiletown in the south and from the Sperrin Mountains in the west to Lough Neagh in the east. It comprises of an area of 1955km<sup>2</sup> with a varied landscape and a diverse mix of rural and urban communities. It is characterised by its rural nature, given the large proportion of households which are located in the small towns, villages and countryside.

### Demographics

- 2.2 Mid Ulster is the 6th most populous District in Northern Ireland with a population of around 145,400 (NISRA - 2016 mid-year population estimates). The population is an ageing one with a greater proportion of people aged over 64 than in previous years. Another marked demographic feature of our District is the relatively high migrant population. 6.4% of the population was born outside the UK, as opposed to a Northern Ireland average figure of 4.5% (Northern Ireland Strategic Migration Partnership, Community Profile for Mid Ulster Local Government District, p. 14). This trend can partly be explained by the success of the agri-food industry in attracting migrant labour, particularly in and around the Dungannon area.
- 2.3 The average household size is 2.88 people per household. This is the highest of all the 11 Local Government Districts (2012 based household projections, NISRA, 26th March 2015).
- 2.4 We are also a very rural District with 72% (NISRA, Statistical Classifications and Delineation of settlements), of the population living in a rural area, as defined by the inter-departmental rural urban definition group. This definition of rural means that everywhere in the District is classed as rural apart from Cookstown, Dungannon, Magherafelt and Coalisland. Additionally, 40% of our households are located with the countryside.

### Economic Trend

- 2.5 Unemployment levels in Mid Ulster are in line with the Northern Ireland average of just under 5% (Census 2011). The District is significantly more dependent on the construction and manufacturing sectors than the rest of Northern Ireland. For instance, 27.5% of all jobs in Mid Ulster are in manufacturing and 8% are in construction, compared to regional figures of 11% and 4.2% respectively (Census for Employment, NISRA, July 2014). The high prevalence of manufacturing is in part linked to a thriving minerals industry in the District, particularly the extraction of sand and gravel. As a spin off to this extraction activity, there is a very strong manufacturing sector specialising in crushing and screening equipment. It has been estimated that Northern Ireland provides 40% of the world's mobile screening and crushing equipment and undoubtedly, a large proportion of this is supplied by companies within Mid Ulster.
- 2.6 The District also shows evidence of a strong entrepreneurial spirit with 21% of the population being self-employed as opposed to the Northern Ireland average of 16% (Census 2011 – Employment Status).

## Infrastructure

- 2.7 In terms of infrastructure, the A29 which runs throughout Northern Ireland from north to south, is the spine of the District and the main transport corridor. The A29 also connects the 3 main towns in the District, or what may be referred to as the three main “hubs” i.e. Cookstown, Dungannon and Magherafelt. Of these 3 towns, Dungannon and Cookstown are classed as “medium towns” by NISRA due to having a population of more than 10,000 whilst Magherafelt is considered a “small town.”
- 2.8 The A4 which is an important east-west transport corridor also runs through the southern part of the District as does the A5 which is the main link between Dublin/ROI and the north west of Northern Ireland. The A6 runs through the northern portion of the District and this is a vital corridor which connects the two main cities in Northern Ireland. Travel times from some parts of Mid Ulster to an A&E hospital is over 50 minutes, making the need for improved roads and infrastructure a significant priority.

## Environment

- 2.9 Mid Ulster is home to some of the most picturesque and high value landscapes in Northern Ireland. A significant portion of the northern half of the District is included within the Sperrin Area of Outstanding Natural Beauty, including the summit of Slieve Gallion which is a prominent feature in the Mid Ulster landscape. The Clogher Valley is also an area of high scenic importance and in addition to important landscapes, Mid Ulster is also home to numerous important habitats including Lough Neagh, Lough Beg and Slieve Beagh, all of which are internationally important habitats.
- 2.10 We also have a rich historic environment with 5 conservation areas located in;
- Northland, Dungannon
  - Moneymore,
  - Caledon,
  - Draperstown
  - Moy.
- 2.11 We have 14% of all Northern Ireland’s listed buildings, 1,524 historic monuments and 25 Areas of Archaeological Potential and we are home to Areas of Significant Archaeological Interest at Beaghmore, Tullahoge and at Creggandevesky.

## SUMMARY OF KEY FACTS

### POPULATION

- The population of the District is **145,400**
- We have an **AGEING POPULATION** with the percentage of the population aged 64 and above increasing from **12%-14%** since 2011.
- **63% of the population is of working age 16-64** (NISRA Population Estimates 2016, published June 2017).
- There are approximately **48,000 HOUSEHOLDS** in the District. 40% of these are located in the countryside.
- **AVERAGE HOUSEHOLD SIZE IS 2.88** – the largest in Northern Ireland.
- 76.63% of those who live in Mid Ulster **TRAVEL TO WORK BY CAR** (NISRA 2015)

### EMPLOYMENT

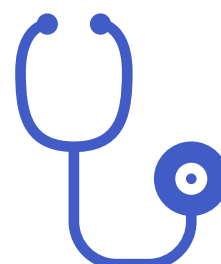
- **UNEMPLOYMENT LEVELS** are in line with the NI average – 4.68% in mid Ulster compared to 4.81% in NI (census 2011)
- **59.6% OF THE POPULATION** aged **16 AND ABOVE** are in employment (Labour Force Survey, NISRA 2017)
- **72.9% OF THE POPULATION AGED 16-64** are in employment (Labour Force Survey, NISRA 2017)

### RURAL / URBAN SPLIT

- We are an **OVERWHELMINGLY RURAL DISTRICT**
- **72% OF THE POPULATION LIVE IN THE RURAL AREA** (based on the definition of rural as laid out by the inter-departmental urban rural definition group).
- There are no towns in the District which would be classified as “large towns” in the delineation of settlements carried out by NISRA.
- 3 largest towns are **DUNGANNON** (14,332), **COOKSTOWN** (11,620) and **MAGHERAFELT** (8,819)
- 40% of our households are located in the countryside (Background Paper on Household Numbers)

### HEALTH

- The **GENERAL LEVELS OF HEALTH IN THE DISTRICT ARE GOOD** despite having poor access to emergency services
- **LIFE EXPECTANCY IS SLIGHTLY HIGHER THAN THE NI AVERAGE** with 77.7 for men and 82 for women.



- 2.12 This Plan Strategy seeks to address these issues through our Growth Strategy and the subject policies contained within this Plan.

### How to Use the Strategy

- 2.13 In order to aid understanding for the user, the Plan Strategy contains a Growth Strategy and Spatial Planning Framework around the core theme of sustainable development. The remainder of the Plan Strategy deals with individual subject policies for certain types of development e.g. renewable energy development, minerals development, housing in the countryside.
- 2.14 On adoption, for development proposed in Mid Ulster District, this Plan Strategy supersedes the policy contained within the following documents:
- PPS 2: Natural Heritage
  - PPS 3: Access, Movement and Parking
  - PPS 3 (Clarification): Access, Movement and Parking
  - PPS 4: Planning and Economic Development
  - PPS 4: Clarification of PED 7
  - PPS 6: Planning, Archaeology and the Built Heritage
  - PPS 6 (Addendum): Areas of Townscape Character
  - PPS 7: Quality Residential Environments
  - PPS 7: (Addendum): Residential Extensions and Alterations
  - PPS 7: (Addendum): Safeguarding the Character of Established Residential Areas
  - PPS 8: Open Space, Sport and Outdoor Recreation
  - PPS 10: Telecommunications
  - PPS 11: Planning and Waste Management
  - PPS 12: Housing in Settlements
  - PPS 12: Policy HS 3 (Amended) 'Travellers Accommodation'
  - PPS 13: Transportation and Land Use
  - PPS 15 Revised: Planning and Flood Risk
  - PPS 16: Tourism
  - PPS 17: Control of Outdoor Advertisements
  - PPS 18: Renewable Energy
  - PPS 21: Sustainable Development in the Countryside
  - PPS 23: Enabling Development
  - Relevant provisions of 'A Planning Strategy for Rural Northern Ireland'

2.15 Applications for retail development will also be assessed against the policy provisions included within the Strategy, having previously been assessed against the provisions of the SPPS.

2.16 Any regional guidance contained within the following:

- Parking Standards;
- Living Places – An Urban Stewardship and Design Guide for Northern Ireland;
- Building on Tradition - A Sustainable Design Guide for the Northern Ireland Countryside;
- Creating Places – Achieving quality in residential development;
- Best Practice Guide to PPS 18 'Renewable Energy';
- Wind Energy Development in Northern Ireland Landscapes (August 2010);

and any other regional guidance, including Development Control Advice Notes (DCANS) or any further regional guidance, will remain as a material consideration in planning decisions.

# ■ LOCAL DEVELOPMENT PLAN, VISION AND OBJECTIVES



### 3.0 LOCAL DEVELOPMENT PLAN, VISION AND OBJECTIVES

- 3.1 The Local Development Plan vision for Mid Ulster is to make it a desirable place in which to live, work, invest and visit. The Local Development Plan is the spatial representation of the Community Plan. In effect this means focusing major growth in our three main towns of Cookstown, Dungannon and Magherafelt which are the hubs for the District both in acting as a key service centres, being the focus of both public and private transportation. They also act as the key service centres providing shops, key administrative and employment services.
- 3.2 Strategically located, with the three main towns of Cookstown, Dungannon and Magherafelt acting as a cluster, and supported by the two local towns of Maghera and Coalisland, Mid Ulster has a strong dynamic business base together with an educated and entrepreneurial workforce.
- 3.3 Within that context we see Mid Ulster District retaining its role as a key industrial centre outside of Belfast with a strong engineering and agri-food base. We also recognise the role of mineral assets and are eager that they are not just extracted from but also processed in Mid Ulster with our aggregates exported to other areas.
- 3.4 Key to achieving this vision is ensuring our farms and other rural businesses remain strong and continue to attract investment. That businesses are linked by excellent communication both in terms of roads infrastructure and the provision of good quality telecommunications and broadband are also key to our vision.
- 3.5 Our vision is that our town centres remain the primary locations for the provision of services and administration as well as retailing based on the town centre first principle. Our town centres will provide attractive, welcoming locations for living, shopping, working and leisure.
- 3.6 We will see better connections through appropriate infrastructure. East to west connections and connections between Cookstown, Dungannon and Magherafelt are vital. Connections between Donegal, Ulster and Connaught are also vital with Mid Ulster being a focal point on the Belfast to Derry corridor and Belfast to Connaught corridor.
- 3.7 The three towns will also be better linked enabling them to act as a cluster for services and as the key drivers to our economy. In effect this those linkages need strengthened to Coleraine and the north coast and southwards to Dublin and the mid land counties. Our Plan will promote and encourage the upgrade and creation of key road transport links within the District, and to other parts of the region, and in particular the A29 and by-passes around Dungannon and Cookstown.
- 3.8 In terms of our environment we see Mid Ulster as having the facilities to maximise waste recycling and the controls in place to improve air quality. We aim to strengthen our role as custodians over our environment ensuring the wetlands of Lough Neagh and Lough Beg remain internationally recognised sites because of the importance of their habitats.

- 3.9 Our mountains and peatlands will remain bare and open landscapes conjuring images of a mystical past which is displayed in the wealth of archaeological heritage in our District. We will also celebrate the earth science interest of the Clogher valley defined by its ridgelines and its egg basket valley floor.
- 3.10 We will remain a low carbon economy and will be an important energy producer. Our communities will benefit from increased access to recreation and open space resulting in people living healthy lifestyles and for longer. The key to this is to utilise our Ballinderry and Blackwater river valleys and other river corridors, the Clogher Valley and Great Northern Railway lines and the Ulster Canal as green corridors.
- 3.11 Our communities will also benefit from excellent access to education, not only in schools but also at higher level. Mid Ulster will be recognised a centre for engineering excellence, for vocational training and for research and development by utilising our locational advantage with strong links to local industries.
- 3.12 As Cookstown, Dungannon and Magherafelt grow, our communities will be provided access to a range of quality housing to meet everyone's needs which is safe and offers a real sense of community. Our communities will provide for people with different incomes, jobs and ethnicity. Our towns will continue to attract people from all over the world to work in our industries.
- 3.13 Our communities will continue to help and care for each other in the confidence that the importance of their role as carer is fully recognised and facilitated. This means more of our communities will be able to work from home and will be able to live with and next to those they care for.
- 3.14 Through the support of this Plan Mid Ulster will have a sustainable economy with varied and plentiful employment opportunities and appealing, well designed and affordable places to live. The Plan will assist us in protecting our rich heritage, our natural environment and our most sensitive landscape settings for future generations also making our District an appealing place to visit.

### Plan Objectives

- 3.15 The following are the objectives of our Plan in relation to development and the use of land in Mid Ulster and will assist in the delivery of the Plan Vision supported by our Spatial Planning Framework and subject policies.

### Accommodating People and Creating Places

- To build Cookstown, Dungannon and Magherafelt as economic and transportation hubs and as the main service centres for shops, leisure activities, public administrative and community services including health and education. These are the most populated places and the town centres are the most accessible locations for people to travel to including those without a car.
- 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.

- To provide for vital and vibrant rural communities whilst protecting the countryside in which they live by accommodating sustainable growth within the countryside proportionate to the extent of existing rural communities.
- To provide for 11,000 new homes by 2030 in a range of housing capable of meeting the needs of families, the elderly and disabled, and single people, at locations accessible to community services, leisure and recreational facilities, for those people with and without a car.
- To recognise the needs of both growing families and carers of the elderly and disabled by accommodating development which allows people to remain within their own communities and does not lead to significant harm to neighbours or the built and natural environment.
- To facilitate the development of new community facilities at locations accessible to the communities they serve, through a variety of modes of transportation in accordance with the community plan.
- To accommodate cultural differences in our communities whilst promoting “shared spaces” to bring people together with equality of opportunity.

### **Creating jobs and promoting prosperity**

- To facilitate the creation of at least 8,500 new jobs by 2030 at a variety of locations where they are accessible to all members of the community, including those without a private car.
- To promote diversity in the range of jobs on offer recognising the importance of employment in the primary sector (agriculture forestry and mining), secondary sector (industry and manufacturing) and tertiary sector (administration, commerce, retailing, leisure and tourism).
- To recognise and accommodate entrepreneurship, innovation for large, medium and small firms by attracting new firms and accommodating expanding businesses.
- To recognise the importance of self-employment and home working, particularly in rural locations.
- To encourage energy efficiencies and promote use of renewable energy.

### **Enhancing the environment and improving infrastructure**

- To reduce contributions and vulnerability to climate change and to reduce flood risk and the adverse consequences of flooding.
- To protect and enhance the natural and built environment as wise custodians of our landscape and to achieve biodiversity, quality design, enhanced leisure and economic opportunity and promote health and wellbeing.
- To accommodate investment in power, water and sewerage infrastructure, and waste management particularly in the interests of public health.
- To improve connectivity between and within settlements and their rural hinterland through accommodating investment in transportation to improve travel times, alleviate congestion and improve safety for both commercial and private vehicles as well as more sustainable modes of transport including buses, walking and cycling.
- To improve connectivity through telecommunications which both meets the needs of business and private households whilst reducing the need to travel.

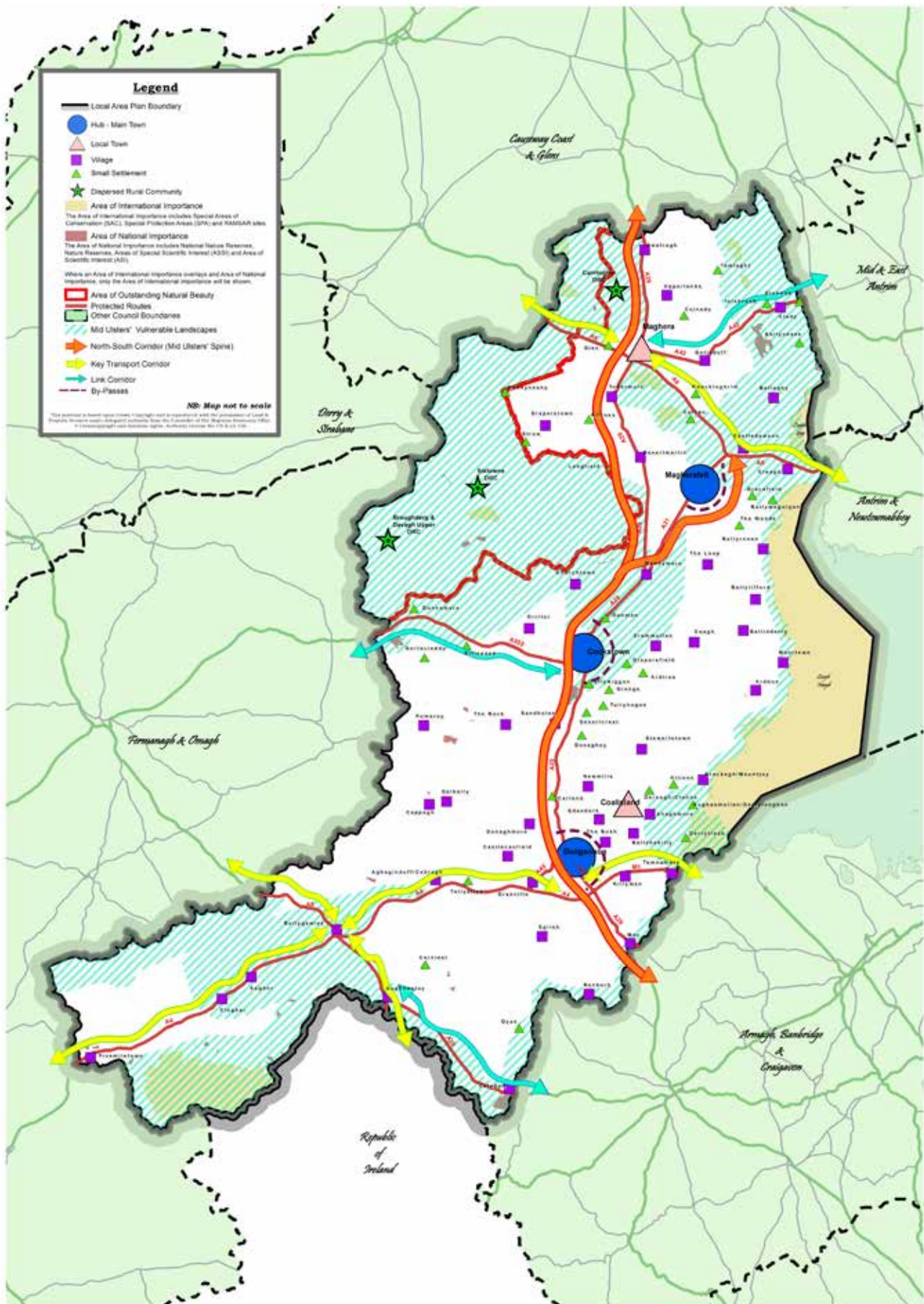
# **GROWTH STRATEGY AND SPATIAL PLANNING FRAMEWORK**

## 4.0 GROWTH STRATEGY AND SPATIAL PLANNING FRAMEWORK

- 4.1 Our strategy is based on Regional Guidance which is geared to:
- ensuring an adequate supply of land to facilitate economic growth;
  - deliver a balanced approach to transport infrastructure;
  - implement a balanced approach to telecommunication infrastructure that gives a competitive advantage;
  - promote a sustainable approach to the provision of sustainable tourism infrastructure;
  - deliver a sustainable and secure energy supply;
  - strengthen community cohesion;
  - support urban and rural renaissance;
  - manage housing growth to achieve sustainable patterns of residential development;
  - reduce our carbon footprint and facilitate mitigation and adaptation to climate change whilst improving air quality;
  - manage our waste sustainably;
  - conserve, protect and where possible enhance our built heritage and our natural environment;
  - promote a more sustainable approach to the provision of water and sewerage services and flood risk management.
- 4.2 In implementing this strategy the RDS recognises the importance of Cookstown, Dungannon and Magherafelt both as market towns and in providing specialist shopping such as that at the Linen Green. It also recognises their strategic advantage in relation to being located in the centre of Northern Ireland with good links to the north-west corridor, the central and the south-western corridors.
- 4.3 Our towns have an emphasis on manufacturing, construction and related engineering. It also recognises that the Sperrins and Lough Neagh offer opportunities for tourism investment. In linking the three main towns the RDS recognises that these have the potential to form a cluster for retail, commercial and business provisions and their importance in serving a substantial number of dispersed rural settlements.
- 4.4 The RDS sets a spatial framework with guidance requesting our plan to:
- identify and consolidate the role and function of settlements within the cluster;
  - promote economic development opportunities at Cookstown, Dungannon and Magherafelt;
  - grow the population of Cookstown, Dungannon and Magherafelt.
  - In relation to the rural area it offers guidance for policy to:
  - sustain rural communities living in small settlements the open countryside;
  - improve accessibility for rural communities.
- 4.5 To achieve our Plan vision and objectives and in keeping with the RDS we have developed a Spatial Planning Framework for Mid Ulster which incorporates our settlement hierarchy.



# Mid Ulster Growth Strategy Map



Map 1.1



## Mid Ulster's Spatial Planning Framework

- 4.6 Taking into account the RDS the following Strategic Planning Framework for the Plan has been formulated to support achieving the Plan Objectives and planning policies will be formulated to accord with them. This spatial planning framework has been taken into account in formulating the subject planning policy within this Plan and will act as a guide when preparing the Local Policies Plan.

### **SPF 1 - Manage growth based on sustainable patterns of development balanced across Mid Ulster, in accordance with the Regional Development Strategy with settlement limits defined for all settlements to provide compact urban forms and to protect the setting of individual settlements;**

- 4.7 Taking into account the RDS the following Strategic Planning Framework for the Plan has been formulated to support achieving the Plan Objectives and subject planning policies are formulated to accord with them. This spatial planning framework has been taken into account in formulating the subject planning policies and will act as a guide when preparing the Local Policies Plan.
- 4.8 In allocating growth and defining settlement limits account has been taken of the existing roles and function of each settlement and the ability of the settlement to accommodate sustainable growth in terms of infrastructure, services and connectivity. (See Table 1 Hierarchy of Settlements and Related Infrastructure). In addition to this the settlement hierarchy for our District is confirmed at Table 2 below.
- 4.9 A settlement's identity can be as much as a result of its setting within the surrounding countryside, as the quality of its buildings. Drawing a settlement limit is partly to promote and partly to contain new development within that limit and so maintain a clear distinction between the built-up area and surrounding countryside.
- 4.10 In defining limits for settlements in order to differentiate potential development land from open countryside consideration will be given to:
- achieving compact urban forms – whilst providing a choice of development opportunities appropriate to the size and role of the settlement;
  - avoiding urban sprawl and ribbon development – development of land that would mar this distinction between the settlement and the countryside;
  - avoiding prominence and softening the urban edge – utilising natural features and field boundaries to soften but clearly delineate the urban edge;
  - avoiding risk to human health and wellbeing – by, where appropriate, not including land subject to flood risk or land subject to other environmental constraints caused by smells and nuisance;
  - protecting natural and historic environment – including protection of important landscape features including river corridors; and
  - increasing accessibility – whilst avoiding the proliferation of individual accesses on to our key route ways.

**Hierarchy of Settlements and Related Infrastructure**

	Skills	Health	Social	Environment	Commercial	Justice	Productive	Networks
Towns: the main administrative, trade employment and residential centres which provide appropriate development opportunities for housing, employment and leisure activities appropriate to their scale and character. (SPG2 & SPG 3)	Further Education, Special Schools, Library, Post Primary	Minor Injuries, Out Patients, Pharmacy Health Centres, Social Services, Day-care Centres	Leisure Centre, Visitor Centre, Arts & Culture Centres, Community Centre, Sports facility, Welfare Services	Recycling, Renewables, Water & Sewers Supply/ Treatment plants, waste landfill, waste - recycle	Shopping centres, Retail warehousing, Range of Restaurants, Supermarket, Restaurants, Mix of retail facilities	Police Station/ District, County Courts, Probation Service	Industrial Park, Tourism Office, Enterprise Centre, Information Office	Major Roads, Bus/Rail, Park N' Ride, Cycle Network, Link Corridors/Trunk Roads, Bus/Rail to larger centres
Villages: Local service centres which provide opportunities for housing, employment and leisure activities appropriate to their scale and character. (SPG4)	Nursery, Primary School	Doctor, Ambulance Outreach Services	Local Halls, Play Areas	Access to clean water Sewage disposal	Shop, Pub, Post Office, Petrol Station	Neighbourhood Watch	Workshop/ Business Unit	Local Roads, Broadband, Urban Street Lighting, Local Bus, Cycle
Small Settlements: provide development opportunities appropriate to their size and scale, allowing for single houses and small groups of up to 6 houses. (SPG5)	Small Settlements may contain only a limited amount of infrastructure at a smaller scale than that contained above in the village's category.							

Table 1

## Mid Ulster Settlement Hierarchy

<b>Main Towns (Hubs)</b>	Cookstown Dungannon Magherafelt			
<b>Local Towns</b>	Maghera Coalisland			
<b>Villages</b>	Aghaginduff/ Cabragh Annaghmore Ardboe Augher Aughnacloy Ballinderry Ballygawley Ballylifford Ballynakilly Ballyronan The Bush Bellaghy Benburb	Brockagh/ Mountjoy Caledon Cappagh Castlecaulfield Clogher Castledawson Churchtown Clady Coagh Creagh Desertmartin Donaghmore	Draperstown Drummullan Edendork Eglish Fivemiletown Galbally Granville Gulladuff Killyman The Loup Moneymore Moortown	Moy Newmills Orritor Pomeroy The Rock Sandholes Stewartstown Swatragh Tamnamore Tobermore Upperlands
<b>Small Settlements</b>	Aghamullan/ Derryloughan* Ardtree Ballymaguigan Ballynease Culnady Curran Carland Carnteel Dernagh / Clonoe	Derrytresk* Desertcreat Donaghey Drapersfield Dunnamore Dunman Dyan Glen	Glenone Gortacladdy Gracefield Grange Inishrush Killeen Killeenan Kilross Knockloughrim	Longfield Moneyneany Straw Tamlaght Tullyhogue Tullywiggan* Tullyallen/ Edencrannon* The Woods

Table 2

*\*These are new settlements and until such times as a settlement limit is identified for them in the Local Policies Plan development within these areas will be considered as being located in the open countryside.*

### **SPF 2 – Focus growth within the three main towns/hubs of Cookstown, Dungannon and Magherafelt and strengthen their roles as the main administrative, trade, employment and residential centres within the District;**

- 4.11 The vision is that Cookstown, Dungannon and Magherafelt act as the key centres of growth and function as a cluster for public administration and service provision. A town centre first approach is adopted for developing services which people need to travel to such as shopping, administration and indoor entertainment. This will assist in maintaining the vitality and viability of the centres by publically investing in improving access, attractiveness and amenity and encouraging private investment by identifying development opportunities and protecting existing retail units in the primary retail core from inappropriate uses.



- 4.12 The role of Cookstown, Dungannon and Magherafelt is to be strengthened as economic hubs. This means protecting existing economic zonings and providing economic zonings within them to ensure the creation of 8500 new jobs over the plan period through the provision of at least 170 hectares of economic development land distributed equitably across the three towns at a variety of locations suitable for a mixture of economic uses.
- 4.13 A generous supply of economic development land should be maintained across the life of The Plan and where uptake of industrial land is high additional land will be zoned in the Local Policies Plan or at plan review.
- 4.14 In recognition of the shortage of economic development land in Dungannon an additional interim supply has been identified at Dungannon and Granville. Maps 1.2 – 1.3 identify the sites and Key Site Requirements (following the maps) identify those issues be addressed in respect of each. The sites are also identified on the wider District Proposals Map.
- 4.15 Economic growth will be supported by and will assist in supporting residential growth. Mid Ulster will require 11,000 new homes by 2030. At present less than 30% of the Districts, households are located in the three towns. Focusing growth in the three hubs means that opportunities should be provided in the Local Policies Plan for 60% of the Districts' Housing Growth Indicator (HGI) to be located within the three towns. This is around double the figure of existing households living in the three towns.
- 4.16 In order to ensure land availability over the plan period at a level not below 30% of the Districts HGI, Mid Ulster Council will ensure that additional land is made available over the plan period to meet this provision. In order to facilitate this a phased approach to land release is adopted in this Plan.

- 4.17 In selecting land to be zoned for housing priority will be given to locations which:
- have access to existing community facilities and services;
  - can avail of existing infrastructure such as water, waste and sewerage;
  - avoid flood risk;
  - have access to public transport; and
  - do not impact on the character of the town or any heritage assets.
- 4.18 The growth of the three towns is also underpinned by improved access to community facilities, recreation and open space and our strategy is to offer appropriate protection and a flexible approach to new provision of these. We recognise that over the plan period the RDS Housing Growth Indicators (HGIs) may change and these will be taken into account when preparing our Local Policies Plan and at Plan Review.
- 4.19 Appendix 1 of this Plan Strategy provides information on Housing Growth Local Indicators and Economic Development Local Indicators for the District over the plan period.

**SPF 3 - Consolidate the role of the local towns of Coalisland and Maghera as service centres for their hinterlands providing appropriate development opportunities for housing, employment and leisure activities, in keeping with the scale and character of these settlements;**

- 4.20 The three hubs are supported by the local towns of Maghera and Coalisland. These centres are important both as residential centres and for providing employment. Given the range of services available in them they are capable of accommodating further growth, but only proportionate to their size and function. They are not seen as key centres for growth as they do not offer the range of services and facilities found in the three main towns.
- 4.21 Accordingly in zoning economic development land the primary aim is to provide opportunity for expansion clustered around existing provision or to provide economic activities on publically owned land. However no specific allocation of economic land is made to the two local towns as schemes in the main would be privately led.
- 4.22 In Maghera the former high school represents an opportunity for economic development. In Coalisland the former clay works site is identified in this Plan as a mixed use opportunity site for recreation with supporting economic mixed use development. The extent of the planning permission granted for the site in Coalisland is identified as an opportunity site on Map 1.4 and the planning conditions attached to that planning permission Reference: LA09/2016/1307/F identifies the Key Site Requirements to be addressed for development of the site.
- 4.23 In zoning land for housing it is intended to provide opportunities for new housing estates. Coalisland is home to just over 4% of the Districts households while Maghera is home to just over 3%. Accordingly the level of growth in both will be proportionate to the number of households within them in order to consolidate their role and function.



- 4.24 Given that they are still major population centres in our District they are also good locations for leisure, recreation and community uses.

**SPF 4 - Maintain and consolidate the role of the villages as local service centres providing opportunity for housing, employment and leisure activities in keeping with the scale and character of individual settlements;**



- 4.25 Villages are also important service centres and thus are good locations for rural enterprise and small scale housing development. Again the villages are not seen as key service centres or locations in which to direct people used to living in the open countryside. Thus in the main growth in the villages will be proportionate to their current size and the level of services on offer.
- 4.26 In the main we do not intend to reserve land for housing or economic development although exceptions may exist where there is a need to expand or accommodate an identified rural enterprise within the settlement limits.
- 4.27 Proposals for a range of uses will be considered on their planning merits. In order to ensure that our villages are not subject to excessive development pressures settlements will normally be fairly restrictive recognising that it will not always be possible to accommodate employment, social or community uses directly within their settlement limits. We therefore intend to provide a degree of flexibility when considering proposals of this nature. The same would also apply to social housing where a need arises over the plan period.



**SPF 5 - Provide development opportunities within small settlements appropriate to their size and scale, allowing for single houses and small groups of houses;**

- 4.28 In Mid Ulster a large number of small settlements are found at a variety of locations. They tend to comprise of individual houses or small groups of houses clustered around a focal point such as a shop, school or local enterprise. However they are not exhaustive of all the clusters that exist in the District.
- 4.29 These small settlements are not suited to large developments such as housing estate developments but are sustainable locations for people looking for individual dwellings or development of a small group of houses.
- 4.30 In order to provide a proportionate number of houses in line with the size of the small settlement we would expect that in the main these small settlements would only require a few dwellings, up to around a dozen, with the level of development being proportionate to the size of the settlement.
- 4.31 The same degree of flexibility will be applied to small settlements as to our villages.

**SPF 6 - Accommodate development within the countryside that supports the vitality and viability of rural communities without compromising the landscape or environmental quality and whilst safeguarding our natural and built heritage;**

- 4.32 In Mid Ulster we have a diverse countryside which varies greatly in character and the extent of development within it. The mountains of the Sperrins tend to be open and exposed with very little development, whereas the lowlands of the eastern part of the District inland from Lough Neagh shores stretching from the north west corridor to the south west corridor, are one of the most densely populated areas of open countryside in Ireland. Population densities in the Clogher Valley and the farmlands of south Tyrone and uplands of mid Tyrone have active communities, albeit at a lower density of households.
- 4.33 In order to protect the countryside, not only in terms of the landscape and the environment, but for its own sake while balancing the need to ensure that our rural communities in the countryside remain vital and viable, the level of development will be managed based on the principles of clustering. Accordingly opportunities for a single dwelling will be provided in accordance with strategic regional policy allowing for single houses on a farm, clustering with existing buildings or where the introduction of a new dwelling will make no difference to the character of the landscape, such as where it is within an existing rural cluster or infill of a ribbon. Recognition is also given to the special characteristics of Mid Ulster by recognising the needs of fishermen, rural businesses and carers.
- 4.34 The countryside will not be subject to an allocation of the Districts HGI, however housing development will be monitored. At present 40% of our Districts households are located in the open countryside. Accordingly for review purposes if the number of houses being approved in the countryside exceeds 40% of the Districts HGI this will trigger the need to change policy at the Plan Review.

- 4.35 Mid Ulster also differs from other areas due to the successful economic developments located within the countryside. This success is because the industry is linked to the countryside by way of agriculture or mineral development or related engineering.
- 4.36 It is important that this success is allowed to continue but that it remains properly managed. In the main the policy within this plan is designed to accommodate sustainable expansion. We also recognise the value of clustering businesses. Within the countryside in Mid Ulster there are groupings which are not on an industrial estate but where complementary industry could locate beside it without causing harm.
- 4.37 In recognition of the success of economic development in the countryside in our District and the importance of clustering this Plan Strategy designates Rural Industrial Policy Areas (RIPA's) which will protect and consolidate existing areas of rural industrial uses and contain them within set limits whereby large scale expansion would not be permitted. A RIPA is not a zoning and its extent will not be treated as a settlement limit. In selecting locations as potential RIPA's consideration will be given to the following criteria:
- it is located in the rural area i.e. outside of any settlement limits as designated in the Plan;
  - no part of the proposed RIPA site should include or be in close proximity to any environmental designation such as a RAMSAR, SPA, SAC, ASSI or SLNCI;
  - it will have an established or accepted industrial use and / or related use such as research and development. The use and all buildings must either have the benefit of planning permission or be immune from enforcement action under Article 132 of the Planning Act (Northern Ireland) 2011;
  - the use must not have ceased or decreased to a level which means it is no longer an economically viable activity;
  - have the benefit of an existing access which would be capable of serving the existing industrial activity as well as accommodating additional activity if the site were to expand;
  - be in close proximity to a main transport corridor;
  - be of a size and scale which means that the character of the immediate surrounding area has been altered to an extent where it could no longer be described as having a distinctly rural character; and
  - consolidation of existing industry at the site would not lead to any harmful impacts being caused to nearby residential amenity.
- 4.38 The area of industry at Tullyvannon (Killeeshil between Cabragh and Ballygawley) and the site at Desertcreat, near Cookstown which was proposed as the home of the new Police, Fire and Prison Services Training Centre are designated in this plan as strategic RIPA's and are identified at Map 1.5 and 1.6. In preparing the Local Policies Plan consideration will be given to whether there are locations which could be defined as a RIPA in the context of the above criteria.
- 4.39 At Tullyvannon RIPA suitable uses will include B2 or B3 of the Planning (Use Classes) Order (Northern Ireland) 2015.

- 4.40 At Desertcreat RIPA suitable uses will include use class B1 (c), B2, B3 and C3 (excluding schools) of the Planning (Use Classes) Order (Northern Ireland) 2015 meeting the following key site requirements:
- Access to the site will be taken from the A29 in accordance with approval I/2012/0240/F;
  - Development proposals must make every effort to retain existing mature trees which are located throughout the site. Similarly, all mature vegetation around the boundary of the site should be retained;
  - All work will be subject to the agreement and implementation of a programme of archaeological works which will provide for the identification and evaluation of archaeological remains within the site;
  - All work will be subject to the submission and consideration of a Habitat Management Plan;
  - No work will take place within 25 metres of a badger sett entrance without a Wildlife License being issued by a NIEA Wildlife Officer;
  - No development shall take place involving the two ponds on the northern portion of the site, without a Wildlife License being issued an NIEA Wildlife Officer and the conditions of that License have been complied with.
- 4.41 In recognition that we also have a large number of entrepreneurs in the countryside often operating on a self-employed basis we envisage that this should be encouraged through farm diversification or facilitating people working from home.
- 4.42 Our strategy also recognises the important role of tourism in the countryside and our policy promotes sustainable tourism development within Mid Ulster to achieve a balance between meeting the needs of the tourist coupled with the need to conserve tourist assets and the environment.

### **SPF 7 – Support rural regeneration in remoter areas through the designation of Dispersed Rural Communities (DRC's);**

- 4.43 Within Mid Ulster, particularly within the lower slopes of the Sperrins, we have areas which have suffered from depopulation over long periods. These communities are important custodians of this significant landscape. These areas contain dispersed communities with a strong sense of identity. There are currently three Dispersed Rural Communities (DRC's) within Mid Ulster at Broughderg, Carntogher and Sixtowns and these are retained within this Plan Strategy and they are identified on the District Proposals Map.
- 4.44 Dispersed Rural Communities are identified based on the following criterion:
- areas experiencing low development pressure away from existing towns;
  - association with a traditional focal point, where there is convincing evidence of local community activity; with the existence of social and recreational facilities, such as a church, hall, school, community centre or sports club;
  - presence of other facilities or services, such as a shop, public house or sewage treatment works;
  - a strong community identity. This could manifest itself through a local community association, church organisation or sports club; and
  - a locally significant number of dwellings that have been built over time.

- 4.45 Although these places are not nucleated settlements, they will have to be more than just open countryside. A build-up or cluster of recently built houses will normally not be considered as fulfilling this criterion.
- 4.46 In preparing the Local Policies Plan consideration will be given to whether there are other locations in our District which could be defined as a DRC.

### **SPF 8 – Encourage improvements to public and private transportation provision including railway lines and upgrading of the road network;**

- 4.47 In Mid Ulster public transport is essential for those people who do not have access to the private car. At present, there are limited services across the District, although the links to Belfast along the main north west and south west transport corridors are reasonably strong. It is therefore important that encouragement is given to local services particularly transport which can help to link up our family of settlements to the Ulster Bus Translink provision along the key transport corridors. This means ensuring that new development for housing estate developments or when improvements are made to existing streets, consideration is given to allowing sufficient movement for local buses. Also, in the interest of promoting sustainable transport, consideration needs to be given to providing safe environs for the pedestrian and cyclist. This does not necessarily mean the provision of dedicated cycle ways as it can often be achieved through careful design of roads and promotion of safer routes, particularly when it comes to children travelling to school.
- 4.48 We best link public transport to land use by adopting a town centre first approach to the development of new shops, leisure and other uses which people need to travel to.
- 4.49 In selecting land use zonings, particularly in our towns, consideration will be given to overall accessibility, with greater priority given to land within walking distance of town centres and other services followed by sites with good links to public transport.
- 4.50 In looking at travel times and the connectivity between our hubs and settlements we are keen to ensure opportunities for improvements to transportation are not lost and therefore we will protect disused railways from development that would prejudice their future use. We will also protect the Ulster Canal and a blueway along the River Bann. We will also protect the river banks of our other main rivers in order to ensure that the possibility of riverside walk ways and cycle ways is not lost for future generations.
- 4.51 By designing for public transport and encouraging walking and cycling this will also lead to improvements for private transport as a result of taking people off the road.

### **SPF 9 – Facilitate improvements to the A29 which acts as the transportation spine and link between Mid Ulster's hubs and other trunk roads crossing the District;**

- 4.52 For the three hubs of Cookstown, Dungannon and Magherafelt to act as a cluster it is essential that travel times between these settlements are reduced. This means there is a need to bring forward improvements to the A29 and A31.

- 4.53 We remain committed to the provision of a by-pass around Cookstown and Dungannon and will use our powers to protect any road line identified for development.
- 4.54 We also recognise that as opportunities arise, new road schemes such as road widening, straightening and provision of overtaking lanes will also help to improve connectivity and help people move across the District quicker in order to connect with the south west and north west transport corridor but also directly to Dublin and the north coast. The importance of improvement to the A29 should not be underestimated as it is critical to address the existing problem of heavy traffic choosing rural routes along the lough shore in order to avoid congestion in Cookstown and Dungannon.
- 4.55 The importance of the more rural roads such as the A505 should not be forgotten for the remoter rural communities where travel times to essential acute hospital services are greatest.

**SPF 10 – Facilitate the protection of vulnerable landscapes and conservation interests, from inappropriate and over dominant development while promoting adequate provision of open space and landscaping integrated with broader green and blue infrastructure systems.**


- 4.56 Mid Ulster has a number of vulnerable landscapes comprising the Sperrins, Clogher Valley, Slieve Beagh and the wetlands and peatlands of Lough Neagh and Lough Beg and the Bann. In addition there are also a number of sensitive but more localised landscapes, habitats and historic environments which we recognise as needing protection. In addition, to give protection in accordance with the RDS, to our internationally and regionally important environmental designations we have introduced protections in the form of a Special Countryside Area (SCA) along the Lough shore, in the high Sperrins and Slieve Beagh to protect them from unnecessary development and in the form of an Area of Constraint on Wind Turbines and High Structures (AOCWTHS) in the Sperrins, the Clogher Valley and at Slieve Beagh to protect them from high structures.

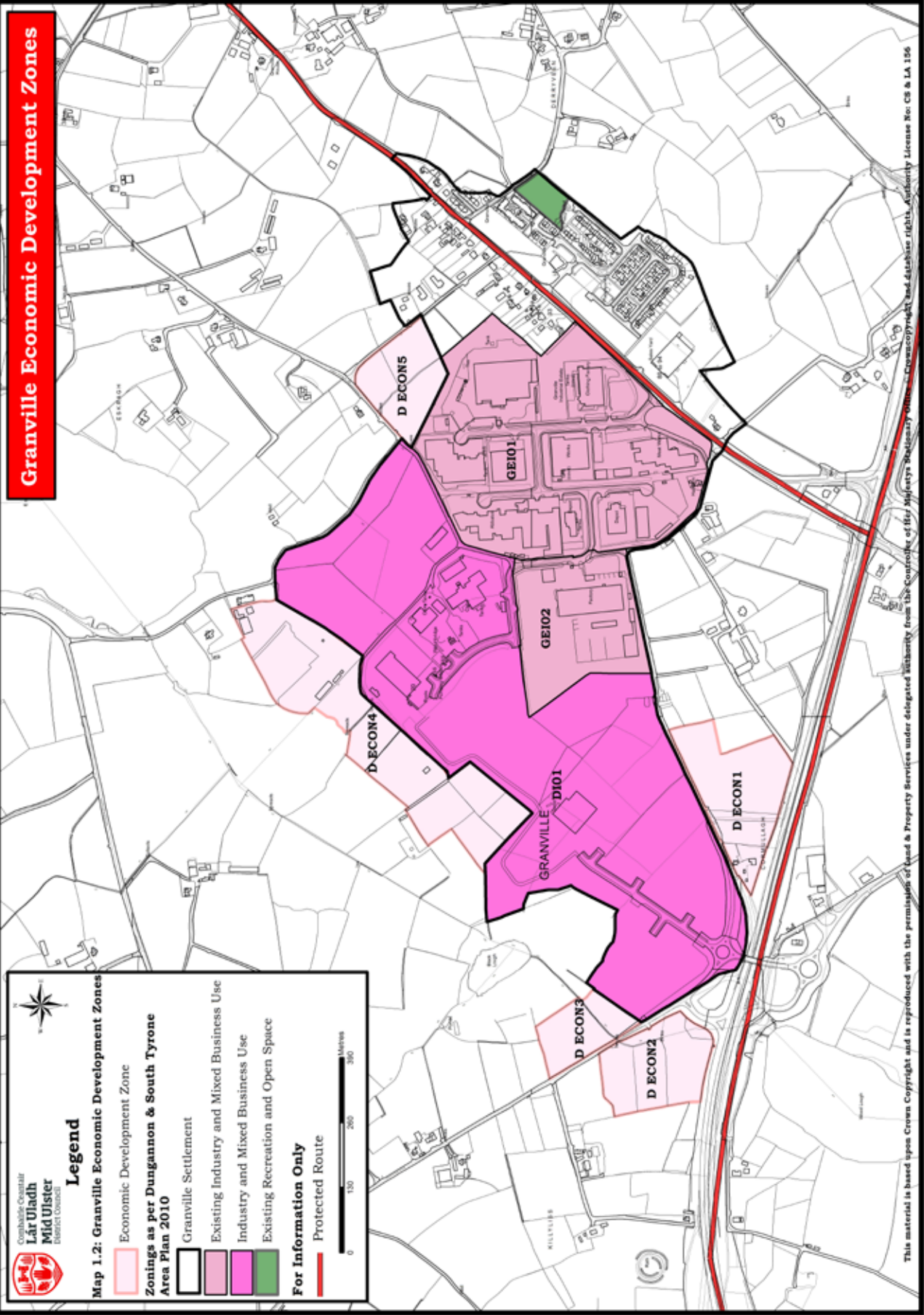


- 4.57 Across the countryside we will also provide protection to Sites of Local Nature Conservation Importance (SLNCI), Areas of Significant Archaeological Interest (ASAI) Historic Parks and Demesnes and other important heritage features. Within settlements we give protection to landscape features, habitats and other environmental assets through the designation of Local Landscape Policy Areas (LLPAs). LLPA's designations include one or more of the following:
- archaeological sites and monuments and their surroundings;
  - listed and other locally important buildings and their surroundings;
  - river banks and shore lines and associated public access;
  - attractive vistas, localised hills and other areas of local amenity importance; and
  - areas of local nature conservation interest, including areas of woodland and important tree groups.
- 4.58 In designating LLPA's consideration will be given to the DAERA paper on the 'Methodology for Designating Local Landscape Policy Areas'.
- 4.59 We have also recognised the special character of some of our areas through protection of Conservation Areas and designations of Areas of Townscape Character (ATC's) and Areas of Village Character (AVC's). ATC's and AVC's will be identified taking into account their unique character particularly in relation to building frontages, rhythm of window and door openings, roof pitches and plot sizes.
- 4.60 The Local Policies Plan may also supplement this through the identification of non-designated heritage assets worthy of preservation such as unlisted vernacular buildings or historic buildings of local importance.
- 4.61 The Local Policies Plan will bring forward where appropriate bespoke policies for LLPA's, ATC's/AVC's and non-designated heritage assets.



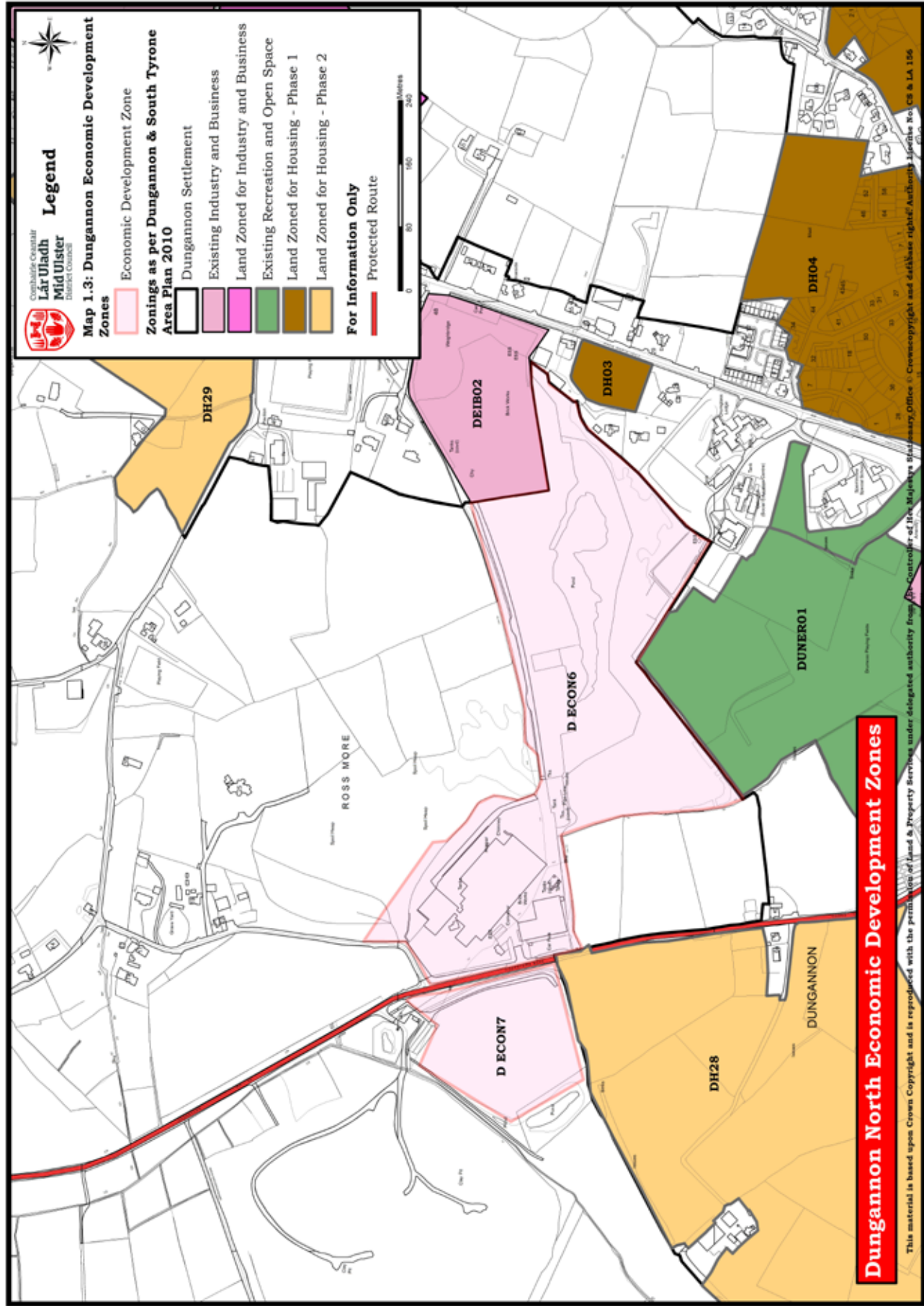
# Granville Economic Development Zones


**Legend**  
**Map 1.2: Granville Economic Development Zones**  
 Economic Development Zone  
 Zonings as per Dungannon & South Tyrone Area Plan 2010  
 Granville Settlement  
 Existing Industry and Mixed Business Use  
 Industry and Mixed Business Use  
 Existing Recreation and Open Space  
**For Information Only**  
 Protected Route  
 0 150 300 Metres



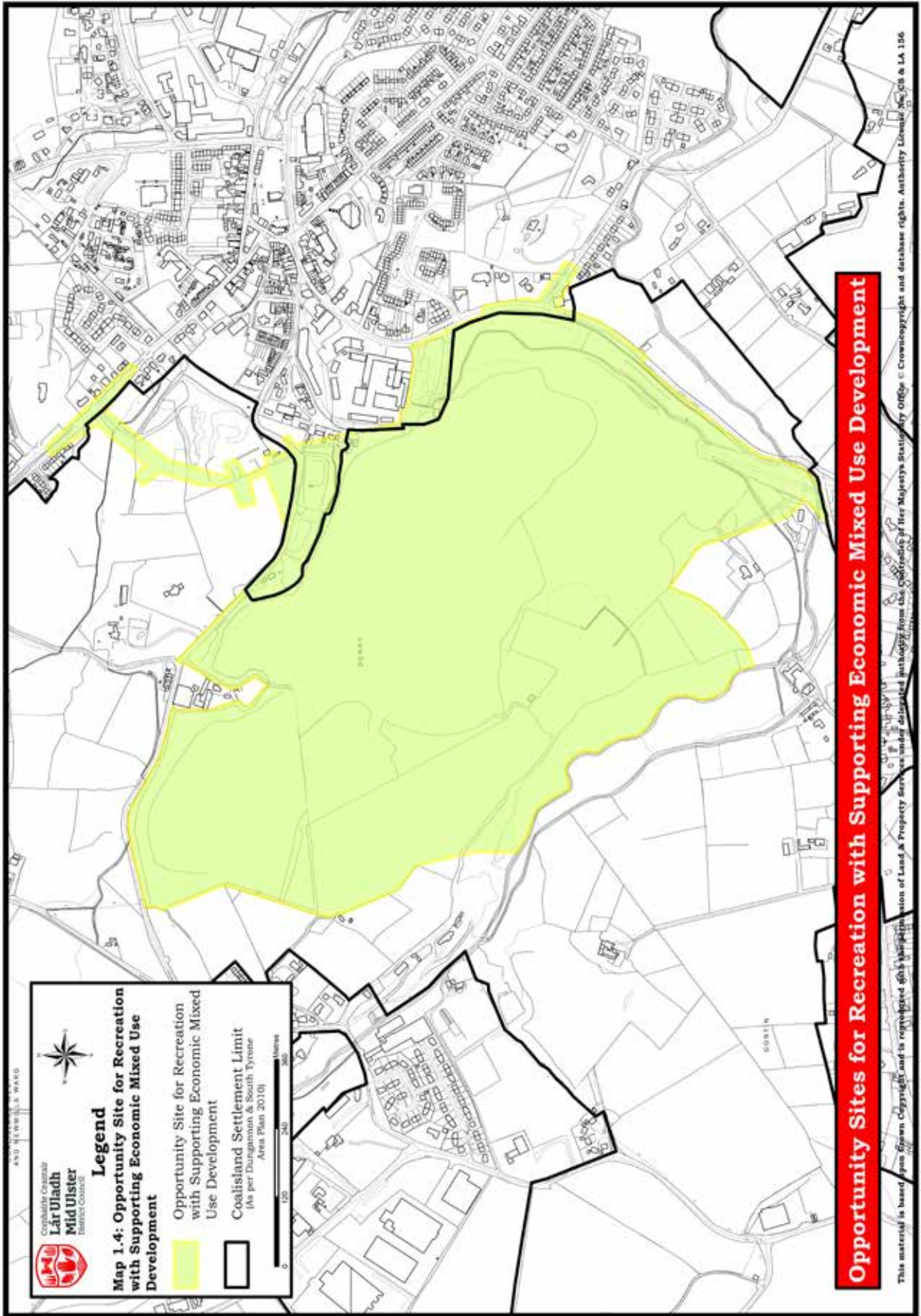
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Map 1.2

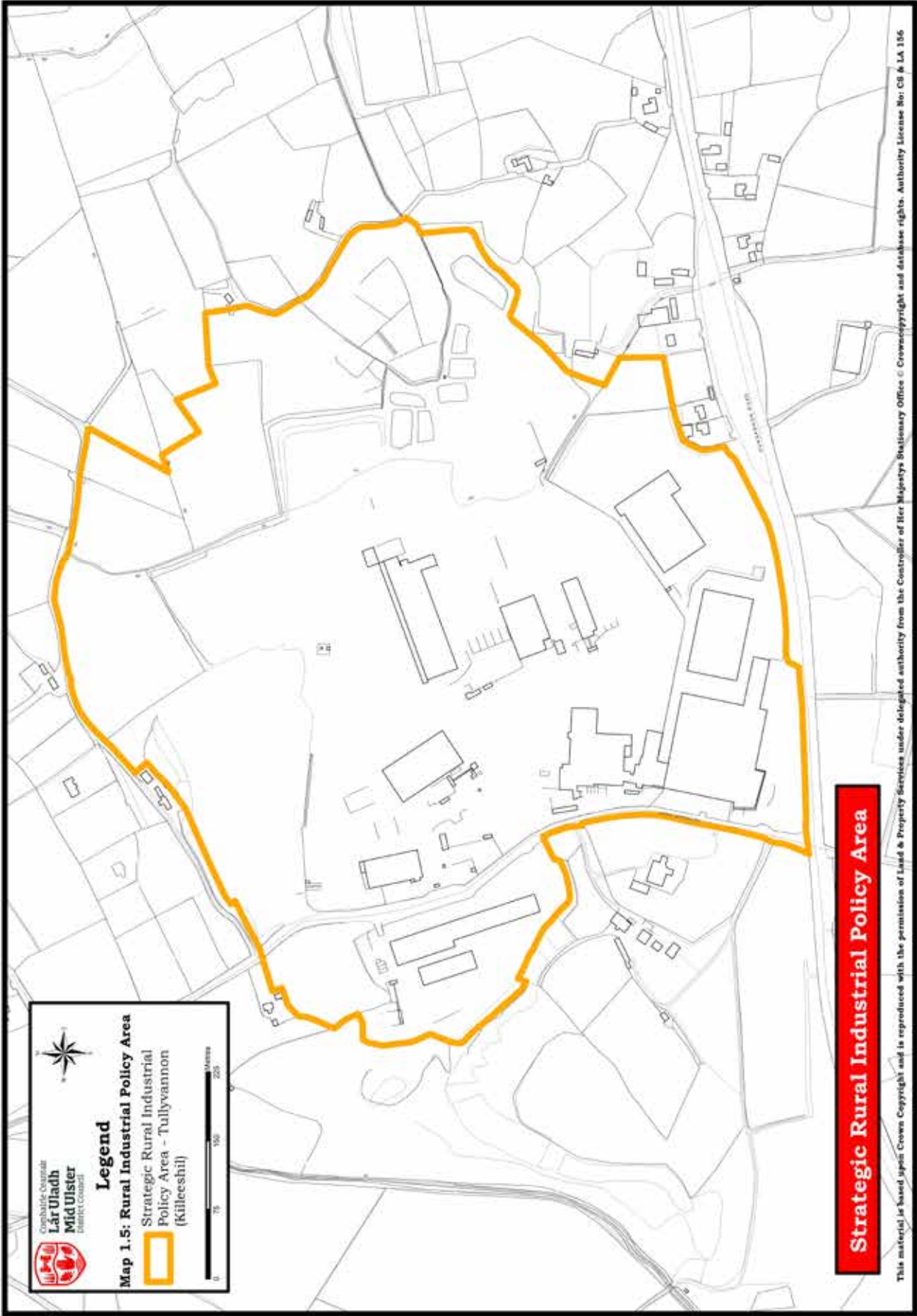


Map 1.3



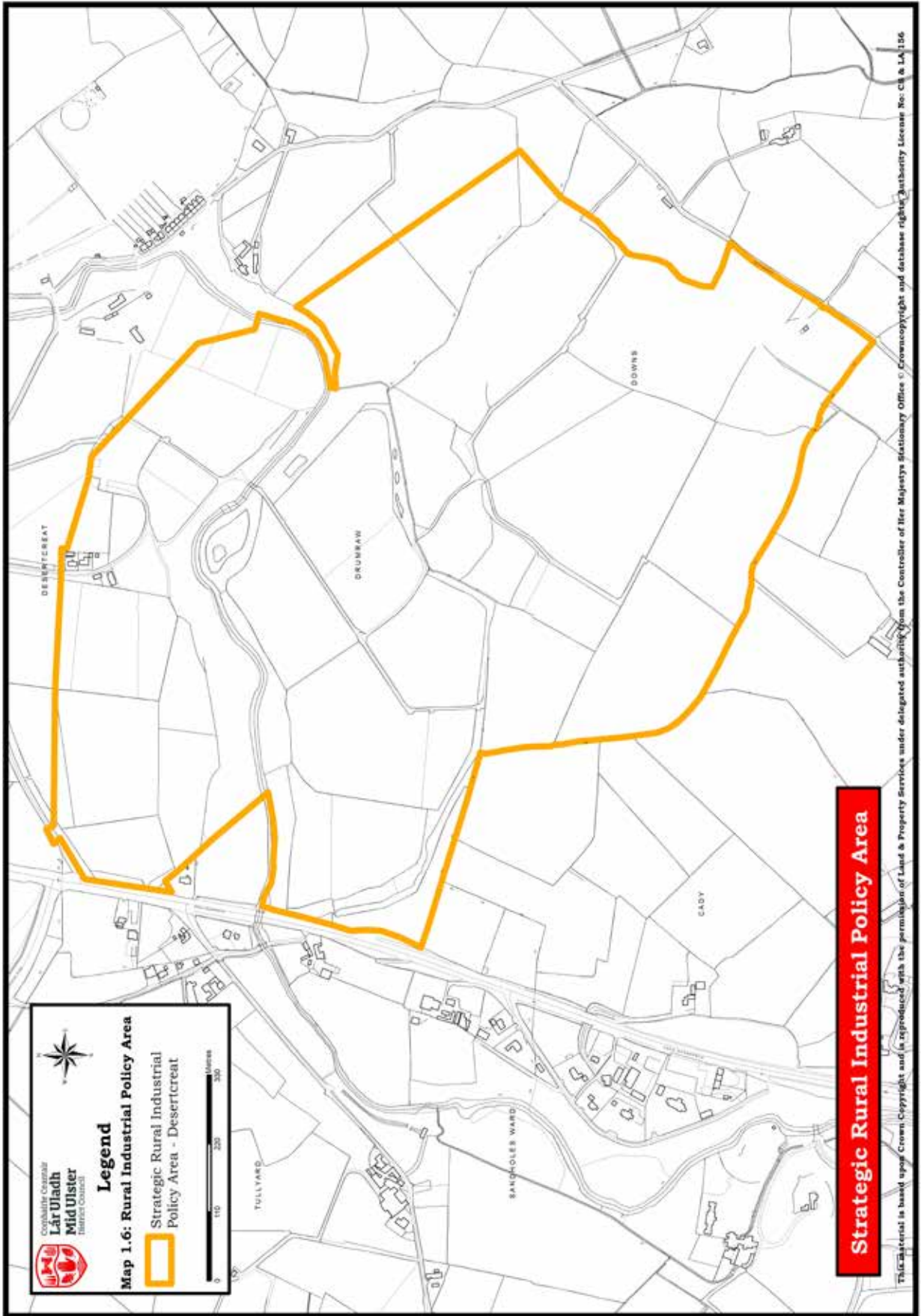


Map 1.4



Map 1.5





Map 1.6

## Key Site Requirements for Economic Development Zones at Granville and Dungannon North

- 4.62 Planning policy requirements contained elsewhere within this Plan Strategy apply to the economic development zones on Map 1.2 and Map 1.3. In addition to those planning policy requirements the following will be required:

### Granville Zones

#### Zone D ECON 1 – Land at Eskragh Road

- Vehicular access should be on to the U1104 Eskragh Road;
- If the existing dwelling within the western sector of this zone is to remain in residential use special attention should be given to development adjacent to it in order not to affect its residential amenity;
- The site will require a Concept Masterplan providing for:
  - a 10 metre buffer planting zone of trees of native species along the southern, south western and north western boundaries;
  - provision for sewage, drainage, including surface water flooding, and appropriate access, cycle and walkways.

#### Zone D ECON 2 – Land at Killyliss Road

- Vehicular access should be on to the C646 Killyliss Road;
- The site will require a Concept Masterplan providing for:
  - a 10 metre buffer planting zone of trees of native species along the southern and south eastern boundaries;
  - retention of the watercourse within the site and provision of an adequate ecological buffer alongside it;
  - provision for sewage, drainage, including surface water flooding, and appropriate access, cycle and walkways.

#### Zone D ECON 3 – Land at Killyliss Road

- An archaeological assessment and evaluation should be provided;
- A 10 metre buffer planting zone of trees of native species along the north eastern boundary;
- Retention of the watercourse within the site and provision of an adequate ecological buffer alongside it;
- Provision for sewage, drainage, including surface water flooding, and appropriate access, cycle and walkways.



### **Zone D ECON 4 – Land to North West of Dungannon Industrial Park**

- Vehicular access should be from Dungannon Industrial Park;
- An archaeological assessment and evaluation should be provided;
- An area of fen habitat exists within the north eastern part of the site and an ecological survey of the northern sector of the zone should be submitted to determine the extent to which development should be set back from this area;
- If the existing dwelling within the southern part of this zone is to remain in residential use special attention should be given to development adjacent to it in order not to affect its residential amenity;
- The site will require a Concept Masterplan providing for:
  - a 10 metre buffer planting zone of trees of native species along the north eastern and south western boundaries;
  - retention of the two watercourses within the site and provision of an adequate ecological buffer alongside them;
  - provision for sewage, drainage, including surface water flooding, and appropriate access, cycle and walkways.

### **Zone D ECON 5 – Land at Eskragh Road**

- Vehicular access should be from Granville Industrial Estate;
- A 10 metre buffer planting zone of trees of native species along the north eastern, north western and south eastern boundaries;
- Provision for sewage, drainage, including surface water flooding, and appropriate access, cycle and walkways.

## **Dungannon Zones**

### **Zone D ECON 6 – Land at Cookstown Road**

- Planning permission has been granted for this site under planning references LA09/2017/0567/Fand LA09/2017/1407/O and the developer is required to meet the conditions set out in these permissions.

### **Zone D ECON 7 – Land at Cookstown Road**

- The site shall be used only for light industrial use as defined in Class 2 of the Planning (Use Classes) Order 2015 and for no other type of industrial use;
- A land stability survey considering the relationship with the adjacent ongoing mineral extraction shall be submitted to inform proposals for development of the site;
- A landscaping buffer of 8- 10 metres using indigenous species shall be provided along the southern boundary;
- Provision for sewage, drainage, including surface water flooding, and appropriate access, cycle and walkways.

# ■ IMPLEMENTATION OF THIS PLAN STRATEGY

## 5.0 IMPLEMENTATION OF THIS PLAN STRATEGY

- 5.1 In order to implement this Plan Strategy subject policies have been formulated based on accommodating growth and creating places, creating jobs and prosperity and is supported by policies to protect heritage and provide infrastructure. A number of the subject policies apply as appropriate to all development, including land which has been zoned for development. They are: General Principles Planning Policy; Open Space, Recreation and Leisure Policy; Historic Environment Policy; Natural Heritage Policy; Flood Risk Policy; and Transportation Policy. In many cases a number of policies may apply to a development and in such cases it is expected that the development should conform with all of the relevant policies.
- 5.2 Based on the RDS and the Housing Growth Indicators (April 2016), indicators in relation to housing and economic development are set out in the table at Appendix 1 of the Plan Strategy.
- 5.3 Until such times as the Local Policies Plan has been prepared the existing (extant) Plans:
- Cookstown Area Plan 2010;
  - Dungannon and South Tyrone Area Plan 2010;
  - Magherafelt Area Plan 2015;
- will remain in operation and in effect represent the Local Policies Plan until such times as it has been prepared.
- 5.4 Where there is a conflict between the extant plans or any future Local Policies Plan or the Plan Strategy, greatest weight will be attached to the Plan Strategy. This includes differences in terms of either the written statement or the accompanying plans. Where there are differences between the written documents and any accompanying plan maps, the written statement takes primacy.
- 5.5 This Plan Strategy is accompanied the District Proposals Map and is supplemented by a number of smaller maps within this document which show the extent of designations and other sites or zonings. The map numbers are listed in the opening section of the Plan Strategy.

# ■ GENERAL PRINCIPLES PLANNING POLICY

## 6.0 General Principles Planning Policy

### Overview

- 6.1 To support the delivery of the objectives of this Plan Strategy and the spatial planning framework, a general principles planning policy is provided to ensure that the development of our District occurs in a sustainable way. We wish to see the sustainable development of our District in a manner which is orderly and consistent, while furthering sustainable development and improving well-being. Some of the most sensitive parts of our District will be protected from all development due to the need to protect our most sensitive landscapes and environmental assets, and some parts of our District will be protected from certain forms of development.
- 6.2 Where development is proposed in Mid Ulster it will be determined against the following general principles planning policy. The detailed criteria within this policy are not repeated in individual subject policies in the Plan. This policies applies as appropriate to all development.

### Regional Context

- 6.3 Strategic planning policy advises us to simultaneously pursue social and economic priorities alongside the careful management of our built and natural environments for the overall benefit of our society. The SPPS states that the guiding principle in determining planning applications is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance. Strategic policy also advises that in furthering sustainable development and improving well-being it is crucial that our planning system supports the Executive's Programme for Government commitments and priorities as well as the aims and objectives of the Regional Development Strategy 2035 (RDS) which is its overarching spatial strategy for Northern Ireland.
- 6.4 The SPPS goes on to state that in formulating policies and plans and in determining planning applications planning authorities will also be guided by the precautionary approach that, where there are significant risks of damage to the environment, its protection will generally be paramount, unless there are imperative reasons of overriding public interest.

### Our Strategy

- 6.5 Mid Ulster's strategy in relation to General Principles Planning Policy incorporates the regional strategic core planning principles which are:
- Improving Health and Well-being;
  - Creating and Enhancing Shared Space;
  - Supporting Sustainable Economic Growth;
  - Supporting Good Design and Positive Place Making; and
  - Preserving and Improving the Built and Natural Environment.
- 6.6 This policy is set within the context of the SPPS which states that sustainable development should be granted permission unless material considerations indicate otherwise.
- 6.7 This policy underpins the other subject policy topics within the rest of the Plan thereby ensuring balanced decision making in the integration of a variety of complex social, economic, environmental and other matters that are in the long term public interest.

### **POLICY GP1 - GENERAL PRINCIPLES PLANNING POLICY**

Planning permission will be granted for sustainable development where the proposal accords with the Plan and there is no demonstrable harm in relation to the following:

**(a) Amenity**

Development should be compatible with surrounding land uses, the amenities of nearby residents and have regard to the character of the area in which it is located. In considering the impact on amenity regard should be given to the following:

- Levels and effects of noise and vibration;
- Lighting;
- Loss of sunlight, daylight and privacy;
- Odour and fumes;
- Levels and effects of emissions including dust, smoke, soot, ash, grit or any other environmental pollution to water, air or soil.

**(b) Nature and Scale of development**

Development should be in accordance with the Spatial Planning Framework within this Plan in terms of its' nature and scale, and should ensure that it would not prejudice the operation of an existing enterprise.

**(c) Siting, Design and External Appearance**

New development should respect its surroundings and be of an appropriate design for the site and its locality.

It should be sited having regard to its relationship with existing buildings and the visual effects of the development on the surrounding area and where applicable, the landscape.

Development should:

- in the urban setting have regard to the street scene and pattern of development,
- in the countryside, have regard to the character of the area, the local landscape and not rely primarily on new landscaping for integration.

Where relevant, consideration will be given to;

- the size, scale, form, massing, height, and density of the development and
- the external appearance which should have regard to the locality in terms of style, fenestration, materials and colours.

Where appropriate, the siting, design and layout of all new development should have regard to the principles of passive solar design and the use of renewable energy technologies.



Development should be sited and designed so as to not have an adverse impact on public safety and should create safe and accessible places for all people.

**(d) Advertisement**

Proposals for advertisement, or which are likely to include advertisement, will be required to demonstrate they have no significant impact on amenity or public safety.

**(e) Access, Road Layout and Parking Provision**

Proposals should ensure that the existing road network can safely handle any extra traffic the proposal will generate, or suitable developer led improvements are proposed to overcome any roads problems identified. Where appropriate a Transport Assessment should be submitted to evaluate the transport implications of a development.

Adequate and safe access arrangements, manoeuvring and servicing areas should be provided and a movement pattern that, insofar as possible, supports walking and cycling, provides adequate footpaths, respects existing public rights of way and provides adequate and convenient access to public transport.

Car parking should be provided in accordance with published standards as set out in supplementary guidance. An exception may be made where the proposal is located in a town centre or other highly accessible location well served by public transport or where there is spare capacity within nearby public car parks or adjacent on street car parking.

**(f) Meeting Needs of People with Mobility Difficulties**

All development including buildings, open spaces and transportation schemes should take account of the specific needs of those people whose mobility is impaired by including:

- facilities to aid accessibility e.g. dropped kerbs, tactile paving, removal of unnecessary obstructions;
- convenient movement along pathways and an unhindered approach to buildings;
- pedestrian priority to facilitate pedestrian movement within and between land uses;
- reserved car parking for those with mobility difficulties and for parents and children; and
- ease of access to public transport facilities and taxi ranks.

New buildings should provide ease of access without the hindrance of steps or other such obstructions. Where appropriate a Design and Access Statement will be required to demonstrate how the needs of those with mobility difficulties, including visual impairment, has been given consideration.

**(g) Other infrastructural requirements**

All development should demonstrate adequate infrastructure is in place to deal with waste, sewerage and drainage. Where mains sewerage is not available, the applicant may be required to demonstrate that this will not create or add to a pollution problem.

Development proposals are encouraged to use sustainable drainage systems (SUDS) as the preferred drainage solution.

All major planning applications including housing developments of 25 units and above, are required to ensure provision is made for fibre optic cables within the development. The Council wishes to ensure the provision of fibre optic cables to all premises.

Provision should also be made, where appropriate, for salt/grit bins, waste collection and other important amenities to serve the development.

**(h) Landscape Character**

Development proposals should respect, protect and/or enhance the region's rich landscape character, features and sites designated for their landscape quality at any level. They should also reflect the scale and local distinctiveness of the landscape.

New development proposals are required to include provision of green and/or blue infrastructure through quality landscape design and open space provision, commensurate to the scale and nature of development proposed.

**(i) Biodiversity**

Development proposals should respect, protect and/or enhance the District's rich and distinct biodiversity and sites designated for their contribution to the natural environment at any level.

**(j) Planning Gain and Developer Contribution**

In determining an application appropriate weight will be given to proposals and/or developer contributions which include a planning agreement or which will provide local infrastructure, community facilities and other benefits which may be intended to offset the loss of, or impact on any amenity or resource. Developer contribution offers of community benefits outside of a planning agreement will not be accorded any weight in the determination of a planning application.

Planning permission may be refused where the proposal conflicts with the Plan or where the proposal will cause demonstrable harm to interests of acknowledged importance.

## Justification and Amplification

- 6.8 In all cases regard should be given to planning guidance and advice by central government or by Mid Ulster District Council and any subsequent amendments.
- 6.9 Under the provisions of the Planning (Northern Ireland) Act 2011 a planning application should be determined in accordance with the Plan unless material considerations indicate otherwise. The criteria in this policy represents those considerations which normally apply to a range of different types of proposals. However, it is not possible to indicate all potential material considerations that may arise. Accordingly a precautionary principle will apply in line with strategic planning policy which states that, where there are significant risks of damage to the environment, its protection will generally be paramount, unless there are imperative reasons of overriding public interest.
- 6.10 Where proposals are required to demonstrate compliance with a particular criteria within this policy they may be requested to provide a specific technical assessment or evaluation. In all cases it is recommended that planning applications are front loaded with relevant supporting information and assessments to assist in the delivery of efficient decision making.

# ■ SOCIAL POLICIES

## ACCOMMODATING GROWTH AND CREATING PLACES



## 7.0 Housing In Settlements

### Overview

- 7.1 Good quality housing is a fundamental human need that plays a significant role in shaping our lives and our communities. A home is a vital part of people's lives and contributes to creating a safe, healthy and prosperous society. The planning system can play a positive and supporting role in the delivery of homes to meet the full range of housing needs of society, within the wider framework of sustainable development. Settlements are the best locations for housing development in that these provide links to services and infrastructure. As a norm, the larger the settlement, the better these links tend to be. The three main towns have the best service provision.
- 7.2 The key issues for urban housing relate to providing an adequate supply of land at a variety of locations which provide a mixture of house types and tenures at levels which people can afford. It is also important to provide a mix of locations to suit the needs of different communities whilst also ensuring shared housing and community integration.

## Regional Context

- 7.3 The Regional Development Strategy 2035 (RDS) acknowledges that housing is a key driver of physical, economic and social change and emphasises the importance of the relationship between the location of housing, jobs, facilities, services and infrastructure. The RDS recognises that there are significant opportunities for new housing on appropriate vacant and underutilised land, and sets a regional target of 60% of new housing to be located in appropriate 'brownfield' sites within the urban footprints of settlements with a population greater than 5,000.
- 7.4 The SPPS outlines the regional strategic objectives for housing in settlements, consistent with regional guidance in the RDS, which are to:
- manage housing growth to achieve sustainable patterns of residential development;
  - support urban and rural renaissance; and
  - strengthen community cohesion.
- 7.5 The SPPS provides the Strategic Policy for housing in settlements that requires the policy approach to facilitate an adequate and available supply of quality housing to meet the needs of everyone; promote more sustainable housing development within existing urban areas; and the provision of mixed housing development with homes in a range of sizes and tenures. This approach to housing will support the need to maximise the use of existing infrastructure and services, and the creation of more balanced sustainable communities.

## Community Plan

- 7.6 Our Community Plan aims that we place increased value on our environment and enhance it for our children and we enjoy increased access to affordable quality housing. In relation to 'vibrant and safe communities', it aims to have greater value and respect for diversity and create safer and stronger communities with less disadvantage and poverty.
- 7.7 We also recognise the value of our travelling communities and intend to make appropriate provision to meet their needs.
- 7.8 This Plan Strategy provides policies, which will allow for better quality of open space within residential developments, placing value on our environment, enhancing it for our children and helping to create safer environments and communities.

## Our Strategy

- 7.9 Cookstown, Dungannon and Magherafelt will continue to be the focus of major housing development supported by Coalisland and Maghera as local towns. Each of these towns have their own distinctive character and it is important that this is respected in planning for new homes. Our villages and small settlements also provide sustainable locations across rural Mid Ulster but the scale of the development needs to be kept in line with the scale of these settlements and the level of services which they offer.



- 7.10 We recognise the importance of providing the right amount of housing land in the right location to meet housing need. Under-provision can lead to price rises which will bring about a reduced level of access to the housing market. If overprovided for, the housing market can crash resulting in a catastrophe for our economy. Equally, if land is zoned inaccessibly or in the wrong place it can result in urban sprawl or land banking where no efforts are made to develop homes. Thus, in order to achieve a sustainable housing supply, we will ensure an appropriate amount of land is available at a choice of locations across the main towns and that opportunities are also provided in the local towns and smaller settlements.
- 7.11 Key to our strategy is zoning land in two phases in Cookstown, Dungannon and Magherafelt, thus allowing for current needs to be met whilst setting the direction of future growth.
- 7.12 Our strategy is also to provide policy which ensures quality development, in terms of density, design, amenity, open space and accessibility whilst also ensuring opportunity exists for social housing which can be integrated into private housing to provide a mixture of tenures.

## Policy

### **POLICY HOU1 – PROTECTION OF LAND ZONED FOR HOUSING**

Land has been zoned as Phase 1 and Phase 2 housing land. Development of non-residential uses on land zoned for housing will conflict with the plan unless they are ancillary to the housing development and provide community or recreational uses such as health, education or a neighbourhood shop.

Development of phase 1 land for housing in line with the key site requirements will accord with the Plan.

Development of phase 2 housing land will conflict with the Plan except where:

- i) It has been re-designated as phase 1 land in Local Policies Plan or as a result of Plan review;
- ii) It is for social/affordable housing to meet an identified social housing need;
- iii) It is for a single dwelling in accordance with our policy for dwellings in the countryside;
- iv) It is to meet an overriding need for a health, education or community facility.

## Justification and Amplification

- 7.13 Land has been zoned as either Phase 1 or Phase 2 housing land in Cookstown, Dungannon and Magherafelt. Phase 1 housing land is available for development, while Phase 2 land is held in land bank to meet future need. We recognise the benefits of a phased approach in providing a vision for long term expansion of the towns, whilst avoiding over-provision of land at the current time. By zoning phase 2 land, government bodies will be able to take this into account when planning infrastructure and service delivery.
- 7.14 By avoiding over-provision it is possible to avoid urban sprawl and ensure development takes place in a more sequential manner with priority given to accessibility to services, public transport and to the town centres.
- 7.15 No phase 2 land was previously zoned in Magherafelt and this will be rectified in the Local Policies Plan. Phase 2 housing land will not be released for housing development until such times as its designation changes to phase 1 either as a consequence of the Local Policies Plan or a subsequent Plan amendment following a Plan review.
- 7.16 In deciding whether to release phase 2 land, account will be taken of the latest Housing Growth Indicators, the allocations contained in our Growth Strategy, current housing land availability and the rate of house building. In determining which land should be released to phase 1, account will be taken of its position in relation to the town centre, overall accessibility to health, community and other facilities and the availability of infrastructure, thus, ensuring a sequential approach to urban development.
- 7.17 At Local Policies Plan stage and during reviews of the Plan, consideration will be given to the degree of commitment and investment made by landowners to release and progress delivery of phase 1 housing land. Where no demonstrable progress has been made on the delivery of a Phase 1 zoning, consideration will be given to re-designating the land in the Local Policies Plan or as the consequence of a subsequent review.
- 7.18 We recognise that the need for housing changes, particularly in relation to our most vulnerable and less well-off groups who are reliant on affordable/social housing provision. For the purpose of this policy affordable housing relates to social rented housing and intermediate housing and a fuller definition of this is provided in the Strategic Planning Policy Statement. Where it has been demonstrated that there is insufficient uncommitted housing land capable of meeting social housing needs, consideration will be given to meeting these needs on phase 2 land. The need for such development should be confirmed by the Northern Ireland Housing Executive and sites should be selected taking into account accessibility based on a sequential approach. The same principle applies to community facilities where a bona fide need has been established and is recognised by the health, education or other relevant authority.
- 7.19 We recognise that it would not be equitable to remove the rights of a farmer to obtain planning permission because of a phase 2 designation. In this or any other case where an exception is to be considered, the applicant will need to demonstrate that the proposal does not prejudice the remaining zoning.



## **POLICY HOU2 – QUALITY RESIDENTIAL DEVELOPMENT**

New Housing development within settlements, on zoned or unzoned land will accord with the Plan where it has been demonstrated that it will provide a quality residential environment where:

- i) It creates a sense of place and avoids town cramming;
- ii) It respects neighbouring development in terms of character, separation distance and amenity and provides a quality residential environment for the future occupiers of the unit;
- iii) Provision is made for a mixture of house types and tenures providing accommodation accessible to everyone including people with disabilities;
- iv) It provides access to modes of transport other than the car and provides linkages to community facilities;
- v) It provides adequate public and private open space; and
- vi) Provision is made for local infrastructure or local neighbourhood facilities where a need is identified.

## Justification and Amplification

### Creating a Sense of Place and Avoiding Town Cramming

- 7.20 Town cramming can be avoided by applying appropriate densities to new development. On sites of 0.5 hectares or over, densities of developments should respond to their surrounding and normally be in the range of 10-30 units per hectare. Higher densities may be acceptable in our town centres, mixed use areas or zonings identified for social and affordable housing.
- 7.21 In designing residential developments, the designer should respect the character of the area taking account of settlement patterns, scale, the existing urban grain and design of existing properties.
- 7.22 Where the site represents part of a housing zoning, the developer will be required with the aid of a design concept statement, to demonstrate that the development will contribute to the comprehensive development of that entire zoning.
- 7.23 Creating a sense of place requires good design which often pays tribute to the key features of the area. For example most terraces can either be fairly ornate in terms of architectural detailing and mouldings or they can be austere in character. Development of the inter-war and post war years tends to be more suburban in character using features such as bay windows, front gardens and making space for domestic garages. A good designer can utilise the best of what already exists in the area in order to respect the character.

### Separation Distance and Amenity

- 7.24 Separation distance is important not only to prevent town cramming but to prevent over dominance, over-looking and overshadowing, protect privacy and avoid overlooking. Developments should provide adequate separation distance, normally a minimum distance of 20 metres between facing windows of habitable rooms in the interests of privacy and a minimum distance of 12 metres between a front or rear elevation and a gable should be provided in the interests of over dominance, visual intrusion and loss of light. Larger separation distances may be required due to the topography of the land (see diagram 1), while smaller separation distances are achievable and normally found within town centres or historic areas.

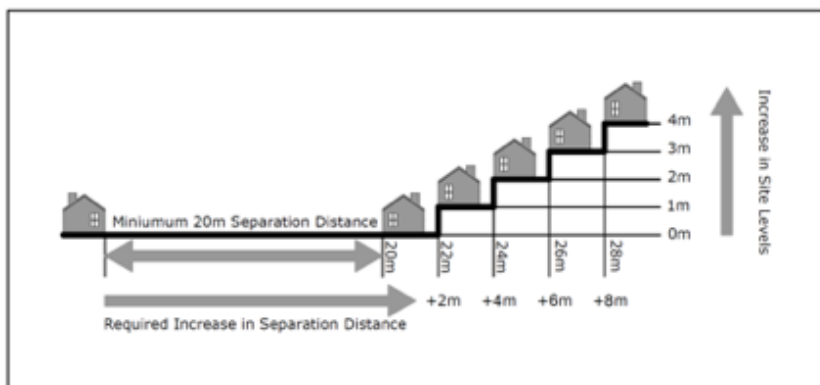


Diagram 1: Separation distance required on sloping sites

- 7.25 'Tandem' development, is development consisting of one house immediately behind another and sharing the same access, and is generally unsatisfactory because of the inherent difficulties of access to the house at the back and the disturbance and lack of privacy suffered by the house at the front. Normally tandem development, should therefore be avoided for housing proposals on back land sites except in exceptional circumstances and where larger separation distance exists.

### **Meeting the Needs of All – Provision of a Mixture of House Types and Tenures**

- 7.26 In residential developments of 50 units or more or on sites of 2 hectares and over, social housing should be provided at a rate not less than 25% of the total number of units. This policy will apply where a need for social housing has been identified by the relevant strategic housing authority until such times that the Local Policies Plan brings forward sites with key site requirements addressing social housing needs. It is not possible to be definitive as to social housing need over a 15 year period as it changes as a consequence of economic factors and inward migration.
- 7.27 On sites of 25 units or more or on sites of 1 hectare and over, there should be a mix of house types to cater for the needs of all families and small households, providing access for all.

### **Meeting the Needs of All – Accessible for All**

- 7.28 We fully support providing homes for life and therefore the developer will not only have to meet building control provisions in relation to avoidance of steps, doorway widths but will also need to show that consideration has been given to the needs of the disabled in terms of appropriately designed and located open spaces. Adequate space should also be provided within the curtilage for any future extensions should it become necessary to provide for family members with a disability. In part this is met by our requirement to provide adequate separation distance and amenity space.

### **Access to Various modes of Transport and Linkages to Community Facilities**

- 7.29 Developments should improve accessibility by adequately catering for motor vehicles but also encouraging other alternative modes of transport to meet the needs of those without a car.
- 7.30 Proposals should create a safe and sustainable environment for current and future occupiers by providing connections and linkages to schools, community facilities, and public transport networks that connect to the wider community and blue green infrastructure to avoid insular developments.

### **Provision of Adequate Public and Private Open Space**

- 7.31 As a general rule for all residential developments over 25 units or sites of 1 hectare or more, a minimum of 10% of the site area should be allocated to public open space which is adequately equipped, landscaped and well-design to form an integral part of the proposal.
- 7.32 Developers will be expected to ensure suitable arrangements are in place to address the future management and maintenance of open space in new residential developments.



- 7.33 Residential developments will be expected to provide adequate garden areas for new housing with a rear garden depth to be not less than 10 metres thus contributing to adequate amenity and separation.



### **Provision of Necessary Local Infrastructure and Neighbourhood Facilities**

- 7.34 The provision of local facilities within residential development is one of the means of providing a sense of community and enhancing the social, environmental and economic sustainability of the development. Large scale housing schemes must provide necessary services and infrastructure to enable new growth to be satisfactorily accommodated. Otherwise they will place further pressure on already overstretched infrastructure and services and increase the need to travel.
- 7.35 The need for local infrastructure and neighbourhood facilities to be provided in conjunction with proposals for new residential development will be assessed in consultation with relevant bodies. Any provision considered necessary will relate fairly and reasonably in scale and kind to the impact of the development proposed. On zoned land where a need has already been identified it will be included as a key site requirement.
- 7.36 Local infrastructure includes road links, cycle-ways, paving, drainage and sewerage and other environmental improvements. Local neighbourhood facilities include social and community uses such as schools, creches, surgeries, local shops and play facilities. Where these are required they should be incorporated into the overall design and layout of the development, designed to a high standard and located to provide focal points and landmark features. The location and design of such facilities should also respect the amenities of proposed and existing housing.



- 7.37 The Council is aware that the provision of local infrastructure and community buildings may impose additional costs on developers. However the Council considers it reasonable to expect that developers will contribute to the cost of provision of necessary facilities or infrastructure and/or set land aside for development and use by the local community. This may entail developers and landowners entering into a planning agreement with the Council.

### **Design and Access Statements**

- 7.38 In order to achieve quality residential developments, applicants will be encouraged to provide Design and Access Statements (D&AS) over and above what is required in legislation. These should include a landscape strategy for larger or sensitive sites where they are not required under legislation. Where the proposal represents the partial development of an area zoned for housing in the plan or neighbouring undeveloped land, the developer will be required to demonstrate a comprehensive approach to consider neighbouring land and so to avoid piecemeal development. Developments will be expected to give regard to regional strategic design guidance (currently "Creating Places").
- 7.39 In addition to the policy requirements housing development will also be required to meet all highway standards and accord with the general principles policies. The scale of the development will accord with the Strategic Planning Guidelines and meet any key site requirements as set out in the Local Policies Plan.
- 7.40 In assessing the quality of residential environments, consideration will be given to "Creating Places" and any subsequent regional guidance with regard to access, provision of open space, room sizes and parking. The developer will be expected to demonstrate that they have taken into account such regional guidance in their overall concept and design of housing developments.

### **POLICY HOU3 – RESIDENTIAL EXTENSIONS**

Extensions and Alterations to residential developments will accord to the plan where;

- the scale, massing, design and external materials of the proposal are sympathetic with the built form and appearance of the existing property and will not detract from the appearance and character of the surrounding area;
- they are designed to be subordinate and ancillary to the main use of the existing building and do not result in significant adverse impact on the private amenity space, access and off street parking provision.
- the proposal does not unduly affect the privacy or amenity of neighbouring residents.

Regard will also be given to this policy when assessing extensions to dwellings in the countryside.

## Justification and Amplification

- 7.41 For many families the affordable way to provide for a growing family or to meet the needs of older members of the family is to erect an extension. Small single storey rear extensions of up to 3m in depth are unlikely to have a detrimental effect on neighbouring amenity, depending on the configuration of the property.
- 7.42 However, large extensions can be over dominant, detrimental to the street scene and lead to a loss of private open space or parking provision. They can also be harmful to neighbouring amenity by reason of loss of light, over-shadowing, overlooking and visual intrusion. When assessing such proposals careful consideration will be given to the height and position of the extension in relation to windows and habitable rooms.
- 7.43 Supplementary planning guidance will be issued on residential extensions which will be taken into account when assessing development proposals.

### **POLICY HOU4 – CONVERSION OF EXISTING BUILDINGS TO FLATS, APARTMENTS OR HOUSES IN MULTIPLE OCCUPATION**

Conversion of existing buildings to flats, apartments or houses in multiple occupation (HMO) will conform with the plan where the accommodation to be provided is of adequate size and layout with sufficient facilities as not to compromise the standard of living for current and future residents.

Development proposals must demonstrate:

- (a) there is no adverse effect on the local character, environmental quality or residential amenity of the surrounding area;
- (b) the proposal maintains or enhances the form, character and architectural features, design and setting of the existing building;
- (c) the original property is greater than 150 square metres gross internal floorspace;
- (d) an adequate residential environment is provided for future occupiers and in the case of flats or apartments they are self-contained (i.e. having separate bathroom, w.c. and kitchen available for use only by the occupiers); and
- (e) Access should be from the front of the property with access to the public street.

## Justification and Amplification

- 7.44 Within recent years there has been a demand for the conversion of buildings to smaller units and houses in multiple occupancy, particularly in Dungannon where there is a large migrant population. Conversion of properties can represent an efficient use of land providing smaller units particularly where there is no longer a demand for larger properties. However, it is important to ensure that where properties are converted, they provide adequate amenity for any future occupiers and that they do not cause harm to the amenity of their neighbours.
- 7.45 In assessing such proposals, careful consideration will be given to the size of the unit to ensure smaller family housing is not lost and the layout of the unit, particularly in relation to habitable and non-habitable rooms. The best solution is often to stack accommodation, living rooms above living rooms, bedrooms above bedrooms, kitchen and bathrooms above kitchen and bathrooms.
- 7.46 Special care and attention should be given to the overall size of the unit, the size of the rooms and access to amenity areas for washing and drying clothes and storing waste.
- 7.47 In assessing proposals consideration will be given to the standards recommended in "Creating Places" for residential development and any subsequent regional guidance.

### **POLICY TH1 – TRAVELLERS ACCOMMODATION**

Development for Travellers specific accommodation will accord with the Plan where a local housing needs assessment identifies demonstrable need.

Accommodation may be provided through either a grouped housing scheme, a serviced site or a transit site where the following criteria are met:

- adequate landscaping is provided;
- the development is compatible with existing and proposed buildings and structures in the area paying particular regard to environmental amenity; and
- where appropriate, the provision of workspace, play space and visitor parking is provided.

Where a need is identified for a transit site or a serviced site, which cannot readily be met within an existing settlement in the locality, applications will be required to meet the policy requirements of Policy CT3 – 'Social and Affordable Housing'.

Exceptionally, and without a requirement to demonstrate need, a single family traveller transit site or serviced site may be permitted in the countryside. Such proposals will be assessed on their merits.

## Justification and Amplification

- 7.48 Any proposal for an individual single family site may have fewer requirements than those listed in the main policy text (e.g. play space) and this should be taken into account when determining such proposals.
- 7.49 NIHE in their Mid Ulster Housing Need Assessment March 2018 has identified the need for a serviced traveller's site in the Magherafelt Area. Following site investigation, a proposal will be brought forward through either the Development Management process or the Local Policies Plan.
- 7.50 When assessing applications for travellers accommodation we will consider the existing level of local provision and need for sites, as well as the availability (or lack) of alternative accommodation that meets the distinctive needs of travellers.
- 7.51 Traveller accommodation should be designed to provide for an adequate layout to protect the amenities of the occupiers with consideration given to the accommodation of services and waste collection services. In assessing the layout of these sites regard will be given to the Design Guide for Traveller Sites in Northern Ireland (1997) or subsequent guidance.





# ■ HOUSING IN THE COUNTRYSIDE

## 8.0 Housing In The Countryside

### Overview

- 8.1 Settlement in Mid Ulster is distinctive in the fact that 40% of our households live in the open countryside and the smallest urban based population in Northern Ireland. This population, for the most part, works in Mid Ulster and has family attachments to the land. It is important that these communities remain vibrant and sustainable, whilst also guarding against excessive development in the open countryside.
- 8.2 A key challenge for us is to accommodate development that will support the vitality and viability of our rural communities without encouraging excessive growth and whilst safeguarding our natural and built heritage.
- 8.3 In Mid Ulster the key issues that must be addressed is the provision of a rural policy that will provide greater flexibility for our population. Within Mid Ulster we have a significant farming community with 4090 active farms registered (DAERA, The Agricultural Census in Northern Ireland, 2016). We need to recognise the needs of our farmers, many of which are small holdings, and ensure they are provided with an opportunity to erect a dwelling in order to sustain their businesses and way of life. Similar to our farming industry we must sustain our commercial fishing industry on Lough Neagh and make provision for our fishermen to avail of a dwelling in the area in which they carry out their operations.
- 8.4 Within Mid Ulster just over 10% of our population rely on a degree of care (NISRA 2013) and therefore we must also cater for the needs of carers of the elderly and disabled by accommodating development which allows people to remain within their own communities.
- 8.5 Our rural policies must provide more opportunities in order to recognise the predominantly rural nature of our population, whilst at the same time promote clustering, consolidation, grouping new development with existing buildings and re-using previously used buildings wherever possible.

### Regional Policy Context

- 8.6 The Regional Development Strategy (RDS) emphasises the need to sustain rural communities living in the open countryside and highlights the need for policy to accommodate new development, appropriately integrated with the landscape.
- 8.7 The RDS seeks to promote high standards in the design, siting and landscaping of development, whilst conserving the natural resources of the rural area and protect it from excessive, inappropriate or obtrusive development.
- 8.8 The Strategic Planning Policy Statement (SPPS) recognises that policy approaches to new development should reflect differences within the region, be sensitive to local needs and be sensitive to environmental issues. The SPPS suggests that this may involve recognising areas that are particularly sensitive to change and areas which have lower sensitivities and thus provide opportunities to accommodate sustainable development.

- 8.9 The overall aim of the SPPS with regard to the countryside is to manage development in a manner which strikes a balance between protection of the environment from inappropriate development, while supporting and sustaining rural communities consistent with the RDS. It requires the plan to bring forward a strategy for sustainable development in the countryside, tailored to the area. The policy approach must be to cluster, consolidate and group new development with existing, established buildings and promote the re-use of previously occupied buildings.

### Community Plan

- 8.10 Our Community Plan aims to make Mid Ulster a welcoming place where our people are content, healthy and safe; educated and skilled; where our economy is thriving; our environment and heritage are sustained; and where our public services excel. Our Community Plan seeks to tackle the difficult local issues such as achieving balanced growth, instilling a sense of community cohesion and well-being, tackling disadvantage and poverty; promoting regeneration through sustainable development.

### Our Strategy

- 8.11 Our Strategy is to provide an opportunity for active and established farms to obtain a dwelling every 10 years, whilst also recognising the needs of fishermen in the business community. The strategy is also to recognise that opportunities exist for new houses where any environmental impacts are minimised, such as where development comprises the re-use of a building or replacement of a dwelling house, infilling within a ribbon, or located within an existing cluster. We also want to recognise the needs of the rural community, which in the main supports itself, by recognising that a dwelling may be achieved by accommodating carers and those for whom they care for, in an environmentally sensitive manner. Our strategy is also to promote quality design through careful siting and consideration of the architectural form and finishes of any new dwelling in the countryside. Our strategy will tackle symptoms of economic and social disadvantage in our rural areas through promotion of rural regeneration by designating Dispersed Rural Communities within our District.
- 8.12 Apart from the types of uses and nature of development specified in this Plan as being acceptable in principle within a DRC, for the purpose of considering all other uses and for siting and design purposes they are to be considered as being within the countryside and therefore such countryside policies apply.
- 8.13 The following policies set out the main planning considerations in assessing proposals for development in the countryside.

## POLICY

### POLICY CT1 – GENERAL POLICY

All residential development in the Countryside shall be required to:

- Cluster, consolidate and group with existing buildings unless there are environmental or operational reasons as to why this is impracticable;
- Integrate with its setting by utilising existing vegetation and landform to provide a backdrop and soften visual impact and avoid unduly prominent or artificially created sites;
- Respect rural character by complementing settlement patterns in the locality and avoid creating or adding to ribbon development;
- Avoid contributing to urban sprawl or mar the distinction between a settlement and the surrounding countryside;
- Be of appropriate design in terms of height, size, scale, massing, architectural detail and finishes.

Care should be taken to ensure that any proposal is sensitive to environmental issues. Appropriate distances should be maintained between tree root systems and building foundations, so neither is compromised.

Development proposals should not lead to the destruction of woodlands and other important vegetation in an attempt to screen a dwelling.

### Justification & Amplification

#### Cluster, Consolidate and Group

- 8.14 Our policy approach is to cluster, consolidate, and group new development with existing established buildings, and promote the re-use of previously used buildings. This sustainable approach facilitates essential new development, which can benefit from the utilisation of existing services such as access and drainage, whilst simultaneously mitigating the potential adverse impacts upon rural amenity and scenic landscapes arising from the cumulative effect of one-off, sporadic development upon rural amenity and landscape character.
- 8.15 An alternative site which is removed from existing buildings may be considered, where the applicant submits appropriate and demonstrable evidence from a competent and independent authority such as the Health and Safety Executive, Environmental Health Department of the local Council to justify the siting.

#### Integration and Visual Impact

- 8.16 Landscapes vary, and this needs to be taken into account when considering integration. Whether a new building integrates into the landscape is not a test of invisibility; rather it requires an assessment of the extent to which the development of the proposed site, including necessary site works, will blend in unobtrusively with its immediate and wider surroundings.

- 8.17 The main criteria against which the degree of visual impact will be considered includes:
- the location of the site within the landscape, the position of the building within the site and its relationship with surrounding buildings;
  - the attributes of the site and its landscape surroundings and whether these provide sufficient enclosure for the new building;
  - the suitability of the design of the building for the site and its locality, including its form, scale and massing.
- 8.18 New buildings that would read as skyline development or occupy a top of slope/ridge location or otherwise be a prominent feature in the landscape will be unacceptable.
- 8.19 Existing vegetation and trees can assist in providing a sense of enclosure however it is important that new development does not result in the unacceptable loss of our trees. In all cases an adequate buffer from existing trees/vegetation will be necessary.
- 8.20 Where trees provide enclosure or a backdrop to a site they should be retained and where necessary augmented by new planting with native or other species characteristic of the area. This will assist the integration of the new building and help promote biodiversity. Care should be taken to ensure that an appropriate distance is maintained between tree root systems and building foundations, so neither is compromised.
- 8.21 While new tree planting for integration purposes will be considered together with existing landscape features, new planting alone will not be sufficient to satisfactorily integrate a dwelling into the landscape.

### **Rural Character and Ribbon Development**

- 8.22 Ribbon development is detrimental to the character, appearance and amenity of the countryside. It creates and reinforces a built-up appearance to roads, footpaths and private laneways and can sterilise back-land, often hampering the planned expansion of settlements. It can also make access to farmland difficult and cause road safety problems. Ribbon development has consistently been opposed and will continue to be unacceptable.
- 8.23 For the purposes of this policy a road frontage includes a footpath or private lane. A 'ribbon' does not necessarily have to be served by individual accesses nor have a continuous or uniform building line. Buildings sited back, staggered or at angles and with gaps between them can still represent ribbon development, if they have a common frontage or they are visually linked.

### **Urban Sprawl**

- 8.24 Landscapes around settlements have a special role to play in maintaining the distinction between town and country, in preventing coalescence between adjacent built-up areas and in providing a rural setting to the built up area. The principle of drawing a settlement limit is partly to promote and partly to contain new development within that limit and so maintain a clear distinction between the built-up area and surrounding countryside. Proposals that would mar this distinction or create urban sprawl will therefore be unacceptable.



## Design

- 8.25 The form and proportions of a new building are key elements in the design and strongly influence its visual impact on the landscape. The most successful rural designs are those which are based upon simple shapes and forms of traditional buildings. It is however acknowledged that there will also be opportunities for contemporary or innovative design which results in the provision of high quality, more environmentally friendly buildings provided the overall layout and orientation are acceptable.
- 8.26 Irrespective of whichever design approach is followed relative simplicity of design and discretion in the use of materials, texture and colour will greatly enhance the appearance of a new building. The use of non-traditional materials such as brick, concrete and artificial stone-cladding tends to introduce too much diversity of colour and texture. Combinations of materials on walls, the use of feature panels and excessive ornament should be avoided.
- 8.27 Where appropriate, applications for housing in the countryside should include details of proposals for site works, retention or reinstatement of boundaries, hedges and walls and details of new landscaping.
- 8.28 In all circumstances proposals for development in the countryside must be sited and designed to integrate sympathetically with their surroundings and must not have an adverse impact on the rural character of the area.
- 8.29 Supplementary planning guidance contained within 'Building on Tradition': A Sustainable Design Guide for the Northern Ireland Countryside' must be taken into account in assessing all development proposals in the countryside. We may issue design guidance for particular areas of the District where there is a clear local identity of building tradition such as the Sperrins.
- 8.30 Where necessary, applicants will be required to submit a design concept statement or drawing which sets out the processes involved in site selection, site analysis and how the building design has responded to site constraints, the local landscape and considered passive solar design and renewable energy technologies.

## POLICY CT2 - DWELLINGS IN THE COUNTRYSIDE

A Dwelling in the Countryside will conform with the plan where it comprises a:

- (a) Dwelling in an Existing Non-Farm Cluster - The cluster must comprise a group of four or more substantial buildings and be located at a focal point such as a cross roads or a social/community building and can be absorbed through rounding off or consolidation. The site must have existing buildings on at least two sides.
- (b) Dwelling Infilling a small Gap Site - In a small gap site capable of accommodating up to two dwellings. The gap must be located between three or more buildings, each fronting onto a road or laneway.

Exceptionally a single dwelling may be permitted on a smaller gap site, located between two dwellings, each with their own defined curtilage, fronting onto a road or laneway. All gap site proposals must respect the existing development pattern along the frontage in terms of size, scale, siting and plot size.

- (c) Replacement Dwelling - The building must exhibit the essential characteristics of a dwelling and as a minimum all external structural walls must be substantially intact. Replacement dwellings must be located within the curtilage of the original dwelling where practicable, or at an alternative position nearby where there are demonstrable benefits in doing so.
- (d) Conversion/re-use of Existing Buildings for Residential Use - The building must be of permanent construction and include buildings such as former school houses, churches and older traditional barns and outbuildings. This policy does not include "steel framed" buildings such as those used for the purposes of agriculture, industry or storage. Alterations should be sympathetic to the existing building and any extension should be minor. It may be possible to achieve more than one residential unit where the existing building is of such a size to accommodate more than one dwelling without the need for a significant extension.
- (e) Dwelling on a Farm – The dwelling must be on a farm which has been established for 6 years and is currently active and no permissions obtained under this criteria in the last 10 years from the date of the application. The dwelling should also be located next to or visually linked with a group of buildings on the farm. Where there are health and safety reasons relating to the efficient use of the farm or verifiable plans to expand the farm business at the existing building group(s), consideration will be given to an alternative site on the farm. This will also apply where the house is to provide for a retiring farmer to allow for the disposal of the farm or where significant environmental benefits have been demonstrated by the applicant.
- (f) Dwelling in a Farm Cluster - Exceptionally, on farms that are not active and/or established or where permission has been obtained in the past 10 years, a dwelling may be accommodated within a farm cluster on the agricultural unit. The cluster must comprise 3 or more substantial buildings on the farm (excluding domestic garages and small sheds) and the site be bounded by a building on at least 2 sides. This policy may only be used to facilitate one dwelling in an existing farm cluster.
- (g) Dwelling to meet Personal and Domestic Circumstances - Provided there are compelling and site specific reasons related to the persons personal or domestic

circumstances and where there are no practical solutions to meet the particular circumstances of the case, such as an extension or attached dwelling.

- (h) Dwelling for a Carer or someone availing of care - Provided the care is delivered by or received from an immediate family member and the dwelling is in the form of an extension to an existing dwelling to form a separate but attached residential unit, or change of use of an existing building within the curtilage to form a separate residential unit.
- (i) Dwelling for a Business Enterprise - Provided there is a site specific and operational requirement for an employee of the business to live next to the business and where the business has been established for at least 6 years and is operating from a building of not less than 150.sqm. The dwelling must be sited adjacent to the established business.
- (j) Dwelling for holder of commercial fishing licence – The applicant must hold a valid commercial fishing licence, either a boat owners licence to fish for eels or a boat owners licence to fish for scale fish, and at the time of the submission of a planning application must have been living and conducting their fishing operations from Mid Ulster for a minimum of the last 6 years and the applicant has not obtained permission for a dwelling in the last 10 years from the date of the application. Where these circumstances are demonstrated the proposed dwelling must be located within the area identified as a Policy Area for Holder of commercial fishing licence on the District Proposals Map.

In cases relating to dwellings within farm and non-farm clusters, infill sites or an attached dwelling (dwelling for a carer or someone availing of care) the key test is the impact on rural character. In assessing such applications regard will be given to the rural design guide, 'Building on Tradition', or any subsequent design guides. Substantial buildings include dwellings and large farm buildings but exclude domestic garages and sheds, porta-cabins and other temporary structures. Farm buildings must be on the farm holding related to the application site and relate to the operation of the farm.

A 5 year occupancy condition will be used where a personal and domestic circumstances case, a caring case, a business enterprise case or a holder of a commercial fishing licence case is presented. In all instances the onus will be on the applicant to demonstrate how they meet any of the criteria. In instances where a property is subject to an occupancy condition is re-possessed, the removal of this occupancy condition will be permitted to allow for the re-sale of the property.

Occupancy conditions will not be placed on a case for a retiring farmer.

Proposals for dwellings which do not meet the above criteria will be in conflict with the plan.

### **Justification & Amplification**

- 8.31 In keeping with Northern Ireland's strategic planning policy it is our aim to protect the countryside but also provide sustainable opportunities for single dwellings in the countryside in the following instances:

## Non-Farm Cluster

- 8.32 In addition to designated settlements, rural clusters can be found in a variety of locations in the open countryside and these can often absorb a single dwelling without adverse impact. These are more than a group of rural houses, they have an identity of their own, often provided by a church, shop, community facility, a meeting point or perhaps because they are at a cross-roads. Such clusters can provide an opportunity for an additional dwelling, providing it is sited as part of a cluster and does not lead to ribboning or urban sprawl.

## Infilling a small Gap Site

- 8.33 Ribbon development in the countryside is harmful to rural character. However, where there is an existing ribbon along a road frontage, placing a dwelling within that ribbon is unlikely to have an adverse impact providing the plot, siting and design of the dwelling is in keeping with existing development. In such cases the gap site must be located between 3 buildings and fronting onto a shared road or laneway.
- 8.34 The policy also allows for the in-filling of a smaller gap site between 2 buildings, fronting onto a road or laneway, each with their own curtilage. In such circumstances only one in-filling dwelling will be acceptable.



## Replacement Dwelling

- 8.35 Permission will be granted for a replacement dwelling where the building to be replaced still exhibits some of the essential characteristics of a dwelling and as a minimum all external structural walls are substantially intact. It is not necessary for the building to have last been used as a dwelling however it must have been used as a dwelling at some point.
- 8.36 Wherever possible the proposed replacement dwelling should be sited within the established curtilage of the existing building, unless either the curtilage is so restricted that it could not reasonably accommodate a modest sized dwelling, or it can be shown that an alternative position nearby would result in demonstrable landscape, heritage, access or amenity benefits.



- 8.37 Permissions for a replacement dwelling granted under this policy will be subject to a condition requiring demolition of the existing dwelling or restricting its future use if it is to be retained as part of the overall development scheme.
- 8.38 Proposals to replace existing semi-detached or terraced dwellings will generally only be acceptable if replaced in situ with the proposed new dwelling remaining attached to the other elements of the existing development unless there are practical mitigating circumstances to be considered.
- 8.39 Wherever possible, the retention and incorporation of the existing structure into the overall layout of the development scheme, will be encouraged in order to promote imaginative design solutions that will help retain a visual link with our past.

### **Conversion/re-use of Existing Non-Residential Buildings**

- 8.40 There are a range of older buildings in the countryside, including some that have been listed, that are no longer needed for their original purpose. These can include former school houses, churches and older traditional barns and outbuildings. The reuse and sympathetic conversion of these types of buildings can represent a sustainable approach to development in the countryside and for certain buildings may be the key to their preservation.
- 8.41 In examining whether a building is suitable for conversion attention should be given to the nature of the building and conversion of temporary buildings, such as porta-cabins or modern agricultural/industrial steel frame buildings will not normally be appropriate.
- 8.42 In exceptional circumstances a replacement of a non-residential building for a new dwelling may be permitted providing it has been demonstrated that there are substantive environmental and amenity benefits e.g. the removal of a 'bad neighbour' use.
- 8.43 In all cases good design is of the utmost importance and particular care needs to be taken for proposals involving the conversion of traditional buildings to ensure that their character is not lost to the overall scheme of redevelopment.





## Dwelling on a Farm

- 8.44 It is important that farmers are provided with an opportunity to erect a dwelling either to meet the needs of their family or to release capital to re-invest in the farm. However this cannot be allowed to the extent that it would result in excessive rural development which would be harmful to both the farming industry and the amenity of the countryside.
- 8.45 New houses on farms will not be acceptable unless the existing farming business is both established and active. The applicant will therefore be required to provide the farm's DAERA business ID number along with other evidence to prove active farming over the required period.
- 8.46 For the purposes of this policy 'agricultural activity' refers to the production, rearing or growing of agricultural products including harvesting, milking, breeding animals and keeping animals for farming purposes, or maintaining the land in good agricultural and environmental condition. This is in line with EU and DAERA regulations; Article 2 of European Council Regulation (EC) No. 73/2009.
- 8.47 Farm activity also includes equine businesses or the keeping of other animal breeds associated with the land. In such cases it will be the responsibility of the applicant to demonstrate that the business has been established and active either through documentation such as horse passports, flock/herd numbers, business receipts and evidence of business transactions and income.
- 8.48 Where an alternative site is proposed which is removed from existing buildings on the farm, the applicant will be required to submit appropriate and demonstrable evidence from a competent and independent authority such as the Health and Safety Executive or Environmental Health Department of Mid Ulster Council to justify the siting. Evidence relating to the future expansion of the farm business may include valid planning permissions, building control approvals or contractual obligations to supply farm produce.

## Dwelling in a Farm Cluster

- 8.49 In some circumstances, where there exists significant development associated with a farm grouping, the development of a site located within such a cluster can be absorbed through rounding off and consolidation and will not significantly alter its existing character, or visually intrude into the open countryside.
- 8.50 In such cases the existing farm cluster must comprise 3 or more substantial buildings on the farm (excluding domestic garages and small sheds) and bounded by a building on at least 2 sides.

## Dwelling to meet Personal and Domestic Circumstances

- 8.51 There may be cases where special personal or domestic circumstances are so compelling and site specific that a dwelling might be justified and to refuse a dwelling would cause real hardship. Where the proposal is for a detached dwelling to meet the needs of a carer or someone being cared for the applicant will need to demonstrate why the personal circumstances require a new dwelling and why it would not be possible to meet those needs through an extension to an existing dwelling or relocation to another suitable property.

- 8.52 In such cases the applicants will be expected to provide sufficient information to allow a proper assessment of each specific case.

### **Dwelling for a Carer or someone availing of care**

- 8.53 We recognise that there are many instances where someone caring or availing of care would not meet the strict tests in relation to the 'Personal and Domestic Circumstances' policy. However given that our research has shown that just over 10% of our population rely on a degree of care in relation to the elderly or children there are clear social benefits to facilitating extended families living next door to one another.
- 8.54 Accordingly in such cases the applicant will be required to provide:
- sufficient information to justify in relation to the care and support being offered;
  - a well thought out design for an attached dwelling or conversion of an out building which avoids the characteristics of a pair of semi-detached houses and respects rural form.
- 8.55 Information should include details of the level of care required in relation to any medical condition, supported by the appropriate health professional, the identity of the main carer, their current address and occupation. In addition an explanation must be provided as to why care can only be provided at the specific location and how genuine hardship would be caused if planning permission were refused.
- 8.56 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.

### **Dwelling for a Business Enterprise**

- 8.57 Established business enterprises, located in the countryside, may require residential accommodation for one of the firm's employees to live at the site for operational or security reasons. The presence of such a business is not, of itself, sufficient justification to grant permission for someone to live on the site. Applicants must provide sufficient information to show that the business is established and has been operating for at least 6 years from a building not less than 150 sq.m floorspace. The applicant should also present evidence as to why a dwelling is needed.
- 8.58 The dwelling must integrate with the buildings on the site and be sited adjacent to the established business or within, the boundaries of the business enterprise.

### **Dwelling for Holder of Commercial Fishing licence**

- 8.59 Mid Ulster Council recognises the important social and economic role that the established fishing industry on Lough Neagh makes to not only the local area but also the wider region. The Council recognises that fishing has been a major industry on Lough Neagh for centuries, that traditional skills are passed down to each successive generation within families and that many of the traditional methods of eel fishing are still used. Many of those who hold commercial fishing licences do not come from a farming background but are from families who are long standing residents within the villages and smaller settlements of the Loughshore area.

- 8.60 Fishing activity on Lough Neagh is dominated by long established commercial fishing which is controlled by the Lough Neagh Fishermen's Co-operative Society (LNFCs). This commercial fishing is comprised of eel fishing and scale fishing. The Lough Neagh eel fishery alone is worth approximately £3.2m to the NI rural economy and supports over 300 families along the Lough Shore and is recognised as the largest remaining commercial wild eel fishery in Europe.
- 8.61 New houses for the holder of a commercial fishing licence will be acceptable under this policy provided, at the time of submission of a planning application, the applicant holds a valid boat owners licence to fish for eels or holds a valid boat licence to fish for scale fish for a minimum of the last 6 years. In addition the applicant will also be required to demonstrate that he/she has resided and conducted their fishing operations within Mid Ulster for at least the last 6 years. The applicant will therefore be required to provide their boat owners licence, along with other evidence to prove their commercial fishing activity over the required period. This policy applies to the area identified as Policy Area for Holders of Commercial Fishing Licence on the District Proposals Map.
- 8.62 In such instances where there is not a building to cluster with, a high degree of integration will need to be demonstrated in selecting the site.
- 8.63 Should the applicant hold both an eel fishing boat licence and a scale fishing boat licence only one opportunity will be permitted. The applicant can only obtain one single dwelling under this policy. All permissions granted under this policy will be subject to a condition restricting the occupation of the dwelling to a named individual and their dependants.

### **POLICY CT3 – SOCIAL AND AFFORDABLE HOUSING IN THE COUNTRYSIDE**

Groups of Dwellings in the Countryside will conform with the plan where they provide Social/Affordable housing to meet the needs of the rural community as identified by the Northern Ireland Housing Executive and where they are located adjacent to or near a village or small settlement.

#### **Justification & Amplification**

- 8.64 While planning policy resists groups of dwellings in the countryside, an exception may be made where a need has been identified by the Northern Ireland Housing Executive to justify the development of a small group of dwellings adjacent to or near a village or small settlement. The appropriate number of social/affordable dwellings permissible will depend upon the identified need and the requirement to ensure the development is sited and designed to integrate sympathetically with its surroundings. Generally only one group will be permitted in close proximity to any particular rural settlement. For the purpose of this policy affordable housing relates to social rented housing and intermediate housing and a fuller definition of this is provided in the Strategic Planning Policy Statement.

- 8.65 Within the villages and smaller settlements land is not normally zoned and reserved for social housing. Over the plan period it is recognised that housing needs may change and it is often difficult to quantify the long term need within a village or smaller settlement, furthermore in the absence of zoning land for social housing in these settlements it is difficult to ensure a future supply and development limits remain constrained to protect against urban sprawl and pressures for large out of scale housing developments. Thus in order to provide flexibility a group of houses will be permissible in the countryside, outside of a village or small settlement providing the Northern Ireland Housing Executive have verified it is to meet social housing need.

#### **POLICY CT4 – DISPERSED RURAL COMMUNITIES**

DRC's are not an urban designation and whilst they are defined, the extent of these should not be viewed as a settlement limit.

A Single Dwelling in a Dispersed Rural Community will conform with the plan where the applicant can demonstrate they will make a substantial economic and social contribution to that community. In such cases an occupancy condition will be attached.

A group of Dwellings in a Dispersed Rural Community will conform with the Plan where it represents a "Clachan" style development of no more than 6 dwellings, located at a focal point (i.e.) Community Building or Cross Roads.

Single dwellings are required to cluster with existing buildings and all new development must avoid open isolated sites.

Tourism and communities facilities and Cottage Industries will also be accommodated in Dispersed Rural Communities

This policy will be subject to review to ensure that it is a response to low development pressures and if these areas become subject to undue development pressure the policy will be removed.

#### **Justification & Amplification**

- 8.66 Some rural areas display symptoms of economic and social disadvantage. These areas may contain dispersed communities with a strong sense of identity. In the interests of promoting rural regeneration the Mid Ulster Council has designated DRCs within the District.
- 8.67 In an effort to help sustain these particular rural communities, this policy will allow a suitable proposal for a single dwelling. A single dwelling in a DRC will conform with the plan where the applicant can demonstrate that he/she will make a substantial economic or social contribution to that particular local community. Single dwellings will be required to cluster with existing buildings to aid integration.
- 8.68 In order to sustain these isolated rural communities The Plan will allow for suitable, small groups of houses that build upon and consolidate identified focal points. A small group of dwellings within a DRC will conform with the plan where it represents a small clachan style of development. 'Clachan style development' are nucleated groups, of up to 6 dwellings, located at an identified focal point. Clachan development is characterised by closely grouped houses and these dwellings can often have a common orientation.

- 8.69 Appropriate economic development enterprises, including schemes for tourist development, and new social or community facilities may also be accommodated.
- 8.70 The determining factors, on any proposal in a DRC, will be the scale of development proposed, visual impact, and its association or integration with the existing pattern of settlement. All new development must avoid open, isolated sites. The design of all proposals should be of a high quality appropriate to their rural setting and have regard to local distinctiveness.

#### **POLICY CT5 – TEMPORARY/RESIDENTIAL CARAVANS/MOBILE HOMES**

Temporary/Residential Caravans/Mobiles Homes will conform with the Plan where they are for a temporary period of up to 3 years pending the development of a permanent dwelling or where there are compelling and site specific reasons related to personal and domestic circumstances.

In either case the Temporary Caravan/Mobile Home must be located next to where the new building is to be constructed or within or next to an existing building group.

#### **Justification and Amplification**

- 8.71 The design and finishes of a residential caravan or mobile home limits its potential for integration into the landscape. For this reason, planning permission will not be granted for a permanently sited residential caravan or mobile home in the countryside.
- 8.72 It is accepted however, that in exceptional circumstances, a caravan or mobile home can be a sensible temporary solution, to meeting the need for residential accommodation in the countryside, such as pending the development of a permanent dwelling or where there are compelling and site specific reasons related to personal and domestic circumstances.





# ■ HEALTH, EDUCATION AND COMMUNITY USES

## 9.0 Health, Education and Community Uses

### Health

- 9.1 In Mid Ulster the provision of health care is the responsibility of the Northern Health and Social Care Trust (NHSCT) and the Southern Health and Social Care Trust (SHSCT). We have a number of key problems within our District revolving around the services available to our residents within a safe and accessible travel distance. Mid Ulster District has two hospitals, Mid Ulster Hospital and South Tyrone Hospital, however the lack of an acute hospital with A&E provision is a major issue for our residents. In addition to this our ambulance response/wait times and travel times to A&E services are significantly greater than the Northern Ireland average. And given our predominantly rural environment, for some residents the travel times may be even higher.
- 9.2 Oxford Economic research confirms that Mid Ulster has a higher proportion of deaths from cancer, circulatory and respiratory diseases than the NI average. The need to ensure good transport links so residents have access to A&E and other services not currently provided within the District is paramount. The provision of health care hubs are critical to our health care provision in Mid Ulster so as to ensure that as a minimum our residents have access locally, and within reasonable travel time, to those services that would otherwise be available within an acute hospital environment.

### Education

- 9.2 The provision of education in our District is mainly the responsibility of the Education Authority and CCMS. Further education is provided in the three main towns of Cookstown, Dungannon and Magherafelt, while primary school provision is distributed across the District.

### Education Proposals

- 9.3 Examination of the Area Plans prepared by the EA and the former Education and Library Boards has shown that Mid Ulster has sufficient primary school spaces throughout the plan period in the Magherafelt and Cookstown areas, although additional school spaces may be required in the Dungannon South Tyrone Area. In relation to post primary education, additional spaces will be needed in the Magherafelt and Dungannon areas before the end of the plan period.
- 9.4 There have been recent proposals for new build projects in our District:
- St. Patricks Academy, Dungannon – the school building is now complete and teaching has recently commenced. The Department of Education advise that the old school will be demolished and the playing field developed
  - Edendork Primary School, Dungannon – the business case has been approved and a new site identified. The Department of Education advise that there is agreement in principle for the sale of this land pending agreement on access to the remaining land. When the new build has been completed the trustees of the school will be responsible for disposal of the schools current site
  - Holy Trinity College, Cookstown – the business case has been approved and the project is progressing through design stages. The new build will be on the school's existing site.

- GaelscoilUi Neill, Coalisland- the business case has been approved and a new site procured. The school is currently on a site leased from a private landlord and when the school moves the site will revert to the owner.
  - Gaeolscoil Aodha Rua, Dungannon – this school was announced to advance to planning in March 2016. Two sites are currently under consideration for the new build for the school. The school is currently on a leased site, which will revert to the owner when the school relocates.
- 9.5 Proposals have also been published to discontinue St Pauls College, Kilrea and St Mary's College, Clady with a view to building a new 850 pupil 11-18 year old catholic maintained post primary school. The new site is yet to be confirmed.
- 9.6 The Department of Education advise that the Projects under the first call to the School Enhancement Programmes (SEP) which involve major refurbishment or extension projects in the District and these are located at Rainey Endowed Grammar School, Anahorish Primary School, St Marys Grammar School Magherafelt and St Joseph's Grammar School Donaghmore are now all complete.
- 9.7 They also advise that on 8 May 2018, a first tranche of projects were announced to be advanced in planning under the Second Call of the Schools Enhancement Programme (SEP2). Three of these projects are at schools within Mid Ulster area however they anticipate that none of these projects will require additional land or lead to disposal of any land. The proposals for the three projects are:
- St Johns Primary School Coalisland – new classroom extension, car parking, hard play area and refurbishment of existing school;
  - St Joseph's Grammar School, Donaghmore – new accommodation block;
  - Sperrinview Special School, Dungannon – new build extension and refurbishment of existing building.
- 9.8 On 23 March 2016 Theresa Villiers, the then Secretary of State for Northern Ireland announced a list of projects to benefit under the first tranche of UK government funding for shared and integrated education announced under the Stormont House and Fresh Start Agreements. Those in Mid Ulster are:
- Phoenix Integrated Primary School , Cookstown – it is currently proposed that it will receive a new build on land owned by the Education Authority;
  - Moy Shared Education Campus – this will see a new shared campus for Moy Regional Primary School and St Johns Primary School, Moy. The business case is currently being drafted however it is proposed that the current site of Moy Regional Primary School will for part of the new shared campus.
- 9.9 In relation to Gaelscoil Eoghain Cookstown the school is on privately leased land and it is seeking to lease an additional piece of land adjacent to it which will be used for a double mobile and traffic management system.
- 9.10 In relation to further education campuses, the Southwest College at Dungannon have plans to develop a Centre of Excellence for Engineering / Manufacturing.

## **College of Agriculture, Food and Rural Enterprise (CAFRE) at Loughry Campus**

- 9.11 CAFRE are planning a new Science Centre which will house teaching and analytical laboratories for both microbiology and chemistry, classrooms, offices and possibly a new canteen. It will be a new build at the campus and will replace an existing building. Additional student accommodation in the form of 40 self-catering en-suite rooms at their Shannon Hall building is also proposed.

## **Northern Ireland Community Safety College**

- 9.12 The proposal for the combined services training college which would house the PSNI, Northern Ireland Prison Service and the Fire and Rescue Service (NIFRS) at Desertcreat has been radically revised following a withdrawal of funding in 2015. The project will now consist of a significantly smaller NIFRS training complex on the site as opposed to the world class combined training facility which was originally proposed.

## **Community Uses**

- 9.13 This Council provides support for numerous community facilities across the District. In addition the three main towns and our local town of Maghera all have a leisure centre available for public use, while in Moneymore there is a recreation centre and sports arenas are provided in Cookstown (Mid Ulster Sports Arena/MUSA) and Magherafelt (Meadowbank).

## **Regional Policy Context**

- 9.14 The SPPS states that while the planning system cannot directly create policy for health and education it can play an active role in improving the health and wellbeing of people and communities. This Plan Strategy addresses these matters within various subject policies.

## **Community Plan**

- 9.15 The Community Plan includes themes of health and education and the role of the Community Plan will be important in progressing these issues. It aims to create healthier lives, through access to good quality health provision and preventative action to support people to live longer and reduce lifestyle related diseases and also to maintain the independence and wellbeing of older people. Reducing the percentage of heart related deaths in the region is one of the indicators to achieving these aims. With regard to education and skills, the aim of the Community Plan is to have good quality education for everyone and have a skilled labour force to meet the needs of industry and for children and young people, to have the best start in life and to have successful learners who are well skilled to maximise employment and other opportunities.

## **Our Strategy**

- 9.16 Our Strategy is to ensure that there is sufficient land to meet the anticipated needs of the community, in terms of health, education and other public facilities. Changing circumstances determine the requirement of land to meet the needs of the community for health, education and other public facilities. With the possibility of rationalisation and further privatisation of services, emphasis will be placed upon making the best possible use of existing sites.

- 9.17 Should circumstances require that new sites are needed, land will be identified by individual site assessment or through the review of the Plan.

## POLICY

### POLICY COY 1 – COMMUNITY USES

Where necessary land will be reserved for community use either through a community zoning or a key site requirement on an opportunity site or other land use zoning as designated in the Local Policies Plan.

Proposals for the development of a community use elsewhere within a settlement shall accord with the plan provided:

- (i) There is no significant detrimental effect on amenity;
- (ii) It does not prejudice the comprehensive development of surrounding lands, particularly on zoned sites;
- (iii) The proposals are in keeping with the size and character of the settlement and its surroundings;
- (iv) Where necessary, additional infrastructure is provided by the developer; and
- (v) There are satisfactory access, parking and sewage disposal arrangements.

In exceptional circumstances where there is no suitable land available in a village or small settlement then favourable consideration will be given to a community use associated with the settlement, on a site which is located next to the settlement limits or visually associated with it.

### Justification and Amplification

- 9.18 An unforeseen demand for new community facilities may arise over the lifetime of the Plan. To address this a flexible approach is required in considering such development within settlement limits in order to make the most effective use of existing facilities, infrastructure, utilities and resources.
- 9.19 It should be noted that community facilities will not normally be permitted on Phase 2 housing land, unless there are overriding needs as identified by a service provider in the period up to the Local Policies Plan or any subsequent review.





# ■ URBAN DESIGN



## 10.0 URBAN DESIGN

### Overview

- 10.1 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.
- 10.2 The topic of Urban Design is discussed and considered in planning guidance but is not widely covered in strategic policy.

### Regional Policy Context

- 10.3 The SPPS sets out Core Planning Principles which may be considered when delivering successful urban environments. They include;
  - Supporting Good Design and Positive Place-Making
  - Improving Health and Well-Being
  - Creating and Enhancing Shared Space
- 10.4 Regional policy promotes high quality design to ensure that town centres provide sustainable, attractive, accessible and safe environments. The SPPS asserts that place-making is a people-centred approach to the planning, design and stewardship of new developments and public spaces which seeks to enhance the unique qualities of a place, how these developed over time and what they will be like in the future. Key to successful place-making is identifying the assets of a particular place as well as developing a vision for its future potential.

## Community Plan

- 10.5 The Community Plan recognises the importance of good design in terms of improving the attractiveness of our town centres and in respect of public safety, security and the overall health and well-being of our communities within the urban area. Through town centre environmental improvement and village renewal schemes our residents experience a more attractive and better place in which to live, work and play.

## Our Strategy

- 10.6 Our strategy includes the introduction of policy which will allow for better quality design which will enhance our urban environments and buildings, and create safer environments and communities. This Urban Design policy contained within this section will apply to all of our settlements within the District.

## Settlement Specific Design Guides

- 10.7 In our Local Policies Plan we will endeavour to produce Design Guidance specific to individual settlements within the District at the introduction to each settlement within the Local Policies Plan. This will allow for the individuality of each settlement to be reflected. Supplementary Planning Guidance may also be introduced over time which may provide location specific or topic design guidance.

## POLICY

- 10.8 The following policy sets out the main considerations that Mid Ulster Council will take into account in assessing proposals for development within all settlements within our District.

### POLICY UD1 – Urban Design

Development will need to be of a high standard to accord with the Plan. Developers will be expected to demonstrate where appropriate through a Design and Access Statement that the proposal respects:

- the urban context taking into account any natural features of the landscape and the overall setting in which the development is introduced.
- the best local traditions of form, materials and detailing to complement the urban grain and character of the settlement;
- the height, scale and form of surrounding buildings;
- the public realm, providing adequate public and private open space and landscaping and is designed to foster natural surveillance, promote personal safety and deter crime.

### Justification and Amplification

- 10.9 Good urban design helps to create distinctive and resilient places where people want to live and work. The term 'place-making' is often used to describe the activity of urban design and reflects its importance in relation to making good planning decisions. High quality places and buildings are vitally important to the long term social, environmental and economic success of Mid Ulster's towns, villages and settlements.



## Urban Design Context

- 10.10 All development proposals must respect the surrounding context and character of the area, in terms of topography, layout, scale, proportions, massing and appearance of buildings and structures. Proposals must respect existing vegetation as well as hard and soft landscape features. The design of the development should draw upon the best local traditions of form, materials and detailing and respect the urban 'grain'. Development proposals should be considered at various scales and respond to both the immediate and wider context.

## Building Heights

- 10.11 New development must respect the prevailing building height within our settlements which in the main comprises of 2-3 storey buildings. Exceptionally, consideration will be given to development proposals above this height where it is demonstrated through the provision of a Design and Access Statement that the development is of high quality design and will enhance the area.

## Public Realm

- 10.12 All development proposals must provide adequate public and private open space. It is important that green areas are an integral part of development and opportunities are taken to connect landscaping and access to the wider blue and green infrastructure. In order to soften visual impact, landscaping including trees or groups of trees will be encouraged within surface car parks which should be well-designed, of a scale and size which is appropriate to the context and within which soft landscaping is purposely designed and integrated.
- 10.13 Particular attention should be given to the transition between urban and rural environments, where it may be appropriate to incorporate greater levels of landscaping and open space.
- 10.14 Access must be provided for all. The development must provide 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;
- 10.15 All development must be adequately designed to foster natural surveillance, promote personal safety and deter crime. By taking care to ensure that open spaces are looked on to it is possible to deter anti-social behaviour. The manner in which buildings are designed if ill thought through, can create spaces prone to anti-social behaviour due to the lack of natural surveillance. By taking care that spaces are looked on to it is possible to deter such behaviour and the principles of Secured by Design work to achieve this.

## Design and Access Statements

- 10.16 Design and access statements (D&AS) are a current requirement under planning legislation and should be accompanied with:
- An application which is a major development; or
  - where any part of the development is in a designated area, development consisting of –
    - (i) the provision of one or more dwelling houses, or
    - (ii) the provision of a building or buildings where the floor space created by the development is 100sq. metres or more.
- 10.17 Provided that the correct approach to design is followed the production of such a document is not considered to be onerous on the part of the applicant and the D&AS can be a useful tool in the determination process.
- 10.18 Where a Design and Access Statement is required in the context of this Urban Design Policy as a minimum, it will be required to accord with Section 6(2) of The Planning (General Development Procedure) Order (Northern Ireland) 2015. Design and Access Statement for the purposes of the assessment of Urban Design should in addition consider and refer to supplementary planning guidance, *“Living Places: An Urban Stewardship and Design Guide for Northern Ireland”* and demonstrate how development proposals are underpinned where relevant by the 10 qualities contained therein: Visionary, Collaborative, Contextual, Responsible, Accessible, Hospitable, Vibrant and Diverse, Crafted, Viable, Enduring.





# ■ OPEN SPACE, RECREATION AND LEISURE



## 11.0 OPEN SPACE, RECREATION AND LEISURE

### Overview

- 11.1 Sport and outdoor recreation provide many cultural, social, economic and environmental benefits and contribute positively to physical and mental health and a better quality of life. Everyone should have easy access to open space and the opportunity to participate in sport and outdoor recreational pursuits. For these reasons we attach great importance to the retention of our existing open spaces, the creation of attractive new spaces and the promotion of more opportunities to participate in sport and outdoor recreation.
- 11.2 In Mid Ulster District Council we have a key role in the provision of recreational facilities, along with bodies such as local sports clubs, schools, colleges, and Sport NI.
- 11.3 In Mid Ulster we benefit from numerous Informal and Passive Recreation facilities, well distributed throughout our District, in urban areas and in the countryside providing invaluable recreational spaces. Examples include Drum Manor Forest Park, Dungannon Park and Moydamlaght Forest. Throughout the remainder of the District, our recreation facilities exist in association with the natural resources of the area such as the rivers, lakes and heritage sites.
- 11.4 We also benefit from provision of *Indoor Recreation and Leisure facilities* such as Cookstown, Dungannon, Magherafelt and Maghera Leisure Centres, Mid Ulster Sports Arena (MUSA) and Meadowbank Sports Arena. However, those which are Council owned are largely located within the main and local towns only, with villages not benefiting from such Council owned facilities.

- 11.5 Mid Ulster is well served by play pitch provision and it is important that we recognise the potential value of school sports facilities in addressing play pitch provision and any shortfalls throughout the District. We endorse the importance of dual use of educational facilities in our District. The projected growth in population by the end of the plan period will mean we will need 46 pitches throughout the District. Based on figures provided by Sport NI, if we make use of school facilities we will be in a position to exceed the minimum requirement by approximately 10 pitches. The dual use of education facilities is therefore a key consideration.
- 11.6 Our Children's Play Park provision in Mid Ulster could be described as deficient in some areas. Cookstown is best provided for in terms of quantum, however distribution across the town means access is not convenient for all. Dungannon and particularly Magherafelt are deficient in quantum and distribution. The smaller towns of Coalisland and Maghera have childrens play areas, however they are not easily assessed by all, particularly on foot.

### Regional Policy Context

- 11.7 The Regional Development Strategy 2035 highlights the need to provide adequate provision for green and blue infrastructure in cities, towns and neighbourhoods, and new developments.
- 11.8 The Strategic Planning Policy Statement advocates the protection of existing open space and the provision and maintenance of new open space as an integral part of all new residential development. It also states that all new open space should be accessible to all sections of our society and where they are provided in the countryside, should not impact negatively on the amenity of existing residents

### Our Community Plan

- 11.9 An outcome of the Community Plan is that we are better enabled to live longer and more active lives
- 11.10 The Community Planning Team carried out community consultation in the preparation of the Community Plan . Among high-level findings were:
- people valued the provision and access to good sports/play/leisure facilities in their areas; and
  - a number of core services such as parks/open spaces and sport/leisure facilities are seen to perform well.
- 11.11 Our Local Development Plan will assist in delivering the outcomes of the Community Plan through its strategy for the retention, creation and promotion of open space, recreation and leisure in our District.

## Our Strategy

- 11.12 Our strategy is to protect existing areas of open space and encourage the provision of new open space. This will be achieved by identifying important parcels of open space to be protected, zoning of new open space and by formulating policy to require open space to be provided by the developer in new housing developments. In addition, we recognize the benefits of dual use of open spaces and are working with the Education Authority to share sports pitches. We are also working with NIHE to facilitate children's play provision on land under their control.
- 11.13 We also recognise the link between open space, transport and our environment and as a consequence our strategy is to protect not only parks and gardens but also linear open spaces such as pedestrian walkways. For indoor recreation, the key considerations for any new facilities will be accessibility to the communities that they serve.

## POLICY

### POLICY OS 1 - PROTECTION OF OPEN SPACE

Development that results in the loss of open space shall not accord with the Plan irrespective of its physical condition and appearance.

An exception can be made where it is demonstrated that it will bring substantial community benefits that outweigh the loss of the open space and it will have no significant detrimental impact on open space provision, amenity, character or biodiversity of an area.

Where appropriate, adequate compensatory measures to include provision for more intensive recreational use (3G sports pitches) on site or in other locations capable of serving the area will be given consideration. Compensatory measures should be comparable to that which is lost.

### Justification and Amplification

- 11.14 Open space contributes positively to the character, attractiveness and vitality of our towns, villages and settlements and provides areas for play which is essential to the development of our children as well as places to exercise, which is key to our health and well-being. It also provides a buffer zone between existing land uses, helps reduce flood risk, promote pedestrian linkages and provides "green lungs" which will assist in meeting air quality objectives.
- 11.15 In recent years there has been growing public concern at the loss of open space to alternative uses and once such land is lost it is very difficult to replace and becomes lost forever. Accordingly, we will operate a general presumption against the loss of open space to competing land uses.

- 11.16 We will permit an exception to the presumption against loss of open space where development would bring substantial community benefits that outweigh the loss of the open space and it will have no significant detrimental impact on open space provision, amenity, character or biodiversity of an area. In such cases, applicants will generally be expected to demonstrate that their proposals are supported by the local community.
- 11.17 It is also recognised that development can on occasion provide an opportunity to recreate open space or outdoor recreational facilities in an alternative location to substitute for the loss of an existing open space or facility. However, it should not be assumed that open space can be substituted from one area to another. Much depends on the locational advantages of the existing open space and the impact which its relocation would have on the community it serves in terms of function, character, amenity and biodiversity of the local area.
- 11.18 Where an exchange is acceptable in principle the Council will secure this through use of planning conditions or, where appropriate, a Planning Agreement under Section 76 of the Planning Act (Northern Ireland) 2011. This will tie redevelopment to the provision of the new facility and ensure that this is capable of being maintained adequately through appropriate management agreements.
- 11.19 In assessing the importance of retaining open space consideration will be given to the follows:
- a) Its function in relation to sports provision, children's play or passive recreation;
  - b) The extent to which it contributes to a green wedge or green lung either by itself or linked to other contiguous areas of open space;
  - c) The extent to which the space is important in terms of visual character and the extent to which it helps to define communities either as a focal point or as a separation between neighbourhoods.

The following will be considered as benefits to the community in considering an application under this policy:

- Social/affordable housing;
- More intensive recreation facilities such as all-weather pitches and indoor sports facilities;
- Community facilities such as crèches, halls and meetings places;
- Reinvestment to improve the function, usability and attractiveness of the open space.



## POLICY OS 2 - PROTECTION OF RIVER CORRIDORS

Proposals on sites adjacent to a main river will conflict with the plan unless it has been demonstrated that all the following criteria are met:

- a) a biodiversity strip of at least 10 metres from the edge of the river is provided and accompanied with an appropriate landscaping management proposal;
- b) public access and recreation provision is provided where appropriate;
- c) there is no unacceptable adverse impact on nature conservation;
- d) the proposal will not compromise or impact on the natural flooding regime of the main river and complies with the requirements Flood Risk Policy; and
- e) any development would not prejudice an existing or future opportunity to provide a riverside walk.

### Justification and Amplification

- 11.20 This policy applies to the following main rivers: (a) Ballinderry (b) Moyola (c) Blackwater (d) Bann (e) Owenkillew.
- 11.21 It is important that we protect our open spaces which includes inland bodies of water that offer important opportunities for sport and outdoor recreation and which can also improve the visual appearance of an area.
- 11.22 Water is a key feature in many of our settlements and the public's use, enjoyment and appreciation of rivers and their banks has increased greatly in recent years, for passive recreational purposes, nature conservation interest and general public amenity. Some settlements have already enhanced sections of river bank for public access; for others, this is an asset yet to be exploited. There are a range of interests and activities that can occur along and on rivers, often to mutual benefit. Where sites are adjacent to a main river we will normally require, as part of any development proposal, that public access is provided to and along the river corridor. Access for maintenance purposes is also to be safeguarded for DFI Rivers.
- 11.23 The water environment also provides a unique and valuable habitat for various forms of wildlife, flora and fauna, either within the watercourse, along the river corridors, or on any land subject to flooding. The provision of a buffer strip establishes a continuous green link, parallel and immediately adjacent to the water, and provides an area of undisturbed refuge and habitat for wildlife. Where public access is provided, sensitively located routes with appropriate planting and landscaping and surfaced paths sympathetic to the surroundings will be required.
- 11.24 Areas of land adjacent to watercourses will often perform a primary function of providing for the storage and conveyance of flood-water during times of flood. It is essential that this function is not lost or compromised.

## POLICY OS 3 - OUTDOOR SPORT AND RECREATION

Proposals for outdoor recreation and sports facilities will accord with the plan where they are located in settlements.

Proposals for outdoor recreation and sports facilities in the countryside will accord with the plan provided:

- a) they avoid permanent loss of the best and most versatile agricultural land;
- b) they remain open in character without large scale buildings such as stadia; and large scale stands and any buildings are ancillary and small in scale;
- c) it is demonstrated by the applicant that it will not result in unacceptable levels of disturbance to people living nearby; and,
- d) there will not be an unacceptable level of disturbance to farm livestock and agricultural production or to the use of habitats by wildlife.

Outside of the SCA proposals for development of facilities ancillary to water sports adjacent to inland lakes, reservoirs and waterways will accord with the plan provided:

- a) they are compatible with any existing use of the water, including non-recreational uses;
- b) it is demonstrated that there is no conflict with the provisions of any local management plan.

### Justification and Amplification

- 11.25 Our policy supports proposals for outdoor sport and recreation facilities within settlements. However allowing for the local context of Mid Ulster, the guiding principle of this policy is to support rural communities and recognise the role of sports clubs in the countryside while protecting the rural character.
- 11.26 Mid Ulster District offers a range of activities and facilities in the countryside such as golf courses, golf driving ranges and equestrian uses. Development of these can facilitate agricultural diversification and encourage tourism, but can also have a detrimental environmental impact particularly because of the scale of such development.
- 11.27 Proposals for outdoor sport and recreation facilities in the countryside will be facilitated dependent upon their impact on landscape, rural character, and general amenity considerations. Special attention should be given to the impact on the natural environment and heritage interests and in all cases the development must be sensitive to its setting and achieve a high degree of integration. In addition the loss of good quality agricultural land should be avoided and any buildings should be ancillary and small in scale. Within our SCAs we will allow for ancillary open development relating to appropriate recreation / open space uses, such as pathways, walkways and picnic areas, in order that our community can enjoy the amenity of our mountains and lough-shores. Where exceptions are made an assessment may be required to demonstrate that the ecology of the area has been fully considered.

## **Noise Generating Sports and Outdoor Recreational Activities**

- 11.28 Noise associated with activities such as motorsports, shooting, water-skiing and paintball adventure games can cause disturbance to local residents, farm livestock, and wildlife.
- 11.29 Suitable sites for some noise generating sports may include former mineral workings or locations where the ambient noise level is already high and the tone of noise produced by the proposed sporting or recreation activity will not appear dominant.
- 11.30 For such proposals the applicant will be required to give careful consideration to the type of activity, the tone, level, frequency and duration of any noise generated, the design of facilities, the nature of the local topography and the amount of existing and proposed screening. The development of noisy sports or outdoor recreation activities will generally be inappropriate in or near environmentally sensitive features or locations, such as sites of nature conservation or heritage importance or historic parks, gardens and demesnes and areas designated for the landscape quality or sensitivity.

## **Floodlighting**

- 11.31 Where floodlighting is proposed as part of an outdoor sports and recreation facility, care must be taken to ensure it will not cause unacceptable harm to amenity or prejudice public safety. Such issues are particularly relevant close to residential properties.
- 11.32 In assessing the impact of floodlighting on public safety, the Council will have regard to its effect upon the safe use and operation of any form of traffic or transport on land, on or over water or in the air. For example, glare from excessively bright or poorly aimed floodlighting. All floodlighting proposals will be assessed in the context of the general principles planning policy and proposals should also give careful consideration to the impact of floodlighting on protected species and habitats such as bats.

## **Development of Facilities ancillary to Water Sports**

- 11.33 Mid Ulster is an ideal location for a range of water sports such as angling, sailing, canoeing, rowing and sail-boarding, and powered activities such as water-skiing, jet-skiing and other power boat uses.
- 11.34 Development of facilities ancillary to water sport uses, such as slipways, jetties, boat houses, toilet and changing facilities, parking areas and accesses can be facilitated depending upon of the environmental and heritage sensitives of the area, landscape and general amenity considerations. A number of our water bodies are located in areas of national and international environmental designations and within these areas special attention should be given to ensuring the proposals do not impact on the on the sensitivities and integrity of these areas.

## **POLICY OS 4 – INDOOR SPORT AND INTENSIVE OUTDOOR SPORTS FACILITIES**

In towns, proposals for indoor sport and recreation or outdoor sports requiring stadia, large scale stands or large ancillary buildings will accord with the Plan. Where there are no available sites available within a town a sports stadium may be acceptable close to the settlement limit.

In other settlements, the development should be of a scale which is in keeping with the scale of the settlement

Elsewhere within the countryside small scale indoor sport and recreation facilities will accord with the plan provided:

- a) it is outside a village or small settlement where there is no alternative site available within the settlement which could accommodate the development, it is located close to the edge of the settlement and is visually associated with it and does not harm rural character; or
- b) it is part of a farm diversification or tourism project; or
- c) it involves the re-use of an existing locally important building.

### **Justification and Amplification**

- 11.35 In Mid Ulster our settlement pattern is much more rural based than many other Districts and this policy will facilitate the provision of indoor sport and recreation so small scale facilities could be developed outside villages and small settlements to reflect our predominantly rural population and predominance of clubs and societies in the countryside. This policy does however require that indoor sport facilities continues to be provided predominantly within settlement limits and where there are no sites available a sports stadium may be acceptable close to the settlement limit.

### **Intensive Outdoor Sports Facilities**

- 11.36 Intensive sports facilities include stadia, leisure centres, sports halls, swimming pools and other indoor and outdoor sports facilities that provide for a wide range of activities. Apart from facilitating sport such facilities often serve as a focus for the community and are therefore best located in settlements where they can be accessed most easily by a significant local catchment population.
- 11.37 The precise location of intensive sports facilities can be contentious. They can attract large numbers of people, particularly in the evenings and at weekends. They can also generate increased noise levels, operate long hours, attract a large number of vehicle movements and can require large car parking areas. Specific problems may also arise where floodlighting is proposed (see also Policy OS 3 which applies to all outdoor sports and recreation).



- 11.38 The Council wishes to ensure that development of intensive sports facilities takes place in appropriate locations, are of good design and apply the principles of sustainability. Factors which are important in assessing development proposals include the need for the facility, the size and make-up of the proposed catchment population, accessibility to this population in terms of walking and cycling distances, proximity to public transport, the impact on the local environment and residential amenity, traffic generation and, where appropriate, the proximity to existing facilities of a similar size and nature. Detailed information on these matters should accompany proposals for intensive sports facilities to enable the Council to make a full assessment of the development.
- 11.39 It is acknowledged that specific difficulties may arise in seeking to locate a sports stadium within a settlement, particularly larger scale proposals. Exceptionally, the Council may be prepared to accept such development at the edge of a settlement. In such cases applicants will need to provide, as part of the application, specific justification for the choice of site together with details of what alternative sites were considered and the reasons these could not accommodate the development. Ease of access will be a key issue in assessing such proposals, in particular, the availability of public transport.

# **ECONOMIC POLICIES**

**CREATING JOBS AND  
PROSPERITY**



## 12.0 ECONOMIC DEVELOPMENT

### Overview

- 12.1 Over the Plan period, in order to cater for our growing population, Mid Ulster will require the creation of 8,500 new jobs. This will be achieved by ensuring that there is an adequate supply of economic land available in our towns and through the application of this economic planning policy, which addresses the needs of our District.
- 12.2 The majority of economic land will not be designated until the Local Policies Plan, but given the immediate need for economic land in Dungannon, additional zoned economic land is included in this Strategy as an interim measure. Provision of this supply does not intend to replace further consideration of economic development zonings to meet needs across the total lifetime of the Plan as this is an issue for the Local Policies Plan.
- 12.3 Mid Ulster is heavily reliant on the construction and manufacturing sectors. Indeed, as a District, we are twice as reliant on these two sectors as the Northern Ireland average. (NISRA 'Census for Employment' 2014). Agriculture is also an important sector for employment in Mid Ulster.
- 12.4 In terms of growth in the coming years across Northern Ireland, the manufacturing and agricultural sectors are not forecast to grow significantly; they are even expected to go through decline, with relatively average growth being forecast in the construction sector (Oxford Economics, Mid Ulster District Council Consultancy Support for Economic, Environmental and Social Data Analysis). Therefore, as well as supporting industrial and manufacturing based development in the District, economic policy must also embrace the need to facilitate job creation in sectors which are different from those which have traditionally provided the most employment in our District. The sectors in which most growth is forecast until 2024 are the office based sectors such as IT, professional and administration sectors, which are currently underrepresented in Mid Ulster (Oxford Economics, Mid Ulster District Council Consultancy Support for Economic, Environmental and Social Data Analysis).
- 12.5 Another aspect of the Mid Ulster economy is the high prevalence of rural entrepreneurship. We are less dependent on the public sector than the Northern Ireland average (Invest NI Mid Ulster Council Area Profile June 2017) and have a higher degree of self-employment than the Northern Ireland average. We also have a predominantly rural population, and so it stands to reason that we have a significant tradition of rural entrepreneurship. Our economic policy therefore, must also allow us to facilitate and support this entrepreneurial spirit where this can be done so in a sustainable manner.

### Regional Policy Context

- 12.6 The Regional Development Strategy (RDS) supports development being focussed on the three main hubs and it is in these hubs where development which will lead to job creation should be focussed.



- 12.7 The SPPS supplements this by stating that we must ensure there is an adequate supply of land available for economic development and that we must support economic development where it can be achieved sustainably without harming the environment and in the rural area, where it is of an appropriate scale and nature.
- 12.8 The SPPS also encourage a move towards the re-use of previously used economic buildings along with the integration of economic development and other appropriate land uses such as housing or transport.

### **Community Plan**

- 12.9 The economic development section of this Plan Strategy will also take account of the Community Plan and will contribute to the implementation of the themes contained therein, with particular reference to the themes of economic growth, improving education and skills and creating vibrant and safe communities.

### **Mid Ulster Strategy**

- 12.10 Our strategic approach to economic development is to provide approximately 170 hectares of economic land across the three hubs of Cookstown, Dungannon and Magherafelt at a variety of locations suitable for a mixture of uses. This will come in the form of an equitable split with each of the settlements benefitting from approximately 55-60 hectares each. With the exception of Dungannon, the locations of these zonings will be identified in the Local Policies Plan.

- 12.11 Our Plan will also designate Rural Industrial Policy Areas (RIPA) in order to protect and consolidate existing areas of rural industry. Two RIPA's which are of strategic importance are designated in this Plan Strategy. They are located at Tullyvannon (Killeeshil at old A4 Ballygawley Rd) and at the site of the proposed fire safety training college at Desertcreat. The Key Site Requirements for both are contained in the Growth Strategy. These RIPA's are not land zonings nor are they urban areas subject to settlement limit. Apart from the uses specified in the KSR's any development within a RIPA will be assessed in accordance with General Principles Planning Policy and other relevant policies for development in the countryside.
- 12.12 Any other potential RIPA's will be brought forward in the LPP providing they meet the criteria for being designated as such. The criteria for designation as a RIPA is set out in the Growth Strategy.

## POLICY

### POLICY ECON 1 – ECONOMIC DEVELOPMENT IN SETTLEMENTS

Within towns, proposals for economic development on land zoned for such purposes will conform with the Plan, subject to meeting any Key Site Requirements. In all other cases, proposals will be determined on their individual merits.

Within villages and small settlements, proposals that are of an appropriate scale, nature and design such as compatibility with nearby residential use, will be given favourable consideration.

### Justification and Amplification

- 12.13 Regional policy and indeed our Plan objectives, seek to have the main employment and service areas located in hubs and clusters i.e. the towns, where land will be zoned for economic development. The Local Policies Plan (LPP) will explain the range / type of economic development uses that will be acceptable within zoned economic development designations. In considering industrial proposals on unzoned land within towns, consideration will be given to the scale and nature of development. Proposals for office development will be addressed elsewhere in the Plan, specifically under Policy RE 3.
- 12.14 In smaller settlements, the LPP will not zone land for economic development purposes because of the need to retain a degree of flexibility. However, favourable consideration will be given to applications for industrial, business and storage or distribution uses on un-zoned land included within the settlement limit, provided the proposal is of a scale, nature and design appropriate to the character of the settlement involved and it meets the General Principles Planning Policy.

## POLICY ECON 2 – ECONOMIC DEVELOPMENT IN THE COUNTRYSIDE

Proposals for economic development in the countryside will conform with the Plan where they represent firm and not speculative proposals consisting of one of the following scenarios and where they do not harm or undermine the character of the countryside or the amenity of nearby residents:

- a) Provision of small workshop accommodation of no more than 100 sq. metres floor space for self-employment, forming part of the existing curtilage of a dwelling which is inhabited by the operator of the workshop.
- b) Development of a small gap site with an appropriate economic development proposal such as light industry.
- c) Development within Tullyvannon and Desertcreat Rural Industrial Policy Areas or a designated Rural Industrial Policy Area in the Local Policies Plan providing it accords with any uses and requirements identified in the Local Development Plan.
- d) Expansion within the existing curtilage of an established economic development use which is of an appropriate scale and nature.
- e) Expansion outside of the existing curtilage of an economic development use where it has been demonstrated that relocation is not possible for operational or employment reasons and where the economic use makes a significant contribution to the local economy.
- f) Redevelopment of an established economic development use or re use of an existing redundant non-residential rural building
- g) A new building as part of a farm diversification scheme where a redundant farm building is not available or there is no suitable building available on the farm.
- h) Major industrial proposals where it is demonstrated that the development will make a significant contribution to the regional economy and where it is demonstrated that due to its size or site specific requirements it needs a countryside location. Where there are no site specific reasons, an edge of town location will be favoured.
- i) Development of a small community enterprise park/centre or a small rural industrial enterprise outside of a village or small settlement where the use will be associated with the settlement. Where practical, edge of settlement location will be favoured.
- j) Where there are existing quarries, outside of areas designated for their nature conservation, heritage or landscape value, favourable consideration can be given to a directly related industry e.g. cement / concrete works or glass manufacture.

Economic development in the countryside has the potential to impact on rural amenity and movement contrary to regional strategic policy. Therefore, where a proposal does not meet this policy it will conflict with the Plan.

### Justification and Amplification

- 12.15 The guiding principle of this policy is to facilitate proposals that are likely to protect the rural economy and support rural communities, while protecting or enhancing the rural character. A healthy level of economic activity facilitates investment which will contribute to retaining and enhancing the appeal of the countryside as a place for people to live and visit. This policy takes into account the local context in Mid Ulster which is one of high levels of self-employment and home grown start up industries. This policy seeks to respond to and support this trend by enabling local business start-ups in the rural area, where this can be achieved without causing harm to the character of the countryside.

- 12.16 In all cases, proposals must constitute firm proposals for economic development that have a chance of success in the medium to long term. In order to assess this element of a development proposal, the following information may be submitted as part of an application;
- A business plan showing the projected trends in demand for the services / product in question as well as the availability of capital and projected costs of the business start-up.
  - An assessment of the likely contribution the enterprise will make to the local economy and information on the level of community support.
- 12.17 Farm diversification, the re-use of rural buildings and appropriate redevelopment and expansion proposals for industrial and business purposes offer the greatest scope for sustainable economic development in the countryside. Such projects can however often involve the extensive refurbishment of redundant buildings and this can result in disturbance being caused to species which are present in the redundant buildings such as bats and owls which have legislative protection. It will therefore be necessary to carry out a relevant wildlife survey, where these species are identified.
- 12.18 The conversion of new buildings is the preferred outcome as this is regarded as more sustainable than new buildings being constructed freely. A new building will only be permitted where there is no redundant building available on the farm or where there is a redundant building available but it is deemed to be unsuitable due to a specific reason such as size or location.
- 12.19 Given the prevalence of self-employment and small businesses in the rural area in Mid Ulster, a small workshop type development will be considered acceptable on an infill site, an edge of settlement location or where it can be accommodated ancillary to a dwelling inhabited by the workshop operator. Where it can be accommodated as an ancillary unit to a dwelling a floor space cap of 100 sq. metres will be imposed in order to ensure that the economic development does not become the dominant use on the site and become incongruous with the residential character of the area / site. In all of these scenarios, Use Class B2: light industry would be the preferred economic use because of the reduced potential for impact on neighbouring residential amenity resulting from this use class as opposed to others. To this end, conditions may be imposed on any approval to control the approved use class(es) which can operate from any approved building.
- 12.20 Whilst most industrial development is generally best located within settlements, the Council recognises that certain industrial projects, because of their size or specific site requirements, may need to be located in the rural area.



- 12.21 Where such a development is proposed, developers will need to demonstrate that there is an overriding reason for such a development in the countryside in the interest of the region as a whole and that a thorough exploration of alternative sites, including urban, and edge of urban sites, has been made and that these are unsuitable. It will be the responsibility of the developer to explore all potential environmental impacts, both local and of wider consequence. Consideration will not only be given to the economic needs and benefits but also the wider long-term environmental effects of the proposal. This will include consideration of the accessibility of the proposal by different modes of transport and may entail the submission of a Transport Assessment and associated Travel Plan. Major projects are likely to be subject to formal environmental assessment under the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017.
- 12.22 There are already many industrial and business enterprises located in rural areas in our District. Some are long established, others normally small-scale, have been granted planning permission. Many of these enterprises will over time need to expand and/or diversify. While such expansion is desirable for job creation, it can radically change the nature of the enterprise and its impact on the local environment. It is therefore important to weigh carefully the advantages to the rural economy of job creation or an improved industrial/business facility against the potential for an adverse impact on the rural environment.
- 12.23 Expansion within the curtilage of an existing business will normally be acceptable providing the General Principles Planning Policy is satisfied. However, proposals for offsite expansion will only be permitted where it is demonstrated that it is not feasible to relocate the business for employment or operational reasons. For instance the current business may be located close to a valuable resource and to relocate would eradicate this advantage or, where relocation might contribute to employee job losses. In such circumstances, an offsite expansion will be permitted as long as the General Principles Planning Policy is not compromised.
- 12.24 Mid Ulster has been successful in developing a thriving quarry products related industry. This should be encouraged since it provides jobs locally rather than them being provided elsewhere. Therefore processing of minerals into quarry products such as cement, blocks and lintels can be given favourable consideration where the quarry has been permitted for long term extraction. In assessing such proposals consideration will be given to the long term net benefits and the balance of environmental and economic issues.

### **POLICY ECON 3 – PROTECTION OF ZONED LAND AND EXISTING ECONOMIC DEVELOPMENT SITES**

Proposals which will result in the loss of land zoned for economic development (existing or proposed) will not accord with the Plan unless it is demonstrated that there are important community and employment benefits. Elsewhere within the settlement, change of use of existing economic development land, or land last used for these purposes, may be permitted where there is no need to protect it for employment purposes and redevelopment of the land would result in environmental benefits.



## Justification and Amplification

- 12.25 It is important that economic development land is safeguarded and not lost to other forms of development. The retention of economic development land in urban locations and elsewhere cannot only make a substantial contribution to the renewal and revitalisation of towns but can also provide employment opportunities accessible to large sections of the urban population and the rural hinterland. This land is vital if the number of new jobs created required to sustain the District over the Plan period is to be realised.
- 12.26 An exception may be made if it is demonstrated that a use other than economic development could be located on the site in question and still bring about employment benefits. There are other uses which would not fall within the industrial use class but are important uses in creating employment, such as waste management uses. In assessing the appropriateness of such uses consideration will be given to the degree to which they are compatible with the existing zoning and activities on it. Retailing in this scenario will generally conflict with the Plan.
- 12.27 Un-zoned land which has an existing industrial use on it or which was last used for economic purposes may contain derelict, run down and unattractive buildings. Development of these sites for non-economic uses can often improve the appearance of the site and thus contribute to regeneration and bring about environmental benefits. In such cases, the Council must be satisfied that the loss of the economic use of the land will not contribute to an employment shortage, or harm the ability of the District to meet the projected amount of new jobs required over the plan period.

### **POLICY ECON 4 – DEVELOPMENT INCOMPATIBLE WITH ECONOMIC DEVELOPMENT USES**

A proposal for development in the vicinity of an existing or approved economic use that would be incompatible with this use or that would prejudice its future operation will not accord with the Plan.

## Justification and Amplification

- 12.28 Some proposed developments may be incompatible with economic development enterprises already operating in the vicinity. For example, certain types of industrial use would be incompatible with existing industrial undertakings requiring a particularly contaminant free environment (such as life sciences, food processing and research and development sectors). In other cases, new development, such as housing, could prejudice the continued existence of a particular economic development use. Such cases can arise where the particular processes being carried out have a tendency to cause adverse effects of some kind on adjacent land, even when all reasonable remedial measures have been taken by the operator.
- 12.29 Where it is known that development is proposed, particularly general industrial uses, in the locality of an existing industry requiring a contaminant free environment, special attention will be paid to the needs of the existing industry for a clean/sterile environment in determining the proposal.
- 12.30 The requirements of non-planning legislation, for example those relating to public health and environmental pollution, may result in costly new requirements and restrictions being imposed on such businesses as a consequence of new neighbouring development. In such circumstances, planning permission for new development may be refused in order to avoid jeopardising employment in the existing enterprise.

# ■ RETAILING, OFFICES AND TOWN CENTRES

## 13.0 RETAILING, OFFICES AND TOWN CENTRES

### Overview

- 13.1 Our town centres should be the focus for economic and community activity and should be the areas within towns which experience the highest volume of footfall due to having the most significant concentration of retail as well as related uses such as community uses, leisure facilities, entertainment and office accommodation.
- 13.2 In 2015, an analysis of vacancy rates (Springboard Survey Data, September 2015), rental values (Finance NI – Property Valuation) and available retail offer would suggest that Dungannon is the weaker of the three town centres whilst Cookstown is performing beyond the normal expectations for a town of its size. This is also reflected via the significant expansion of retail offer in Cookstown over the last 20 years. Magherafelt also has a good retail offer and this is strengthened by the existence of Meadow Lane.
- 13.3 In looking to the future, Cookstown has limited potential for town centre expansion given the lack of available land whilst Dungannon has land suitable for such expansion and would be greatly strengthened by the arrival of new retail development. In preparing the Local Policies Plan and undertaking subsequent reviews, an assessment will be made of the capacity of the market and of town centres to accommodate further retail expansion. In Cookstown and Magherafelt, it is felt that growth may be required to focus on the intensification of the use of existing land or premises, while in Dungannon there may be the potential for retail expansion of the town centre.
- 13.4 It is also important that we protect our existing retail offer which is the lifeblood of our town centres. Bearing all this in mind, it is essential that we develop a retail strategy and associated suite of policies which primarily adopts a town centre first approach in line with regional policy. By doing so, we will help to increase the vibrancy and vitality of town centres and make them places which attract as much footfall as possible.

### Regional Policy Context

- 13.5 The Regional Development Strategy advocates the creation of more vibrant town centres which offer more local choice in terms of shopping, social activities and recreation. The SPPS supports a town centre first approach in terms of retail and other town centre uses such as community uses, leisure activities and business as well as also advocating the protection and enhancement of the diversity of town centre uses appropriate to their role and function. Strategic policy also directs that our Plan must be informed by robust and up to date evidence in relation to need and supply. Elsewhere within towns, a sequential approach is advocated requiring careful consideration of available sites and potential for an adverse retail impact on existing centres. Inside villages and small settlements retail development should be of an appropriate scale, nature and design to the character of the settlement. Inappropriate development in the countryside should be resisted.



## Community Plan

- 13.6 Our community plan focuses on economic growth and creating vibrant and safe communities and aims to create a competitive advantage for our principal towns, in line with a town centre first approach.

## Town Centre Masterplans

- 13.7 Cookstown and Dungannon have their own non statutory Masterplans prepared by the then Department of Social Development. They were accompanied by a retail capacity study and Cookstown Masterplan also includes a commercial and leisure study.

## Our Retail Strategy

- 13.8 We support the introduction of a town centre first approach to retailing in Cookstown, Dungannon and Magherafelt. This means focussing retail and other town centre uses, which generate a need to travel, within the boundaries of the town centre. In order to further enhance the vitality and viability of town centres, opportunity sites are also identified which can accommodate a range of uses as identified in the Key Site Requirements of the Local policies Plan.
- 13.9 A town centre first approach will also offer protection for existing retail within town centres from out of centre competition. A Primary Retail Core is also identified to ensure that non retail uses don't reduce the attraction of shop frontages to the shopper and also to ensure that retail uses remain clustered together for convenience and ease of access.
- 13.10 To implement this retail strategy, a **retail hierarchy** has been identified.
- 13.11 Within this hierarchy, the purpose of town centres is to provide for a wide variety of residents within the hinterland of the town and to act as the focus for retail investment and other town centre uses. It is also important within town centres that existing residential uses are protected where a change to another use would be inappropriate.
- 13.12 To complement town centre we have identified a District Centre at Oaks Road Dungannon. District Centres provide for the daily shopping needs of residents within that quadrant of the town. It is designated in order to retain and consolidate existing provision and is not seen as centres for future growth.
- 13.13 Within our three towns there are also a number of locations which include edge of centre supermarkets and individual shops as well as the Linen Green outlet centre in Dungannon. These locations are complemented by shops in the town and can assist in meeting the needs of residents and visitors. However, they do not warrant designation in our Plan as they are not seen as locations for major expansion.

- 13.14 In our two local towns, we have also designated town centres in order to provide for a range of uses to meet the day-to-day needs of the settlement and its rural hinterland. Primary retail cores and opportunity sites are also identified within these local town centres.
- 13.15 In relation to villages and small settlements, the nature of these settlements is that historically they did not have clear defined shopping cores or frontages and where this was the case (for example, Moneymore), these retail units have been replaced, often due to services being concentrated in one larger site such as larger forecourt stores. It is therefore not practical to define these as centres. Our strategy therefore recognises that shops in villages and small settlements are important in providing limited retail and related uses to meet the day to day needs of the village and its rural hinterland.
- 13.16 Elsewhere in the rural area, country side shops are important in securing the vitality and viability of countryside by meeting daily needs of local residents as well as providing opportunities for farm shops, craft shops and shops serving a tourist or recreational facility.
- 13.17 This strategy and its hierarchy can be summarised as;
- 1) **Town Centre First** – Cookstown, Dungannon and Magherafelt will continue as vital and vibrant town centres that act as the main retail and service centres for Mid Ulster whilst accommodating a mixture of uses including town centre housing.
  - 2) **Local Towns and Villages** – We will protect the role of these settlements so that they act as centres for shops and community services so that they meet the needs of their rural hinterlands.
  - 3) **Countryside** – To secure the vitality and viability of the countryside by providing opportunities for farm shops, craft shops and shops serving a tourist or recreational facility.

## HUBS

HIERARCHY	LOCATION	DESIGNATION
Town Centre	Cookstown Dungannon Magherafelt	Town centre boundary designation, Primary Retail Core and Opportunity Sites.
District Centre	Oaks Centre	District centre boundary
Local Centre	None	None
Edge of Centre Supermarkets and Superstores	Tesco, Dungannon	No boundary / designation



## LOCAL SERVICE CENTRES

HIERARCHY	LOCATION	DESIGNATION
Local Town Centres	Coalisland Maghera	Town centre boundaries, Primary Retail Core in Maghera and proposed in Coalisland, Opportunity Zones.
Villages	As proposed in the new settlement hierarchy	No boundary or designation
Small Settlement	As proposed in the new settlement hierarchy	No boundary or designation

## RURAL

HIERARCHY	LOCATION	DESIGNATION
Countryside	N/A	N/A

## RETAILING, OFFICES AND TOWN CENTRES POLICY WORDING

### POLICY RE 1 – DEVELOPMENT WITHIN TOWN CENTRES

Proposals for new retail and retail related development will accord with the Plan where they are located within the primary retail core.

Retail development within the town centre but outside the primary retail core will also be given favourable consideration, as will development such as cultural and community facilities, leisure, entertainment and businesses and housing that would add to the vitality and viability of the Town Centre.

New development within Town Centres, should respect any conservation interests and the unique character of that centre.

### Justification and Amplification

- 13.18 Cookstown, Dungannon and Magherafelt offer a range of land uses including retail, entertainment, leisure, business and administration uses to serve their respective hinterlands and to contribute to the identity of the area. There are a smaller range of uses also found in Maghera and Coalisland. As these locations are already the focus of investment and are best located to provide access for all of our community, including those reliant on public transport, they are the preferred location for future retail development. By focussing retail development in the town centre, this will also increase the visual attractiveness of the area and will lead to increased footfall thus improving the vitality of the town centre.

13.19 In addition to retailing, town centres also provide a variety of related facilities such as employment, leisure and cultural uses. Such uses also contribute to increased vitality and viability and also encourage people to gravitate towards town centres thus bringing people together and fostering a sense of community and place. For these reasons, permission will be granted for appropriate town centre uses where they are in keeping with the character of the town centre.

#### **POLICY RE 2 – RETENTION OF SHOP UNITS IN THE PRIMARY RETAIL CORE**

Change of use from shops to financial and professional services, restaurants and hot food takeaways will accord with the Plan except where;

- There would be a significant loss of retail floor space at ground level;
- It would result in the creation of a cluster of more than 3 non retail uses at ground floor level;
- The area overall is tending to be dominated by non-retail uses.

The loss of ground floor units within the primary retail core to non –retail or non-retail related uses will conflict with the Plan.

#### **Justification and Amplification**

13.20 The purpose of the primary retail core is to protect the retail located within it. The protection of and concentration of retail in these areas will increase footfall through the town centre and will improve the visual appearance of the town centre. A busy and attractive PRC is a key requirement for the viability of any town centre.

13.21 It is particularly important that retail should be concentrated at ground floor level because these locations are the most accessible for all shoppers and will also ensure the avoidance of blank facades which can have a negative impact on the visual appearance of the PRC as well as hindering the security of the area by reducing the degree of natural surveillance which is available. For these reasons, the loss of ground floor retail units within the PRC will be resisted.

13.22 Having said this, some other non-retail uses such as financial and professional services e.g. banks, building societies and estate agents need a shop front from which to conduct their business. Therefore, it would be unwise to impose a “blanket ban” on all non-retail uses within the PRC. However, if allowed to dominate this can reduce the attraction of the area to shoppers.

13.23 Over a long period of time, the demand for smaller retail units has declined in favour of medium to large scale units and it is anticipated that this will continue, particularly in light of new forms of retailing such as internet shopping. Outside of the retail core, there are other shopping parades and individual shops. These have not been designated in the retail core in order to allow them to change to other suitable town centre uses including offices and residential.

The Primary Retail Cores are identified on Maps 1.7 – 1.11.

- 13.24 Other types of office development which fall under Use Class B1 such as a research centre or a call centre will not in all likelihood attract significant footfall, given the nature of their business. Therefore, these types of office development are not ideally suited to a town centre location. However such uses located within town centres or at edge of centre locations can help to strengthen the viability and vitality of the town centre as a whole. Such types of knowledge based office activity may be suited to being located on zoned economic land, adjacent to industrial development where the activities they engage in may be complementary to the operation of a larger industrial development. For instance, a call centre might be able to handle customer services or distribution support for a factory which produces a specific product and the close proximity between the two may be beneficial. This will only be applicable where key site requirements in the Local Development Plan do not promote uses other than the type of development which is proposed.
- 13.25 Residential areas are not considered to be acceptable locations for large scale office development. As has been mentioned, office development can generate a considerable degree of footfall from both employees and customers. The conversion of residential units in a residential area into office uses will not only mean that this footfall is directed away from the town centre but would also have a potentially negative impact on the residential amenity of nearby residential units by virtue of increased traffic and car parking issues for example.

### **POLICY RE 3 –RETAIL AND MAIN TOWN CENTRE USES OUTSIDE OF TOWN CENTRES**

Retail and town centre uses 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. Favourable consideration will be given to edge of centre sites before out of centre locations. Development will only be permitted outside a town centre where there will be no significant impact on an existing centre and in the case of a retail use, where a need has been established.

Any development over 100 sq. metres net floor area will require an assessment of available / alternative sites including any land at edge of centre locations as well as a justification in terms of the market they propose to serve.

Any development above 1000 sq. metres gross external area should be accompanied by a Retail Impact Assessment and Traffic Impact Assessment as well as an assessment of available / alternative sites within an existing centre or at edge of centre locations.

### **Justification and Amplification**

- 13.26 Town centres must possess a viable and vibrant retail offer as well as a range of other services, in order to attract people into them and act as focal points for our larger settlements. Retail should be encouraged to locate in town centres as opposed to other locations in order to increase footfall and to promote the town centre as a viable and vibrant place to be. Also because town centres are the most accessible places for all of those in our community, including those who are reliant on public transport. For these reasons, the main thrust of all retail policy is a “town centre first” approach to retail development. In addition to retail, town centres should be multi-functional and are also important centres for leisure, recreation and cultural activity. These uses can manifest themselves in facilities such as theatres, cinemas or bowling alleys for example. These uses are best located within a town centre and therefore, development of such facilities outside a town centre will only be considered where there are no suitable sites within the town centre.

- 13.27 Where a developer wishes to undertake a retail development outside of the town centre, they must carry out an assessment of alternative sites which are available, primarily within the town centre and secondarily at edge of centre locations. This assessment may involve consideration of properties which are available for rent or purchase in the relevant areas. The findings of this assessment must form part of the application in order to justify the need to locate outside of a designated town centre. Such development must be required to address a particular retail need and the developer will also have to identify this need as well as providing evidence that the proposal will not have a significantly negative impact on the retail offer available within the designated town centre.
- 13.28 Out of centre development should preferably be located in an edge of centre location before consideration is given to out of centre sites. A default distance threshold of 300m from the town centre boundary should be used to determine whether or not a site can be classed as an edge of centre location. However, this threshold may be open to interpretation where issues such as topography or other constraints like archaeological designations are relevant.
- 13.29 Retail development over 1000 sq. metres which proposes to locate outside the town centre will have the potential to cause considerable harm to the viability of the town centre by virtue of attracting an undue amount of footfall and consumer spending away from the preferred town centre locations. Development like this, such as large supermarkets, can offer consumers the potential to acquire all of their weekly needs without needing to visit the town centre.
- 13.30 For the purposes of this policy, District Centres are not considered as Town Centres and are not suitable for large retail development. Any proposals to extend them with development over 1,000sq. metres will be considered in line with the provisions of this policy.
- 13.31 Therefore, such development will have to provide evidence of comprehensive assessment of alternative sites within the town centre, but will also be required to carry out a professional Retail Impact Assessment to demonstrate that the proposed development will not harm the viability of the designated town centre or any District centre.

#### **POLICY RE 4 – NEIGHBOURHOOD SHOPS**

Within towns, suitably located neighbourhood shops will accord with the Plan providing the floor area does not exceed a net area of 100 sq. metres and it does not conflict with the character or amenities of a residential area. Such shops should normally be located within mixed use areas as opposed to a residential area.

#### **Justification and Amplification**

- 13.32 In larger towns, there will often be a local need for smaller scale retail provision to enable people to meet their daily needs without the need to go into the town centre. Some residents such as the elderly or disabled may not always be able to easily access the town centre because they may be dependent on public transport or assistance from carers in order to do this. For other residents, it may not always be practical to access the town centre for their daily needs and therefore there will arise a need for local small scale retail provision.

- 13.33 The provision of small scale retail facilities to meet this need will be considered acceptable. Retail units which are under the 100 sq. metre threshold will not pose a significant threat to the viability of the town centre but will enable the local need to be met, where appropriate.
- 13.34 In considering proposals for such development, the preferred location will be in mixed use areas such as local streets as opposed to locations within larger residential developments, which are often less accessible in terms of parking and are less permeable in terms of access and egress. In all proposals, the potential for negative impact to be caused to nearby residential use will be a paramount concern. Negative impact from this type of development will be caused for example, by increased traffic volumes and noise levels associated with the new retail units which can harm the residential amenity of nearby residents, particularly if a retail unit is open late at night or early in the morning.

### **POLICY RE 5 – RETAIL AND RELATED USES IN VILLAGES AND SMALL SETTLEMENTS**

New retail development within villages and small settlements will accord with the Plan providing it is of a scale that is appropriate to the settlement and will not have a significant negative impact on the retail provision within nearby town centres or on retail offer available in other nearby villages / small settlements. Similarly, any such new development must not impact negatively upon or lead to the closure of existing retail located within the core of the village / small settlement in question.

All such development will normally be restricted to 100 sq. metres net floor area unless the applicant can demonstrate that a development over this threshold will not have a negative impact on retailing within the village / small settlement or indeed a neighbouring settlement.



### **Justification and Amplification**

- 13.35 There is a requirement to meet the day to day needs of residents in local settlements, who may be unable to travel into the main service centres. Small local shops have long played a vital role in meeting daily needs. In order to ensure that our smaller settlements are sustained and continue to be viable, this need must continue to be satisfied and accordingly, the provision of retail development to do this, must be facilitated.

- 13.36 Small scale local shops will be required to be in keeping with the character of settlements in which they propose to locate. Where the proposal involves the erection of new buildings, the proposal must be of an appropriate scale and be acceptable in terms of design, impact on residential amenity and parking arrangements. Where the proposal involves the change of use of an existing building, the appearance of the building must not be altered to an unacceptable degree (by addition of signage, paintwork etc.) so that the building is no longer in keeping with the character of the settlement.
- 13.37 In smaller settlements, the creation of a new retail unit can have a negative impact on the existing retail offer which may already exist. New development can attract customers away from existing retail and in small communities this loss of trade can often be very damaging to the viability of an existing business. The protection of existing retail is vital and therefore, any new development must not be permitted where it could potentially damage the viability or future existence of an existing viable retail outlet.
- 13.38 Likewise, new retail development can cause damage to existing retail in neighbouring smaller settlements by virtue of attracting customers from the wider rural area who would normally use the existing retail offer in other settlements. In such instances, the protection of existing viable retail is the paramount concern and permission should not be granted for new development where there is the likelihood of negative impacts being caused to existing retail in neighbouring settlements.
- 13.39 All development of this nature should be restricted to a net floor area of 100 sq. metres. However, this does not rule out the acceptability of retail facilities over this threshold in villages and small settlements, provided there is no significant impact on existing viable retail in the settlement or in neighbouring settlements. Where development exceeds this threshold, the onus is on the developer to demonstrate this point.

#### **POLICY RE 6 – RETAIL AND RELATED USES IN THE COUNTRYSIDE**

Within the countryside, new retail development proposals for a farm shop, craft shop or shop serving a tourist or recreational facility or a convenience shop linked to a service station will accord with the Plan. Development will normally be restricted to a net floor area of 100 sq. metres.

In all other instances, retail and related uses in the countryside will conflict with the Plan.

#### **Justification and Amplification**

- 13.40 It is not desirable to have new retail development located in the rural area. In the interests of sustainability, retail should be directed towards settlements where other services, businesses and employment uses are located. In addition, retail development will generally be out of keeping with the character of the rural area, particularly larger retail developments with associated signage and hard-core areas for car parking / storage.



- 13.41 Development of small retail facilities which can aid the local rural economy will be acceptable. For example, a craft shop which promotes a unique aspect of local heritage such as local textiles or production techniques. Similarly, a retail outlet such as a gift shop which will increase the appeal of an existing tourism asset in the rural area will also be acceptable. Farm shops can offer an opportunity for farmers to sell their produce on site and directly to the consumer and therefore can be directly beneficial to the local rural economy. In line with policy on farm diversification, such shops should be located within existing buildings.
- 13.42 There are many existing service stations located across the rural area. Over time, many of these have evolved from simply selling fuel to also including a small associated convenience shop. These types of development are considered to be acceptable because they will be located adjacent to an existing service station thus reducing the impact they would have in visual terms as well as in terms of traffic generation, when compared to a completely new retail development.
- 13.43 In all of these cases, the retail development which is proposed, should not exceed 100 sq. metres in net floor area. It is important to ensure that whilst provision is made for certain types of smaller rural retail outlets which can help stimulate the rural economy, it is not permitted at a scale which would have the potential to impact negatively on existing retail development in nearby settlements.

#### **POLICY RE 7 – FINANCIAL AND PROFESSIONAL SERVICES, OFFICE/ BUSINESS USE DEVELOPMENT**

Financial and professional services shall accord with the Plan where they are located in existing centres or mixed use areas.

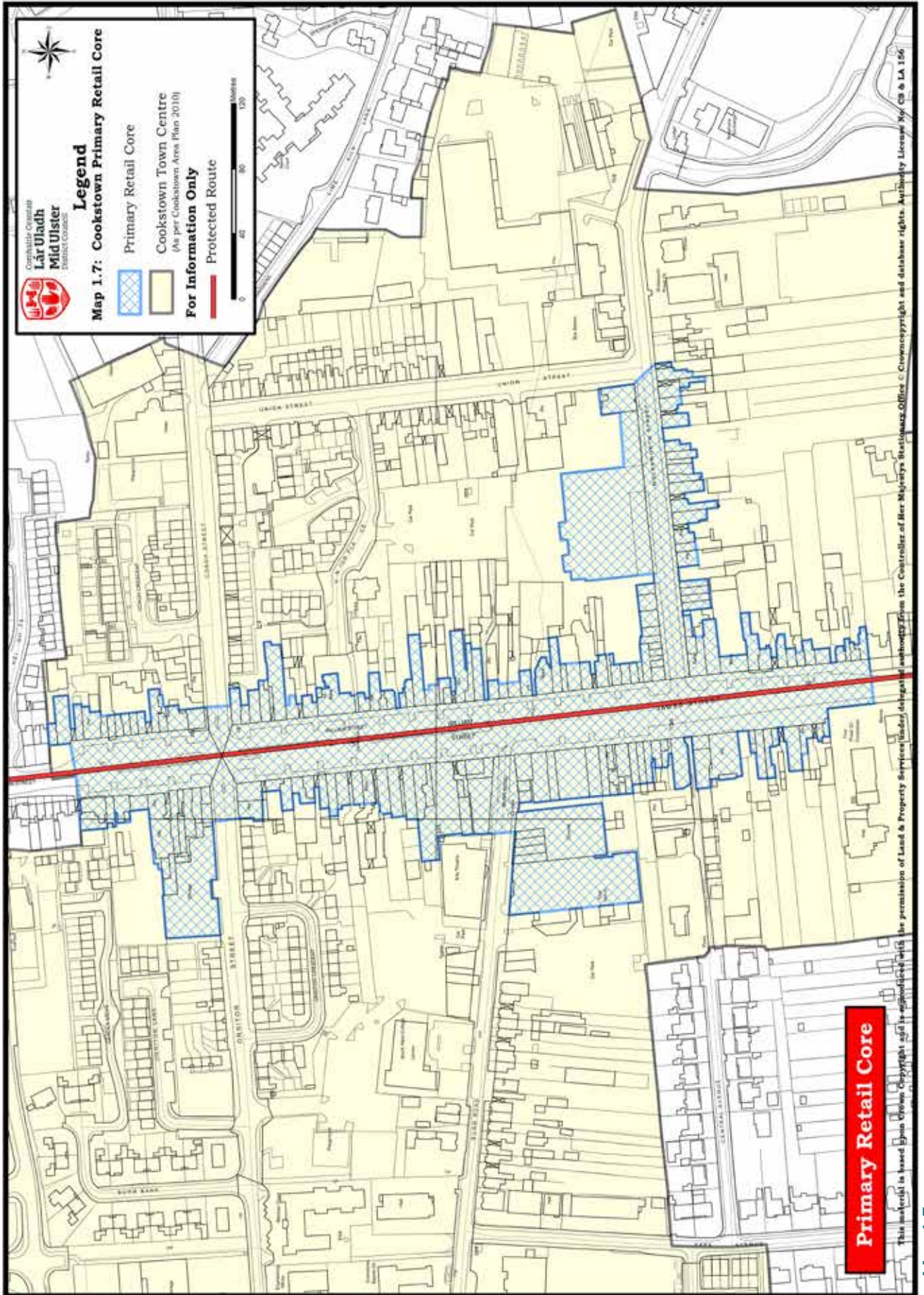
Office and business uses will accord with the Plan where they are located in a town centre or on economic development zonings unless specified otherwise in the respective key site requirements in the Plan. Elsewhere within settlements proposals will be considered on their merits.

The conversion of residential houses in residential areas to financial and professional service offices or other business uses will not normally be acceptable.

Financial and professional services, offices and other business uses in the countryside will conflict with the Plan with the exception of where they conform with the provisions set out in Policy ECON 2.

## Justification and Amplification

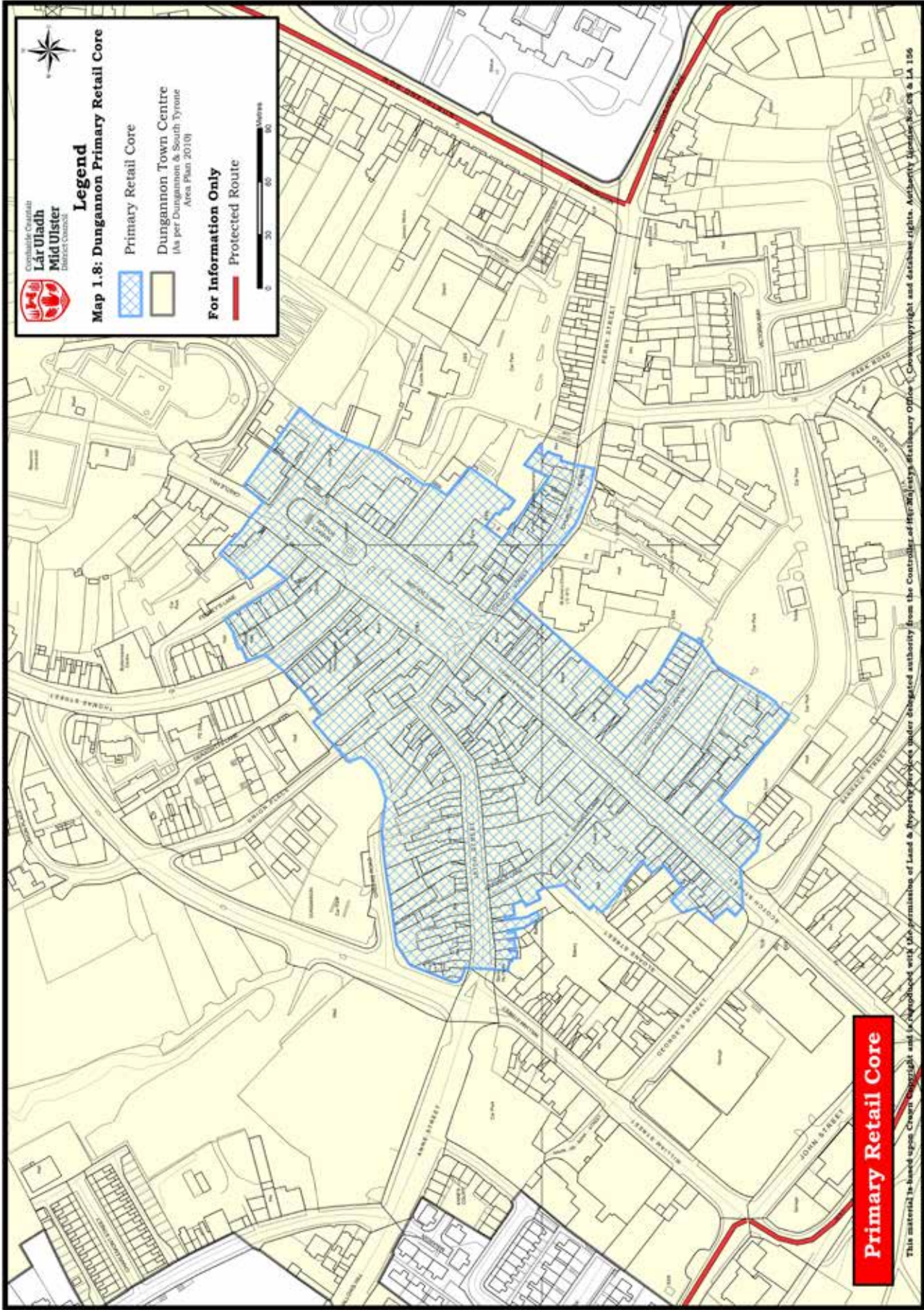
- 13.44 It is envisaged that economic growth across Mid Ulster and Northern Ireland as a whole, in the coming years will increasingly be based in the office and IT sectors. At present, Mid Ulster and our town centres have not fully embraced office type development. It is important that office development is facilitated, particularly in the town centres of Cookstown, Dungannon and Magherafelt in order to facilitate job creation and embrace opportunities presented by the IT sector and a growing professional workforce.
- 13.45 It is therefore important that the Plan attempts to enable office development in appropriate locations in order to facilitate job creation, not solely in the professional and financial sectors but also in growing office based environments such as call centres and research and development.
- 13.46 Major office development associated with financial, professional, administration or other kinds of services can make a significant contribution to the vitality and viability of a town centre because it will attract people who both avail of the services on offer and also those who are employed within. This footfall may not be as significant as that generated by retail outlets but it can still make a positive contribution to the vibrancy of the area. For this reason and in order to grow our towns as centres for services and employment such development should be encouraged to locate within town centres instead of other out of centre locations.
- 13.47 In addition, there may be a local need for smaller office development located within settlements, but outside of town centres, such as one off offices for estate agents, insurance brokers, legal services, banks, elected representatives and public services. This type of development will be acceptable provided it is not located in an exclusively residential area. Such development should be located in existing local centres or in an area of existing economic or mixed use activity.



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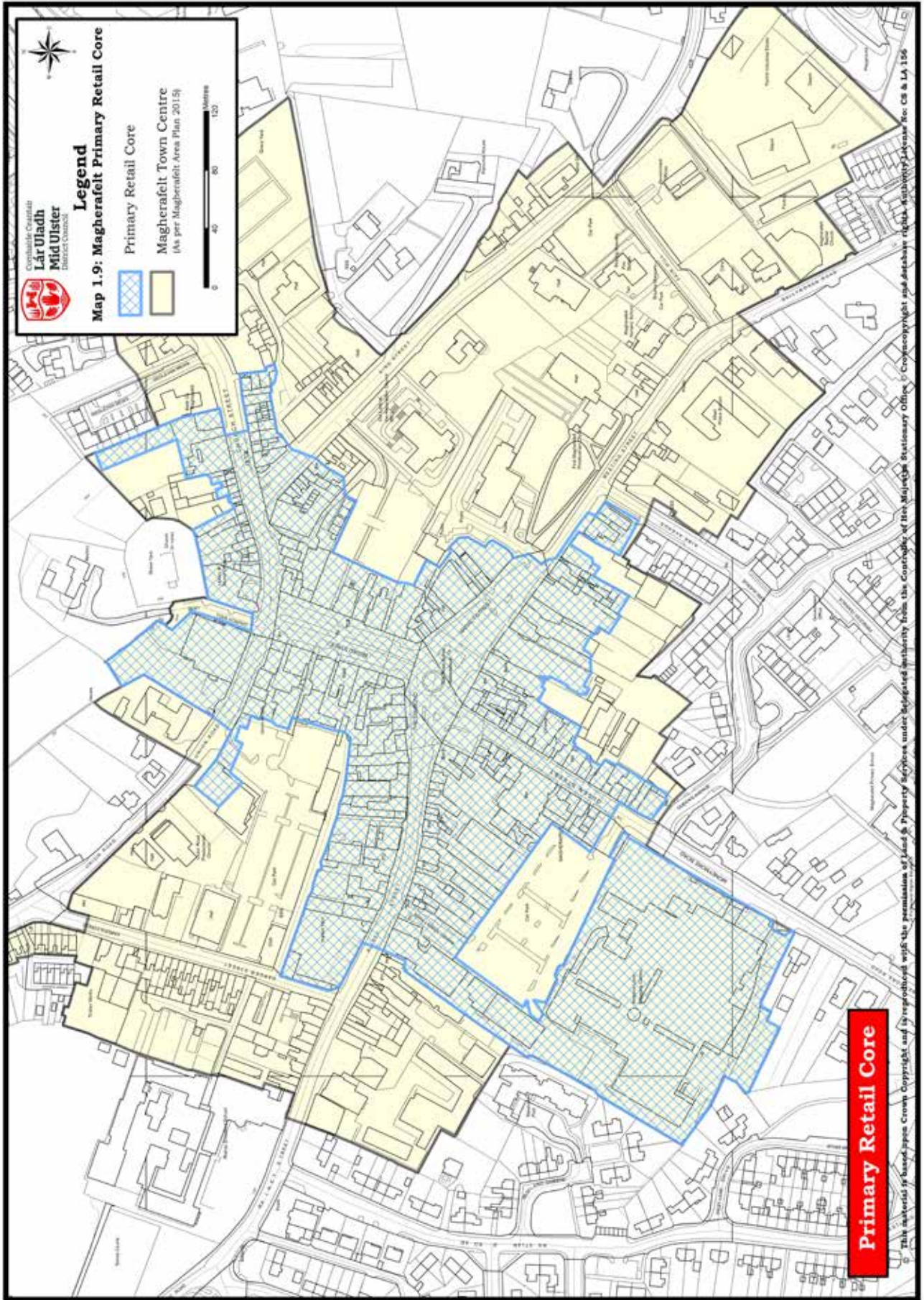
Map 1.7





Map 1.8






 Council of the  
**Magherafelt District Council**  
 District Council

**Legend**

**Map 1.9: Magherafelt Primary Retail Core**

- Primary Retail Core
- Magherafelt Town Centre  
(As per Magherafelt Area Plan 2015)

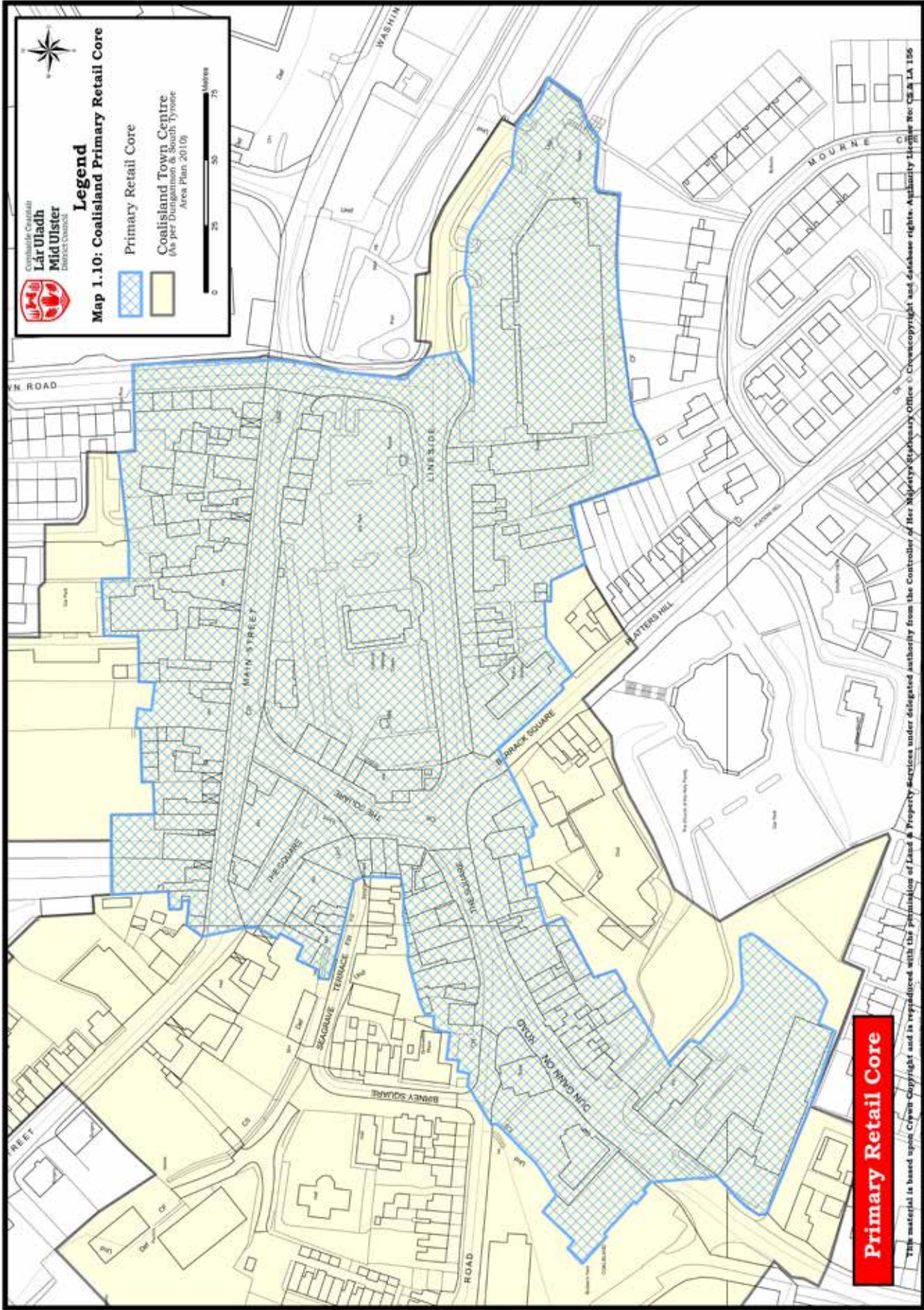
0 40 80 120 Metres

**Primary Retail Core**

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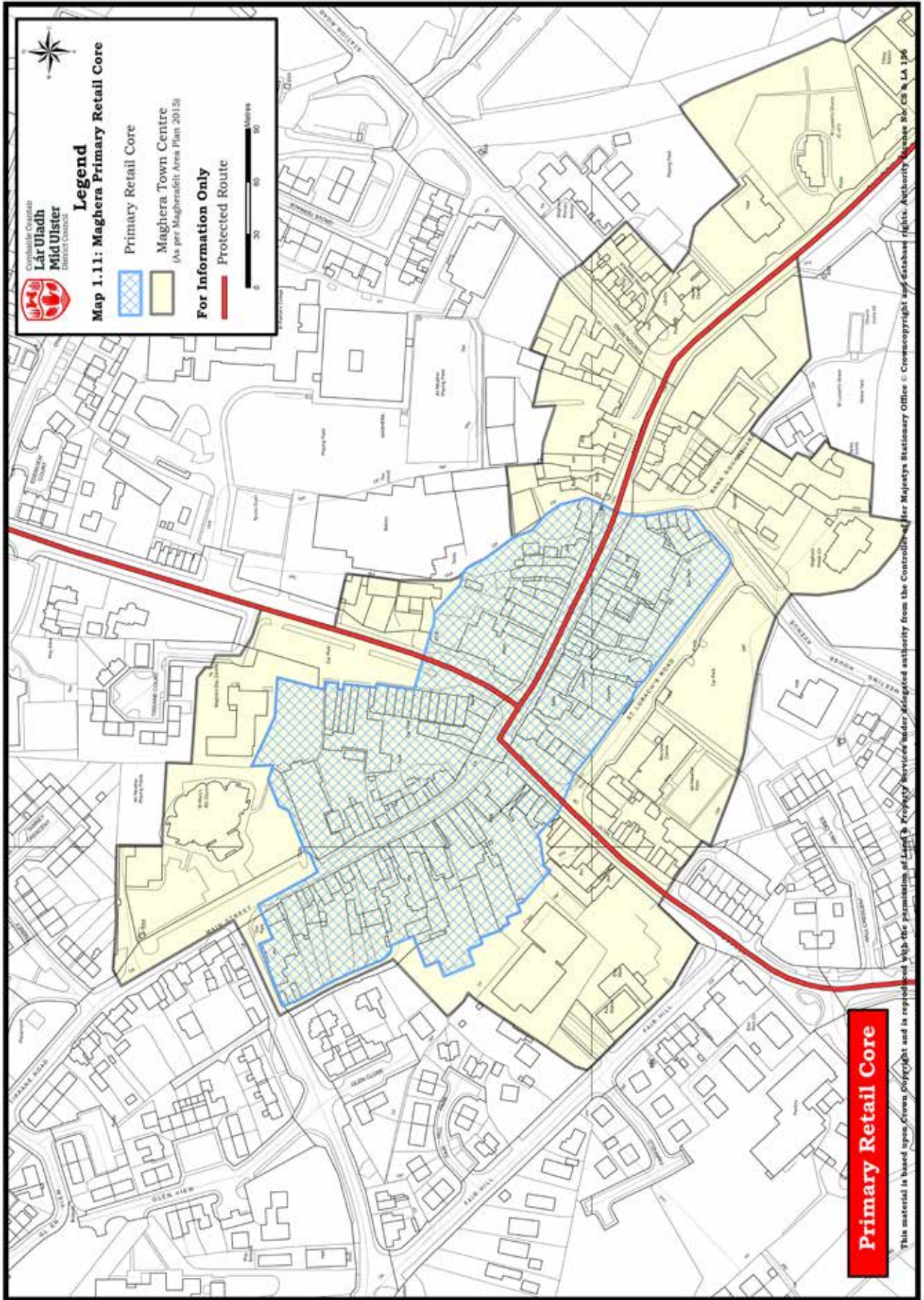
Map 1.9





Map 1.10





Map 1.11

# ■ MINERALS

## 14.0 MINERALS

### Overview

- 14.1 Mineral Development represents a key challenge in Mid Ulster in that we must decide how to facilitate appropriate mineral development whilst also protecting our important landscapes and areas of nature, scientific, conservation and heritage interest.
- 14.2 Minerals represent a very important resource for our District. They provide a valuable source of employment as well generating large amounts of revenue on an annual basis. Mid Ulster possesses more jobs in 'mining and quarrying' than any other District in Northern Ireland (NISRA Employment Census 2014) and it is estimated that in excess of 1250 jobs in Mid Ulster are provided by virtue of the minerals industry, either by direct quarrying activity or associated manufacturing activity. Northern Ireland produces 40% of the world's quarry products equipment such as screening and crushing equipment and undoubtedly a large majority of this is produced in Mid Ulster through companies like Terex and Sandvik, as well as smaller companies who have grown due to proximity and association with these larger companies.
- 14.3 Whilst it is difficult to place an exact figure on the annual value of minerals which are sold in Mid Ulster, it is believed that this figure may be in excess of £13 million per annum (DFE Annual Mineral Statement 2016).
- 14.4 The construction industry is also a very important employer in Mid Ulster with the District being nearly twice as reliant on the construction industry for employment as Northern Ireland as a whole (NISRA Census of Employment 2014). We are a major producer of 'construction minerals' or aggregates such as sand and gravel and the continued production of this will also be a direct stimulant to construction industry.
- 14.5 Mid Ulster has many areas of high landscape quality, including areas which have been identified as Areas of Outstanding Natural Beauty (AONB). These important landscapes, by their nature tend to be located in remote, rural areas, where mineral deposits are also commonly located. Therefore, the extraction of minerals can often occur in areas where their visual impact has the potential to be greater.

### Regional Policy Context

- 14.6 Strategic planning policy objectives state that mineral development should be facilitated whilst also balancing this against the need to protect the environment by minimising the impacts of mineral development on local communities, landscape quality, the water environment and built and natural heritage as well ensuring that safe and secure restoration of mineral sites is realised at the earliest opportunity. Strategic policy states that the policy approach for minerals, including peat extraction from bog lands, must be to balance the need for mineral resources against the need to protect and conserve the environment. The SSPS directs that our Plan should ensure that sufficient local supply of construction aggregate can be made available for the local market, and where appropriate the regional market area and beyond, to meet likely future development needs over the Plan period. We should also safeguard mineral resources which are of economic or conservation value and identify areas which should be protected from mineral development because of their intrinsic landscape, amenity, scientific or heritage value.

- 14.7 Strategic policy also states that we may identify areas most suitable for mineral development. In relation to valuable minerals, strategic policy states that there should not be a presumption against their exploitation in any area. In strategic policy, there is a presumption against unconventional hydrocarbon extraction. The extraction of peat for sale will only be permitted where the proposal is consistent with protection of bog lands of nature conservation interests and protection of landscape quality. Strategic policy also states particular regard is to be paid to the safety and amenity of occupants of developments in close proximity to the development. Traffic movements will result in refusal where the proposal would prejudice safety and convenience of road users and restoration must form part of any minerals application.

### Community Plan

- 14.8 A stable supply of minerals is vital to maintain a diverse range of jobs and to provide a local supply of construction materials for important building projects and as such our Minerals Policy helps support in the delivery of the economic aspects of our Community Plan.

### Our Strategy

- 14.9 Our strategy is to identify areas where there will be a presumption against mineral exploitation; known as Areas of Constraint on Mineral Development (ACMD). These areas are designated based upon their intrinsic landscape, amenity, scientific or heritage value. Within these areas, mineral development will not be permitted except in a small range of circumstances and with certain caveats, including where development will be limited to short term extraction.
- 14.10 We also designate areas where minerals deposits are to be protected; known as Mineral Reserve Policy Areas (MPRA's). The minerals within these areas will be of economic importance and may well be linked to an ongoing industrial operation. Within these areas, surface development will not be permitted because this would prejudice the future extraction of these mineral deposits.
- 14.11 Our Strategy also adopts a policy on valuable minerals such as metalliferous minerals and hydrocarbons. Our policies both will facilitate mineral development where appropriate whilst adopting a precautionary approach to the exploration and extraction of valuable minerals by placing the onus on the developer to demonstrate that there will be no significant harm from the development.

## POLICY

### POLICY MIN 1 – MINERAL RESERVE POLICY AREAS

Within a Mineral Reserve Policy Area, surface development which would prejudice the future extraction of minerals, shall not accord with the Plan.



## Justification and Amplification

- 14.12 Mineral Reserve Policy Areas (MRPAs) are designated because they contain important deposits of local minerals, which have important economic benefits. There are three such designations in Mid Ulster. The MRPAs are identified on Maps 1.12 – 1.15 and they are also identified on the District Proposals Map.
- 14.13 The largest designation is located to the southwest of Cookstown at Ballyreagh and is designated to protect limestone deposits which support an ongoing business in very close proximity. A further designation on the western edge of Coalisland is designated to protect the clay beds which were traditionally exploited for the manufacture of clay bricks, a practice which has not been carried out since 2009 due to the economic downturn. However, there are resources available within the designation and it is felt that these resources should be protected for future use, if required. The designation on the north west edge of Dungannon is to protect shale and clay deposits which are used by an existing business in Cookstown.
- 14.14 Within these designations, surface development which would prejudice the exploitation of the protected resource will not be permitted. Having said this, the policy will not prevent development proposals which are not likely to prejudice the future exploitation of the mineral deposit in question. For example, operational development which is proposed to be located in an existing cluster of development may be considered acceptable because the erection of a further building or structure in that area will not lessen the potential for exploitation because there are already buildings or structures there which have prejudiced extraction. Consideration will always be given to the extent to which the surface has been developed and to what degree this has already prejudiced future exploitation.

### **POLICY MIN 2 - EXTRACTION AND PROCESSING OF HARD ROCK AND AGGREGATES**

In Areas of Constraint on Mineral development the extraction and processing of hard rock and aggregates will conflict with the Plan except for minor expansion of an existing mineral working or where it provides important benefits, such as the provision of stone for the restoration and maintenance of vernacular and other buildings of conservation interest.

Elsewhere, extraction and processing of hard rock and aggregates will conform with the Plan, subject to environmental and transportation considerations. Particular attention will be given to significant to potential impact on human health and public safety, caused by dust, noise, blasts and vibrations resulting from activity on the site and vehicles travelling to and from the site.

A precautionary approach will be adopted to assessing mineral development and therefore the onus will be on the developer to demonstrate that development will not:

- a) Prejudice the essential characteristics of a site of international / national or local nature conservation importance including ASSI's, SAC's, SPA's and local /national nature reserves or other heritage interests;
- b) Result undue harm or loss to protected species or contribute to significant biodiversity loss;
- c) Cause significant risk to public safety or amenity caused by dust, noise, blasting or the use of chemical and/ or biological agents;



- d) Impact negatively upon the safety and amenity of occupants of development in close proximity to the mineral working and / or its transport routes as a result of noise, vibration and dust arising from the excavation process or from the transportation of materials. This criteria will be of particular relevance to proposals involving the use of explosives in the extraction process;
- e) Significantly impair the safety and amenity of road users along the roads where extracted materials will be transported, by virtue of the unacceptable volume of traffic or by vibration, dust or noise associated with the proposed development;
- f) Cause undue obtrusion in the landscape, particularly by breaking the skyline or failing to utilise natural landscape features to aid integration or as a result of poor siting of plant machinery, waste material or the stockpiling of equipment.
- g) Scar the landscape for future generations ensuring that adequate restoration proposals are provided in line with Policy MIN 5.

### Justification and Amplification

- 14.15 Areas of Constraint on Minerals Development (ACMD) have been defined in line with regional policy to protect areas of intrinsic landscape amenity, scientific, heritage value. The ACDM locations are identified on the District Proposals Map. These areas comprise of Beaghmore and the High Sperrin's which are rich in terms of archaeology and represent the wilder, unspoilt and most scenically valuable parts of this Area of Outstanding Natural Beauty. It also includes the Clogher Valley and its escarpment because of its scenic value and earth science interest, and has been extended to include Slieve Beagh, which is also internationally important as a natural habitat. In addition it should be remembered that there a large number of sites recognised regionally and nationally as being important and are protected for their wildlife, scientific value or heritage interests. In effect these also act as areas of constraint on mineral development.
- 14.16 New large scale commercial extraction in these areas would have a profound and irreparable impact on the heritage and scenic qualities of the landscape and therefore it is unacceptable. Within these areas of constraint, there are a few existing working quarries and it is not the intention of the Plan to prevent their operation, however it must be recognised that even minor expansion needs to be carefully assessed. Elsewhere there are also pockets of local stone, needed for the repair of vernacular buildings in the Sperrins and the Clogher Valley. Any proposals for extraction in these areas need to have minimal surface impact and need to be carefully assessed in relation to the size, scale and duration of the extraction.
- 14.17 The Special Countryside Area around the shores Lough Neagh introduces a tight constraint on all development including mineral extraction in recognition of its landscape qualities and the international importance of this wet land. Whilst the shores are designated an SCA and are therefore protected from extraction the Plan has not introduced a SCA on the Lough, which has historically been used for sand dredging. This activity is subject to a regionally significant application being dealt with by Department of Infrastructure. Mid Ulster District Council will review the approach to extraction in light of the outcome of that application. In the interim the Lough continues to be afforded protection by other statutory bodies through the various environmental designations that have been placed on it by virtue of the RAMSAR, SPA and SAC and ASSI designations.

- 14.18 Elsewhere within Mid Ulster there will remain a presumption in favour of hard rock and aggregates extraction and processing in recognition of the importance of this activity to the local economy and its importance in providing materials for construction regionally. All proposals will be assessed in accordance with Policy GP1 General Principles Planning Policy and other plan policies.

### **POLICY MIN 3 – VALUABLE MINERALS AND HYDROCARBONS**

The exploration and extraction of valuable minerals including hydrocarbons and metalliferous minerals will accord with the Plan providing that there are no significant environmental impacts or significant risks to human health. A precautionary approach will be adopted to assessing applications for valuable minerals and hydrocarbons and therefore criteria a) - g) in Policy MIN2 will also apply. Unconventional extraction of hydrocarbons and gases, such as hydraulic fracturing (“fracking”) or use of biological methods or the extraction of valuable minerals by way of chemicals shall not accord with the Plan until there is sufficient and robust evidence on all environmental impacts.

#### **Justification and Amplification**

- 14.19 There may be situations where minerals are discovered which are particularly valuable and the exploitation of these would bring about economic benefits. There is evidence which suggests the existence of high value metalliferous minerals, such as gold, in our District and for this reason, it is considered best practice to have a policy on such development.
- 14.20 Where such high value metalliferous minerals are found, there will not be a presumption against their exploitation in any area. However, where they are proposed in a designated area such as an Area of Outstanding Natural Beauty for example, then due weight must be given to that designation and to the rationale behind its imposition. The rationale for imposing such a designation must not be undermined by the proposal of extraction.
- 14.21 Some extraction methods used in the extraction of high value metalliferous minerals can involve the use of chemicals, such as cyanide, in order to separate the metalliferous deposits from the rock in which they are found. Therefore, it must be proven that such processes, if they occur, will not have any negative impact on human health, in order for that proposal to be considered as acceptable. Exploration for such high value metalliferous minerals can usually be carried out under the current permitted development rights however, where planning permission is required, full consideration will be given to the potential environmental impacts and any risks posed to safety or human health.
- 14.22 In relation to hydrocarbon extraction, there are some controversial, unconventional extraction methods such as hydraulic fracturing (“fracking”) which often cause concerns among local residents and even among the wider population when they are put forward as proposals. At present, it is considered that there is not enough definitive evidence on the matter, with both sides of the argument making cases in support of their relative point of view. Therefore, in relation to unconventional hydrocarbon extraction or chemical extraction of precious metals, proposals for such development will be contrary to the Plan, unless it can be definitively proven that there will be no negative impacts on human health or human safety.

- 14.23 In all cases of mineral extraction, there will be requirement to comply with the General Principles Planning Policy principles laid out in Policy GP1.

#### **POLICY MIN 4 – PEAT EXTRACTION**

Applications for commercial extraction of peat will not accord with the Plan. Exceptions may be made where the peat land is not reasonably capable of restoration or where it can be demonstrated that peat extraction is linked to a management and restoration plan which will deliver improved peatlands over the longer term.

#### **Justification and Amplification**

- 14.24 Around 4% of Mid Ulster is covered in peatland (Corine Database, 2012). The District's peatlands consist of both raised bog and blanket bog. The main area of raised bog is located at the Black Bog, near the border with the Fermanagh and Omagh District. Examples of important blanket bog are found in the Sperrins, Lough Beg and Slieve Beagh. There are also other pockets of peatland dispersed throughout the District.
- 14.25 Peat bogs are recognised as valuable habitats for wildlife as well as important carbon stores as well as sinks. The carbon store keeps carbon locked away from previous generations while the carbon sink actively lock away more carbon that is currently present in the atmosphere which can mitigate against the effects of climate change by keeping carbon safely stored away from the "greenhouse –active" atmospheric carbon pool.
- 14.26 Commercial peat extraction is considered to consist of extraction which takes place specifically for profit, usually to provide peat for supply to a certain industry, normally the horticultural or energy industries. Commercial extraction methods such as milling, remove peat at a rate which substantially exceeds the original rate of deposition and accumulation and therefore cause significant damage to the peat land from which they are extracted. The insertion of drains also contribute significantly to the damage to peatland during extraction. These modern commercial extraction methods offer less potential for restoration or peatland biodiversity than traditional hand cutting methods.
- 14.27 Therefore commercial extraction will only be permitted from bogs where the peatland is not reasonably capable of restoration and therefore is no longer deemed active and which have little to no conservation / scientific interests. Peatland damaged by fire would not be considered a permanent effect on the peat. In order to enable a decision to be taken on peat extraction, advice on the status of individual bogs will be taken from the relevant statutory authority.
- 14.28 Where it is proposed to remove peat as part of a management plan for the conservation and restoration of peatlands, the developer will need to demonstrate that the proposed management structures and finance are in place. In such cases, a planning agreement between relevant parties may be required.

## **POLICY MIN 5 – RESTORATION OF MINERAL SITES**

All applications for mineral development must include, where appropriate, satisfactory and sustainable restoration proposals. Restoration proposals should take account of the specific characteristics of the site and its locality and restore and/or enhance the landscape character of the area. Any opportunities for enhancing biodiversity, community recreation and access should be considered.

The site restoration scheme must include a programme of works and a timetable whereby the restoration scheme will be implemented in a phased approach if necessary. Once mineral working has ceased, the land should be reinstated at the earliest opportunity to a suitable standard. Submitted phasing and restoration proposals should provide for the use in progressive on-site restoration of minerals unsuitable for the market to avoid the need for stockpiling.

### **Justification and Amplification**

- 14.29 This policy will apply to all proposals for mineral development.
- 14.30 Mineral Development can have a major impact on the visual amenity of the landscape, particularly in remoter, rural areas. For this reason, the restoration of the site to a satisfactory state is a vital part in the mineral exploitation process.
- 14.31 The best restoration proposals do not always involve a site being simply restored to its former use. In recent years there have been some successful progressive restoration proposals which have witnessed sites being used for a completely different purpose post exploitation than was the case pre exploitation.
- 14.32 The preferred types of restoration and after use depend on the characteristics of the deposits, nature of excavation, availability of fill materials, the surrounding landscape, and the needs of the local community as well as the potential for nature conservation on the site.

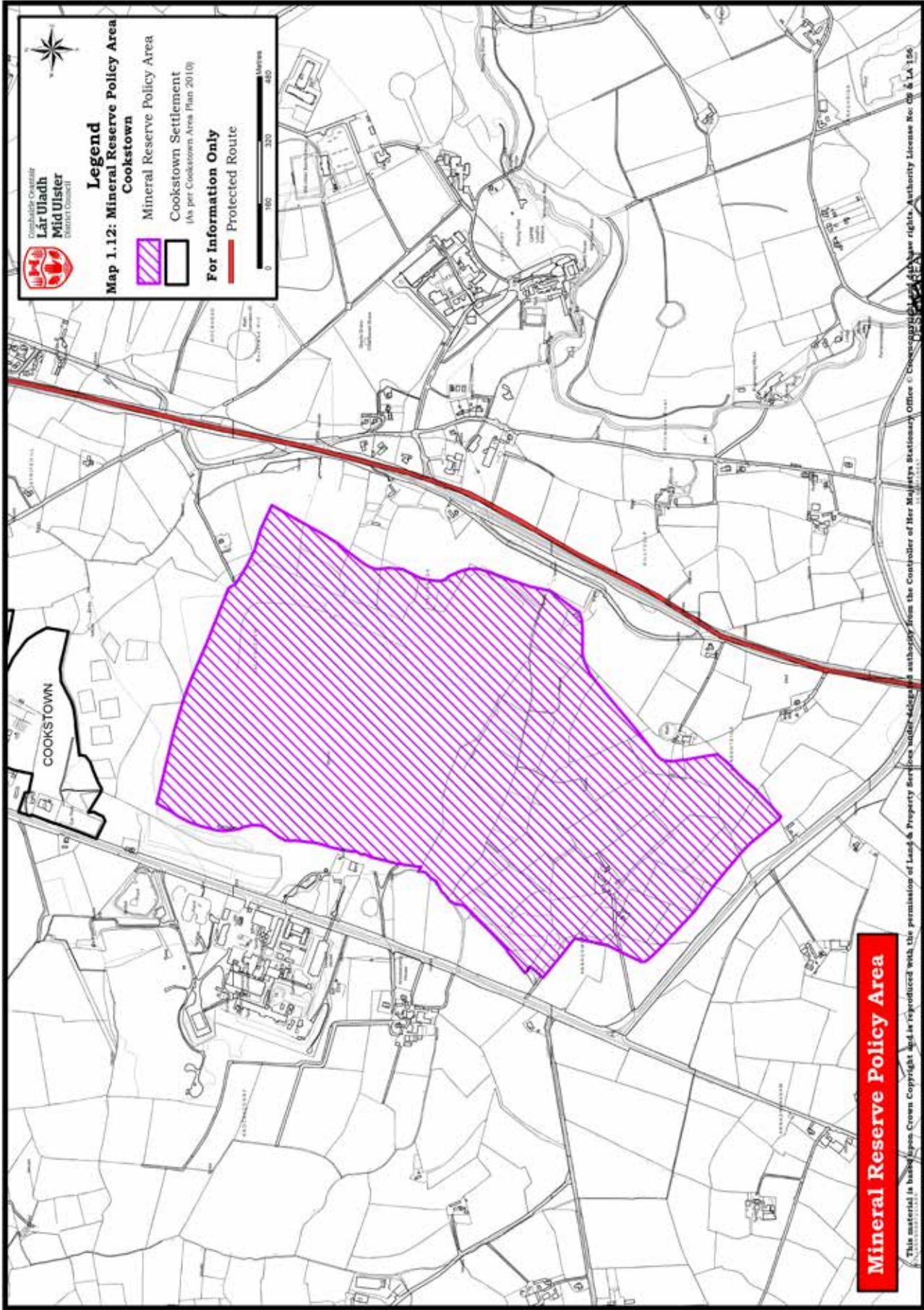
## **POLICY MIN6 – MINES, SHAFTS AND ADITS**

Applications to develop surface lands directly above or surrounding areas from which minerals have been or are being extracted by underground methods will not normally accord with the Plan unless it has been demonstrated that there are no health and safety risks due to land instability.

### **Justification and Amplification**

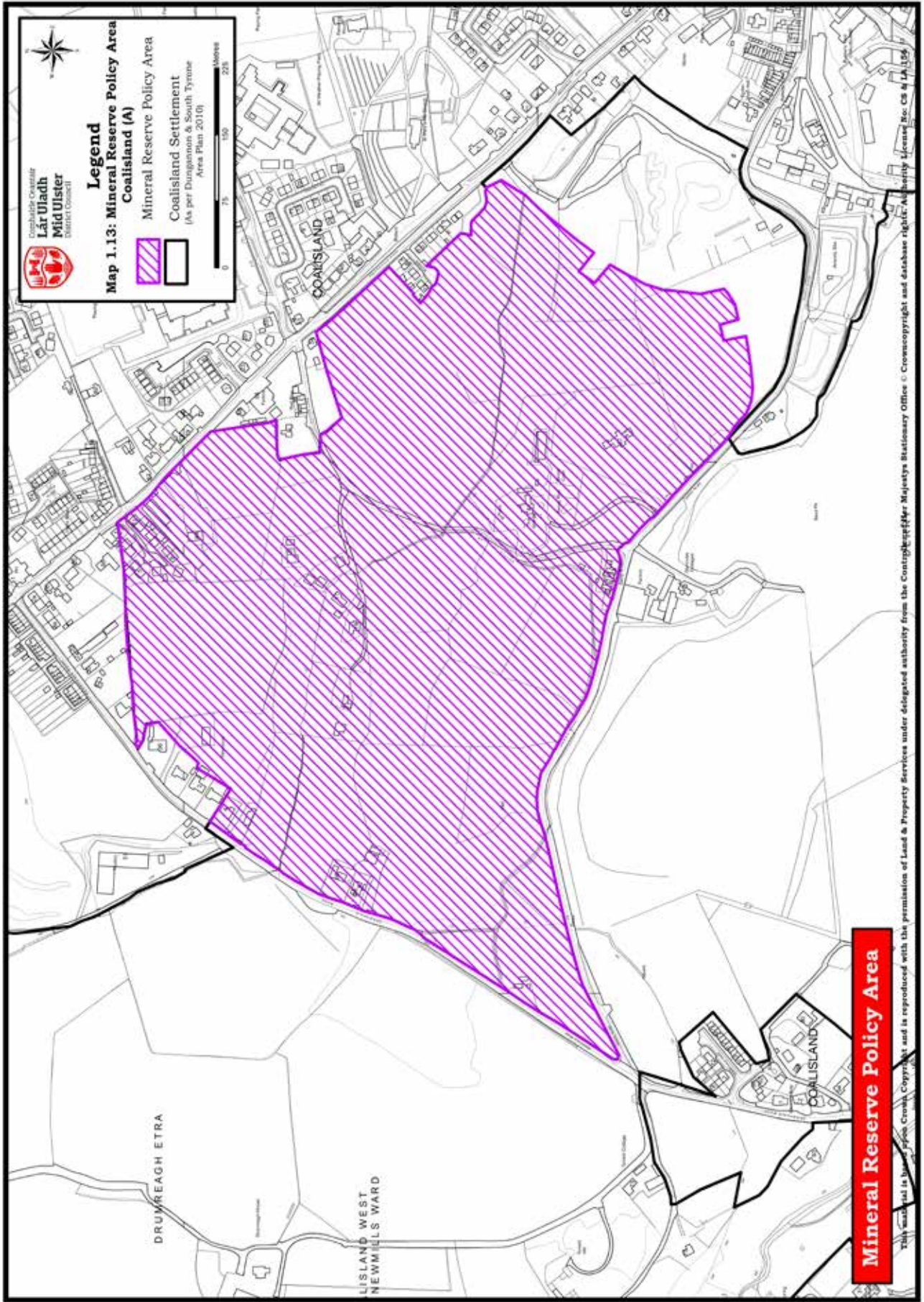
- 14.33 Within our District there are many mines, shafts and adits related to historical coal and clay workings in the Coalisland and Dungannon area. Land stability can be a concern in the vicinity of these workings and in the interests of health and safety it is necessary that applications demonstrate there are no risks to the proposed development.
- 14.34 In assessing issues relating to mines, shafts and adits the Council will consult with GSNI.





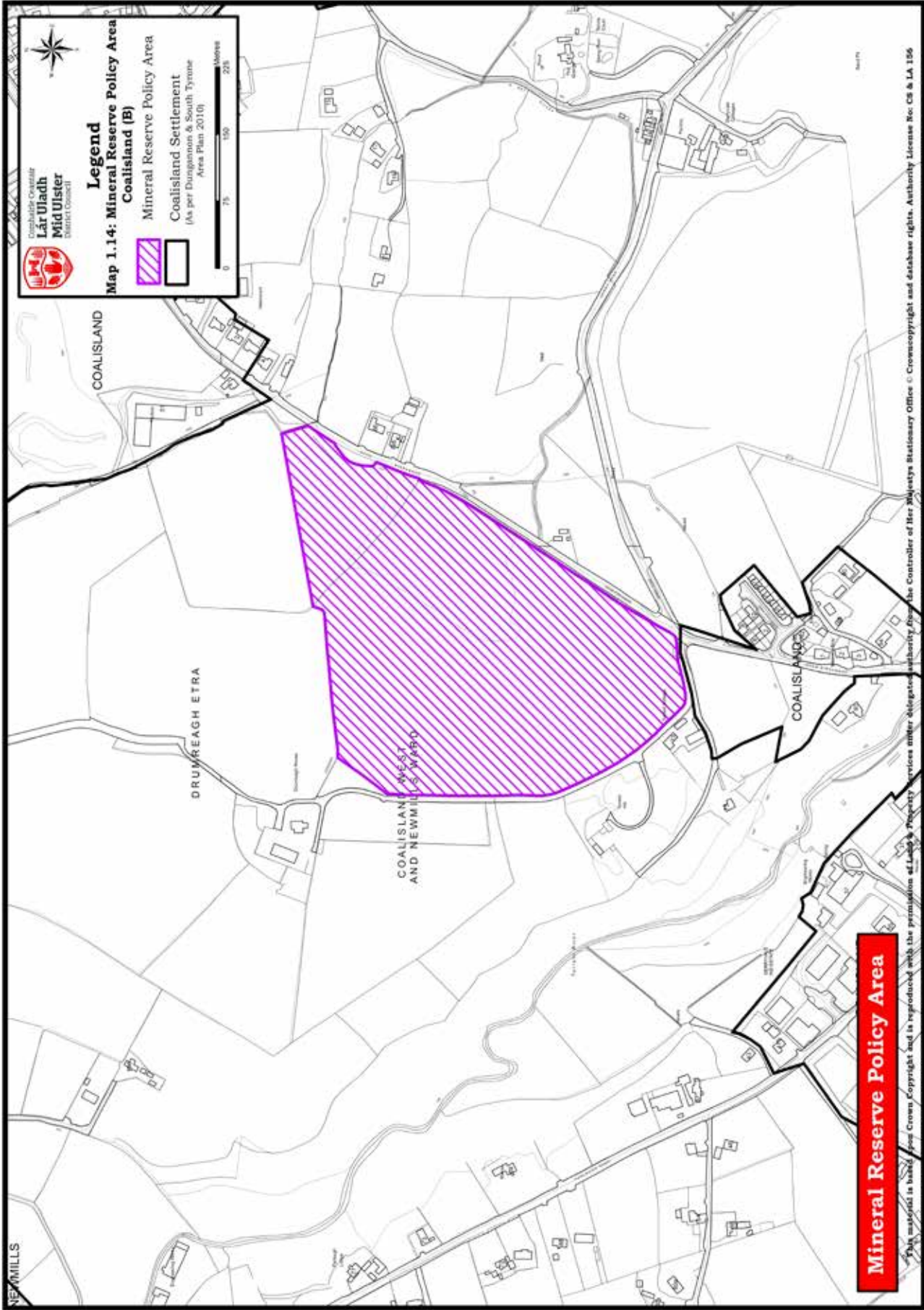
Map 1.12



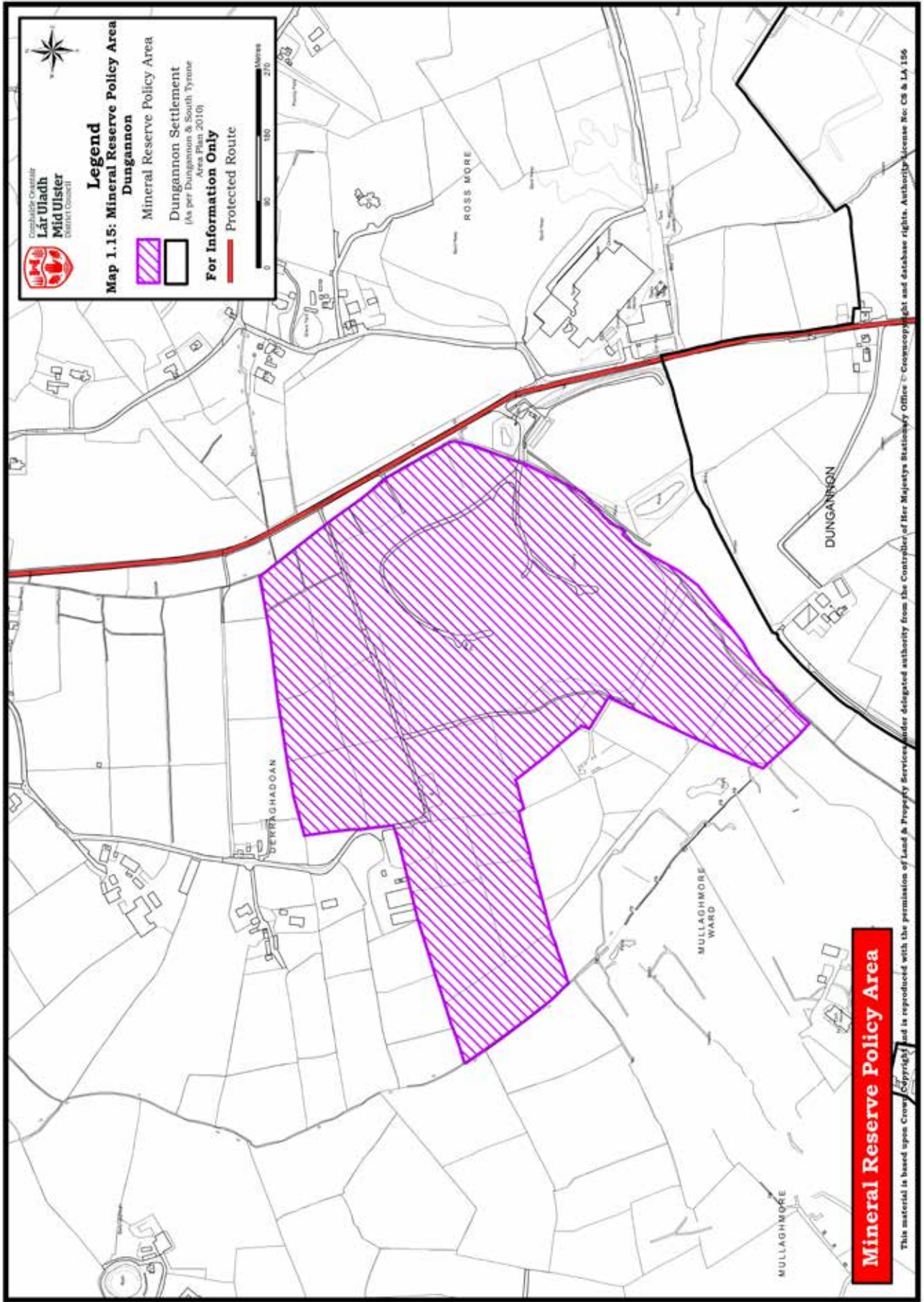


Map 1.13





Map 1.14



Map 1.15

# ■ TOURISM



## 15.0 TOURISM

### OVERVIEW

- 15.1 Our tourism industry is one of the most underdeveloped of all of the 11 Council Districts and this is evidenced by the fact that we have the third lowest number of overnight trips and the third lowest amount of expenditure during overnight stays of all the 11 Council Districts. We also have the third lowest number of beds available in licensed accommodation in Northern Ireland. As a result we generate less employment from tourism than any other Council in Northern Ireland.
- 15.2 Only a small number of people visit Mid Ulster for holiday and leisure purposes and this is at a level lower than the NI average. Most visitors come here primarily to see friends and family. Therefore if we wish to grow the economy and create jobs we need to improve the attractiveness of Mid Ulster as a holiday / leisure destination in its own right.
- 15.3 One way in which we can increase our holiday / leisure appeal is to promote appropriate activity tourism at sites such as Lough Neagh (fishing, cruising, and water sports) and the Sperrins (hill walking, nature watching). These two sites have been identified as key destinations in the Tourism Strategy for Northern Ireland 2020. While using these sites to increase our appeal to tourists, we must also ensure that the impact of promoting tourism at such sensitive locations is borne in mind to ensure that development does not impact negatively on our natural / built heritage and our environment.
- 15.4 Within Mid Ulster there are opportunities for enhancing the tourist offer linked to Council initiatives such as the bike trails and proposed observatory at Davagh Forest, and new Seamus Heaney centre in Bellaghy. Activity based trips are also to be encouraged with local private enterprises such as Todds Leap and Jungle NI drawing people to the area. There is also a proposed motor race track at Coalisland and Mid Ulster has a good offer of traditional activities such as golf, fishing and water-sports.
- 15.5 The key issue is not an inability to attract visitors but a failure to get them to stay and contribute to the wider economy. At present the District offers some quality independent hotels such as the Greenvale and Glenavon and country houses such as Corick and Tullylagan however there is a lack of variety in relation to the offer and Mid Ulster would benefit from a resort destination hotel and facilities linked to where there are activities as well as more affordable accommodation such as Motels, Chain Hotels and Boutique Hotels.
- 15.6 There are some existing tourism assets within the District such as Beaghmore and some well-known activity tourism sites. These sites must be utilised in order to attract more people to the District but not in a manner which will harm our sensitive landscapes and areas of scientific and nature and built conservation importance.



## Regional Policy Context

- 15.7 The Regional Development Strategy 2035 recognises tourism as a key element underpinning sustainable economic growth in Northern Ireland and regional guidelines seek to promote a sustainable approach to the provision of tourism infrastructure.
- 15.8 Strategic policy in the SPPS aims to manage the provision of sustainable and high quality tourism developments in appropriate locations within the built and natural environment. The strategic objectives focus on sustainable and environmentally sensitive tourism development, whilst emphasising the need to protect tourism assets and facilities. They recognise the role of settlements and rural communities in delivering tourism development of an appropriate scale and character to their area. To achieve this our Local Development Plans is expected to provide a tourism strategy that accommodates future demands, and identifies potential growth areas whilst safeguarding key tourism assets.

## Community Plan

- 15.9 Our Community Plan seeks to maximise tourism investment and employment in Mid Ulster, via our tailored Tourism Strategy and action plan, with the core objective of getting more people to visit and stay overnight in the District. This objective shall be met through our Local Development Plan Tourism Strategy, which concentrates on three strategic strands: Seamus Heaney; Archaeological sites, History and Heritage; and Outdoor Activities, with the core objective of getting more people to visit and stay overnight in the District.
- 15.10 Our Community Plan recognises that the Seamus Heaney Homeplace is an important aspect of the cultural asset landscapes of Mid Ulster and it can be maximised as a cultural hub contributing to increased visitors and tourism as well as aiding night time economy in Bellaghy and its Environs. The visitor centre and Seamus Heaney Countryside has made Bellaghy and the Mid Ulster area a tourist destination nationally for scholars, enthusiasts and the public. Its importance in national and international terms should not be underestimated.

## Our Tourism Strategy

- 15.11 Our Tourism Strategy puts in place four tailored policies to promote sustainable tourism development within Mid Ulster. These policies allow more flexibility for major tourism development and are less prescriptive regarding tourism accommodation, facilities and attractions, while continuing to safeguard our tourism assets and important tourist accommodation.
- 15.12 Sustainable tourism development is a balance between the needs of tourists and the tourism industry, coupled with the need to protect the tourism asset. Given that tourism is underdeveloped in Mid Ulster there is room for a more flexible, less prescriptive approach. Our strategy to attain sustainable tourism development is to achieve a balance between meeting the needs of the tourist coupled with the need to conserve tourist assets and the environment. To assist in achieving this we have introduced Tourism Opportunity Zones (TOZ's) and Tourism Conservation Zones (TCZ's) as well as general tourism policy for our settlements and countryside.



- 15.13 TOZ's recognise the areas that have the most to offer, either by way of existing outdoor activities, facilities or due to their location and promotes tourism development within them. TOZ's have been designated at key locations along the shoreline of Lough Neagh at Washingbay, Mountjoy, Traad Point and The Battery. These TOZ's along the lough are identified on Maps 1.16-1.19 and they are also shown on the District Proposals Map. TOZ's are designated within the Sperrins Area of Outstanding Natural Beauty at Davagh Forest and the Sixtowns Road valley and they are identified on the District Proposals Map.
- 15.14 Within these Tourism Opportunity Zones tourism development will accord with the plan provided they are sustainable and environmentally sensitive and result in development of a high design quality.
- 15.15 TCZ's recognise areas of our District where conservation interests are paramount as tourism development are restricted within them. These areas are located within the Sperrins Area of Outstanding Natural Beauty, and near Beaghmore ASAI where landscape, ecology and heritage are of the utmost importance. The TCZ's are identified on the District Proposals Map.
- 15.16 Complementing this strategy is also the strategy for Open Space and Recreation which includes provision for green ways and identifies the route of the Ulster Canal for recreational purposes. In addition under Transportation the old railway lines are also identified for protection so that they could be used for sustainable route ways.
- 15.17 Key to our Tourism Strategy is opening up the Mid Ulster countryside to visitors focusing on our existing natural, cultural and built heritage assets, including Seamus Heaney Trail, O'Neill Heritage, Lough Neagh, Sperrins, Beaghmore and our forests. Our historic landscapes and unique townscapes, the stories they tell, the people that live in them and the opportunities to engage with aspects of traditional culture generate a strong appeal to visitors, sightseers, and cultural seekers. The promotion, protection and enhancement of our local tourism assets in our Plan will stimulate investment, job creation and increased visitor numbers.

**POLICY TOU 1 - PROTECTION OF TOURISM ASSETS AND TOURIST ACCOMMODATION**

Development shall conflict with the plan where it would in itself or in combination with existing and approved development in the locality have a significant adverse impact on a tourism asset.

Proposals for new tourism development (facilities and / or accommodation) within Tourism Conservation Zones will conflict with the plan, except where;

- a) The proposal includes minor improvements to infrastructure such as walking and cycle-ways, fishing and canoe stands; or
- b) The proposal includes the provision of tourism accommodation or facilities through the re-use of existing vernacular buildings.

Special care should be given to ensure that any proposal should respect and be sensitive to the character of the local landscape, wildlife and heritage interests.

Important tourism accommodation will be protected from re-development and changes to other uses. These sites comprise of;

- 1. The Glenavon Hotel, Cookstown
- 2. The Greenvale Hotel, Cookstown

and any other sites identified in the Local Policies Plan.

**Justification and Amplification**

15.18 A tourism asset is defined as any feature associated with the built or natural environment which is of intrinsic interest to tourists. There are many diverse features of the built and natural heritage in Mid Ulster that can be regarded as tourism assets, in that they are important in attracting tourists and sustaining our tourism industry. The safeguarding of such tourism assets from unnecessary, inappropriate or excessive development is a vital element in maintaining a viable and sustainable tourism industry.

15.19 This is achieved across our District through designations such as Scheduled Monuments; Historic Buildings and Demesnes; and Areas of Significant Archaeological Interest (ASAs). In and around settlements these can be supplemented with designations such as Areas of Townscape Character (ATCs), Local Landscape Policy Areas (LLPAs) and Sites of Local Nature Conservation Importance (SLNCIs). When assessing applications which impact on such designations consideration can also be given to the impact on tourism within the countryside where there exists a cluster of such attractions.

15.20 Some tourism assets are already subject to protection from inappropriate or excessive development through statutory designation, and other planning policies including local policies and other local plan designations such as local landscape policy areas or sites of local nature conservation importance. This policy is intended to complement such protection measures in the specific interests of tourism while affording protection to other undesignated environmental assets on the basis of their tourism value alone.





- 15.21 There are however other areas in the Sperrins where the quality and character of the landscape is considered so special, and the conservation interests so significant, that we have designated Tourism Conservation Zones. Tourism development will be restricted within these zones to minor improvements to infrastructure and re-use of existing vernacular buildings. This will assist the promotion of tourism in the area by helping to conserve its key environmental and historic assets.
- 15.22 In addition to these particular areas we also recognise the opportunity our two key hotels provide because of their location on historical sites and mature gardens. We do not want to lose them to development pressure, particularly if property prices favour other uses.

### **POLICY TOU 2 – RESORT DESTINATION DEVELOPMENT**

Outside of Tourism Conservation Zones and Special Countryside Areas a proposal for a major tourism development that acts as a resort destination providing both accommodation and major leisure facilities, such as a waterpark, theme park and other similar leisure facilities will accord with the plan where it has been demonstrated that it will be of exceptional benefit to the regional tourism industry and the economy and is on a site that is sustainable in terms of any benefits derived for the local economy and in relation to adverse impacts on the wider environment.

All major tourist development must be accompanied by a Design Concept Statement.

#### **Justification and Amplification**

- 15.23 Mid Ulster is an ideal location for a resort destination. It has an abundance of tourism assets and is strategically located in the centre of Northern Ireland with close links to other regions. It is well positioned on two Key Transport Corridors connecting it to Belfast, Londonderry and Enniskillen and perfectly suited to being a stop - off point or base for undertaking day visits to various destinations throughout the region. And its proximity to both Lough Neagh and the Sperrins provide various opportunities in the tourism sector. As such this policy will facilitate a major tourism development project in the countryside.
- 15.24 The ability of the proposed development in itself to attract tourists to the District will be significant in assessing whether it will offer exceptional benefit to the regional tourism industry and the economy. As will the sustainability of the site and the impact of the proposal on rural character, landscape and natural / built heritage, particularly within areas designated for their landscape, natural or cultural heritage qualities.
- 15.25 This policy should be read to accommodate only one resort destination in the District such is the nature of the development associated with it. Smaller scale development such as caravan sites and chalet development is not assessed within this policy.
- 15.26 The submission of a Design Concept Statement will be required to support all major tourism development. Quality design proposals should emerge from a careful analysis of a site's location, surrounding context and the specific characteristics of the site itself. The Council will expect to see a clear demonstration of the design thinking behind the scheme and how this has developed from the analysis.



### **POLICY TOU 3 – TOURISM ACCOMMODATION**

Development of hotel and self-catering accommodation on unzoned land within settlements and Dispersed Rural Communities will accord with the Plan provided it does not conflict with the Local Policies Plan and its land use zonings.

Within Tourism Opportunity Zonings the development of hotels and self-catering accommodation of at least 3 units will also accord with the plan provided it can be demonstrated that special attention has been given to the integration of the site and any natural or built heritage features including the landscape character of the area.

Outside of settlements, Tourism Conservation Zones and Special Countryside Areas, tourism accommodation will also accord with the plan where it comprises;

- a) a hotel, guest house or hostel located at or near to the edge of the settlement and is clearly visually associated with the settlement, where there are no suitable opportunities within the settlement; or
- b) the re-use and / or conversion of suitable buildings, of permanent construction, excluding 'steel frame' buildings, in the rural locality; or
- c) the sensitive replacement of an existing suitable building with a new building of proportionate size and scale; or
- d) part of a Farm Diversification scheme which is visually linked to a cluster of existing farm buildings; or
- e) tourism accommodation run in conjunction with and visually linked to an existing tourism facility, such as; golf course, fishing lake, or outdoor activity centre; or
- f) self-catering accommodation located within the grounds of a hotel, guesthouse or holiday park;
- g) in the case of hotels, self-catering accommodation, camping or touring caravan parks that are located within easy access of tourism amenities and providing it is demonstrated to be of high quality and sustainable form of development;
- h) a motel situated at or easily accessible to a key transport corridor, link corridor or trunk roads and at the key interchanges but avoiding direct access onto the key transport corridors;

Castledawson

Dungannon

Ballygawley

Conditions to retain tourism development so as not to be used as residential units are likely to be required where this has formed the justification for development in the countryside.

Development within a TOZ will need to demonstrate that they will not have, or have mitigated against, significant adverse impacts on internationally recognised habitats.

### **Justification and Amplification**

- 15.27 In the main, our three hubs are the best place for tourist accommodation. It is anticipated that most tourism development will be located in Dungannon, Cookstown and Magherafelt as these offer existing services and facilities and act as a gateway to the countryside. Thus being able to serve both the business traveller and holiday maker.

- 15.28 All other settlements are also seen as sustainable locations to facilitate tourism accommodation. It is however recognised that in many settlements it may not be possible to provide sufficient land within the settlement therefore tourism accommodation has been provided for, at certain key locations in the countryside.
- 15.29 We recognise that within our District there are areas which offer activities, facilities and other attractions for tourists and therefore there is likely to be a demand for tourist accommodation. Tourist Opportunity Zones (TOZs) have been introduced within our most sensitive landscapes where constraints on development exist, such as Special Countryside Areas (SCA) at Lough Neagh and the Sperrins AONB. The TOZs would act as a counter balance to areas where constraint on development exists and would facilitate sustainable tourism development and thereby avoid potentially inappropriate development in the countryside.
- 15.30 This includes the shoreline of Lough Neagh, which in the main is subject to an SCA but where opportunities exist at certain key locations for sustainable tourist development, within designated TOZs. It also includes the Sperrins AONB where the key valleys can assist in integrating tourist development near to key tourist assets but without interfering with their setting.
- 15.31 Outside of TOZs there are areas of the District where the landscape quality, historic assets and investments in tourism initiatives would benefit from investment in tourism accommodation. These include the Lower Bann where we continue to invest in promoting the Seamus Heaney Country, including recreation activities associated with the River Bann and associated wetlands.
- 15.32 The Clogher valley and Blackwater are impressive river valleys that possess fine country estates, complemented with historic villages. They also benefit from the potential for Ulster Canal (Caledon – Moy) and Clogher Valley Greenways. We would encourage investment in attracting tourists to these areas. At the heart of our District lies the village of Pomeroy, the highest village in Northern Ireland with its associated broad-leaved forest, wild moorland and the potential for a greenway along the route of the former Great Northern Railway.
- 15.33 Within these areas we would seek to facilitate investment in accommodation for tourists. These areas are not exhaustive however if proposals arise we will consider them in light of any justification provided by the developer.
- 15.34 Where a caravan park is located in the rural area, re-development for another use will not normally be permitted.
- 15.35 Special attention should be given to the character of the local landscape, wildlife and heritage interests and in all cases the development must be sensitive to its setting and achieve a high degree of integration. Special attention should also be given to the provision of amenity, space, landscaping and planting and should be proportional to the size and scale of the development.
- 15.36 A Design Concept Statement will be required for new hotels, holiday parks and self-catering accommodation of 3 or more units. The statement must provide the justification for the location and the site selection, as well as demonstrating that special attention has been given to the landscape and rural character in terms of layout, design and planting.

## **POLICY TOU 4 – OTHER TOURISM FACILITIES / AMENITIES AND ATTRACTIONS**

Proposals for outdoor tourism facilities, amenities or attractions, such as golf courses, fishing lakes, outdoor activity centres and picnic sites, interpretation and visitor centres, will accord with the plan where they are located within a settlement or a Tourist Opportunity Zone or in the open countryside outside of a Tourism Conservation Zone.

Proposals for indoor tourism facilities in the countryside, outside of an SCA or TCZ, will also accord with the plan where they are located in the countryside, where it can be demonstrated that;

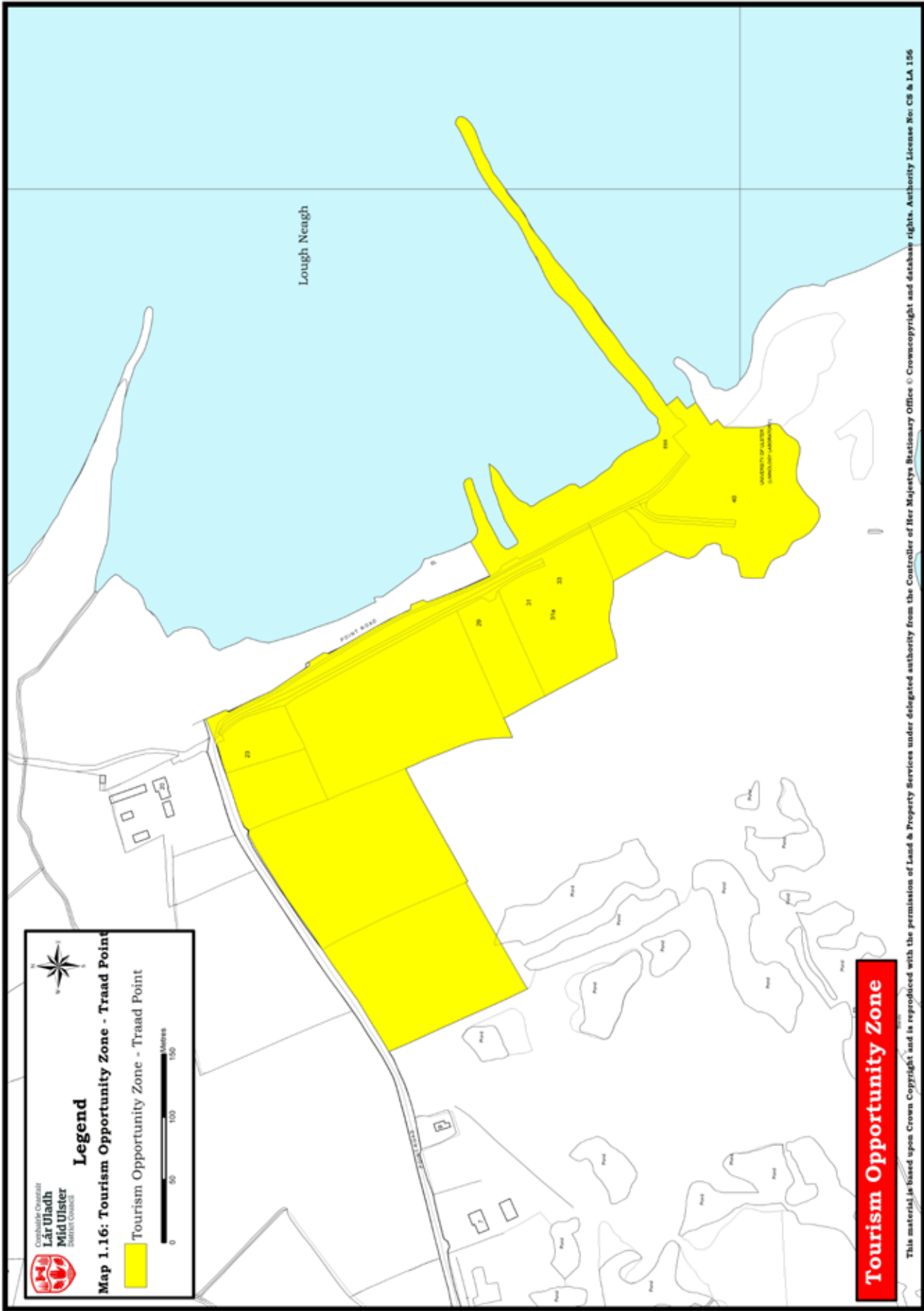
- a) it is in association with and requires a site at or close to a tourism asset; or
- b) the type of tourism activity in itself requires a countryside location.

All proposals for tourism facilities, amenities and attractions will be of a scale, design and sited in order to have no significant detrimental effect on the amenity of the area or its landscape character. Such proposals should use existing buildings wherever possible. If a new building is justified it should be of a quality design, well integrated into its setting and supplemented with generous landscaping and planting.

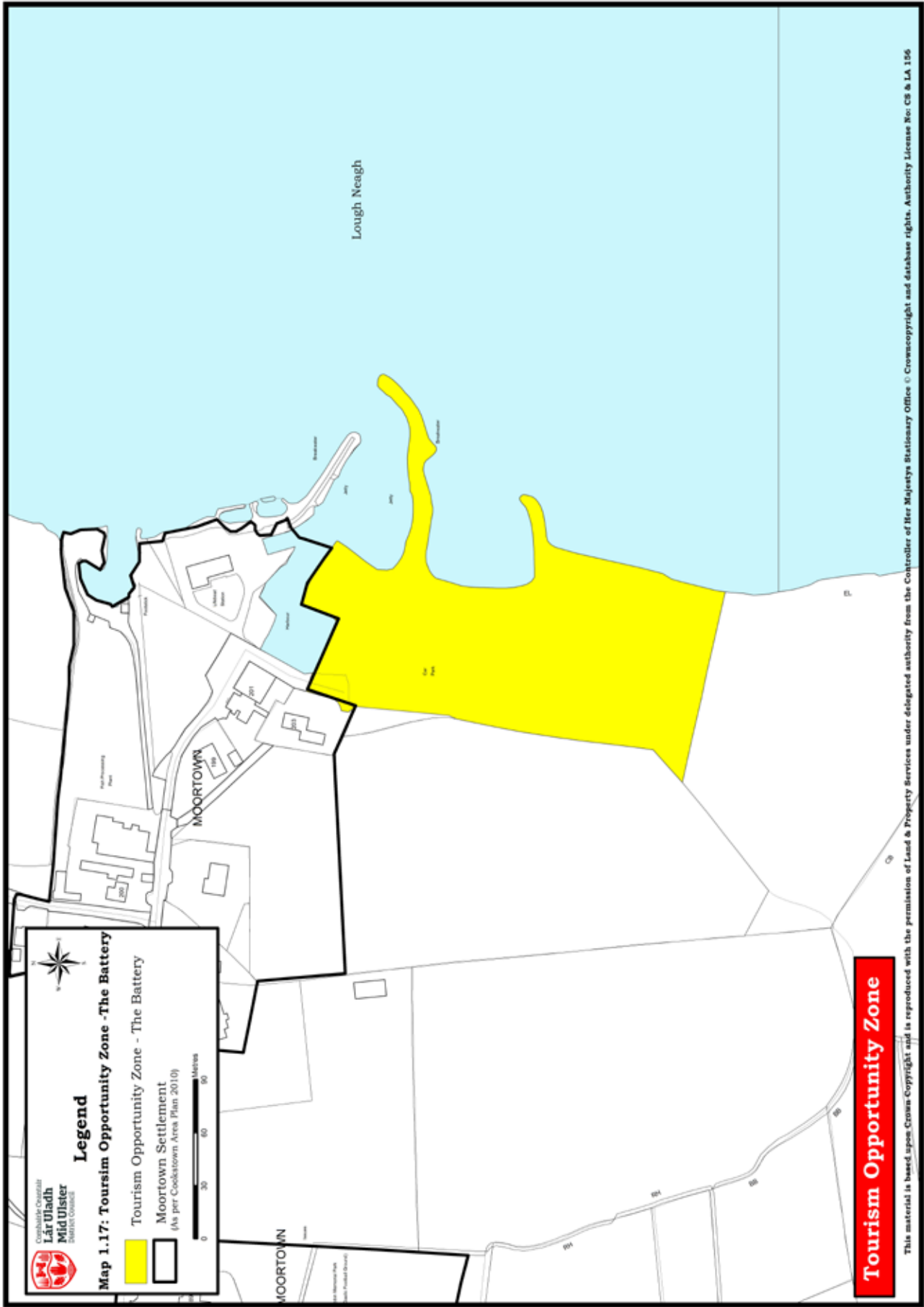
Development within a TOZ will need to demonstrate that they will not have, or have mitigated against, significant adverse impacts on internationally recognised habitats.

### **Justification and Amplification**

- 15.37 A tourist amenity is defined by the Tourism (NI) Order 1992 as an amenity, facility or service provided primarily for tourists but does not include tourist accommodation.
- 15.38 Tourism can be beneficial for urban areas and help to deliver development that is sustainable. It can support existing services and facilities such as retail, catering, entertainment, leisure, and transport as well as promoting a sense of urban vitality. Our policy supports proposals for outdoor and indoor tourism facilities, amenities and attractions within settlements.
- 15.39 Tourism amenities are diverse in terms of their nature, scale and function and not all proposals will be suited to an urban location. For example, there may be a functional need for facilities associated with a mountain bike trail to be located in the countryside or a visitor centre may have a specific functional need to be located in close proximity to the particular countryside attraction it is intended to serve. Therefore in the countryside, outside of SCA's and TCZ's, indoor tourism amenities where it is in association with and requires a site at or close to a tourism asset or it is a type of tourism activity that in itself requires a countryside location will accord with the plan.
- 15.40 Such proposals can be facilitated dependant on their impact on rural character, landscape, heritage and other amenity considerations.

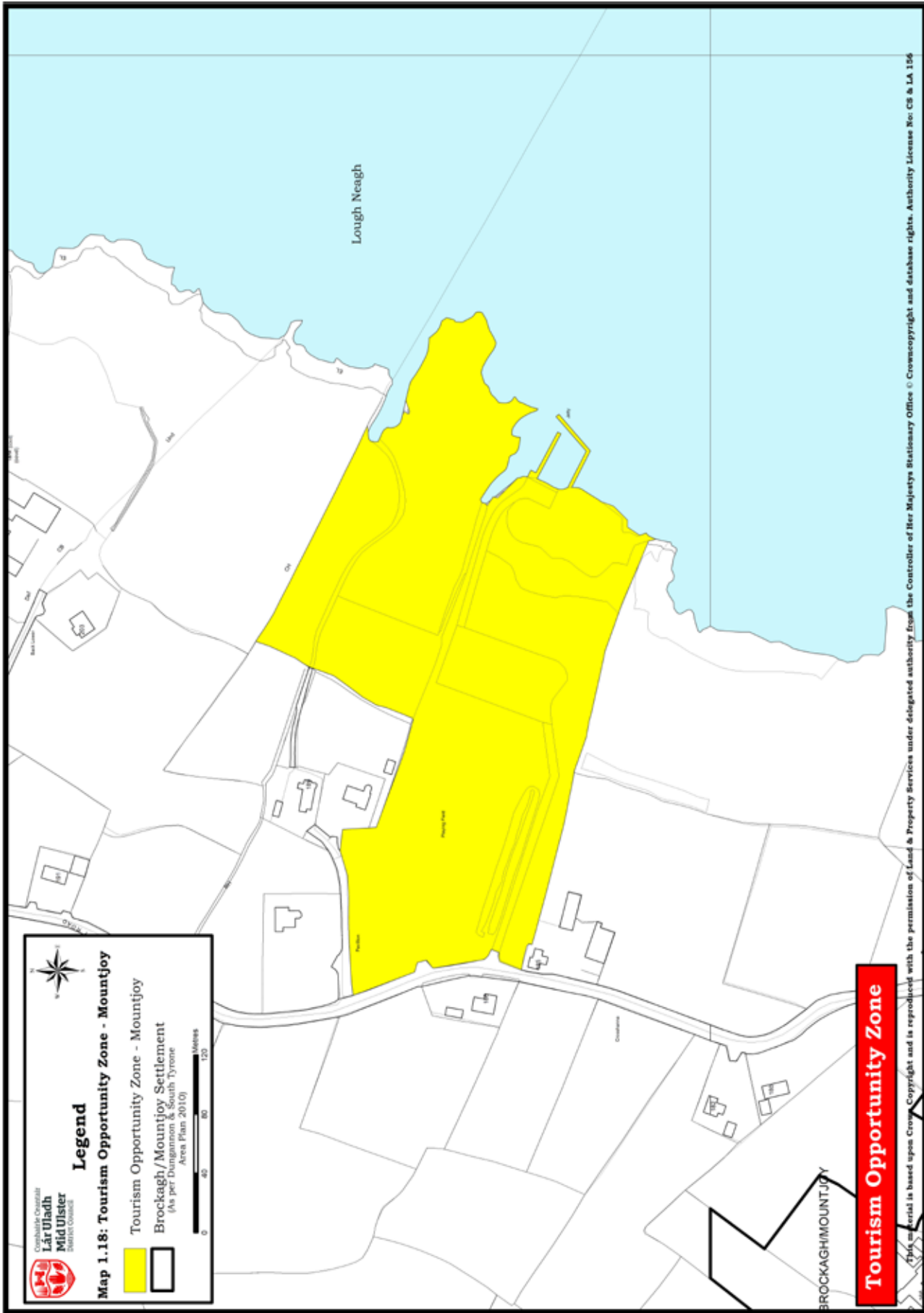


Map 1.16

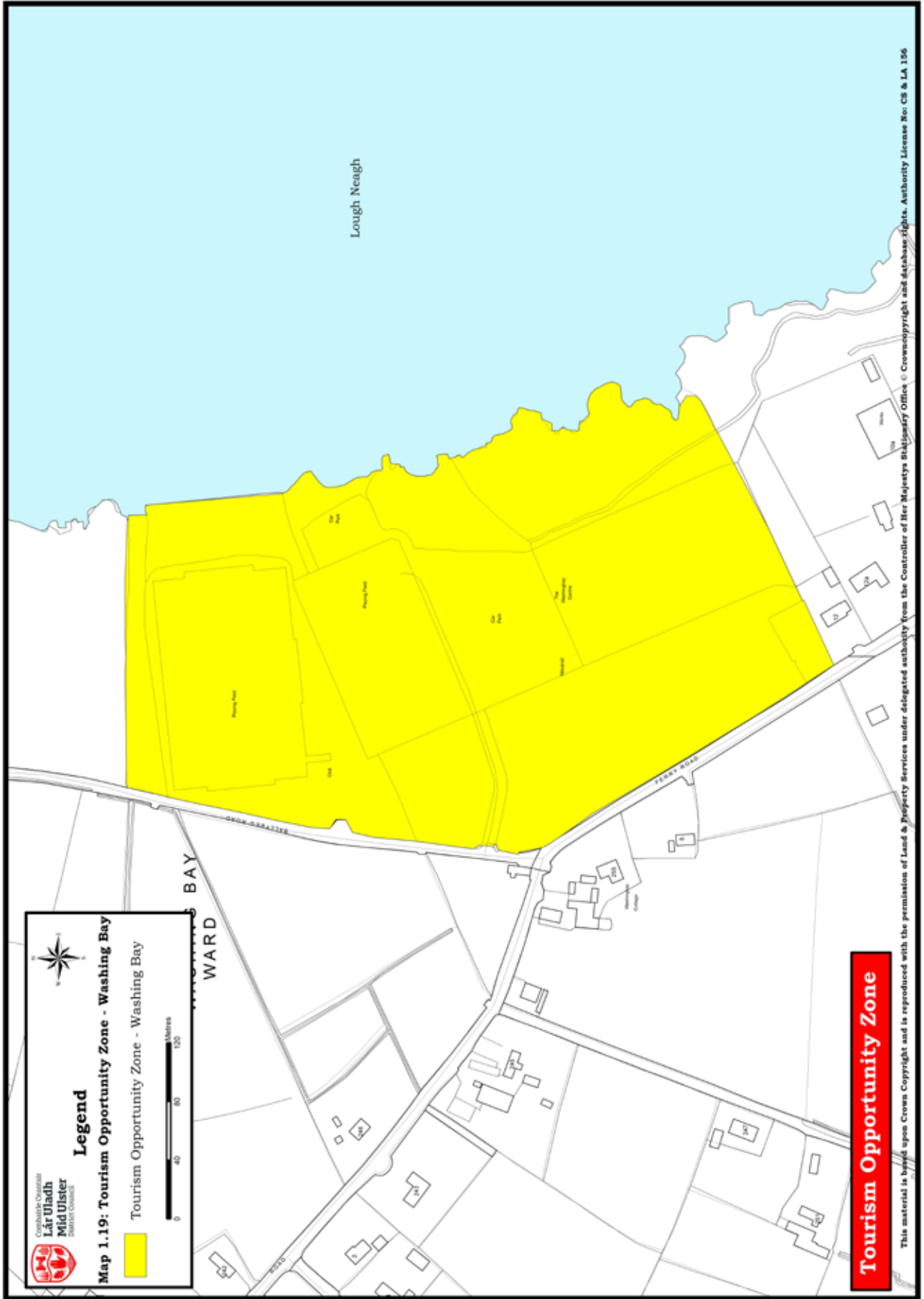


Map 1.17





Map 1.18



Map 1.19

# ■ AGRICULTURE, FORESTRY AND FISHING

## 16.0 AGRICULTURE, FORESTRY AND FISHING

### Overview

- 16.1 In Mid Ulster we have a long established link to agriculture, forestry and rural development and in the area around our lough shore we have a long established fishing industry related to Lough Neagh where fishing traditions and skills are passed down through the generations within families.
- 16.2 In 2015 there were 24,907 active farms in Northern Ireland, out of this 4,155 farms were registered in Mid Ulster, this was second only to Fermanagh and Omagh. The overwhelming majority (3,227) of these 4,155 farms are classified as very small.
- 16.3 Mid Ulster also has a good distribution of forests spread across our District at locations such as Davagh Forest, Augher (Favour Royal), Pomeroy Forest Park, Caledon Forest Park and Moyola Forest Park. The Council are supportive of commercial sustainable forestry operations by The Department of Agriculture, Environment and Rural Affairs provided they respect local environmental circumstances, and do not have a detrimental impact on open upland landscape and take account of biodiversity.
- 16.4 Many of those who hold a commercial fishing licence for eel and scale fishing on Lough Neagh do not have access to a building or shed that can be used for ancillary operations such as the storage of their boat and nets or indeed maintenance of them.
- 16.5 The key issue is therefore how best to facilitate agricultural, forestry and commercial fishing that contributes to vibrant rural communities to ensure sustainable growth. This Plan brings policy forward to facilitate appropriately located agriculture and forestry development and development ancillary to the commercial fishing industry; and appropriate farm diversification schemes. All proposals will be subject to Policy CT1- Development in the Countryside in relation to design and siting.

### Regional Policy Context

- 16.6 The objectives of strategic policy include management of growth to achieve appropriate and sustainable patterns of development which supports a vibrant rural community, to conserve the landscape and natural resources of the rural area and to protect it from excessive, inappropriate or obtrusive development, and from the actual or potential effects of pollution. It also includes an objective to facilitate development which contributes to a sustainable rural economy.
- 16.7 The SPPS adopts a policy approach based on clustering, consolidating and grouping new development, with existing established buildings and the re-use of previously used buildings. It also states that all new development in the countryside must integrate, respect rural character and be appropriately designed. It states that provision should be made for agriculture and forestry development on an active and established agricultural holding or forestry enterprise where the proposal is necessary for the efficient use of the holding or enterprise. New buildings must be sited beside existing farm or forestry buildings on the holding or enterprise with an alternative site away from existing buildings only being acceptable in exceptional circumstances.



### Community Plan

- 16.8 Our community plan seeks to prioritise job creation, investment and the enhancement of people’s skills and employability. It states that engineering, agriculture (including ‘farm families’ and ‘agri-food’) and construction have to be driven forward.

### Our Strategy

- 16.9 Given that 40% of our households are located in the countryside and are closely linked to agriculture our strategy is to recognise that a permissive approach to agricultural development will assist our farming communities. However this needs to be balanced with our role as custodians of the environment and therefore full consideration must to be given to the potential impacts of intensive farming and animal husbandry particularly in the context of ammonia production and its impact on biodiversity.
- 16.10 Our strategy also recognises that many of our farms are small and need to diversify. Accordingly a permissive approach is taken to facilitate this providing such diversification is sensitive to the location and operates in conjunction with the running of the farm.



## POLICY

### **POLICY AFR1 - AGRICULTURE AND FORESTRY DEVELOPMENT AND DEVELOPMENT ANCILLARY TO COMMERCIAL FISHING**

Development ancillary to the operations of an active and established agricultural/forestry holding will conform with the plan where it is to be located next to existing farm or forestry buildings on the holding and where it does not appear incongruous to its rural setting.

In exceptional circumstances an alternative site away from existing farm or forestry buildings may be considered where there are demonstrable environmental, business, or health and safety reasons or a need to protect the amenity of nearby residents. An exception may also apply to new farm enterprises. In such cases the applicant will be required to demonstrate why a new building is required and is of the scale proposed.

Proposals for intensive farming and animal husbandry are required to demonstrate that they will not have a significant adverse environmental impact, particularly in relation to ammonia production.

The development of a building ancillary to commercial fishing will conform with the plan where the building is located within the area identified as Policy Area for holder of commercial fishing licence on the District Proposals Map. The applicant must hold a valid commercial fishing licence, either a boat owners licence to fish eels or a boat owners licence to fish for scale fish and at the time of the submission of the planning application must have been living and conducting their fishing operations from Mid Ulster for a minimum of the last 6 years.

### **Justification and Amplification**

- 16.11 As agriculture and forestry continue to change and develop, it is important that the planning process continues to support the operational needs of these enterprises.
- 16.12 Under the Planning (General Permitted Development) Order (Northern Ireland) 2015, known as the "GPDO", certain development relating to agriculture and forestry is permitted development i.e. a planning application is not required as permission is deemed to be granted. Where a proposal is not permitted development and express permission is required, planning permission will be granted for agricultural and forestry buildings/works subject to the criteria stated, as well as other relevant policy within the Plan.
- 16.13 In the main, agriculture and forestry development is best located next to existing agricultural and forestry buildings where there is a commitment in the landscape. Where it has been justified for a building to be sited away from the existing buildings careful attention must be given to its siting and use of material to ensure it is integrated within the landscape. A prominent, skyline or top of slope ridge location will be unacceptable.
- 16.14 We recognise that on occasion, a new farm may start up and there may be a need for a new building. In such cases it is important that the building is limited to a size that is in keeping with the scale of the farm. This is important as the District has experienced pressures for non-agricultural related business in the countryside.

- 16.15 All permissions granted under this policy will be subject to a condition limiting the use of the building to either agricultural or forestry use as appropriate.
- 16.16 For the purposes of this policy the determining criteria for an active and established business will be that set out under Policy CT2 – Dwellings in the Countryside.
- 16.17 We recognise that the commercial fishing industry on Lough Neagh has a long tradition within the lough shore communities and that many of those who hold commercial fishing licences live within settlements and do not have access to land and buildings. It is understood that a building ancillary to their commercial fishing is often needed for the storage and maintenance of their boats and nets and therefore this policy allows for such a building to be located in the area identified as Policy Area for holder of commercial fishing licence on the District Proposals Map.
- 16.18 An ancillary building for the holder of a commercial fishing licence will be acceptable under this policy provided, at the time of submission of the planning application, the applicant holds a valid boat owners licence to fish for eels or holds a valid boat licence to fish for scale fish for a minimum of the last 6 years. In addition the applicant will also be required to demonstrate that he/she has resided and conducted their fishing operations within Mid Ulster for at least the last 6 years. The applicant will therefore be required to provide their boat owners licence, along with other evidence to prove their commercial fishing activity over the required period. In such instances where there is not an existing building to cluster with, a high degree of integration will need to be demonstrated in selecting the site.

#### **POLICY AFR2 - FARM DIVERSIFICATION**

Farm Diversification, involving the reuse or adaptation of existing buildings, on an active and established farm (for a minimum of 6 years) will conform with the plan providing the proposal is run in conjunction with the agricultural operations on the farm.

Exceptionally, a new building, clustered with existing buildings, may be permitted where there is no existing building available to accommodate the proposed use, either because they are essential for the maintenance of the existing farm enterprise, are clearly unsuitable for adaptation and re-use or cannot be adapted to meeting the requirements of other statutory agencies.

New buildings should be clustered with the existing farm group unless environmental or amenity reasons justify a site away from the farm group or it would be prejudicial to the operation of the farm.

The scale and character of the new building must be in keeping with the established rural character.

## Justification and Amplification

- 16.19 We are committed to supporting farmers who contribute to a vibrant countryside. Our policy aims to promote forms of diversification that are sustainable in the countryside, including suitable tourism or agri-tourism schemes and allows farmers to operate activities whilst also operating their farm.
- 16.20 The range of activities that could take place under farm diversification are fairly wide ranging in nature and can vary from the provision of farm meats, brewing, a variety of manufacturing processes and tourism. However certain uses such as outright general retailing would not qualify under this policy.
- 16.21 The critical test is that it is run in conjunction with agricultural operations of the farm and carried out in a manner that has no significant impact on rural character.
- 16.22 For the purposes of this policy the determining criteria for an active and established business will be that set out under Policy CT2 – Dwellings in the Countryside.

# ENVIRONMENTAL POLICIES

**PROTECTING HERITAGE AND  
PROVIDING INFRASTRUCTURE**



## 17.0 THE HISTORIC ENVIRONMENT

### Overview

- 17.1 Mid Ulster has a unique social, economic and cultural history, the impacts of which are reflected in our distinctive historic landscape, archaeological sites, scheduled monuments and listed buildings. From our High Crosses of Ardboe and Donaghmore to the ancient O'Neill's of Ulster at Tullaghogue Fort and Hill of the O'Neill; our plantation villages of Draperstown and Moneymore; our industrial heritage of coal mining, lime kilns, flax mills and linen production of Coalisland and Upperlands; our infrastructural remnants of mill races, bridges, railway lines and the Ulster Canal; our large estates of Springhill and Lissan House; we have an extended variety of heritage assets reflecting the indigenous social and economic history of our people. The historic environment is relevant to and is a vibrant part of our local cultural and economic identity.
- 17.2 If development is not managed properly there is a risk that the historic fabric of our towns and villages will be lost. However through good effective development management and investment in bringing historic buildings into active use we can ensure they are conserved and maintained for future generations. This means developing a flexible approach which encourages investment in our heritage, for example old railway lines and canals can become walkways and cycle paths supporting green infrastructure within our towns and villages and improving interconnectivity within and between our urban areas. Archaeological remains of both regional and local importance can be incorporated within open space and recreational areas, such as public parks, enhancing our distinctive sense of local identity and place.
- 17.3 The aim is not to create sterile museum pieces but is to open up the historic built environment for the enjoyment and wellbeing of the public, and where appropriate, promoting such historic features to attract tourism and economic development. Excellent examples of this include the Linen Green in Dungannon, the Seamus Heaney centre in Bellaghy and the Glenavon and Greenvale Hotels in Cookstown.
- 17.4 In the countryside our Council is working to use our heritage assets such as Beaghmore Stone Circles and other archaeological features to promote the 'Heart of Ancient Ulster'.



## Regional Planning Context

- 17.5 The Regional Development Strategy (RDS) aims to conserve, protect and where possible, enhance our natural environment, it recognises that effective care of the historic environment provides very real benefits in terms of improving health and well-being, promoting economic development and addressing social problems, which result from a poor-quality environment. Regional policy requires us to contribute to rural renewal and urban regeneration by ensuring developments take account of the role and value of the historic environment in supporting economic diversification and contributing to a high-quality environment and it requires us to take actions to reduce our carbon footprint and facilitate adaptation to climate change. The SPPS highlights that we must further sustainable development by ensuring that identified built heritage assets are retained, conserved and enhanced. The SPPS also recognises that enabling development is a development proposal that is contrary to established planning policy and in its own right would not be permitted. It states that such a proposal may however be allowed where it will secure the long term future of a significant place and will not materially harm its heritage value or setting. The justification for allowing enabling development lies in the over-riding public benefit to the conservation of the significant place and its sustainable future use which would be derived from the implementation of the principal proposal which otherwise would have little prospect of being carried out.
- 17.6 Where appropriate, site specific guidance may be provided in the Local Policies Plan to accommodate proposals which would secure and promote our heritage in Mid Ulster that is clearly in the public interest.

## Community Plan

- 17.7 Our Community Plan maximizes the economic, social and environmental role of our historic environment by proactively encouraging sustainable reuse of our identified built heritage assets by increasing the protection of, access to and knowledge and education of our inherent past. The historic environment and the physical heritage structures within it will be utilised for the benefit of the local community in terms of mental health and physical well-being by encouraging participation, sharing knowledge and understanding of our distinctive sense of place, cultures and traditions through our shared heritage. Furthermore, our strategic heritage-led tourism initiatives (Our Plan to Develop Tourism In Mid Ulster to 2021) namely, Beaghmore Stone Circles; O'Neill Heritage; Seamus Heaney Countryside and the Ulster Canal will also promote local tourism through the active use of the historic environment.

## Our Strategy

- 17.8 Our strategy in relation to the historic environment is to protect, conserve and enhance our historic environment by sustainably managing change and facilitating appropriate and sensitive heritage-led regeneration, tourism and development plan and tailored heritage design guidance.

- 17.9 Our strategy is to provide policy protection for archaeology; listed buildings; historic parks, gardens and demesnes; and registered industrial heritage, all of which have been identified working with the appropriate Central Government Departmental body. Our strategy will afford continued protection to conservation areas, which the Council can designate and review outside of the plan process. In addition, there are a number of areas of townscape character / village character and local landscape policy areas, which have already been identified in the Cookstown, Dungannon and Magherafelt area plans and, will be subject to review through our local policy plan preparation. Our Plan Strategy is to continue to afford these policy protections and bring forward criteria against which these may be reviewed and supplemented. Our local policy plan, where appropriate, will provide local policy and guidance for these areas. Furthermore, our strategy recognises that there are a number of non-designated heritage assets such as vernacular buildings and industrial heritage, much of which has not been identified. Our strategy provides appropriate protection for these in preparing the Local Policies Plan, we may bring forward a list of historic buildings of local heritage importance.

### **POLICY HE 1 – BEAGHMORE STONE CIRCLES – AREA OF SIGNIFICANT ARCHAEOLOGICAL INTEREST**

An Area of Significant Archaeological Interest (ASAI) has been designated around Beaghmore Stone Circles recognising the regional importance of the stone circles, Standing stones, megalithic tombs, court tombs, field walls and cairns and other known archaeological remains located within the designated area.

Development which would adversely impact on the distinctive heritage values and historic landscape of this designated area, will conflict with the Plan.

Development that would adversely impact on the distinctive qualities of the archaeological remains and the historic landscape include:

- Masts and Pylons;
- Turbines;
- Large scale development (height and area);
- Large agricultural sheds (height and area);
- Quarrying and Mining Activities.

### **Justification and Amplification**

- 17.10 Beaghmore is the most extensive stone circle and alignment complex in Northern Ireland and managed as a State Care Monument. The definition of the ASAI takes into account the surrounding horizons of the landscape, which widely encompass and form the setting for the stone circles and alignments. The interactions of this site with the surrounding historic landscape, including far-ranging views from the site toward surrounding landforms and skylines, are particularly important. This area also provides one of the best dark sky environments in Northern Ireland. It is important to note that this ASAI transverses local District Council boundaries between Mid Ulster District Council and Fermanagh and Omagh District Council. The ASAI area is identified on Map 1.20 and on our District Proposals Map.



- 17.11 Along with Beaghmore the ASAI incorporates a large number of prehistoric Neolithic and Bronze Age monuments and also later heritage assets with both discrete and overlapping settings, and their significance is enhanced by their relationships with each other, with route ways and with the natural environment including its topography, waterways and skylines. The evolution of historic townland and place names in the District has also variously been influenced by local heritage assets, natural landscape characteristics, and sometimes, historical associations with places.
- 17.12 The landscape of this ASAI has been shaped by traditional farming activity, but is characterised by open, distant vistas with a distinct absence of modern development.
- 17.13 The landscape of this ASAI is sensitive to change which would adversely affect those distinctive qualities outlined above. The erection of masts, pylons, turbines or other large scale development, including large agricultural sheds, or quarrying and mining activities, within this distinctive landscape would adversely impact the historic landscape character and the contribution it makes to setting, experience and significance of the stone circles and heritage values of archaeological remains within the ASAI.

## **POLICY HE 2 – CREGGANDEVESKY – AREA OF SIGNIFICANT ARCHAEOLOGICAL INTEREST**

An Area of Significant Archaeological Interest (ASAI) has been designated around Creggandevsky recognising the regional importance of the court tomb, giant's grave, chambered grave, stone circles, standing stones, megalithic tombs, portal tomb and cairns and other known archaeological remains located within the designated area.

Development which would adversely impact on the distinctive heritage values and historic landscape of this designated area, will conflict with the Plan.

Development that would adversely impact on the distinctive qualities of the archaeological remains and the historic landscape include:

- Wind Turbines;
- Masts or Pylons;
- Large scale development.

### **Justification and Amplification**

- 17.14 An Area of Significant Archaeological Interest has been identified, incorporating the wider landscape around Creggandevsky court tomb, which contains a large group of prehistoric sites and monuments with both discrete and overlapping settings. The distinctive rural landscape in which these sites are located is characterised by rugged upland grazing with intermittent improved areas of grassland, blanket bog, occasional water bodies and exposed rock outcrops. The distinctive features of the landscape provide the functional setting for these sites and monuments, and its qualities include the context for these heritage assets and their inter-relationships with each other and with the natural topography and sky lines. It is important to note that this ASAI transverses local District Council boundaries between Mid Ulster District Council and Fermanagh and Omagh District Council. The ASAI area is identified on Map 1.21 and on our District Proposals Map.
- 17.15 The monuments within the landscape date primarily to the Neolithic and Bronze Age periods. While most obviously of ritual and funerary function, these sites are representative of the wider human occupation of the area in the ancient past. The trapezoidal megalithic tomb at Creggandevsky is a monument in state care and is one of Northern Ireland's best examples of a court tomb.
- 17.16 To the east and south, the ASAI is defined by the relevant historic roads, townland and parish boundaries that demark the particular local concentration of prehistoric monuments that are located in the vicinity of Creggandevsky. To the west and northwest, the ASAI boundary follows the northern boundary of the Sultin townland. This is to capture the part of the Carrickmore plateau across which views are taken from Creggandevsky towards the unique deglacial landforms of the Murrins. It is of particular note that the historic townland and place names of the area also reflect its distinctive topographical and natural characteristics.



- 17.17 Several wind turbines have been erected within and adjacent to this designated historic landscape. The proposed erection of further wind turbines, masts or pylons or large-scale developments would lead to further cumulative adverse impact on the distinctive landscape qualities and character of this ASAI, and the heritage values of its constituent parts, including archaeological remains and their discrete or overlapping settings. Such development would cause further deterioration of the integrity of the unique and distinctive historic landscape character, its visual amenity and negatively detract from the experience of its prehistoric heritage values.

### **POLICY HE 3 – TULLAHOGUE – AREA OF SIGNIFICANT ARCHAEOLOGICAL INTEREST**

An Area of Significant Archaeological Interest (ASAI) has been designated around Tullaghogue Fort recognising the regional importance of the hilltop enclosure and fort, which was the inauguration site of the O’Neills, Friar’s Well, Giant’s Grave, wedge tomb, standing stones, raths, bronze age settlement and ring ditch.

Development which would adversely impact on the distinctive heritage values and historic landscape of this designated area, will conflict with the Plan.

Development that would adversely impact on the distinctive qualities of the archaeological remains and the historic landscape include:

- High Structures such as Wind Turbines;
- Masts or Pylons Infrastructure;
- Large scale development (height and area);
- Development which interrupts view of the fort from along surrounding roads within the ASAI;
- Quarrying and Mining Activities.

### **Justification and Amplification**

- 17.18 An Area of Significant Archaeological Interest (ASAI) has been identified at Tullahogue. Tullahogue Fort is a monument in state care, managed by the Department for Communities. The distinctive landscape included within the identified area makes an important contribution to the setting, experience and understanding of the state care monument, and of the other heritage assets that are located within it. The landscape incorporates rolling countryside with distinct hills, part of the Killymoon River valley with the river running through it, and intermittent areas of planted woodland, with large open spaces. The area includes the designed landscape of the Loughry Demesne, which was documented in 1611 as the “manor of Tullaghogue”, and skirts the northern edge of the settlement of Tullaghogue, which has an identified Area of Archaeological Potential (AAP). The ASAI area is identified on Map 27 and on our District Proposals Map.



- 17.19 In the medieval and early modern periods Tullahogue fort was the inauguration place for the northern branch of the O’Neills. The history of the landscape and its evolution can be traced from the Mesolithic period through to the present day. An important characteristic of the area are the vistas from and toward the fort. From the fort these include important localised and wide views, including views toward other heritage assets. The views from the many roads and approaches which traverse and then converge in this historic landscape at a river crossing close to and west of the monument, which was historically a place of gathering and ritual, have a particular significance. The prehistoric and historic heritage assets within the ASAI have both discrete and overlapping settings and their significance is enhanced by their relationships with each other and with the natural environment. The place names of the area have been influenced by both its natural landscape characteristics and the historic environment.
- 17.20 The landscape is sensitive to changes that would adversely affect these distinctive qualities. Large scale development, quarrying, high structures such as wind turbines or mast / pylon infrastructure, or development which interrupts views of the fort from along the surrounding roads, would adversely impact the distinct character of the landscape and the contribution it makes to the enjoyment of the heritage assets that lie inside it.

#### **POLICY HE 4 – ARCHAEOLOGICAL REMAINS OF REGIONAL IMPORTANCE AND THEIR SETTING**

Development proposals which would adversely impact upon archaeological remains of regional importance or the integrity of their settings will conflict with the Plan. Archaeological remains and their settings will be preserved in situ.

Development will only be permitted in exceptional circumstances where it is demonstrated that the proposal is of overriding importance to Northern Ireland.

#### **Justification and Amplification**

- 17.21 Within Mid Ulster there are regionally important archaeological remains such as Arboe Cross and Abbey, Bellaghy Bawn and Killucan Cairn and Chambered Grave. Regionally important archaeological remains include state care and scheduled monuments and other important sites and monuments, which would merit scheduling.
- 17.22 We will operate a presumption against development proposals, which would damage or destroy regionally important archaeological remains or have an adverse impact on their setting.
- 17.23 When assessing development proposals located within the associated setting of such regionally important archaeological remains consideration will be given to:
- The importance of the site or monument, its associated setting, and its ability to be understood and enjoyed by visitors;
  - The access and public approaches to the site or monument; and,
  - Any critical views of, and from the site or monument.

- 17.24 Where a Scheduled Monument Consent application is required, written evidence must be provided to confirm that it has been formally submitted to the relevant central government department. Written confirmation of Scheduled Monument Consent may also be required prior to our final determination of the related planning application.
- 17.25 When determining whether archaeological remains are of regional importance we will consult with the relevant central government department.

### **POLICY HE 5 – ARCHAEOLOGICAL REMAINS OF LOCAL IMPORTANCE AND THEIR SETTINGS**

Development proposals which will adversely impact upon archaeological remains of local importance or their settings will conflict with the Plan unless it has been clearly demonstrated that the importance of the proposed development outweighs the value of the archaeological remains and/or their settings.

#### **Justification and Amplification**

- 17.26 The vast majority of archaeological sites and monuments in Northern Ireland are not scheduled but are still capable of providing evidence about our past. Within the District there are a number of locally important archaeological remains, sites and monuments such as Knockmannay Passage Tomb, Tirkane Sweathouse, Tirmoney Dolmen. In some instances local remains are a distinctive feature or landmark within the historic landscape or townscape such as raths, standing stones or tree rings. Such locally important archaeological remains often have significant heritage values to local residents and are the subject of local historical interest or folklore. They are the man-made physical heritage assets or improved or planned historic landscapes that reflect our unique and distinctive local social, economic and cultural heritage, providing the historical character and appearance of our urban and rural environment which gives us our sense of place and belonging.
- 17.27 We will consider a number of factors in assessing the local significance of archaeological sites and monuments and may include one or more of the following:
- Appearance: distinctive features in the landscape/townscape or local landmarks;
  - Quality: well-preserved or extensive buried remains;
  - Folklore/Historical Interest: association with a person or event in local tradition or legend;
  - Group Value: one of a number of locally important sites; and
  - Rarity: a locally rare example.

### **POLICY HE 6 - AREAS OF ARCHAEOLOGICAL POTENTIAL**

Within Areas of Archaeological Potential (AAPs) applicants will normally be required to submit an archaeological assessment or an archaeological evaluation with their planning application.

- 17.28 Within settlement limits Areas of Archaeological Potential (AAP) are identified are based on current knowledge, it is likely that archaeological remains will be encountered in the course of development and change. Within our District, AAP's are identified at Derryloran in Cookstown, in Dungannon and in the villages of Moneymore, Augher, Ballygawley, Caledon, Carnteel, Castlecaulfield, Clogher, Donaghmore, and Newmills.
- 17.29 Where development is proposed within an AAP we will consult with the relevant government Department who will advise on the need for an archaeological assessment and/or evaluation.

### **POLICY HE 7 – ARCHAEOLOGICAL ASSESSMENT, EVALUATION AND MITIGATION**

Where the impact of a development proposal on known archaeological remains is unclear, or the relative significance of such remains is uncertain, applicants will be required to provide an appropriate and proportionate archaeological assessment and, if required, an archaeological evaluation.

If an applicant fails to submit the required archaeological assessment or evaluation, where requested, planning permission will be refused.

Only in exceptional circumstances, where we are minded to approve planning permission for development, which may affect known sites or monuments of lesser archaeological importance, or areas likely to contain archaeological remains we will consider appropriate and proportionate mitigation measures. Such mitigation measures will be bespoke to each individual case.

### **Justification and Amplification**

- 17.30 Mid Ulster has adopted a precautionary approach to the protection, preservation and sustainable management of known archaeological remains, both of regional or local importance. There is a presumption in favour of in situ preservation of these known archaeological remains.

### **Assessment and Evaluation**

- 17.31 Where it is known or it is likely that archaeological remains are present, an applicant shall carry out and submit the appropriate written archaeological assessment, and if required archaeological evaluation, when requested. Where field excavation is required an excavation licence must be obtained prior to commencement of any excavation works from the competent body. In some cases, depending on the archaeological importance of the remains evidence of the approved excavation licence shall be required.
- 17.32 Where development might reveal, disturb or destroy archaeological remains, it is important that the opportunities to record archaeological evidence are taken and that archaeological remains are not needlessly destroyed. The ability to record such archaeological evidence is not a factor in deciding whether controlled removal should be permitted.
- 17.33 The needs of archaeology and development may be reconciled and potential conflicts between development proposals and the preservation of important archaeological remains can often be avoided through pre-application discussion.

- 17.34 Where there is a possibility that archaeological remains may be present, applicants are encouraged to make an enquiry with the relevant central government department and the Historic Environment Record held by that department. Seeking advice and guidance from an archaeological advisor at an early stage is suggested. Such early pre-application discussions and consultation will help determine if the proposed development might affect any identified or known archaeological remains.
- 17.35 Where archaeological remains are known to exist or considered likely to exist, the applicant must submit either an initial desk based archaeological assessment or, where required, a full archaeological assessment and evaluation. It is suggested that such reports should be compiled by fully qualified and competent archaeologist. The reports of these investigations will form part of the planning application. Applicants should show how they have taken account of any known archaeological remains.

### Mitigation

- 17.36 Mitigation measures should be considered from the concept and analysis stage of any proposed development following an archaeological assessment and, where required field evaluation. Such early intervention can facilitate alternative design options that can either facilitate the physical preservation of the known archaeological remains in situ or ensure a licensed excavation, detailed recording of investigation and examination and post-excavation reports and / or archiving options.
- 17.37 For example, in planning a housing area such locally important archaeological remains can be retained in situ as a feature within designated public open space to serve that development facilitating public access, enjoyment and increasing local knowledge and understanding – such heritage assets may be considered as unique selling points.

### Unexpected Archaeological Discoveries

- 17.38 Discovery of previously unknown archaeological remains can result in a material change, which could affect the nature of the development permitted. Occasionally, archaeological remains are only discovered when development commences. Should this happen, the landowner/occupier or developer must seek written advice and guidance from the appropriate central government department.
- 17.39 Applicants should consider the potential need for a contingency plan to deal with unexpected archaeological discoveries and should make themselves aware of how to obtain archaeological advice if required.

### **POLICY HE 8 – REGISTERED HISTORIC PARKS, GARDENS AND DEMESNES**

Development which will lead to the loss of or cause harm to, the overall character, or principal components or setting of historic parks, gardens and demesnes will conflict with the Plan.

## Justification and Amplification

- 17.40 The character and appearance of our historic landscape owes much to planned landscape enhancement carried out since the 17th century, and many of the hedgerow trees or tree stands which are seen in the countryside today were once planned and planted as part of land management measures. This has resulted in a rich legacy of gardens, parks and demesnes of archaeological, historical and botanical interest such as Benburb, Parkanaur, Killymoon Castle and Favour Royal.
- 17.41 Our planning policy for these heritage assets will protect the heritage features of our 19 designated historic parks, gardens and demesnes from development.
- 17.42 Consideration will also be given to applying this policy to sites, which have not yet been designated, if their historic importance has been recognised on a supplementary list issued by central government. Details of this list are available from the central government department.
- 17.43 In assessing proposals for development within or adjacent to registered parks, gardens and demesnes of special historic interest particular attention will be paid to
- the archaeological, historical or botanical interest of the site;
  - the site's original design concept, overall quality and setting;
  - trees and woodland and the site's contribution to local landscape
  - character;
  - any buildings or features of character within the site including boundary walls, pathways, garden terraces or water features; and
  - planned historic views of or from the site or buildings within it.
- 17.44 This is particularly the case where a demesne, landscaped parkland, garden or grounds have been laid out to complement the design or function of the original built heritage asset. The economic viability as well as the character of the identified built heritage assets within such planned settings may suffer where inappropriate new development isolates them from their surroundings or degrades their landscape setting. Such historically important structures may not necessarily be of great individual merit but combine to produce a visual harmony, which enriches the setting of the registered historic park, garden or demesne.
- 17.45 Where a decision is taken to permit development, which results in the loss of any distinctive features of historic parks, garden or demesnes we will require developers to carry out recording, working to a brief agreed by the Council in liaison with the appropriate agency or authority. Appropriate conditions will apply.



## **POLICY HE 9 – CHANGE OF USE, ALTERATION OR EXTENSION OF A LISTED BUILDING**

Change of use, alteration or extension of a listed building will only accord with the Plan where the development respects the essential character and architectural or historic interest of the building and its setting and those features of special interest remain intact and unimpaired.

Development affecting the setting of a listed building will only accord with the Plan where it is sympathetic to the listed building in terms of scale, massing and alignment, utilising sympathetic materials and will not result in the loss of key views of the listed building.

### **Justification and Amplification**

- 17.46 Listed buildings are buildings or structures of special architectural or historic interest. Within our District, we are home to approximately 1,234 listed buildings and our planning policy is to protect, conserve and, where possible, enhance listed buildings or structures identified and protected by the appropriate central government department. Encouraging use of the building is a key means of securing its upkeep/retaining the building thereby ensuring that it is maintained and secured.
- 17.47 Development proposals which involve a change of use, alteration or extension to a listed building or structure will accord with the plan where it secures the continued active use and maintenance of the listed building or structure, its identified curtilage and wider historic setting. In all such cases we will consult with the appropriate government department. In order to do this it is essential that full details of works affecting the listed building are shown on the planning application plans and where necessary an application for listed building consent accompanies the application.
- 17.48 In assessing development proposals encouragement will be given to:
- minimum intervention techniques for repair or renovation; and
  - reversibility and adaptability.
- 17.49 Where appropriate applicants may be requested to submit supporting information in the form of a Design Statement incorporating a clear, concise analysis of how the proposal respects the essential character, heritage value and special architectural or historic interest of the building / structure and its setting; including scaled contextual maps, drawings, cross-sections, and where appropriate, historic maps and photographs; and, particularly pedestrians and cyclists, and how the proposal connects with existing public infrastructure, including public transport routes and services.

## **POLICY HE 10 – DEMOLITION OF A LISTED BUILDING**

Proposals involving the total demolition of a listed building, or any significant part of it will conflict with the Plan unless there are exceptional reasons why it cannot be retained in its original or reasonably modified form or because the structural integrity of the building is dangerous and beyond repair. In such cases priority will be given to partial demolition or rebuilding over total demolition.

- 17.50 Where consent to demolish a listed building is granted this will normally be conditional on prior agreement for the redevelopment of the site and appropriate arrangements for recording the building prior to its demolition.
- 17.51 Supporting information may be requested where a proposed development involves total demolition, or significant part, of a listed building:
- a structural engineer report to ascertain structural soundness;
  - a schedule of repair works to make the building structurally sound;
  - a detailed Economic Report on costings of schedule of repair work;
  - evidence of alternative options to find compatible alternative uses for the building which retain the historic fabric and structure, including feasibility studies and public consultation with local community.
  -
- 17.52 Developers are advised in carrying out such assessments to employ the service of an accredited conservation engineer.

### **HE 11 - ADVERTISEMENT ON A LISTED BUILDING OR STRUCTURE**

Proposals which preserve the retention, reuse and repair of authentic historic fabric associated with an original advertisement, signage or shopfront will accord with the Plan.

Proposals for the display of an advertisement or signage on any listed building or structure or within its setting will only accord with the Plan where:

- It is sensitively designed and positioned to respect and enhance the special architectural form, style, features and detailing of the Listed Building or structure;
- protects and conserves the character and appearance of the listed building or structure and its setting; and,
- It does not prejudice public safety.

### **Justification and Amplification**

- 17.53 Listed buildings or structures by definition are of special architectural merit or have an important historical interest to the public and therefore careful consideration needs to be taken when utilising such historic structures for the display or advertisements or signage.
- 17.54 Such listed buildings or structures have either regional or local historical significance, or both, special architectural features and historic fabric, heritage values and high quality visual amenity value to the local community, historic landscape or urban streetscape. They are the reflection of our local social – economic, industrial and agricultural history providing a physical reminder of our past endeavours and architectural preferences.

## Retention, Reuse and Repair of Authentic Historic Fabric

- 17.55 We recognise that historically authentic advertisements, signage and shopfronts are an important part of the historic character and appearance of our designated areas.
- 17.56 Where such authentic historic fabric exists, it should be preserved and where possible repaired by appropriately competent craftspeople to ensure high quality, appropriate and sensitive repairs.

## New Advertisement or Signage

- 17.57 It is important such advertising respects and is sensitive to the authentic historic fabric of the listed building or structure. This normally requires a traditionally skilled craftsman with appropriate knowledge and experience. Standardised corporate signage and hoardings will not accord with the Plan.
- 17.58 Where the principle of new advertisement or signage has been agreed the following criteria will be considered:
- Position of proposed signage to ensure that original historic fabric is not obscured, overlapped or cut into; particularly architectural detailing, features or structural divisions;
  - Retention, repair of original historic fabric;
  - The character, appearance and historic fabric; particularly with regard to scale, size, age, architectural style, materials and finishes;
  - Reversibility and adaptability;
  - Cumulative impact of existing advertisements.

## POLICY HE 12 – DESIGNATED CONSERVATION AREAS AND THEIR HISTORIC SETTINGS

### Development

Development which preserves and, where an opportunity to do so exists, enhances, the historic character, appearance and heritage values of the designated conservation area and its historic setting, will accord with the Plan.

Where development adversely impacts on the historic character, appearance and heritage values of the designated conservation area and its historic setting, the proposal, will conflict with the Plan.

### Demolition

There is a presumption against demolition of unlisted buildings within a designated conservation area, where the historic structure makes a material contribution to the historic character and appearance of the conservation area.

Planning permission will not be granted for demolition of historic buildings or structures which are capable of active re-use, repair or renovation.

Demolition Consent Applications must be accompanied by a Full Planning Application and any other report or information requested by the Planning Department.

## Advertisement and Signage

Consent for the display of advertisements in or close to a Conservation Area will only accord with the Plan where they preserve or enhance the overall historic character and appearance of the conservation area and its historic setting.

## Justification and Amplification

### Development

17.59 Our District contains five designated conservation areas at:

- Caledon;
- Draperstown;
- Moneymore;
- Northland, Dungannon, and;
- Moy.



17.60 In order to conform with the Plan all planning applications submitted to the Planning Department within or adjoining our designated conservation areas must preserve and, where possible, enhance the historic character and appearance of the conservation area. Proposed development must be sensitively designed to respect the individual heritage assets, such as listed and unlisted buildings or structures, the authentic historic fabric and built features, such as original post or telephone boxes, and other historic landscape or landmarks features, such as trees or public open space that contributes to the heritage values of the conservation area.

- 17.61 These individual man-made or planned heritage assets are an intrinsic part of the designated townscape, streetscape or village and a physical reminder of our local social – economic, industrial and agricultural history, culture and traditions and identify the associated heritage values which will be sustainably managed through the planning system to preserve, and, where possible, enhance our historic towns and villages for future generations. The historic visual amenity value of these designated areas provide the tangible link to our past, our story and our heritage.
- 17.62 Outline planning applications within a designated conservation area will not be acceptable, without detailed scaled plans of the proposed development whether it is an alteration, extension, change of use or new development

### **Alterations, extensions, change of use and new development**

- 17.63 When assessing any development proposal for an alteration or extension, change of use or new development within our designated conservation areas and their historic settings all of the following criteria will be considered:
- Be sympathetic to the characteristic built form of the area;
  - Respect the characteristics of adjoining buildings in the area by way of its scale, form, materials and detailing;
  - Protect important views within, into and out of the area;
  - Protect trees and other landscape features contributing to the character or appearance of the area; and.
  - Have regard to published historic environment supplementary planning guidance.
- 17.64 The applicant shall provide the following information when requested:
- A Design and Access Statement incorporating a clear, concise analysis of how the proposal respects the essential character, heritage value and special architectural or historic interest of the building / structure and its setting; including scaled contextual maps, drawings, cross-sections, and where appropriate, historic maps and photographs; and details of facilitating access for all person(s) Mobility needs, particularly pedestrians and cyclists, and how the proposal connects with existing public infrastructure, including public transport routes and amenity services.

### **Demolition**

- 17.65 Demolition of a building or structure within a designated conservation area will only be considered where it is demonstrated that the said historic structure does not make a material contribution to the historic character or appearance or local heritage values of the conservation area. The onus will be on the applicant to demonstrate and justify the need for demolition.
- 17.66 Where an applicant has submitted a demolition consent application, where deemed appropriate by the planning case officer the following information must be submitted:
- A full Conservation Structural Engineers Report to ascertain structural soundness;
  - A Schedule of Repair Works to make the building or structure sound;
  - A detailed Economic Report on costings of schedule of repair work; and,
  - Evidence of alternative options to find compatible alternative uses for the building which retain the historic fabric and structure, including feasibility studies and public consultation with local community.



- 17.67 Applicants are strongly advised to consider engaging appropriately conservation accredited and competent person(s) to prepare such reports. In addition, applicants should consider the submission of a PAD application at an early stage. In addition, it is also strongly advised that the applicant contact the Historic Environment Division of the Department for Communities as early as possible, the onus is on the applicant to contact the appropriately competent body. Furthermore, developers should be aware that in some cases, natural environment issues may be a consideration if there is evidence of roosting birds, bats or other protected species.

### **Advertisements or Signage**

- 17.68 Consent for the display of advertisements or signage in or close to a designated conservation area will only be considered where they do not adversely affect the visual amenity and overall historic character or appearance or setting of the area.
- 17.69 Mid Ulster's Planning Department acknowledges that appropriate and sensitively designed outdoor advertisement and signage is an essential to commercial activity. However, it is also important to preserve and, where possible, enhance the historic character and appearance of listed or unlisted buildings and structures within or adjoining our designated conservation areas. Consideration will be paid to the scale and proportions of the sign and the materials to be used. Externally illuminated advertisement or signage will not be acceptable.

### ***POLICY HE 13 – NON-LISTED HISTORIC VERNACULAR BUILDINGS***

The preservation and, where possible, enhancement, through retention and appropriate conversion of an existing historic vernacular building or structure will accord with the Plan.

#### **Conversion**

Proposals which will deliver the sustainable conversion, active reuse and repair of non-listed vernacular buildings or structures, will accord with the Plan.

Proportionate and appropriate adaptation of such non-designated historic vernacular buildings or structures will be considered, provided that the proposed development for conversion and sustainable active use will:

- maximise the retention of original historic fabric; through repairs, renovation or reinstatement;
- utilise minimum intervention techniques, using traditional craft skills and materials;
- be appropriate and sympathetic to the historic vernacular character and appearance of the existing building, its curtilage and wider historic setting and;
- safeguard retention, maintenance and security for future generations.

Consultation with the appropriate competent body early in the planning process is strongly advised.

## Justification and Amplification

- 17.70 Throughout Mid Ulster there are a number of non-designated and unlisted vernacular buildings both within our settlements and the countryside. The retention, reuse and repair of these historic vernacular buildings or structures should be encouraged and facilitated through strategic planning policy as they reflect our local social – economic, industrial and agricultural heritage; and, provide a tangible physical link to our past.
- 17.71 They often consist of former local rural school houses, ecclesiastical buildings or community halls and historic vernacular dwellings or barns – they are a reflection of local architectural styles, features and materials and are of historic interest to our local communities. Accordingly, any proposals involving an unlisted vernacular building will be expected to demonstrate that efforts have been made to retain, repair and find a suitable active use for the historic vernacular building or structure.
- 17.72 Where appropriate, early consultation with the Department for Communities, Historic Environment Division will be required and give consideration to serving a Building Preservation Notice (BPN) where the nature of the building and the threat to its conservation merits it. In such cases we will seek advice and guidance from DfC, HED.
- 17.73 We may consider, where appropriate, the identification of historic buildings of local importance located within settlements may be provided as part of the local policies plan and for specific supplementary guidance for those buildings identified.

### **POLICY HE 14 – AREAS OF TOWNSCAPE / VILLAGE CHARACTER**

#### **Development**

Where proposed alterations, extension or new development within an area of townscape or village character maintains or enhances the overall character of the ATC / AVC area and respect its built form will conform to the Plan.

#### **Demolition**

There will be a presumption in favour of retaining a historic building or structure which makes a material contribution to the identified an ATC / AVC, will accord with the Plan.

Demolition of a historic building or structure within an ATC /AVC will only be considered where it make no contribution to the historic character or appearance or local historic interest. In such cases, demolition consent will only be considered if a full planning application is submitted.

#### **Advertisement and Signage**

Consent for the display of an advertisement in an ATC / AVC should only be granted where the overall character and appearance of the identified area will be maintain.

## Justification and Amplification

- 17.74 Areas of townscape and village character are identified in the local policies plan and where appropriate policy guidance is given in relation to the design matters which need to be taken into account when formulating a development proposal.

## HE 15 – INDUSTRIAL HERITAGE ASSETS

Development proposals which visually respect, are sensitive to and secure the retention, repair and sustainable maintenance of identified industrial heritage assets and their historic settings will conform with the Plan.

### Justification and Amplification

- 17.75 Remnants of our local industrial and infrastructural development reflects our local social - economic development, changing agricultural practices and industrialisation through our flax, beetling and linen mills and associated transportation networks to get goods and services to and from the cities of Belfast and Dublin, Cork and Donegal, and further afield to Scotland, England and Wales.
- 17.76 Across Mid Ulster there is a great deal of local historic industrial infrastructure, including the Great Northern Railway, the Clogher Valley railways and the Ulster Canal. There are a wide variety of other industrial heritage assets within our District which reflect the changing development of our local industries, these include a number of mills, ponds and races linked to the flax industry, for example, Clarke's Mill complex in Upperlands. Other manufacturing industries including coal, iron and bauxite mines, brickworks, potteries and foundries have also left their own particular mark on the landscape, for example Coalisland.
- 17.77 Development proposals, which facilitate the sensitive retention, active reuse and repair of registered industrial heritage assets will accord with the Plan, provided the development respects the authentic historic fabric, form and associated historic context of the heritage asset. The Industrial Heritage Register is available on the historic environment map viewer. Our Local Policies Plan will provide further policy guidance.

## POLICY HE 16 – LOCAL LANDSCAPE POLICY AREAS

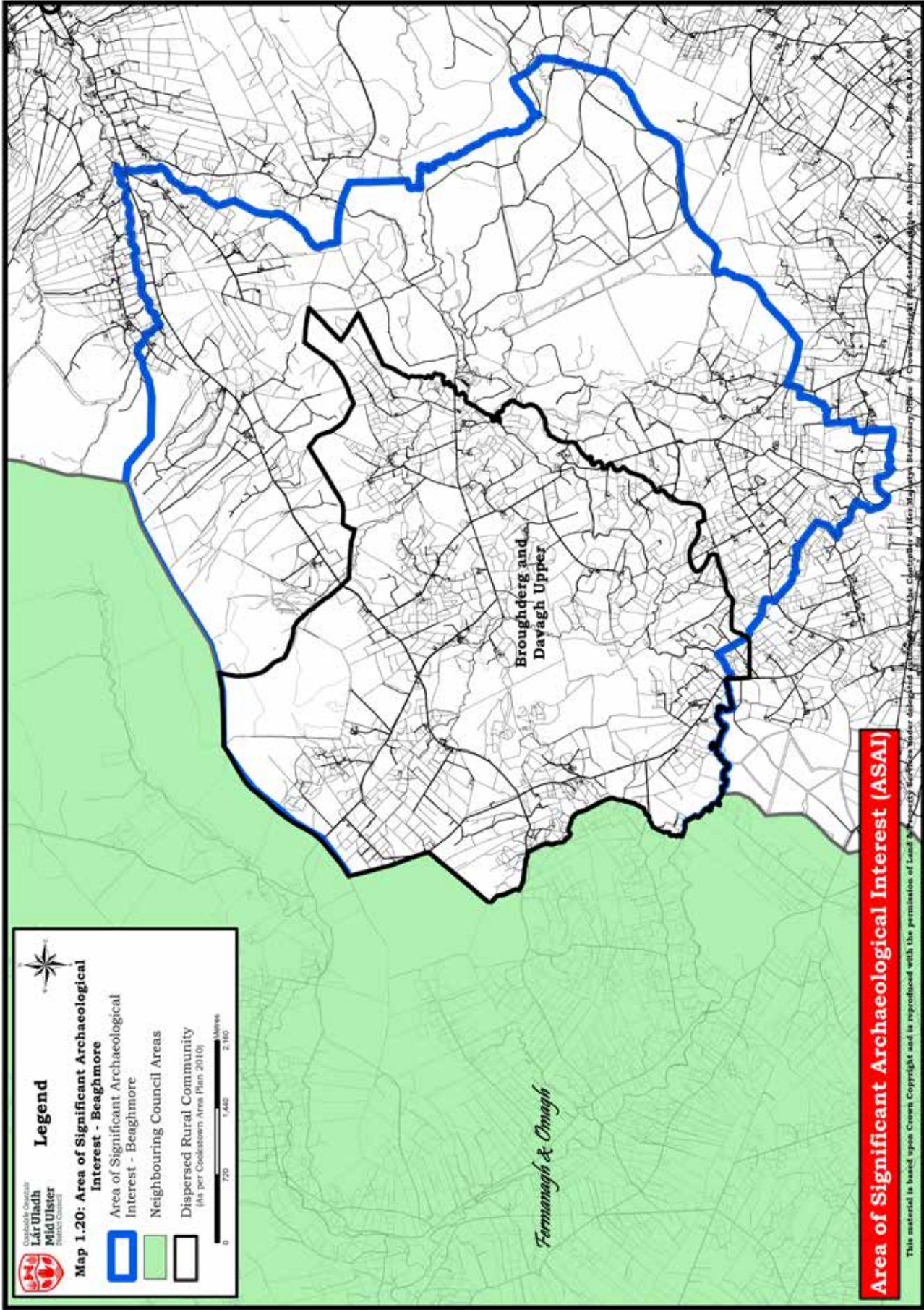
Development within LLPAs will accord with the Plan providing it does not harm the intrinsic environmental and heritage values and visual amenity values and historic landscape character, appearance or assets within it.

Local Planning Policy for each LLPA will be a material consideration.

### Justification and Amplification

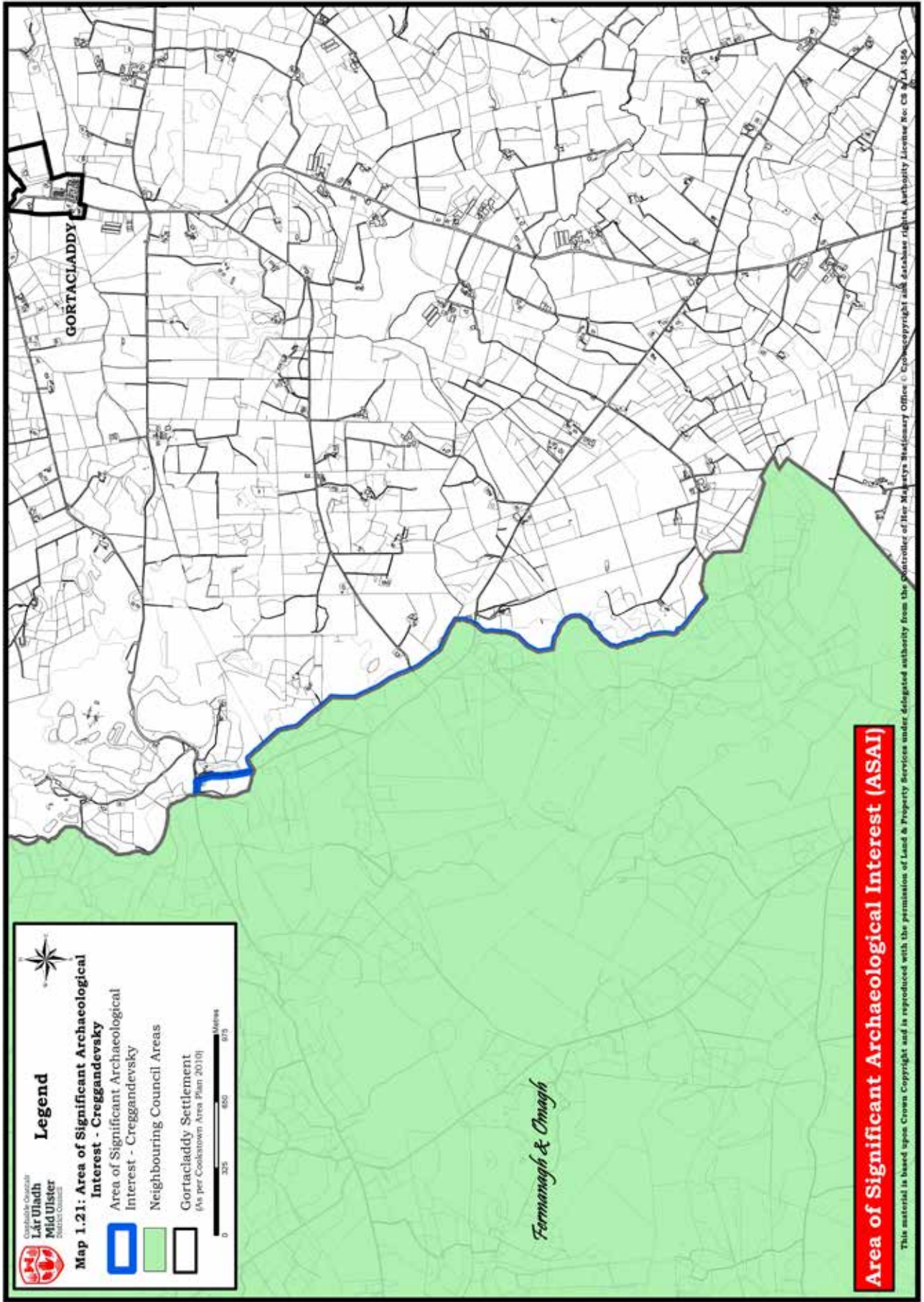
- 17.78 Landmark or historical features, such as;
- the mature natural landscape of the Ballinderry river corridor in Cookstown;
  - the heritage value of archaeological remains at the Hill of the O'Neill in Dungannon; and,
  - the historically and visually significant grouping of ecclesiastical buildings and mature trees at King Street, in Magherafelt,
- help to give each settlement its distinctive and unique sense of identity and place.
- 17.79 Most of our settlements have defining natural and man-made landscape features worthy of protection from visually inappropriate or insensitive development. Our Local Policies Plan identifies these areas and where appropriate provides policy and supplementary guidance as to the nature and type of development that will be acceptable. In some instances, no new development would be appropriate.





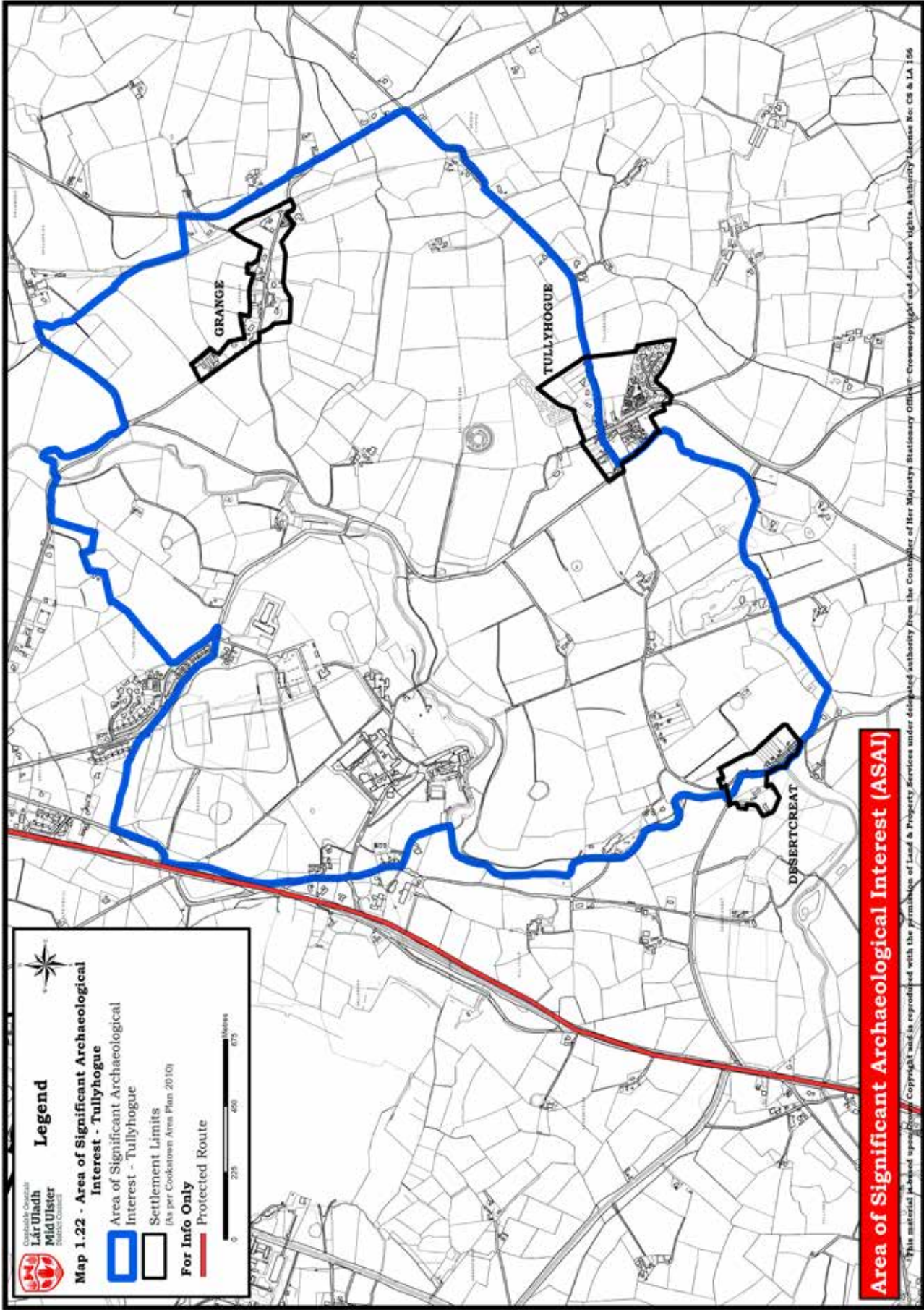
Map 1.20





Map 1.21





Map 1.22



# ■ NATURAL HERITAGE



## 18.0 NATURAL HERITAGE

### Overview

- 18.1 The Mid Ulster District is endowed with a rich and diverse range of landscapes and wildlife habitats that together distinguish its special character and identity. The intrinsic value of our natural heritage cannot be over stated, it adds beauty and variety to our surroundings and contributes to our personal well-being. The Mid Ulster area possesses a wealth of natural heritage assets, from internationally recognised sites, such as Ramsars, Special Protection Areas, Special Areas of Conservation, to nationally important designations such as Areas of Special Scientific Interest.
- 18.2 In places such as Lough Neagh and Lough Beg we have natural assets of recognised international importance, which we have a duty to protect, whilst at the same time acknowledging that opportunities exist for appropriate leisure and economic opportunities within specific nodes along their shoreline that could help promote health and well-being within the wider community. Similarly a significant portion of the Sperrins Area of Outstanding Natural Beauty lies within Mid Ulster, the purpose of this designation is to protect and conserve its scenic qualities whilst at the same time promoting the enjoyment of the area. The Council will review the existing SLNCIs and bring these forward within the Local Policies Plan and we may also bring forward additional new SLNCIs at the same time. Mid Ulster Council aims to address the competing demands of achieving social and economic goals while still protecting our environment through the use of designations that will seek to protect our most sensitive landscapes whilst still allowing for a degree of flexibility in others.
- 18.3 A key challenge for Mid Ulster will be to pursue our economic and social goals whilst simultaneously protecting our natural environmental assets. Mid Ulster will aim to achieve these goals through the identification of our national and international designations within the Plan. These designations will be accompanied by appropriate policies to ensure their protection and / or enhancement. Mid Ulster will also seek to achieve our economic and social goals whilst protecting our environmental assets through the introduction of new designations in this Plan Strategy, at our most sensitive and unspoilt landscapes. These new designations will take the form of Special Countryside Areas or Areas of Constraint on high structures and wind turbines. In doing so Mid Ulster Council will provide an additional layer of protection to our most important natural heritage assets from inappropriate forms of development.

### Regional Policy Context

- 18.4 The Regional Development Strategy (RDS) aims to conserve, protect and where possible, enhance our natural environment. The RDS recognises that effective care of the environment provides very real benefits in terms of improving health and well-being, promoting economic development and addressing social problems which result from a poor-quality environment.

18.5 Strategic Planning Policy also seeks to protect, conserve, enhance and restore the abundance, quality, diversity and distinctiveness of our natural heritage. The SPPS highlights that we must further sustainable development by ensuring that natural heritage and associated diversity is conserved and enhanced as an integral part of social, economic and environmental development. It clarifies that it is incumbent upon us to assist in meeting international (including European) national and local responsibilities and obligations in the protection and enhancement of our natural heritage. It requires us to contribute to rural renewal and urban regeneration by ensuring developments take account of the role and value of natural heritage in supporting economic diversification and contributing to a high-quality environment and it requires us to take actions to reduce our carbon footprint and facilitate adaptation to climate change. The SPPS states that we should apply the precautionary principle when considering the impacts of a proposed development on national or international significant landscape or natural heritage resources.

### Community Plan

18.6 Our Community Plan seeks to maximize the economic, social and environmental role of our natural environment. Our Community Plan focuses on the production of sustainable actions that will both protect our environment and also leave a proud legacy for future generations to benefit from. A key aim of our Community Plan is to increase the protection of our natural environment through the improvement of our air and water quality, whilst simultaneously allowing for greater access to and development of our natural assets including Lough Neagh; Sperrins; Beaghmore and our forests.

18.7 Our Community Plan gives priority to improving both infrastructure and health and well-being. Our natural assets contribute to the health and well-being of our local community. The intrinsic value to health and well-being of such assets relates to their potential to provide opportunities for physical activity such as walking and cycling; and improve quality of mental health. Our Community Plan recognises the important role our environment has to play by encouraging the sustainable development of our natural heritage assets as part of the District's green and blue infrastructure.

18.8 Our spatial strategy for the protection, conservation and enhancement of our natural environment will facilitate the implementation of the strategic themes of our community plan.

### Our Strategy

18.9 In order to protect and enhance our natural heritage in relation to biodiversity our Strategy includes identifying sites of international, national and local importance. These designations will be accompanied by appropriate policies to ensure their protection and / or enhancement. We will ensure that the precautionary principle is applied when considering the impacts of a proposed development on national or international significant landscape or natural heritage resources. A review of the existing SLNCl will be undertaken and brought forward within the Local Policies Plan and we may also bring forward additional new SLNCl at the same time.





- 18.10 In order to protect and enhance our natural environment in terms of landscape and visual amenity our strategy is to designate Special Countryside Areas (SCA) which will protect our most sensitive landscapes from inappropriate development. The introduction of an SCA is anchored in regional strategic policy within the Strategic Planning Policy Statement (SPPS). The SCAs are designated at our most exceptional landscapes, such as along the shores of Lough Neagh and Lough Beg, and on the most wild and remote parts of the Sperrins AONB and Slieve Beagh. These are complemented with Areas of Constraint in other environmentally sensitive areas in order to control specific types of development, namely wind turbines and other high structures.
- 18.11 In addition to these designations biodiversity and landscape character are recognised through the designation of Local Landscape Policy Areas and they are also a planning consideration when determining a planning application in the context of the General Principles Planning Policy.

### POLICY SCA 1– SPECIAL COUNTRYSIDE AREAS

The Plan introduces Special Countryside Areas, at Lough Neagh / Lough Beg, at Slieve Beagh and in the High Sperrins (see District Proposals Map). Within these SCA's there will be a presumption against all new development in order to protect the quality and unique amenity value of these unique landscapes.

Within the Special Countryside Areas, new development will conflict with the plan except where it comprises one of the following exceptions;

- ancillary open development relating to appropriate recreation / open space uses, which have been demonstrated to be in the wider public interest; or
- in-situ replacement of an existing building of a similar size and character.
- communications apparatus to serve a recognised 'not spot'.

Within the Lough Neagh / Lough Beg SCA the policy will allow for consolidation or minor expansion of existing development relating to the commercial fishing industry, including jetties, slipways, and ancillary buildings, where it has been demonstrated that it is essential for the efficient operation of an active and established commercial fishing enterprise (for criteria refer to Policy CT2).

Within the Slieve Beagh and High Sperrins SCA's the policy will allow for the provision of essential electricity transmission or supply infrastructure of demonstrable regional importance.

### Justification & Amplification

- 18.12 Special Countryside Areas have been designated around Lough Neagh / Lough Beg, on the upper slopes of Slieve Beagh and also within the High Sperrins, in order for us to protect the wild and unspoilt nature of these unique landscapes from inappropriate development. Whilst there is a presumption against all development within these Special Countryside Areas, we have allowed for a number of exceptions.
- 18.13 Within our SCA's we will allow ancillary open development relating to appropriate recreation / open space uses, such as pathways, walkways and picnic areas, in order that our community can enjoy the amenity of our mountains and lough-shores. Where exceptions are made an assessment may be required to demonstrate that the ecology of the area has been fully considered.
- 18.14 Within our SCA's we may also make an exception for communications apparatus where it is to serve a recognised 'not spot' i.e. a location where there is no telecommunications coverage at all. The identification of such a 'not spot' must be verified by a government authority.
- 18.15 Within the Lough Neagh/Lough Beg Special Countryside Area the policy may allow for the consolidation or minor expansion of existing development to accommodate our traditional fishing industry. Within the Lough Neagh/Lough Beg SCA such exceptions include jetties, slipways, and ancillary buildings associated with commercial fishing. Such proposals will be required to demonstrate that they are to serve an active and established commercial fishing enterprise as set out in Policy CT2 under the criteria for a dwelling for the holder of a commercial fishing licence.



- 18.16 Within the Slieve Beagh and High Sperrins Special Countryside Areas the policy may allow an exception for the provision of essential electricity transmission and/or supply infrastructure where it has been demonstrated that the proposal is of regional importance.

#### **POLICY NH 1 – INTERNATIONAL DESIGNATIONS**

Planning permission will only be granted for a development proposal that, either individually or in combination with existing and/or proposed plans or projects, is not likely to have a significant effect on a European Site or a listed or proposed Ramsar site.

Where a development proposal is likely to have a significant effect (either alone or in combination) or reasonable scientific doubt remains, the planning authority is required by law to carry out an appropriate assessment of the implications for the site in view of the site's conservation objectives. Only after having ascertained that it will not adversely affect the integrity of the site, can the planning authority agree to the development and impose appropriate mitigation measures in the form of planning conditions.

A development proposal which could adversely affect the integrity of a European or Ramsar site may only be permitted in exceptional circumstances as laid down in the relevant statutory provisions.

#### **Justification & Amplification**

- 18.17 Development proposals are restricted where they are likely to impact upon the integrity of European or Ramsar sites, as these are afforded the highest form of statutory protection.

- 18.18 A European Site is a Special Protection Area, proposed Special Protection Area, Special Areas of Conservation, candidate Special Areas of Conservation and Sites of Community Importance.

### **POLICY NH 2 – PROTECTED SPECIES**

Proposals for development likely to impact on protected species must be fully considered prior to any determination. Proposals shall not accord with the Plan if:

1. There is any likely harm to a European protected species.
2. It is likely to harm any other statutorily protected species, including national protected species, which cannot be adequately mitigated or compensated against.

In exceptional circumstances, a development proposal that is likely to harm European protected species may only be permitted where:-

- there are no alternative solutions; and
- it is required for imperative reasons of overriding public interest; and
- there is no detriment to the maintenance of the population of the species at a favourable conservation status; and
- compensatory measures are agreed and fully secured.

### **Justification & Amplification**

- 18.19 It is a criminal offence to harm a statutorily protected species. The presence of species protected by legislation is a material consideration when a planning authority is considering a development proposal that if carried out, would be likely to result in harm to the species or its habitats.
- 18.20 European protected species are listed under Annex IV of the Habitats Directive (transposed under Schedule 2 of the Habitats Regulations) and must be subject to a system of strict protection. Other national protected species are listed under the Wildlife Order under Schedules (1), (5) & (8).
- 18.21 The granting of planning permission does not remove the need of the holder of ensuring legal compliance with other legislative requirements. In addition to compliance with planning policy, there are other laws/legal requirements which applicants must be mindful of.
- 18.22 We will require development proposals to be sensitive to all protected species, and sited and designed to protect them, their habitats and prevent deterioration and destruction of their breeding sites or resting places. Seasonal factors will also be taken into consideration.

### **POLICY NH 3 – NATIONAL DESIGNATIONS**

Proposals for development which would adversely affect the integrity of national designations, shall not accord with the LDP unless:

- (a) the objectives of the designation and the overall integrity of the area, including the value of the site to the habitat network, will not be compromised; or
- (b) any unacceptable impacts on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of regional importance.

In such cases, appropriate mitigation and/or compensatory measures will be required.

#### **Justification & Amplification**

- 18.23 Areas of Special Scientific Interest (ASSIs) are declared under the Environment (Northern Ireland) Order 2002 (as amended). Nature Reserves including National Nature Reserves are declared under the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985 and Marine Nature Reserves are designated under this Order.

### **POLICY NH 4 – LOCAL DESIGNATIONS**

Proposals for development which could have a significant adverse impact on a Local Nature Reserve or a Wildlife Refuge or other sites of local nature conservation importance, shall only accord with the LDP where the benefits of the proposed development outweigh the value of the site. In such cases, appropriate mitigation and/or compensatory measures will be required.

#### **Justification & Amplification**

- 18.24 Sites of Local Nature Conservation Importance contain features in the landscape of value to wildlife and earth science interest and can contain priority habitats and earth science interests. Development proposals which affect these sites may be acceptable only if the benefits of the proposed development outweigh the value of the site. In such cases, appropriate mitigation and/or compensatory measures will be required.
- 18.25 Local Nature Reserves are those established by District Councils under the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985. Wildlife Refuges are provided for under the Wildlife Order.



## **POLICY NH 5 – OTHER HABITATS, SPECIES OR FEATURES OF NATURAL IMPORTANCE**

Proposals for development which are likely to result in the unacceptable adverse impact on, or damage to:

- priority habitats;
- priority species;
- active peatland;
- ancient and long established woodland;
- features of earth science conservation importance;
- features of the landscape which are of major importance for wild flora and fauna;
- rare or threatened native species;
- wetlands (including river corridors); or
- other natural heritage features worthy of protection, including trees and woodland;

shall not accord with the LDP, unless the benefits of the proposed development outweigh the value of the habitat, species or feature. In such cases, appropriate mitigation and/or compensatory measures will be required.

There will be a presumption in favour of retaining trees where they make a valuable contribution to the wider environment and local amenity.

### **Justification & Amplification**

- 18.26 To ensure our international and domestic responsibilities and environmental commitments with respect to the management and conservation of biodiversity are met, the habitats, species and features mentioned above are material considerations in the determination of planning applications.
- 18.27 Priority habitats and species may fall within and beyond designated sites. They include both European (as identified under Annex I and II of the Habitats Directive and Annex I of the Birds Directive) and Northern Ireland priority habitats and species, identified through the Northern Ireland Biodiversity Strategy (NIBS) (to achieve the statutory duties under the Wildlife and Natural Environment (NI) Act 2011.)
- 18.28 It is important to note that the loss of some priority habitats cannot be compensated against e.g. Ancient and Long Established Woodland and intact bog (occurs within the priority habitats, Blanket Bog and Raised Bog and is usually active peatland).

## **POLICY NH 6 – AREAS OF OUTSTANDING NATURAL BEAUTY**

Development will be required to be sensitive to the distinctive special character and landscape quality of the Sperrins Area of Outstanding Natural Beauty and its visual amenity in order to conform with the Local Development Plan.

Specific policies, such as for high structures and mineral development, will be dealt with under separate policy considerations (refer to Policies RNW1 & MIN1). Where appropriate, the Council will provide local policies and guidance in order to assist in the design of housing within settlements.

### **Justification and Amplification**

- 18.29 This policy requires development proposals in Areas of Outstanding Natural Beauty (AONB) to be sensitive to the distinctive special character of the area and the quality of their landscape, heritage and wildlife.
- 18.30 The quality, character and heritage value of the landscape of an AONB lies in their tranquillity, cultural associations, distinctiveness, conservation interest, visual appeal and amenity value.
- 18.31 In assessing proposals account will be taken of:
- the siting, scale, materials and design to ensure that it is sympathetic to the landscape character and visual amenity
  - the extent to which it respects, conserves and enhances the built, natural and cultural heritage features of importance to the character, appearance and biodiversity of the landscape;
  - the capacity of the landscape to absorb the development in itself and in relation to any cumulative impacts.
- 18.32 Where appropriate account will be taken of the Landscape Character Assessments and any other published guidance such as countryside assessments produced as part of the Development Plan process, as well as AONB Management Plans and local design guides.

# ■ FLOOD RISK

## 19.0 FLOOD RISK

### Overview

- 19.1 Flooding is a natural process that cannot be entirely prevented. In Mid Ulster we are already susceptible to intermittent flooding from various sources, principally from rivers, or surface water runoff. Reservoir breaches or failures are also potential sources of flooding. Climate change is generally expected to increase flood risk, albeit that there remains much uncertainty as to the degree of climate change that will occur and its precise implications.
- 19.2 Flooding impacts on human activity are wide ranging. Floods can impact us in many ways at worst causing fatalities and injury, displacing people, spreading pollution and health risk, loss of drinking water, damage to buildings and the environment. It can also have implications for our economy by reducing production and requiring money to be spent on repairs. For individuals flooding will also impact on property prices, the ability to get a mortgage agreement and the availability of affordable property insurance.
- 19.3 Our Development Plan has an important role to play in helping to reduce the risks and impacts of flooding. There are numerous recorded flood areas within our District that affect both settlements and areas within our wider countryside. Flood Maps NI is available to view on the DfI website and is intended to give an indication of those areas that may be of risk from flooding. These are most commonly associated with overflowing watercourses (fluvial) but can also be as a result of surface water and poor drainage (pluvial). The onus rests with the developer to identify and consider the potential flood risk to any proposed development by making use of the Flood Maps NI. DfI Rivers assist in advising us on flood risk.

### Regional Policy Context

- 19.4 The Regional Development Strategy 2035 (RDS) recognises the need to avoid, where possible, the selection of flood prone land for employment and housing growth. It urges the planning system to adopt a precautionary approach to development in areas of flood risk and the use of the latest flood risk information that is available in order to properly manage development. The RDS (RG12) also promotes a more sustainable approach to the provision of water and sewerage services and flood risk management.
- 19.5 The Strategic Planning Policy Statement (SPPS) aims to prevent development in areas at risk from flooding or where it may increase the risk of flooding elsewhere. It advises us to adopt a precautionary approach in this scenario. The emphasis being on the need to ensure up to date and precise information on flood risk and encourages the promotion of sustainable development, sustainable drainage systems and public awareness. It does not permit built development within flood plains unless the following circumstances apply: that the development is a valid exception; that it is of overriding regional or sub-regional economic importance; and the development is considered as minor development in the context of flood risk. Even where it does constitute an exception it sets a presumption against certain types of development include bespoke development for vulnerable groups, essential infrastructure and the storage of hazardous substances likely to cause pollution in a flood event. Where the principle of development is accepted a Flood Risk Assessment is required.

- 19.6 In relation to development at areas prone to surface water flood risk but which are outside of the fluvial flood plain, the regional strategic policy is that development should only be facilitated in areas where there is evidence of a history of surface water flooding when a developer is able to demonstrate, through a Drainage Assessment, that the flood risk can be effectively controlled or mitigated and will not create greater potential for surface water flooding elsewhere. The policy also encourages the use of Sustainable Drainage Systems as the preferred drainage solution.
- 19.7 With regard to development in proximity to reservoirs the regional strategic policy states that new development within the inundation area of a controlled reservoir can only be justified where the condition, management and maintenance of the reservoir are appropriate to provide assurance regarding its safety. That assurance should be provided by a suitably qualified engineer and supported by DfI Rivers, who are the responsible body for the management of reservoir flood risk.
- 19.8 Regional Strategic policy states that development that would impede operational effectiveness or hinder access for maintenance purposes of flood defence and drainage infrastructure should not be permitted. The artificial modification of a watercourse should only be permitted in exceptional circumstances where culverting a short length is necessary to provide access to a development site, or where such operations are necessary for engineering reasons unconnected with any development proposal.

### Community Plan

- 19.9 Our Community Plan promotes creating a sustainable environment and public services. All of the strategic actions within the Community Plan incorporate these principles. The sustainable environment highlights the growing imperative of making a significant contribution to tackling global warming and climate change. It states that the delivery of the Plan must produce sustainable action that protect our environment and leave a legacy for future generations. The infrastructure theme of our Community Plan promotes the use of Sustainable Drainage Systems.

### Our Strategy

- 19.10 Our Strategy is to manage development so as to reduce the risks and impacts of flooding to people, property and the environment which means development in flood plains will be avoided where possible, not only because of the high flood risk and increased risk of flooding elsewhere but also because of the impact on the functionality of the floodplain. We adopt a precautionary approach to flood risk in relation to development in areas susceptible to flooding where there is a lack of precise information on present day flood risk or future uncertainties associated with flood estimation, climate change predictions and scientific evidence. Our policies will only facilitate development in areas of surface water flooding when it is demonstrated to us through a Drainage Assessment that the risk can be effectively controlled and mitigated and will not create potential for surface water flooding elsewhere.
- 19.11 Development within the flood inundation area of a controlled reservoir is to be avoided unless it has been demonstrated that appropriate controls and safeguards are in place. Our strategy is also to avoid culverting of a watercourse unless necessary in the interests of managing water flow in order to reduce any potential blockages along watercourses



19.12 Our Strategy is to encourage developers to use Sustainable Drainage Systems, particularly in areas susceptible to surface water flooding. Therefore as a General Principle all development is encouraged to utilise a SuDs scheme which can be achieved in a variety of manners and is particularly helpful in areas susceptible to surface water flooding.

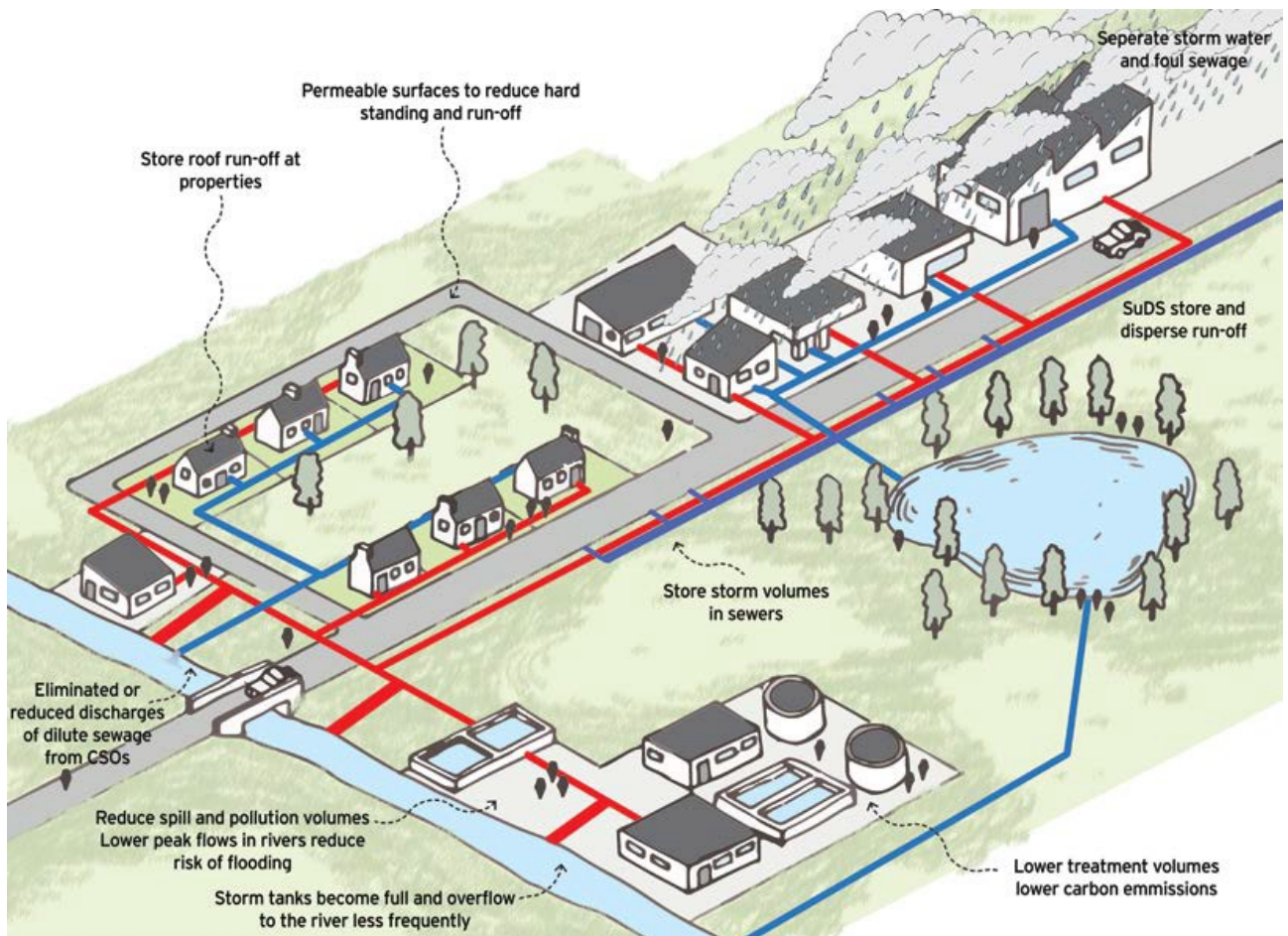


Diagram 2 : SuDs design guidance for Hertfordshire March 2015

## POLICY

### POLICY FLD 1 – FLUVIAL FLOODPLAINS

Development within the 1 in 100 year fluvial flood plain (AEP of 1%) will conflict with the plan unless the development comprises the following:

- the development proposal constitutes a valid exception (as set out below under Exceptions heading) to the presumption against development in flood plains;
- is of overriding regional economic importance;
- is a minor non-residential development of less than 150 square metres;
- minor alterations or ancillary householder development associated with an existing residential development

### Exceptions for Defended Areas

- Development of previously developed land protected by flood defences, as identified by Rivers Agency on their Strategic Flood Map.
- Exceptions for undefended areas
- replacement of an existing building;
- development for agricultural use, transport and utilities infrastructure which for operational reasons has to be located in the flood plain;
- water compatible development, which for operational reasons has to be located in the flood plain;
- use of land for sport and outdoor recreation, amenity open space or nature conservation purposes, including ancillary buildings but excluding children's playgrounds and
- extraction of mineral deposits and necessary ancillary development

The following types of development will not be treated as an exception and will conflict with the Plan where it comprises:

- Essential infrastructure such as power supply and emergency services;
- Storage of hazardous substances;
- Bespoke accommodation for vulnerable groups such as schools, residential / nursing homes, sheltered housing; or
- Development located close to flood defences

Land raising/infilling, which involves permanently elevating a site to an acceptable level above the flood plain in order to facilitate development will not be acceptable within the fluvial flood plain, where displacement of flood water would be likely to cause flooding elsewhere.

Where the principle of development within the flood plain is accepted, the applicant is required to submit a Flood Risk Assessment (FRA). Planning permission will only be granted if the FRA demonstrates that:

- all sources of flood risk to and from the proposed development have been identified; and
- there are adequate measures to manage and mitigate any increase in flood risk arising from the development.

A FRA may also be required when a site is close to the margins of the flood plain as depicted on the layer in Flood Maps NI and a more accurate definition of the extent of potential flooding is needed.

Where flood protection and / or management measures are required, as identified in a flood risk assessment, in order to facilitate development within flood plains (that have been accepted as an exception), the following will not be acceptable:

- New hard engineered or earthen bank flood defences;
- Flood compensation storage works;
- Land raising (infilling) to elevate a site above the flood level within the undefended.

## Justification and Amplification

- 19.13 Flood plains store and convey water during times of flood and are important in the wider flood management system. A river or fluvial flood plain is a generally flat area adjacent to a watercourse where water flows in time of flooding or would flow but for the presence of flood defences. The limits of the floodplain are defined by the peak water level of an appropriate return period event. DfI Rivers advises our Council on the extent of flood plains in Northern Ireland and keeps up to date records however the extent of flood plains may change over time.
- 19.14 New development within a flood plain will not only be at risk of flooding itself but it will add to the risk of flooding elsewhere. The cumulative effect of piecemeal development within a flood plain can also redirect flows and will also undermine its natural function in accommodating and attenuating flood water. Accordingly, to minimise flood risk and help maintain their natural function it is necessary to avoid development within flood plains wherever possible. Even where the proposal constitutes an exception to the policy there is a presumption against certain types of development in the flood plain. Where development proposals would impact on existing river flood plains we will consult with Rivers Agency and any proposed development, which we consider to meet one of the exceptions, located within a known flood plain, will require a Flood Risk Assessment.

## Defended Areas

- 19.15 A 'Defended Area' is that part of the flood plain where flooding would normally occur except for the presence of flood defences. These areas are identified by DfI Rivers on Flood Maps NI. However we recognise that even where an area is defended flood risk can still exist due to breaches, structural failures or drainage issues all of which can result in inundation. The location of the flood defences and the areas benefiting from their protection are shown on the Flood Maps NI on the DfI website.
- 19.16 Previously developed land protected by existing flood defences, either cored earthen flood banks or hard engineered walls, constructed to the appropriate standard and height, will generally be considered acceptable for development. Development close to flood defences will be resisted as such land will often be low lying and therefore the most susceptible to flooding. Also, it may need to be available for temporary flood storage in a flood event.
- 19.17 Because of these flood risks the policy places restrictions on the location of development relative to flood defences. The policy also restricts certain types of development for which the consequences of a flood event could be serious, either in terms of the direct threat to vulnerable groups, or the secondary impacts on the general population arising through damage or disruption to essential infrastructure or pollution.
- 19.18 It is important to protect those most vulnerable in our community including the young, old and infirm. Flood warning and evacuation procedures may be difficult to implement for people with disabilities or those whose mobility is otherwise impaired, therefore their risks of injury or fatality are somewhat greater than for the general population. Accordingly, because of the residual flood risk, the policy operates a presumption against permission being granted for development associated with vulnerable groups. This includes facilities such as children's nurseries, schools, residential care / nursing homes, sheltered housing and hospitals. This list is not exhaustive.

- 19.19 Development proposals for essential infrastructure, such as for emergency services / emergency depots, power supply and telecommunications will be resisted because access and uninterrupted operation cannot be guaranteed in locations where there is a residual flood risk.
- 19.20 Development likely to give rise to significant levels of environmental pollution in the event of damage caused by flooding will be discouraged because of the residual flood risk in defended areas. Therefore proposals for development associated with the storage of hazardous substances, fuel storage depots, sewage treatment works or other development likely to give rise to environmental pollution in the event of flooding will only be granted planning permission where it is demonstrated that an alternative lower risk location is not available and that adequate provision is made for pollution containment so as to prevent a pollution incident in the event of flooding.

### Undefended Areas

- 19.21 An 'Undefended Area' is an area within the flood plain that is not protected by flood defences. This applies to the vast majority of fluvial flood plains. Undefended areas are at much higher flood risk than defended areas, although the flooded areas are usually more predictable and flood water usually recedes more quickly.
- 19.22 Whilst a precautionary approach applies in these areas, it is recognised that in certain cases, development or infrastructure has to be in such locations, as alternative lower flood risk sites would be neither practical nor available. Exceptions to the policy are therefore provided for a range of development types, including for example, agricultural development, minerals development and transport or utilities infrastructure. In regard to agricultural and minerals development, this exception will only apply where the unit is located wholly in the flood plain or where the use of other land outside the flood plain would not be feasible and available.
- 19.23 Where a proposal for residential development includes land adjacent to or partially within a flood plain, it will normally be acceptable to utilise the flood plain land for public open space associated with the housing. This will only be acceptable where there is no infilling of the open space and suitable mitigation measures such as signage are in place to facilitate safe access and egress.

### Flood Management and Mitigation Measures

- 19.24 Where, by exception or overriding need, built development is acceptable in principle in the flood plain, then a Flood Risk Assessment (FRA) is required. This must demonstrate measures that shall be taken to manage and mitigate the identified risks. These measures will be proportionate to the flood risk and generally will be more rigorous in undefended areas than in defended areas where the flood risk (residual) is lesser.

- 19.25 There are certain types of flood mitigation measures that are not normally considered acceptable in flood plains. Infilling or land raising within the undefended fluvial flood plain is not considered acceptable because the loss of flood storage area may well cause or exacerbate flooding elsewhere. Flood compensation storage involves the replacement of flood plain land lost through infilling for development, with compensatory land at the same level and in a close location. This compensatory land is provided through excavation. Due to the cumulative effect and unknown implications associated with infilling and excavation, flood compensatory storage in itself is not considered as justification for development in a flood plain. However, in exceptional circumstances where infilling may be permitted to facilitate the provision of key infrastructure, such as a road embankment, flood compensatory storage may be acceptable as a flood mitigation measure.
- 19.26 New hard engineered or cored earthen bank flood defences, publically funded and constructed, are seen as a necessary and acceptable flood mitigation method to protect existing property that is already in the flood plain and is liable to repeated flooding and resulting damage. However new hard engineered or earthen bank flood defences, proposed by the applicant, will not be seen as justification to allow development in the flood plain to proceed. This is because the defences will remove valuable flood storage from the flood plain, which may put other locations at increased flood risk, and also introduce people to an area where the threat of residual flooding by overtopping or collapse will always remain.
- 19.27 In undertaking a Flood Risk Assessment particular attention should be paid to the exact depth and velocity of water in relation to not only the risk to buildings but also its users. This is also important for minor development on open space such a play facilities where children and other vulnerable groups may be present. In some cases it may be able to mitigate through early warning whereas in other cases the risk may be too great for the development to be permitted.

## **POLICY FLD 2 – DEVELOPMENT AND SURFACE WATER (PLUVIAL) FLOOD RISK OUTSIDE FLOOD PLAINS**

New development will be required to demonstrate that there is adequate drainage to accord with the plan. A Drainage Assessment will be required for all development proposals that exceed any of the following thresholds:

- A residential development comprising of 10 or more dwelling units;
- A development site in excess of 1 hectare; or
- A change of use involving new buildings and / or hard surfacing exceeding 1000 square metres in area

A Drainage Assessment will also be required for any development proposal, except for minor development, where:

- The proposed development is located in an area where there is evidence of a history of surface water flooding; or
- Surface water run-off from the development may adversely impact upon other development or features of importance to nature conservation, archaeology or the built heritage.

Such development will be permitted where it is demonstrated through the Drainage Assessment that adequate measures will be put in place so as to effectively mitigate the flood risk to the proposed development and from the development elsewhere.



Where a drainage assessment is not required but there is potential for surface water flooding as indicated by the surface water layer of the Flood maps NI, it is the developer's responsibility to assess the flood risk and drainage impact and to mitigate the risk to the development and any impacts beyond the site.

### **Justification and Amplification**

- 19.28 Surface water or pluvial flooding occurs as a result of high intensity rainfall which overwhelms natural or man-made drainage systems resulting in water flowing overland and ponding in depressions in the ground. It is a particular problem in urban areas which are often dominated by non-permeable surfaces such as roofs, roads, patios and car parking areas that restrict infiltration of water into the ground and promote run-off. The steady growth of urban areas has served to intensify surface water run-off and to place additional pressures on the piped drainage network. It is not uncommon for drainage systems to be overwhelmed during periods of high intensity rainfall, particularly when blockages occur. The problem is exacerbated in many areas by an outdated drainage infrastructure that has not been upgraded to cope with the rate of development. Although generally localised, this type of flooding may be extended in duration through water being trapped in low lying areas, thus causing more damage to property and greater hardship to the people affected. A flood event caused by an artificial drainage system surcharge can also pose public health risks through foul water contamination.
- 19.29 Flood Maps NI provides information on surface water layer but only at a strategic level. Because it tends to be localised it is not possible to show the full extent. Thus it is primarily the responsibility of the developer to evaluate any risks and show how drainage can be accommodated and how surface water will be dealt with
- 19.30 In carrying out the drainage assessment, the developer should give consideration to the use of sustainable drainage systems (SuDS) as the preferred drainage solution. These systems manage surface water at or close to source. Sustainable drainage techniques will include water storage (e.g. ponds), swales, wetlands and groundwater infiltration. It is recommended that these techniques are used in combination to secure maximum benefit.

### **POLICY FLD 3 – PROTECTION OF FLOOD DEFENCE AND DRAINAGE INFRASTRUCTURE**

The Council will not permit development that would impede the operational effectiveness and maintenance of flood defence and drainage infrastructure.

### **Justification and Amplification**

- 19.31 Flood defence and drainage infrastructure (as defined by DfI Rivers) are critical in providing a level of flood protection to people and property and adequate land drainage.

- 19.32 Where a new development proposal is located beside a flood defence, control structure or watercourse it is essential that an adjacent working strip is retained to facilitate future maintenance by DfI Rivers, other statutory undertaker or the riparian landowners. The working strip should have a minimum width of 5 metres, but up to 10 metres where considered necessary, and be provided with clear access and egress at all times. The retention of a working strip along watercourses will have added benefits, including general amenity, enhanced biodiversity and increased control over water pollution.
- 19.33 There is a general presumption against the erection of buildings or other structures over the line of a culverted watercourse in order to facilitate replacement, maintenance or other necessary operations.

#### **POLICY FLD 4 – DEVELOPMENT IN PROXIMITY TO RESERVOIRS**

Development within a flood inundation area of a controlled reservoir will be in conflict with the plan except where it has been demonstrated through a Flood Risk Assessment that appropriate controls are in place to ensure that there would be no significant risk to the development.

Within the flood inundation area of a controlled reservoir there is a presumption against bespoke development for vulnerable groups, essential infrastructure and development for the storage of hazardous substances likely to cause a pollution.

#### **Justification and Amplification**

- 19.34 Water impounding structures such as reservoirs are a recognised source of flood risk because of the potential for downstream flooding which may ensue if the structure fails, is overtopped, or in the event of a controlled release of water from the reservoir as part of the normal management regime. In any of these circumstances there is potential for rapid inundation of downstream areas and response times to flooding are likely to be short. For this we will only permit new development in the flood inundation area of a controlled reservoir where controls are in place to ensure there would be no significant risk to the development. The developer will be required to demonstrate this through the submission of a Flood Risk Assessment.
- 19.35 This Flood Risk Assessment should address the controlled and uncontrolled release of flood water from the reservoir and should normally include a map showing flow paths, depths and velocities of the flood water. The Flood Risk Assessment should also provide for an emergency evacuation plan that can demonstrate the safe access and egress for emergency services and people during times of flooding including the systemic failure of the reservoir retaining structure where appropriate. The detail required in the Flood Risk Assessment will be proportionate to the flood risk.
- 19.36 In auditing the FRA we will consult with DfI Rivers who will provide information in order to assess the extent of a risk at a particular location. Regard will also be given to any regional guidance provided on this matter and the public can consult the Reservoir Flood mapping for Emergency Mapping which provides the inundation outlines for controlled reservoirs as defined in the Reservoirs Act (NI) 2015.

- 19.37 Due to the risk of rapid inundation in the event of reservoir flooding and the limitations of certain vulnerable groups to react promptly to flood warning and evacuation procedures, the Plan operates a presumption against bespoke development for vulnerable groups within reservoir flood inundation areas.
- 19.38 Any proposed development for essential infrastructure, such as for emergency services / depots, transport or utilities and also development for the storage of hazardous substances will need to demonstrate in the Flood Risk Assessment that no alternative viable sites or routes are available and that they can remain operational at times of flooding or can demonstrate appropriate contingency planning.

#### **POLICY FLD 5 – ARTIFICIAL MODIFICATION OF WATERCOURSES**

Development proposals which require the artificial modification of a watercourse will conflict with the plan. Exceptions are where:

- Culverting of a short length of a watercourse less than 10 metres is necessary to provide access of a development site (or part thereof);
- Such operations are necessary for engineering reasons, as accepted by DfI Rivers, unconnected with any development proposal and that there are no reasonable or practicable alternative courses of action.

#### **Justification and Amplification**

- 19.39 While culverting may in some instances alleviate local flood risk, it cannot eliminate it and often increases the flood risk downstream by the accumulation of higher flows. The artificial modification of watercourses through culverting or canalisation is also widely considered to be environmentally unsustainable as such operations can adversely impact upon landscape quality, ecological integrity and biodiversity of watercourses. For these reasons the Council will only permit the artificial modification of a watercourse in exceptional circumstances.
- 19.40 Culverting and / or canalisation of watercourses, whether undertaken as an operation in its own right, or as works associated with the development of land usually requires planning permission.
- 19.41 Some culverting operations may constitute permitted development as set out under the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015. In some cases it may be necessary to remove permitted development rights where culverting is likely to increase flood risk elsewhere.



# ■ WASTE MANAGEMENT





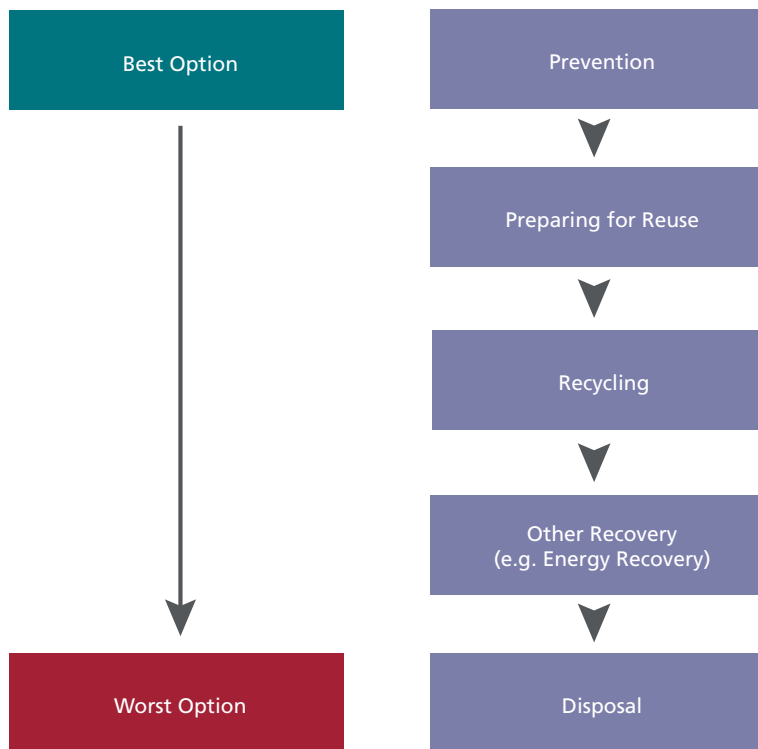
## 20.0 WASTE MANAGEMENT

### OVERVIEW

- 20.1 The management of our waste makes a very important contribution to the promotion of sustainable development providing we increase recycling and reduce our use of landfill sites. Adequate waste management infrastructure is also essential if we are to safeguard health and wellbeing and ensure that we are capable of processing our own waste. Such infrastructure will also act as a source of employment within our District and is a potential source of investment. In Mid Ulster we have a Joint Waste Management Plan in place for the District which sets out the arrangements for the management of controlled wastes arising within the joint Councils over the period 2016-2020.

### Legislative Context

- 20.2 The Waste Framework Directive from the European Union has set the target that the rate of household recycling should be increased to 50% by the year 2020. In Northern Ireland as a whole, the proportion of households recycling has increased from 18.2% in 2004/2005 to 50.0% as per quarter 1 of 2017. Within these figures, Mid Ulster has the highest rate of household recycling with our District having a recycling rate of 58.3%, which represents more than double of what the corresponding figure was in 2004/2005 (figures from DAERA Statistics, Municipal Waste, Q1 2017).
- 20.3 In addition to the requirement to obtain planning permission, all activities involving the treatment, keeping or disposal of waste must be authorised by NIEA under the Waste and Contaminated Land (Northern Ireland) Order 1997 and the Waste Management Licensing Regulations (Northern Ireland) 2003. NIEA are responsible for granting licenses, setting conditions on those licenses and monitoring compliance.
- 20.4 The 5 step waste management hierarchy, which is laid down in Article 5 of the Waste Framework Directive, is a core principle of the Northern Ireland Waste Management Strategy and is also referenced in the Regional Development Strategy 2035. This waste hierarchy aims to encourage the management of waste materials in order to reduce the amount of waste materials produced, and to recover maximum value from the wastes that are produced. It encourages the prevention of waste, followed by the reuse and refurbishment of goods, then value recovery through recycling and composting. Waste disposal should only be used when no option further up the hierarchy is possible.



Source - ABC, FODC, MUDC Joint Waste Management Plan

Figure 7 – Waste Hierarchy

## Mid Ulster

- 20.5 As the figures quoted for 2017 show, we are performing well when it comes to recycling and this has lessened the pressure on our land fill sites. There are three land fill sites in Mid Ulster at Tullyvar (Aughnacloy), Ballymacombs Road (Bellaghy), and Magheraglass (Cookstown) as well as 12 recycling centres. As part of our closure program, it is envisaged that all three of the land fill sites in the District will be closed by the year 2020. Mid Ulster District Council will be progressively moving away from the landfilling of waste and shifting to meet the statutory obligations in relation to maximising recycling, diverting biodegradable waste from landfill and to minimise the amount of waste going to landfill as well as addressing any potential future ban on material(s) going to landfill.
- 20.6 As a result of the closure of the landfill sites, there will be requirement to develop further waste transfer facilities and following a site selection study, Drumcoo Civic Amenity Site at Oaks Road, Dungannon has been chosen as the location, with planning permission secured in January 2017 for a waste transfer facility.(Joint Waste Management Plan, July 2016, p. 146-147).

## Regional Policy Context

- 20.7 The Regional Development Strategy 2035 recognises that managing our waste is a significant part of how we treat our environment and highlights the need to prevent waste and deal with it in line with the Waste Framework Directive and to apply the Proximity Principle which emphasises the need to treat or dispose of waste as close as possible to the point of generation in order to minimise the environmental effects of waste transport.

- 20.8 Strategic Planning Policy aims to facilitate the development of waste management and recycling facilities in appropriate locations and in all cases ensure that the impacts on the environment and local amenity are minimised. Importance is also attached to the securing of appropriate restoration of waste sites for agreed after use, where appropriate.

### Community Plan

- 20.9 Our Community Plan recognises the need to improve community infrastructure facilities catering for waste and recycling with the outcome of reducing our dependency on landfill through increased recycling and recovery.

### Our Strategy

- 20.10 Our strategy for waste management related development is to make provision for dealing with waste by accommodating infrastructure which is sustainable and where its impacts are minimised due to its location as well as mitigation measures.
- 20.11 Due to its location, Mid Ulster is likely to have a role in collection and transfer of waste at a sub-regional level. At present, no firm proposals exist but if and when one does come forward, it will be considered in line with the policies of the Plan.

## POLICY

### POLICY WM 1 – WASTE MANAGEMENT: GENERAL POLICY

Proposals for the development of a waste management facility shall accord with the Plan provided that;

- i. It will not cause demonstrable harm to human health or result in an unacceptable adverse impact on the environment that cannot be controlled through mitigation measures;
- ii. The visual impact of the waste management facility including the final land form of land filling or land raising operations, is acceptable in the landscape and the development will not have an unacceptable visual impact on an area designated for its landscape quality;
- iii. The types of waste to be deposited or treated and the proposed method of disposal or treatment will not pose a serious environmental risk to air, water or soil resources that cannot be prevented or appropriately controlled by mitigating measures;
- iv. The proposal avoids (as far as is practicable) the permanent loss of the best and most versatile agricultural land;
- v. In the case of waste disposal the proposal includes suitable, detailed, timely and practical restoration and aftercare proposals for the site.
- vi. A need for the facility has been demonstrated.

## Justification and Amplification

- 20.12 In assessing proposals advice will be taken from NIEA, the Council's Environmental Health Department and other relevant statutory bodies. Applicants are advised to engage with NIEA in advance of making their planning application to ensure that matters relating to development management and waste management licensing/regulation are fully considered. It is also advisable to seek advice from the Council regarding whether or not an environmental impact statement is likely to be required under the Environmental Impact Assessment Regulations.
- 20.13 In assessing proposals, the Council will adopt a precautionary approach. The key issues in assessing applications will relate to public health, neighboring amenity, potential nuisance, odours, noise, dust and other emissions as well as visual impact of proposals. Therefore, in assessing applications, the Council will consult with the Department for Health and our own Environmental Health department, especially where facilities are proposed near residential areas.
- 20.14 Applicants will also be required to demonstrate that there will be no unacceptable environmental impacts in terms of built or natural heritage. Therefore, the developer will need to show what mitigation measures are to be undertaken which may include archeological investigation or ecological survey.
- 20.15 Other assessments based on the operation of facilities will include transportation, noise, dust and odour assessment. Where there is likely to be an impact based on these assessments, mitigation measures should be included which could range from providing bat boxes, air filtration systems, sound proofing, drainage or wheel washes.
- 20.16 Landscape impact is also a critical consideration. Applicants will be expected to show how this been considered in site selection and what measures have been taken to mitigate against unacceptable visual impacts. These measures may include buffer planting or soil bunding to soften the impact of a proposed development.
- 20.17 In an AONB or in areas protected for their landscape quality, such facilities will not be accommodated, where there is likely to be a significant detrimental impact on the special landscape character of that area.
- 20.18 A need for the facility must be demonstrated within the context of the prevailing Joint Waste Management Plan, taking into account the views of the Councils Environmental Services Department, except in the cases of Waste Water Treatment Works where the need must be demonstrated in consultation with NI Water.

## **POLICY WM 2 – WASTE COLLECTION AND TREATMENT FACILITIES**

Proposals for the development of a waste collection and treatment facility shall accord with the Plan provided it complies with one or more of the following locational criteria;

- i. It is located within an industrial area and is of a character which is appropriate to that area; or
- ii. It is suitably located within an active or worked out hard rock quarry on the site of an existing or former waste management facility including a landfill site; or
- iii. It brings previously developed, derelict or contaminated land back into productive use or makes use of existing or redundant buildings; or
- iv. In the case of civic amenity and similar neighbourhood facilities, the site is conveniently located in terms of access to service a neighbourhood or settlement whilst avoiding unacceptable adverse impact on the character, environmental quality, and amenities of the local area; or
- v. It is suitably located in the countryside and involves the reuse of existing buildings or is on land within or adjacent to existing building groups. Exceptionally, where it is demonstrated that new buildings / plant are needed, these must not have a negative visual impact or be harmful to the environment.

In the case of a regional scale waste collection and treatment / waste management facility, its location must relate closely to and benefit from easy access to key transport corridors and, where practicable make use of alternative transport modes of rail and water.

### **Justification and Amplification**

- 20.19 For the purposes of this policy, waste treatment facilities will include waste separation, recycling, transfer, composting, the treatment and transfer of hazardous waste and incineration. The JWMP shows that it is the intention of the Council to close all landfill sites by 2020 and this will lead to an increase in the need for recycling and waste transfer stations in the District.
- 20.20 Waste separation and recycling facilities may vary in terms of scale but when assessing applications, the important considerations will include visual impact, noise, dust, odour, and other emissions, some of which can be caused by the facility itself or by the associated heavy goods traffic. The impact which heavy goods traffic may have on the local traffic network are also important considerations.
- 20.21 The recycling and/or treatment of industrial, commercial and household waste should take place in suitable buildings to secure higher environmental standards for the management of waste and to minimise the impact on adjoining land-uses. Having said this, some operations can reasonably only be conducted outside, for example windrow composting. There may also be circumstances when it is reasonable for parts of the operation to be carried out in the open. For example, to allow the open-air storage of wastes and recycled products, as long as they are controlled so that they would not become windblown or produce odours or leachate.



## Composting

- 20.22 Due to the potential for the generation of odour, dust, noise and bio-aerosols (including bacteria and fungal spores) the operation of commercial composting facilities can present problems in the vicinity of residential areas and workplaces. While noise and dust can adequately be controlled through operational measures, both odours and bio-aerosols have potential to impact upon the public at some distance from the site of the operations. Composting facilities are required to locate on suitable industrial land, within or adjacent to a waste management facility or in the rural area. In rural areas, such sites will have to be satisfactorily assimilated into the landscape and the operation shall either use existing buildings or new buildings provided that they are of a similar scale and adjacent to an existing non-residential building group.
- 20.23 Applicants must be able to show the location of the source of waste and why the site has been chosen with account having been taken of the proximity principle. Facilities designed primarily to serve a farm or neighbouring farm(s) should be located on that farm and equally, facilities intended to serve an urban population should be located within the urban area. Exceptions may be made for proposals of strategic importance.

## Civic Amenity Sites

- 20.24 The move away from landfill means that a network of civic amenity sites and smaller neighbourhood facilities will have increasing importance. Such sites should be located in settlements to make them more accessible and the important considerations when assessing applications for this type of development will be access and servicing arrangements as well as the need for mitigation measures, where appropriate, to reduce impacts on the nearby settlement of noise, odour or dust.

## Hazardous Waste

- 20.25 A range of specialist treatment facilities may be required to handle Mid Ulster's hazardous waste. In determining applications for managing hazardous waste, consideration will be given to the compatibility of the operation with other nearby land uses. The developer must demonstrate that the built development associated with the proposed methods of handling, storage, treatment and processing of waste is appropriate to the nature and hazards of the waste concerned. Where proposals involve the incineration, chemical treatment or landfilling of hazardous waste, they will constitute Schedule 1 development of the EIA Regulations and will therefore be treated as EIA development. Any subsequent environmental statement will need to address the comparative merits of alternative sites as well as the environmental impacts of the proposal.

## Incineration

- 20.26 Incineration is an established method of treating waste to reduce its volume and weight before disposal or to remove the hazardous content of materials. Incinerators range from small plants serving factories or hospitals to large scale installations for the treatment of municipal or other wastes. Incinerators have the potential for energy recovery in the form of electricity and / or heat and power which may provide additional environmental benefits and which is higher up the waste hierarchy than treatment without recovery. The applicant will be required to demonstrate how energy is to be recovered from the incineration process either in the form of electricity and / or heat and power. Where recovery is not to be provided, an acceptable reason needs to be given e.g. it is a special waste facility. In all such cases, the provisions of policy RNW 1 will also apply.

### **POLICY WM 3 – WASTE DISPOSAL**

Proposals for the development of landfill or land raising facilities for the disposal of waste shall accord with the Plan provided that;

It is suitably located within an active or worked out hard rock quarry or it brings land that is despoiled, derelict or contaminated, back into productive use.

In the case of a regional scale land fill or land raising facility, its location must relate closely to and benefit from easy access to key transport corridors and, where practicable make use of alternative transport modes of rail and water.

#### **Justification and Amplification**

- 20.27 Given Mid Ulster's commitment to the Northern Ireland Waste Management Strategy it is unlikely that permission will be granted for new waste disposal facilities. Notwithstanding this it is important that Mid Ulster District Council makes policy provision for circumstances where there is a verifiable need for a landfill site. The need for such a facility will be judged, taking into account the views of the Council's Environmental Services Department.
- 20.28 Where there are proposals for landfill development, its location will be an important consideration. Development should be located on a site where the impact on neighbouring properties can be kept to a minimum. Where appropriate, in assessing applications, the developer will be required to show there will be no environmental impacts or implications in terms of flood risk. Due to the nature of landfill operations, sites may be suitably located within a hard rock quarry where the impact of the operations will have a lesser effect on the amenity of nearby residents. In other locations, an applicant may seek to demonstrate that productive re use of despoiled, derelict or contaminated land should be taken into account.

### **POLICY WM 4 – DEVELOPMENT IN THE VICINITY OF WASTE MANAGEMENT FACILITIES**

Development in the vicinity of a waste management facility will only accord with the Plan where it will not prejudice the operation of such facilities or give rise to unacceptable risks to occupiers of development in terms of health or amenity.

#### **Justification and Amplification**

- 20.29 The potential adverse impact of existing or approved facilities upon neighbouring land uses will be a material consideration in the determination of planning applications. In such cases, important considerations will include the acceptability of development in proximity to potential sources of pollution such as waste management facilities or WWTW's, the nature / sensitivity of the development proposed (for example, residential development or areas of public use are considered to be sensitive) and the circumstances prevailing at the particular location.

# ■ TELECOMMUNICATIONS, OVERHEAD CABLES, HIGH STRUCTURES AND OTHER UTILITIES

## 21.0 TELECOMMUNICATIONS, OVERHEAD CABLES, HIGH STRUCTURES AND OTHER UTILITIES

### Overview

- 21.1 Access to good telecommunications services is vital because it helps to keep people and services connected, particularly in rural areas where isolation is more common and where people can more readily feel cut off from the main urban centres. It is vitally important for education and also plays a key role in helping our businesses connect to their main markets and supply chains and therefore stay competitive with their counterparts in more urban areas.
- 21.2 Not surprisingly, given Mid Ulster's rural nature, it is one of the poorest served parts of Northern Ireland in terms of fixed broadband speeds and mobile data coverage. A recent report from Ofcom shows that apart from the Fermanagh and Omagh District, Mid Ulster has the greatest deficit in availability of broadband speeds that would meet the Universal Service Obligation as set by the Government. They estimate that 15% of premises in the District are unable to avail of broadband speeds greater than 10 Mbit/s (Connected Nations Report – Northern Ireland, Ofcom, 2017).
- 21.3 With regard to mobile data coverage, the picture in Mid Ulster is also a bleak one. Large areas of the District have poor indoor access to 4G data, with the most notably deficient areas being the Sperrins in the North and West, the Loughshore area in the east and in general, most rural areas which are located away from main towns, villages and key transport corridors. (Ofcom mobile and broadband checker coverage Map).
- 21.4 As well as mobile and fixed data services, overhead power cables are also important in a District like Mid Ulster because they enable a good electricity network to support new and existing rural homes. There are a few significant projects planned during the plan period which will seek to improve the transmission system in and around Mid Ulster, such as the north south interconnector.
- 21.5 There are also a number of other utilities such as gas, water and the provision of cemeteries. It is important that such utilities which serve our community can be permitted, but not at the expense of our environment. For example, development, which often involves the erection of high structures, can have a negative impact on the landscape or the character of the area as well as on sites of natural or built heritage and nearby residential amenity.

### Regional Policy Context

- 21.6 The RDS aims to improve broadband speeds across Northern Ireland in order to maintain a competitive edge for local businesses. The SPPS states that telecommunications development should be facilitated where it can be done so in an efficient and effective manner whilst keeping the impact on the environment to a minimum and where visual impacts or impacts on other radio spectrum users are also kept to a minimum. It promotes the principles of site sharing to limit the visual impacts of a proliferation of new masts and also promotes where possible the integration of telecommunications development in new development.

## Community Plan

- 21.7 Our Community Plan seeks to facilitate economic growth with the outcome that we prosper in a more competitive economy. Improvements in the local availability of mobile data and broadband services will help to address the current imbalance that many business (especially rural businesses) are forced to endure and should in turn, increase our competitiveness. This would also feed into the infrastructure section of our Community Plan which seeks to ensure we are better connected through appropriate infrastructure and would also help to give our children the best start in their education, another outcome of our Community Plan.

## Plan Strategy

- 21.8 The strategy of Mid Ulster District Council in relation to telecommunications is to continue facilitating infrastructure to enable an increase in the use of broadband and mobile data in order to address the urban / rural imbalance which exists in relation to such services. In doing this, we will seek to encourage mast and site sharing wherever possible whilst also offering a greater additional layer of protection to our most prominent landscapes in the Sperrins and in the Clogher Valley. The latter will be achieved through the introduction of an Area of Constraint on Wind Turbines and High Structures (AOCWTHS) wherein there will be a presumption against development over 15 metres in height.
- 21.9 Other important utilities include the provision of gas, water and cemeteries. These can be acceptable in both urban and rural areas and often constitute permitted development. Where permission is required, key considerations will normally relate to impact on the environment and neighbouring residents and the General Principles Planning Policy will provide the framework in this regard.

## POLICY

### **POLICY TOHS 1 – OUTSIDE OF AREAS OF CONSTRAINT ON WIND TURBINES AND HIGH STRUCTURES**

Outside of Special Countryside Areas and Areas of Constraint on Wind Turbines and High Structures telecommunications development (including necessary enabling works) and overhead cable development will conform with the Plan where;

- Siting and design of development, including any necessary enabling works will not result in an unacceptable impact on visual amenity and environmentally sensitive features and locations
- Operators can demonstrate the need for new telecommunications development, existing network constraints, potential effects of such development and measures to mitigate visual and environmental impacts.
- Applications for the development of telecommunications equipment should be accompanied by a statement demonstrating compliance with ICNIRP guidelines for public exposure to electromagnetic fields.
- Operators are able to demonstrate that the development shall not cause undue interference to radio spectrum users.
- In the case of overhead cables, the chosen route follows the natural features of the environment and in urban areas, wirescape is kept to a minimum with preference being given to undergrounding.



In the case of telecommunications development, new masts should only be considered where site sharing is not a feasible option or where it offers an improved environmental solution.

Subject to the above considerations, telecommunications development, overhead cables and high structures will normally be restricted to 15 metres in height above original ground levels in Areas of Constraint on Wind Turbines and High Structures.

Exceptions may be considered where it is demonstrated that the development is;

- An essential electricity transmission or supply which, if not provided, would result in demonstrable hardship
- Telecommunications apparatus to serve a recognised “not spot.”
- For a farm structure essential for the operation of agriculture in that area.

Where the above exceptions apply, a 25 metre height restriction will be applied and the applicant will be required to demonstrate that they have given full consideration to the landscape sensitivity of the area

Higher structures will only be considered if it is demonstrated that the proposal is of regional importance.

### **Justification and Amplification**

- 21.10 Most of our District can adequately accommodate public utilities and high structures although it is important that our most vulnerable and distinctive landscapes are protected. Therefore, an SCA has been introduced on the top of the Sperrins and Slieve Beagh as well as along the loughshore. This SCA will exclude all surface level public utilities. In some slightly lower areas which are still classed as prominent ridges including the Sperrins, Clogher Valley and Slieve Beagh, and which are also sensitive to high structures, an additional layer of protection has been added in the form of an AOCWTHS. We recognise that smaller structures below 15m height and essential electricity lines below 25m may still be required in these areas and these will be permitted within the AOCWTHS.
- 21.11 Exceptionally, the provisions of the AOCWTHS may be set aside in a number of circumstances. One such circumstance is where the lack of provision of a service such as electricity or telecommunications is causing demonstrable hardship to occupants. For example, where a new electricity line is needed in order to allow for electricity supply to an existing or newly approved dwelling. Another such exception may occur where it can be proved that a new mast is needed in order to serve a “not-spot” i.e. an area which has no coverage from any of the 4 main mobile providers (EE, O2, VODAFONE AND 3). The existence of these not spots” is limited with only 1% of premises in Northern Ireland having no indoor coverage (OFCOM 2017- Connected Communities Northern Ireland) from any provider. However, where they are identified then an exception to the AOCWTHS rule will be implemented in order to ensure adequate coverage can be provided to address the “not – spot” area.
- 21.12 Even where a development is considered as an exception to the AOCWTHS, a height restriction of 25 metres will be imposed. For approval to be granted for structures taller than this, then it will have to be proven that the proposal is of regional importance.

- 21.13 Elsewhere within the District, such restrictions have not been imposed in recognition that it is in the long term interests of the economy, the environment and the people of Mid Ulster that the telecommunications industry is able to expand its operations in a manner which at the same time, keeps the visual and environmental impacts to a minimum.
- 21.14 We recognise that there are certain constraints on masts and antennae, one of which is the need for them to be of a certain height in order to function effectively. However, this must be balanced against the need to protect the environment and ensure that rural character, urban streetscape, the character of residential areas and landscape character are not unduly spoiled. For these reasons, applicants must provide information on the need for new apparatus as well as the specifications of the proposal.
- 21.15 In all cases, effort must be made to minimise and restrict visual impact. All applications should include details of what measures have been taken to mitigate visual impact. Such measures may include using smaller antennae, disguising or designing antennae so that they appear to form part of building, site or mast sharing and the development of new masts, only when all other options are not possible. The creation of new accesses can also add to the visual impact of telecommunications development, due to the direct impact of new roadways / laneways but also by opening areas of the countryside up to new traffic or human activity. Therefore, new accesses to telecommunications development will only be permitted where they are absolutely necessary.
- 21.16 Wherever possible telecommunications development should seek to avoid sensitive features and locations of archaeological, built or natural heritage value. This includes archaeological remains, listed buildings and Conservation Areas, Areas of Outstanding Natural Beauty, sites of nature conservation importance, sites where there are protected species, Local Landscape Policy Areas and other environmental designations. Applicants should submit suitable evidence to show that alternative locations in less sensitive areas have been investigated and cannot be used. Where such locations cannot be avoided extra care will be required to ensure that the visual and environmental impact of the telecommunications apparatus and any ancillary works, such as an access track or power line, is minimised. In such sensitive areas, the developer may be asked to carry out a visual impact assessment.
- 21.17 The sharing of sites / masts for new antennae will be strongly encouraged as this will represent a less intrusive form of development than a proliferation of new masts. Where additional antennae would lead to excess clutter or increase the overall height of the existing mast to an unacceptable level, then mast / site sharing might not be the best option.

- 21.18 In relation to overhead cables in the rural area, these are best implemented where they follow existing landscape features such as roads, hedgerows and treelines and where they avoid running through the middle of fields where exposure to public views would be increased. Having said this, care should always be taken to ensure that no loss of biodiversity will occur due to having infrastructure located too close to existing vegetation. In relation to power lines, current government policy is that exposure to power-line Electro Magnetic Fields (EMF's) should comply with the 1998 International Commission for Non-Ionising Radiation Protection (ICNIRP) guidelines for exposure to EMF's.
- 21.19 With regard to masts for mobile telecommunications and mobile phone base stations, associated health concerns are often voiced in conjunction with this type of development, we are of the opinion that the guidelines of ICNIRP for public exposure to electromagnetic fields are the best available evidence based guidelines and these should be implemented where appropriate.
- 21.20 In any development, significant interference with other electrical equipment of any kind can be a material planning consideration. Only if there is clear evidence that significant electromagnetic interference will arise, or will probably arise as a result of a telecommunications development, and that no practicable remedy is available, will there generally be any justification for the Department taking it into account in determining a planning application.

# ■ RENEWABLE ENERGY



## 22.0 RENEWABLE ENERGY

### Overview

- 22.1 The increased generation of renewable energy is a vital component in the effort to reduce our dependence on fossil fuels and therefore reduce carbon emissions as part of the fight against climate change. It is important that we encourage a diverse range of renewable energy technologies such as wind, hydro, solar and biomass. The vast majority (82.8%) of renewable energy production in Northern Ireland is from wind energy (DfE, Energy in Northern Ireland 2016). This is also the case in Mid Ulster and can be demonstrated by the fact that from 2010-2014, 77% of all applications for renewable energy in Mid Ulster were for wind energy development (Renewable Technology Planning Applications by Type in Mid Ulster 2010-2014 - DETI).
- 22.2 The Executive's 2010 Strategic Energy Framework stated that by 2020, 40% of all energy generated in Northern Ireland should be taken from renewable sources. In September 2017, this figure had reached 32% (Department of Infrastructure figures) and it is anticipated that the 40% target will be achieved through the implementation of existing permissions. This said, growth in employment and the number of households will lead to greater energy demand and Mid Ulster will have a key role to play in meeting this demand.
- 22.3 In 2015/16, Mid Ulster received the second highest number of planning applications for wind energy development, second only to Fermanagh and Omagh District. Urban Districts such as Belfast and Lisburn & Castlereagh account for a very small proportion (1%) of renewable capacity and generation (DfE, Energy in Northern Ireland 2016).
- 22.4 Mid Ulster possesses a significant wind energy resource. This is due mainly to the availability of remote, upland areas which offer obvious benefits for wind energy development. However, these are the areas which are often the most environmentally sensitive, possess a greater degree of landscape character and visual quality and are therefore more vulnerable to wind turbines.
- 22.5 Therefore, we must find a way to facilitate renewable energy development in order to help meet regional targets, whilst also protecting our environment and our vulnerable landscapes which are particularly sensitive to renewable energy development, especially, development consisting of wind turbines.



## Regional Policy Context

- 22.6 The Regional Development Strategy aims to deliver a secure and sustainable energy supply for the future and as part of this, aims to increase the contribution of renewable energy to the overall energy supply. The SPPS aims to ensure that the landscape, visual and amenity impacts of renewable energy are adequately addressed whilst also protecting our built and natural heritage.
- 22.7 Strategic policy states that Councils should set out policies and proposals in their Plans that support a diverse range of renewable energy development, including the integration of micro-generation and passive solar design. Particular care in relation to potential impact on the landscape is advised. The strategic policy states that a cautious approach within designated landscapes applies such as the AONB and in such landscapes it may be difficult to accommodate renewable energy, including wind turbines, without detriment to cultural and heritage assets. Development that generates energy from renewable sources will be permitted where it and associated buildings and infrastructure will not result in adverse impact on stipulated planning considerations. The SPPS also states that wider environmental, economic benefits and social benefits of proposals are material considerations that will be given appropriate weight in determining an application. Development on active peatland will not be permitted unless there are imperative reasons of overriding interest. A separation distance of 10 times rotor diameter to occupied property within a minimum distance not less than 500m will general apply to development of wind farms.
- 22.8 Regional guidance which has been issued with specific regard to wind turbines and anaerobic digester plants (draft) is set out within;
- (Draft) Supplementary Planning Guidance: Anaerobic Digestion
  - Wind Energy Development in Northern Ireland's Landscapes
  - PPS 18 Best Practice Guidance
- and will be taken into account when assessing such applications.

## Community Plan

- 22.9 The Community Plan recognises that there are a number of strategic infrastructure issues which need to be addressed in a joined up approach which include energy, including renewables and new options such as gas. The renewable energy section of this Plan Strategy will also take account of the Community Plan and will contribute to the implementation of the themes contained therein, with particular reference to the themes of infrastructure, economic growth, improved health and wellbeing and creating vibrant and safer communities.

## Our Strategy

- 22.10 Our strategy aims to ensure that adequate opportunities exist for the further development of wind, solar, thermal, biomass and all other forms of renewable energy development without causing damage to our natural / built heritage or to the special qualities of our most important and sensitive landscapes.

- 22.11 Of the various forms of renewable energy development, wind energy currently poses the greatest risk in terms of impacts on our landscapes and our ecology. Therefore, in order to protect these landscapes Special Countryside Areas (SCA's) and Areas of Constraint on Wind Turbines and High Structures (AOCWTHS) have been introduced. The SCA will place constraints on all renewable energy development whilst the AOCWTHS will be an area where renewable development with a low impact will be accommodated but development of a height of greater than 15m will be resisted.
- 22.12 Adequate account will also be taken of the impacts of renewable energy development on the health and wellbeing of those who live near renewable energy development.
- 22.13 Outside of these areas, other policies have been formulated to facilitate appropriate renewable energy development.

## POLICY

### POLICY RNW 1 – RENEWABLE ENERGY

Outside of Special Countryside Areas, proposals for development that generate or store energy from renewable resources including solar, hydropower, thermal, geothermal, hydrothermal and biomass, shall accord with the Plan. However, a cautious approach will be adopted towards all renewable energy development proposals within the Sperrin AONB, Slieve Beagh and the along the Clogher Valley ridge line.

The wider environmental, economic and social benefits of all proposals for renewable energy projects are material considerations that will be given appropriate weight in determining whether planning permission should be granted.

Where any project would result in unavoidable damage during its installation, operation, or decommissioning, then the application must demonstrate how this shall be minimised and mitigated including details of any proposed compensatory measures such as a habitat management or the creation of a new habitat and applicants will be required to ensure that upon decommissioning, land is adequately restored and planning conditions to this effect will be applied.

Favourable consideration will be given to the re-use, refurbishment, repair and repowering of existing renewable energy development in order to prolong the life span of developments such as wind farms and solar farms providing that these do not result in unacceptable impacts on the environment or residential / visual amenity.

#### WIND ENERGY DEVELOPMENT

Outside of Special Countryside Areas and Areas of Constraint on Wind Turbines and High Structures, development for generation or storage of wind energy shall accord with the Plan providing it does not result in:

- i. an unacceptable impact on visual amenity or landscape character;
- ii. a detrimental cumulative impact, taking into account existing permissions and undetermined applications;
- iii. the creation of a significant risk of landslide or bog burst;
- iv. development will not be permitted in active peatland, unless there are imperative reasons of overriding public interest;

- v. any part of the development giving rise to unacceptable electromagnetic interference to communications installations; radar or air traffic control systems; emergency services communications; or other telecommunications systems;
- vi. an unacceptable impact on roads rail or aviation safety;
- vii. significant harm to the safety or amenity of any sensitive receptors (including future occupants or committed development) arising from noise, shadow flicker, ice throw or reflected light and / or loss of residential amenity through visual intrusion or over dominance; and
- viii. unacceptable adverse impacts on the operation of tourism or recreation interest.

For wind farm development, a separation distance of 10 times rotor diameter or 4 times the tip height (whichever is the greater) an occupied property will apply, with a minimum separation distance of 500m between the wind farm and occupied property being required.

Within Areas of Constraint on Wind Turbines and High Structures, wind turbines of a height greater than 15m to hub height will conflict with the Plan.

Within Areas of Constraint on Wind Turbines and High Structures proposals for a wind turbine with a hub height below 15m are required to comply with policy tests and criteria of Policy RNW 1.

### Justification and Amplification

- 22.14 For the most of Mid Ulster, we will presume in favour of renewable energy development of all types except where it is likely to cause harm to our most vulnerable and distinctive landscapes or where it would be detrimental to the public safety, human health or residential amenity.
- 22.15 When applications are being assessed, we will take account of environmental benefits. This means that the sensitivity of the landscape will be balanced against the need for the development in terms of the regional energy targets. We will also consider any economic benefits in relation to assistance which may be afforded to the sustainability of local enterprises and farm business, by virtue of the proposed development.
- 22.16 Social benefits will also be considered when assessing any development proposals. A renewable energy development might for example, help to meet the energy needs of a local community, include job creation initiatives or help to support local community infrastructure by bringing about an improvement in the local road network for example. However, such benefits should be linked to a planning agreement in order to be considered as material considerations.
- 22.17 Some forms of renewable energy development have a finite time span in which to operate, after which they will become redundant. Wind turbines for example will in all likelihood have a lifespan of around 20-25 years. Favourable consideration will be given to proposals which involve the re use, refurbishment, repair and repowering of such infrastructure but in reality, this will not always be a possible or viable option. In any case, all development will need to be decommissioned at some point in the future. Therefore, development proposals for solar farms and wind farms will if approved be subject to the following planning condition regarding decommissioning and restoration;

*“Within 12 months of the cessation of energy generation at the site or upon the expiration of this permission whichever is sooner, all structures and tracks shall be removed and the land restored in accordance with a scheme to be submitted to and approved by the Council prior to the commencement of any decommissioning works, unless otherwise engaged by the Council in writing.”*

### **Vulnerable and Distinctive Landscapes**

- 22.18 Our most vulnerable and distinctive landscapes comprise of the Sperrins which has been designated as an AONB and the internationally important habitat of Slieve Beagh. Within these areas, there are places where renewable energy development may be acceptable, particularly in the less visually prominent areas. However, the areas are dominated by the open nature of the mountain tops which are predominantly open and exposed blanket and raised bog, moss and wild grassland.
- 22.19 In order to protect the character of these areas, a Special Countryside Area has been designated wherein there will be a presumption against any renewable development including solar or surface hydro-electric schemes. Below the mountain tops there are prominent ridges and important slopes where the character has been altered, mostly to farmlands with defined field patterns. Because of their elevated nature, high structures would be unduly prominent and would interfere with the open views and vistas of the mountain tops. Therefore, in order to restrict large wind turbines and other high structures, an Area of Constraint on Wind Turbines and High Structures has been designated. We have recognised that smaller turbines below 15m to hub height and essential electricity lines below 25m may be required to serve local farms and remote rural communities, development within such parameters will be acceptable within these areas provided all other policy tests are met.
- 22.20 Outside of these areas, proposals for renewable energy development will be acceptable subject to meeting criteria in this policy and the general planning criteria.

### **Wind Energy**

- 22.21 The key tests for wind energy will relate to the impact of the wind turbine on the landscape as well as potential impacts on public safety, human health and residential amenity.
- 22.22 Given the sheer dimensions of some turbines and the size of the area of land involved, it will not be possible to ensure that they remain “hidden” or unseen in the landscape. However, development should be sited so as to utilise existing landform, topography and vegetation in order to ensure that there is no adverse impact on the character of the landscape and consideration should be given to proposals not just in isolation but in association with approved development which has yet to be built.
- 22.23 Turbines can spoil views from a property and also spoils views of a property to the extent where the property can only be viewed in association with the turbine(s) in question and not in their own right. This can contribute to a reduced level of amenity of the nearby property and in the case of a dwelling, can seriously impact upon the quality of life of the inhabitants. Accordingly, a minimum separation distance of 10 times rotor diameter or 10 times the height to the hub, whichever is the greater will be imposed in relation to all single wind turbines. Where these separation distances cannot be achieved it will be up to the applicant to demonstrate that visual dominance will not occur, taking into account, issues of topography vegetation and orientation of dwellings. It would also be beneficial for the applicant to demonstrate that residents are in support of the proposal.

- 22.24 Noise can result from renewable energy development, particularly wind energy development. Turbines can produce a constant noise which if heard over a continual period of time, may cause annoyance to neighbouring properties. Where noise is a potential issue, then the Council's Environmental Health team will be consulted and the developer may be required to submit a noise impact assessment to help properly assess the level of disturbance which will result. Shadow flicker from turbines can also cause harm to amenity of neighbouring properties and this should be a consideration when assessing a proposal for a wind turbine(s). Shadow flicker will only be a concern within locations which are within 130 degrees either side of North relative to the turbine in question. It is generally accepted that the preferred separation distance stipulated above is an acceptable setback to allow for mitigation against shadow flicker, where it is found to be a viable concern.
- 22.25 Active peatland is a priority habitat according to EC Council Directive 92/43/EEC and it also acts as an important carbon sink in the fight against climate change. Therefore, wind farm development on active peatland will not be permitted unless it is necessary for reasons of human health, public safety, or a beneficial consequence of primary importance to the environment. In deciding if an area constitutes active peatland or not, DAERA guidance which has been published on this should be consulted.
- 22.26 In addition, development in peatland involves a risk of a mass of peat or bog movement, resulting in land slide or bog burst. Where development is proposed on peatland, the onus is on the developer to provide comprehensive information identifying existing, potential and construction induced peat landslide hazards.
- 22.27 Where complete avoidance of risk is not possible the proposed design should be modified to incorporate engineering options for mitigation of risk.

### **Energy from Waste (Biological) - Anaerobic Digestion**

- 22.28 This type of development can be used to extract energy from various forms of waste and where an approval for such a facility is granted it should be granted with specific conditions relating to the codes of waste which it will be permitted to receive.
- 22.29 When assessing applications for Anaerobic Digester (AD) Plants, we will give careful consideration to the potential for the development to generate odours which would have a negative impact on neighbouring amenity. Odour can arise from the digestion process itself as well as from the storage of large quantities of waste and the transport of that waste to the site of the AD plant. The best sites will be located close to the waste source so as to minimise the impacts which may arise from transportation. The Environmental Health Department will advise in relation to the impact of odours on any nearby occupied development. If these impacts are deemed to be unacceptable, the permission will not be granted.
- 22.30 AD plants can be of a scale which makes them appear visually intrusive. For this reason, where possible, they should be sited close to unoccupied buildings e.g. within a farm grouping. Where it is not possible to site the plant with existing buildings, then it should be sited in a way so as to utilise existing landform, vegetation or topography to aid integration and lessen the visual impact.



## **Energy from Waste (Thermal Processes) – Incineration**

- 22.31 Incinerators can be used to extract energy from various forms of waste including municipal solid waste (domestic waste), non-hazardous industrial waste sewage sludge or wood processing waste.
- 22.32 In all cases, the key considerations will involve siting, visual impacts and the impacts on human health and public safety. The best sites will be located in the urban area to ensure that the plant is close to the source of waste which will normally be domestic or industrial in nature. Indeed, given the industrial nature of such developments, they should preferably be sited in industrial areas so that the visual impacts on the character of the area are kept to a minimum. Where the visual impact of the development is not in keeping with the character of the area, planning permission may be refused unless adequate mitigation in the form of planting or other landscaping features are put in place to reduce the impact to a more acceptable level.
- 22.33 We will give careful consideration to the impact of the development on human health and public safety. Impacts can result from odours arising from the incineration process as well as from storage of material while dust can also be a result of the incineration process as well as from the handling and disposing of ash. The local water supply can be harmed by emissions in the atmosphere as well as from liquid effluent and these are also potential impacts on human health. In all these cases, NIEA will be consulted and where the risks posed to human health are unacceptable, then permission will be refused.

## **Biomass**

- 22.34 Development consisting of a biomass plant will be encouraged where there is no negative impact caused to human health, conservation interests or ecology by virtue of airborne or water emissions. We will give careful consideration to the visual impact of the plant, which depending on the design, may have prominent features such as chimneys and storage areas.
- 22.35 There may also be local economic benefits from biomass development such as providing a secure income for businesses in the rural area and this will be borne in mind when assessing any application.

## **Solar (Photovoltaic)**

- 22.36 Photovoltaic panels are a clean and silent form of renewable energy generation and should be accommodated where possible. In most cases involving dwelling houses they will not require planning permission by virtue of permitted development although this will not apply to listed buildings or buildings in a conservation area. In such cases, photovoltaic panels would be acceptable where they do not significantly harm or alter the appearance and / or character of a listed building or a building in a conservation area.

## Solar Farms

- 22.37 Solar Farms have the potential to impact upon natural heritage. Sites will often require security fencing and possibly in some cases, security lighting. These things can result in damage to wildlife via hedge removal and general disturbance to their daily routine. They can also be particularly visible in open landscapes or on elevated land and can therefore erode the rural character of some parts of the countryside and can increase the perceived human influence on the landscape. For proposals within a AONB or a World Heritage Site (WHS), all proposals for solar energy will require a Landscape and Visual Impact Assessment.
- 22.38 The best sites for solar farms are likely to be flat sites on lower slopes or within undulating lowland landscapes with a good sense of enclosure. We will consider the views from local viewpoints, popular traffic corridors and recognised viewpoints to ensure that the character of the area is not impacted upon to a significant degree.

## Hydro

- 22.39 In Northern Ireland, the potential for hydro power schemes is generally limited to sites with capacity of less than 1MW. IN September of 2017, hydro power contributed less to the total NI renewable consumption than all other forms of renewable energy apart from CHP. In Mid Ulster, we have very little hydro power schemes but that is not to say that it should be ignored by planning policy.
- 22.40 In all cases involving proposals for hydro power schemes, siting will be a key consideration. Hydro schemes should be sited so as to minimise their visual impact on watercourses which are often areas of character and scenic quality. Where watercourses are tree lined, then use should be made of this existing vegetation to aid integration and minimise the visual impact.
- 22.41 Attention will also be paid to the impact of such development on conservation and wildlife. Impacts can include fish being killed or injured by hydro power schemes as well as damage to the riverine ecology by water abstraction or construction related pollution. We will consult with the relevant authorities (NIEA, Loughs Agency, and Water Management Unit) in this regard to ensure avoidance of significant impacts.
- 22.42 Noise impacts from such infrastructure is likely to be limited to a few metres from the turbine house. This coupled with the location of hydro power schemes being such that they are usually located away from residential areas, mean that impacts on residential areas are likely to be minimal. However, where development is proposed to take place is close proximity to residential areas, we will consider the potential for noise from the facility and the developer may be required to submit a noise impact assessment.

## Energy Storage

- 22.43 Energy storage schemes are important in the drive towards reducing carbon emissions because they increase the viability of the renewable energy sector by helping to produce a more reliable renewable energy market. Energy storage can help deal with fluctuations in demand and generation by allowing excess electricity to be 'saved' for periods of higher electricity demand.
- 22.44 Globally, the most viable method of storage is pumped hydro storage (PHS) but the opportunities for such systems are limited in Northern Ireland. Compressed Air (CAES) storage systems are worthy of consideration but usually require large underground caverns which are not a common feature in Mid Ulster. Batteries and cells used for storage of energy are currently in use in small domestic systems which in themselves usually won't require planning permission. However, the provision of larger cells and batteries will require more research and development but may become an issue within our District in years to come.
- 22.45 Given that storage of energy on a large scale is not currently a common occurrence in Mid Ulster, we can only envisage what the potential planning issues with such development might be. Design is likely to be a key consideration particularly with larger scale batteries and cells which might be hard to integrate, especially in rural areas and for this reason, such development might be better located on existing industrial sites. Other issues arising from storage development will be the impacts on residential amenity resulting from noise or impacts on human health. In all cases, developments must comply with the criteria in the policy above as well as with general planning criteria.

# ■ TRANSPORTATION



## 23.0 TRANSPORTATION

### Overview

- 23.1 Good quality transport infrastructure is fundamental to achieving sustainable growth and vibrant communities within Mid Ulster. In terms of travel to work, the vast majority of our working population travel by private car, however the majority of our employed population also work within the District. By contrast only a very small percentage of the working population travel to work by public transport. There is a high reliance on the private car as Mid Ulster is a predominantly rural population, with limited access to public transport and a complete absence of railways.
- 23.2 Given the dispersed nature of Mid Ulster's rural population, access to transportation is a key element in developing vibrant rural communities and will assist in alleviating social isolation. With regard to health and well-being, Mid Ulster residents have an average 50 minute travel time to the nearest acute hospital. This demonstrates the importance of improving the local road network in Mid Ulster.
- 23.3 Therefore the focus is on developing the key and link transportation corridors between the three main hubs of Dungannon, Cookstown and Magherafelt, the two local towns of Maghera and Coalisland and the rural hinterland. Mid Ulster will identify the routes of future infrastructure works to upgrade the A29 trunk road and will think of safeguarding other protected routes within our District.

### Regional Policy Context

- 23.4 The Regional Development Strategy 2035 (RDS) advocates managing our road and rail space in a more efficient way and this is to be achieved through a number of key objectives. These are improving connectivity, maximising the potential of the Regional Strategic Transport Network, improving social exclusion and accessibility and road safety. The RDS establishes the three main towns have the potential to form a cluster and are well positioned on key transport corridors.



- 23.5 Strategic planning policy aims to encourage greater integration of transportation within land use planning. The strategic objectives focus on promoting sustainable transport choices such as walking and cycling and providing more facilities for cyclists. The SPPS also focuses on reducing the reliance on the private car through appropriate car parking policies. To achieve this Local Development Plans are expected to consider transportation in the allocation of land use, and zoning of housing land. Consideration should also be given to new transport schemes, opportunities from disused railways, provision of car parking and protected routes.

### Community Plan

- 23.6 Our Community Plan recognises the importance of the roads and public transport infrastructure to facilitate the movement of goods and people particularly between the 'Mid Ulster Urban Cluster' of Cookstown, Dungannon and Magherafelt and the rural hinterland. A key issue identified is the heavy reliance on the private car in Mid Ulster. Key outcomes of the Community Plan are that we are better connected through appropriate infrastructure and we increasingly value our environment and enhance it for our children. This aim shall be met through two main objectives: improving the rural and urban road network and providing facilities that encourage more sustainable modes of transport.
- 23.7 A key objective of improving the roads network will be facilitated by the development of the Strategic Road Network (the A29-A31, A4, A5 and A6) including by-passes for the three main hubs. Within Mid Ulster there is a high proportion of rural dwellers and our Community Plan recognises the need to maintain the local roads network to allow those living in rural communities to access goods and services both in the hubs and local villages.
- 23.8 In terms of sustainable transport, our Community Plan encourages active travel and greater public transport use and this can be achieved by implementing Park & Ride at strategic sites and investigating the feasibility of restoring rail links to and from Mid Ulster. In rural areas the objective is to pilot an 'Integrated Transport Scheme' for rural dwellers and businesses. Also to develop an Intra-Town Transit System to include shuttle bus, cycling and walking links.

### Our Transportation Strategy

- 23.9 Our approach for transportation is to facilitate a strategy that suits the needs of Mid Ulster as a rural District. The guiding principle is a focus on improving connectivity for both rural and urban dwellers. This will be centred on by-passes around the three main towns, and the villages of Moneymore and Moy, with a focus on improving the A29 spine road. The success of clustering services across our hubs is dependent on improving connectivity and reducing travel time. Critical to this are new by-passes for Cookstown and Dungannon. In turn this will reduce congestion in the town centres making them safer and a better environment for shopping and economic activity. We also wish to see a by-pass for Fivemiletown and the Clogher valley villages in order to improve travel times along the A5 Ulster Connaught corridor, and delivery of the A4 improvements through Mid Ulster. We will also continue to support tight planning controls along these roads in line with regional protected route policy.

## POLICY

### POLICY TRAN 1 – NEW ROADS AND ROAD IMPROVEMENT SCHEMES

Proposals which prejudice the development of a by-pass or other transportation scheme will conflict with the Plan.

#### Justification and Amplification

- 23.10 The A29 Cookstown by-pass is a new transport scheme that will improve traffic flows along the North-South Corridor from Coleraine in the north to Dungannon and Armagh City in the south. The A29 spine road currently runs through Cookstown town centre which has a number of different land uses such as retail, business, services and entertainment. The new road line will take traffic away from the town centre and it will improve travel times for road users. It is anticipated that a new road line will come forward by 2020. Any development proposal which would compromise the proposed route and therefore prejudice the implementation of the new road shall conflict with the Plan. We will continue to work with Central Government so that new road schemes can be brought forward, particularly a Dungannon by-pass. We will also adopt a similar approach to protecting any road line, identified around Dungannon, or any other identified route or other transportation schemes brought forward by Central Government. These will be subject to a separate inquiry/examination independent of the Plan. Where a scheme is brought forward the Local Policies Plan will identify them for information purposes and this will be updated where appropriate at review stage.

### POLICY TRAN 2 – DISUSED TRANSPORT ROUTES

Until such time as the Local Policies Plan is adopted there will be a presumption against development on disused transport routes (railway line, canals etc.) for uses other than recreational, nature conservation or tourism use, unless there is no reasonable prospect of reuse for future transport purposes and/or recreation purposes.

#### Justification and Amplification

- 23.11 Disused transport routes are roads, railway lines, canals and towpaths that are not operational. It is important that the Plan protects disused transport routes as they have the potential to be reused as new active travel pathways such as walkways and cycle paths. Additional uses are recreational, nature conservation or tourism as they have biodiversity value and can help contribute to the local economy.
- 23.12 There will be a blanket ban on the development of disused transport routes with the exception of routes that have been identified as having no prospect of re-use. Recreational, nature conservation or tourism uses will be permitted on disused transport routes on which development may have already occurred, which render them unviable to be used for transport or recreational purposes.

### POLICY TRAN 3 – CAR PARKING

Development of existing public car parks in town centres will conflict with the Plan unless it can be demonstrated that these can be replaced in a convenient location, in terms of accessibility and of similar scale within the town centre.

## Justification and Amplification

- 23.13 The three hubs, Cookstown, Dungannon and Magherafelt, and the local towns, Maghera and Coalsiland, offer a range of land uses within their town centres, from retail to entertainment. Promoting the diverse range of shops, offices and other businesses within Mid Ulster will increase footfall and enhance the vitality and viability of the town centres. Therefore it is important that the Plan protects town centre car parking to allow the town centre to continue to be attractive and accessible.
- 23.14 Mid Ulster has a high reliance on the private car and a lack of public transport in rural areas. There is a local need for sufficient car parking provision within our towns to maintain vibrant town centres.
- 23.15 Should the loss of car parking be considered acceptable, alternative car parking arrangements of a similar scale should be provided in a convenient location accessible to the town centre.

### **POLICY TRAN 4 – ACCESS ONTO PROTECTED ROUTES AND OTHER ROUTE WAYS**

The Plan promotes connectivity between towns, therefore the creation of a new access onto a protected route will be in conflict with the Plan, except where it includes:

- a) Provision of roadside service areas, where there is no existing or approved facilities for 12 miles along that road.
- b) Development of regional significance, access from non-motorway standard protected route.
- c) Intensification of an existing access where no other access is reasonably obtainable from an existing minor road.
- d) Residential development in order to create a quality residential environment within a settlement and does not result in an excessive number of access points.

Additional access onto other public roads or intensification of existing access will be permitted where it does not prejudice road safety or significantly inconvenience traffic flow. Account will be given to the views of Transport NI and any published government guidance.

## Justification and Amplification

- 23.16 The roads onto which this policy of access control is exercised are known as 'Protected Routes' and are designated by Central Government. Protected Routes can be defined as our primary routes; routes between the principal towns in each District and cross border; routes to ports and airports; and selected routes with high traffic flow. It is recognised that safeguarding protected routes will improve connectivity between the main hubs, local towns and the rural hinterland. This will improve road safety, reduce journey times and alleviate congestion for the private car, business travel and public transport. In addition it will contribute to the vitality and viability of the local economy and encourage visitors from outside the District.

- 23.17 Proposals for roadside service facilities may be considered along a protected route, subject to satisfactory access arrangements and provided a need has been demonstrated. Such facilities can provide both petrol filling stations and other uses such as a café or a shop. The retail floorspace should be limited to the policy requirements of the relevant policies within the Retailing, Offices and Town Centres Policies. In normal circumstances it is considered reasonable to expect a driver to travel at least 12 miles along the main traffic route network before reaching a petrol filling station or service centre (on either side of single carriageway roads). Proposals for new facilities within 12 miles of existing services will therefore not normally be acceptable. It is considered that on routes not forming part of the trunk roads network there will normally be no necessity to locate petrol filling stations or roadside services in the open countryside. Such facilities will normally be directed to existing settlements unless local circumstances indicate that such a policy would lead to undue hardship for the residents.
- 23.18 Development of regional significance, such as strategic park and ride schemes, will be allowed as an exception for access to a protected route, provided that it does not compromise their function of facilitating the free and safe movement of traffic or does not significantly add to congestion.
- 23.19 Proposals involving residential development, must demonstrate that the nature and level of access onto the Protected Route will significantly assist in the creation of a quality environment without compromising standards of road safety or resulting in an unacceptable proliferation of access points.
- 23.20 In all cases account will be given to the views of DFI Roads.

# ■ MONITORING OF OUR PLAN



## 24.0 MONITORING OF OUR PLAN

### Purpose

- 24.1 Monitoring is essential for the delivery of the local development plan and is essential part of the plan making process. It should provide the basis to trigger any requirement to amend the strategy, policies and proposals of the Plan. Section 21 of the 2011 Act requires us to prepare an annual monitoring report (AMR) which must contain information on the extent to which the objectives of our LDP are being achieved. Regulation 25 of the LDP Regulations sets out the minimum standards and more detailed requirements regarding the annual monitoring report.
- 24.2 As a minimum, the AMR should report on the amount of housing land and number of units built together with the amount of economic land in a Council's area. A Council may also include other information as it considers relevant. Where a policy is not being implemented, the AMR should state the reasons for this and set out the steps to secure its implementation. The AMR must also be submitted to the Department and we are also required to undertake regular reviews of the local development plan at least every 5 years from the date of adoption of the Local Policies Plan and submit our findings to the Department.
- 24.3 Monitoring and review of the Plan are therefore vital if the policies and proposals within it are to remain relevant to the Council area. As the Plan will provide a long term planning framework for the Council area, it is unlikely to be effective if it cannot deal with unexpected or changing circumstances. Social, economic and environmental issues may change over time and the Plan should be able to handle this uncertainty by alternative strategies if considered necessary.

### Regional Advice on Monitoring

- 24.4 Development Plan Practice Note 6 (DfI) advises that the Plan must show how objectives, policies and proposals for the area will be implemented. It states that arrangements for monitoring and implementation may include setting up appropriate structures to monitor and assess development on housing and economic land and ensuring appropriate delivery mechanisms e.g. working groups are set up to ensure that performance targets and measures are met.
- 24.5 The regional advice also recognises that a Council must also undertake monitoring requirements as part of the SA and EQIA of its LDP and where possible, a Council may wish to use existing monitoring arrangements and information to reduce duplication of effort and maximise the efficient use of resources.

### How will we Monitor Our Plan?

- 24.6 In undertaking our monitoring we will have regard to any changes to the Regional Development Strategy for example changes in relation to the Housing Growth Indicators and changes in relation to social/affordable housing need as identified by the Housing Executive and the need for public services and utilities as identified by the relevant bodies e.g. health, education, water and electricity providers.
- 24.7 There are a number of key tests that will be considered in monitoring the Plan which will inform the Council as to whether changes are required when we review our Plan:
- the extent of single house development pressure in the countryside or in particularly sensitive locations;
  - maintaining a generous supply of serviced economic development sites;
  - ensuring we have sufficient land in our three main towns provide 30-60% of our housing. Where we fall below 30% we will release more land and our Plan monitoring will ensure that land is released from our land bank/phases.
- 24.8 The table below sets out the Objectives of the LDP alongside the desired outcomes and the indicators and measures that will be used to establish the extent to which our LDP objectives are being met. The information recorded in undertaking this monitoring will then inform the AMR and subsequently the review of our Plan.

## Monitoring of Our Plan

Objectives	Outcomes	Indicators	Measures
<p><b>Accommodating People and Creating Places</b></p> <ul style="list-style-type: none"> <li>To build Cookstown, Dungannon and Magherafelt as economic and transportation hubs and as the main service centres for shops, leisure activities, public administrative and community services including health and education. These are the most populated places and the town centres are the most accessible locations for people to travel to including those without a car.</li> <li>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.</li> <li>To provide for vital and vibrant rural communities whilst protecting the countryside in which they live by accommodating sustainable growth within the countryside proportionate to the extent of existing rural communities.</li> <li>To provide for 1,000 new homes by 2030 in a range of housing capable of meeting the needs of families, the elderly and disabled, and single people, at locations accessible to community services, leisure and recreational facilities, for those people with and without a car.</li> <li>To recognise the needs of both growing families and carers of the elderly and disabled by accommodating development which allows people to remain within their own communities and does not lead to significant harm to neighbours or the built and natural environment.</li> <li>To facilitate the development of new community facilities at locations accessible to the communities they serve, through a variety of modes of transportation in accordance with the community plan.</li> <li>To accommodate cultural differences in our communities whilst promoting “shared spaces” to bring people together with equality of opportunity.</li> </ul>	<ol style="list-style-type: none"> <li>New residential development will have provided quality residential environments will have been provided comprising a mix of house types and tenures in our towns and villages and other settlements.</li> <li>At least 30-60% of housing will have been provided in our main towns.</li> <li>Growth will have been focused in our main towns.</li> <li>Sustainable opportunities will have been provided for homes in the countryside to meet the needs of the rural population at a level of not more than 40% of households in the District.</li> <li>New major retail development will have occurred in our town centres.</li> <li>Our town centres will have become more vibrant and viable places for shops and businesses to trade.</li> <li>We will have better health, education and community facilities.</li> </ol>	<ol style="list-style-type: none"> <li>Housing Growth Indicators and subsequent revisions.</li> <li>The extent of housing land available in our main towns and other settlements.</li> <li>Population levels across mid ulster</li> <li>The pipeline for further housing development as defined by unimplemented permissions and housing zonings.</li> <li>The capacity of our town centres to accommodate growth (defined by retail capacity study).</li> <li>The retail offer and vacancy rates in our town centres.</li> </ol>	<ol style="list-style-type: none"> <li>The extent of housing permissions in our main towns and across our other settlements.</li> <li>The take up of zoned housing land.</li> <li>The number of social/ affordable houses delivered in settlements and in the countryside.</li> <li>The take-up of land for health, education and community uses.</li> <li>The take-up of town centre opportunity sites and land available for mixed use development.</li> <li>Vacancy rates and range of uses in our town centres and extent of non-retail related uses in our Primary Retail Cores.</li> <li>The provision of new health, education and community uses in the District.</li> <li>Any additional needs identified by service providers.</li> <li>The number of housing permissions in the countryside by policy justification and the number of registered farms and total number of commercial fishing licences.</li> </ol>

## Monitoring of Our Plan

Objectives	Outcomes	Indicators	Measures
<p><b>Creating jobs and promoting prosperity</b></p> <ul style="list-style-type: none"> <li>To facilitate the creation of at least <b>8,500</b> new jobs by 2030 at a variety of locations where they are accessible to all members of the community, including those without a private car.</li> <li>To promote diversity in the range of jobs on offer recognising the importance of employment in the primary sector (agriculture forestry and mining), secondary sector (industry and manufacturing) and tertiary sector (administration, commerce, retailing, leisure and tourism).</li> <li>To recognise and accommodate entrepreneurship, innovation for large, medium and small firms by attracting new firms and accommodating expanding businesses.</li> <li>To recognise the importance of self-employment and home working, particularly in rural locations.</li> <li>To encourage energy efficiencies and promote use of renewable energy.</li> </ul>	<ol style="list-style-type: none"> <li>There will be reduced unemployment and increased economic activity in mid ulster.</li> <li>Agriculture, forestry and fishing will remain an important sector.</li> <li>Mineral extraction will continue to provide sufficient materials for the construction industry and related quarry products sector.</li> <li>There will be sufficient land for economic development in our three main towns.</li> <li>There will be sufficient land for economic development in our other settlements.</li> <li>Economic development will have occurred in a sustainable manner and more people will have been facilitated to work from home or in small to medium enterprises.</li> </ol>	<ol style="list-style-type: none"> <li>Regional indicators and targets for economic growth.</li> <li>The extent of economic development land available in our main towns and other settlements.</li> <li>Employment figures for the District.</li> </ol>	<ol style="list-style-type: none"> <li>Employment figures for the District.</li> <li>The availability of economic development land in our three main towns as established by annual monitoring.</li> <li>The number of permissions for economic development in our three main towns and other settlements (floor space permitted) and anticipated number of jobs which may result.</li> <li>The number of permissions for economic development in the countryside?</li> <li>Self-employment levels in the District.</li> </ol>

## Monitoring of Our Plan

Objectives	Outcomes	Indicators	Measures
<p><b>Enhancing the environment and improving infrastructure</b></p> <ul style="list-style-type: none"> <li>To reduce contributions and vulnerability to climate change and to reduce flood risk and the adverse consequences of flooding.</li> <li>To protect and enhance the natural and built environment as wise custodians of our landscape and to achieve biodiversity, quality design, enhanced leisure and economic opportunity and promote health and wellbeing.</li> <li>To accommodate investment in power, water and sewerage infrastructure, and waste management particularly in the interests of public health.</li> <li>To improve connectivity between and within settlements and their rural hinterland through accommodating investment in transportation to improve travel times, alleviate congestion and improve safety for both commercial and private vehicles as well as more sustainable modes of transport including buses, walking and cycling.</li> <li>To improve connectivity through telecommunications which both meets the needs of business and private households whilst reducing the need to travel.</li> </ul>	<ol style="list-style-type: none"> <li>There will be reduced need to travel by private transport.</li> <li>The special character of our Sperrins AONB will have been retained.</li> <li>The distinctive ridge line of Clogher Valley will have been retained.</li> <li>The open vistas, bog and grasslands of the high Sperrins and Slieve Beagh and the lough shores will have been kept free from harmful development.</li> <li>We will have created more greenways and cycle ways whilst safeguarding our canals and main river banks for future use.</li> <li>We will have protected, maintained and enhanced our natural and built heritage for the appreciation of our residents and visitors.</li> <li>You will be able to travel safer and more quickly between our main towns, within the District and across Northern Ireland.</li> <li>There will be more people walking, cycling and using public transport.</li> <li>Everyone will have improved telecommunications and broadband connectivity.</li> <li>A greater amount of our power will have been from renewable sources.</li> <li>Less waste will go to landfill.</li> <li>As result of the provision of by-passes and improvements to the A29 and A5 there will be greater free movement along our main transport routes.</li> </ol>	<ol style="list-style-type: none"> <li>The Landscape Assessment across Mid Ulster and future review.</li> <li>The pressure for housing across Mid Ulster (pressure analysis).</li> <li>Travel to Work Survey Northern Ireland.</li> <li>Pressure analysis of renewable energy development.</li> <li>The availability of broad band and extent of telecommunication not spots.</li> <li>The total amount of energy from renewable sources (NIE Survey).</li> </ol>	<ol style="list-style-type: none"> <li>The number of permissions for high structures and wind turbines in our Area of Constraint on Wind Turbines and High Structures.</li> <li>The number and type of permissions granted within our Special Countryside Areas.</li> <li>The number of permissions granted for mineral development within our Areas of Constraint on Mineral Development.</li> <li>The progress made in implementing and providing by-passes and major road improvements.</li> <li>The provision of new cycle ways and greenways.</li> <li>The number of permissions granted for major renewable energy development.</li> <li>The amount of waste going to landfill.</li> </ol>

## APPENDIX 1

### HOUSING LOCAL INDICATORS AND ECONOMIC DEVELOPMENT LOCAL INDICATORS OVER PLAN PERIOD 2015-2030

#### MAIN TOWNS

MAIN TOWNS	APPROXIMATE NO. OF HOUSEHOLDS*	% SHARE OF ALL HOUSEHOLDS** (48,072)	% SHARE OF HGI (10,950); total of 30% - 60% apportioned based on relative proportion of all households	HOUSING LOCAL INDICATORS 2015-2030 (units)	COMMITTED UNITS STILL TO BE DEVELOPED AND RESIDUAL ZONING (at 1st April 2015)	ECONOMIC DEVELOPMENT INDICATOR (hectares)
DUNGANNON	5,386	11.2%	12% - 24%	1,314 - 2,628	2,697	60
COOKSTOWN	4,519	9.4%	10% - 21%	1,095 - 2,299	1,661	55
MAGHERAFELT	3,245	6.8%	8% - 15%	876 - 1,642	1,936	55
<b>TOTALS</b>	<b>13,150</b>	<b>27.4%</b>	<b>30% - 60%</b>	<b>3,285 - 6,569</b>	<b>6,294</b>	<b>170 hectares</b>

\* The figures denoting the number of households in each settlement are based on the Headcount and Household Estimates for Settlements spreadsheet. It was carried out by NISRA in 2015 and is based on figures from the 2011 census. These are the most up to date household figures available for individual settlements.

\*\* The figure of 48,072 as the total number of households in the whole District is based on figures provided by NISRA in September 2012, which were based on the 2011 census.

More up to date household projections are available for 2015 onwards for the whole District but given the fact that there are no corresponding headcount figures for each settlement, it would be inaccurate to use them as a means of calculating a percentage figure based on figures from 2011



## APPENDIX 1

### HOUSING LOCAL INDICATORS AND ECONOMIC DEVELOPMENT LOCAL INDICATORS OVER PLAN PERIOD 2015-2030

#### LOCAL TOWNS, VILLAGES AND SMALL SETTLEMENTS

MAIN TOWNS	APPROXIMATE NO. OF HOUSEHOLDS*	% SHARE OF ALL HOUSEHOLDS** (48,072)	% SHARE OF HGI (10,950);	HOUSING LOCAL INDICATORS 2015-2030 (units)	COMMITTED UNITS STILL TO BE DEVELOPED AND RESIDUAL ZONING (at 1st April 2015)
AGHAGINDUFF / CABRAGH	129	0.27%	0.27%	30	35
ANNAGHMORE	279	0.58%	0.58%	64	106
ARDBOE	215	0.45%	0.45%	49	210
ARDTREA	6	0.00%	0.00%	0	6
AUGHER	132	0.27%	0.27%	30	58
AUGHNACLOY	402	0.84%	0.84%	92	193
BALLINDERRY	113	0.24%	0.24%	26	76
BALLYGAWLEY	271	0.56%	0.56%	61	134
BALLYLIFFORD	41	0.09%	0.09%	10	18
BALLYNAKILLY	91	0.19%	0.19%	21	18
BALLYNEASE	20	0.04%	0.04%	4	14
BALLYMAGUIGAN	69	0.14%	0.14%	15	32
BALLYRONAN	204	0.42%	0.42%	46	171

## APPENDIX 1

### HOUSING LOCAL INDICATORS AND ECONOMIC DEVELOPMENT LOCAL INDICATORS OVER PLAN PERIOD 2015-2030

MAIN TOWNS	APPROXIMATE NO. OF HOUSEHOLDS*	% SHARE OF ALL HOUSEHOLDS** (48,072)	% SHARE OF HGI (10,950);	HOUSING LOCAL INDICATORS 2015-2030 (units)	COMMITTED UNITS STILL TO BE DEVELOPED AND RESIDUAL ZONING (at 1st April 2015)
BELLAGHY	383	0.80%	0.80%	88	264
BENBURB	91	0.19%	0.19%	21	52
BROCKAGH / MOUNTJOY	144	0.30%	0.30%	33	23
CALEDON	192	0.40%	0.40%	44	90
CAPPAGH	25	0.05%	0.05%	5	22
CARLAND	16	0.03%	0.03%	3	5
CARNTEEL	10	0.02%	0.02%	2	0
CASTLECAULFIELD	258	0.53%	0.53%	58	208
CASTLEDAWSON	853	1.77%	1.77%	194	295
CHURCHTOWN	42	0.08%	0.08%	9	24
CLADY	195	0.40%	0.40%	44	18
CLOGHER	272	0.57%	0.57%	62	147
COAGH	262	0.55%	0.55%	60	185

## APPENDIX 1

### HOUSING LOCAL INDICATORS AND ECONOMIC DEVELOPMENT LOCAL INDICATORS OVER PLAN PERIOD 2015-2030

MAIN TOWNS	APPROXIMATE NO. OF HOUSEHOLDS*	% SHARE OF ALL HOUSEHOLDS** (48,072)	% SHARE OF HGI (10,950);	HOUSING LOCAL INDICATORS 2015-2030 (units)	COMMITTED UNITS STILL TO BE DEVELOPED AND RESIDUAL ZONING (at 1st April 2015)
COALISLAND	2,055	4.27%	4.27%	468	1,234
CREAGH	95	0.20%	0.20%	22	0
CULNADY	60	0.12%	0.12%	13	7
CURRAN	45	0.09%	0.09%	10	25
DESERTCREAT	10	0.02%	0.02%	2	0
DESERTMARTIN	102	0.21%	0.21%	23	24
DERNAGH / CLONOE	109	0.23%	0.23%	25	4
DONAGHEY	11	0.02%	0.02%	2	0
DONAGHMORE	403	0.84%	0.84%	92	212
DRAPERSFIELD	27	0.06%	0.06%	7	14
DRAPERSTOWN	636	1.32%	1.32%	145	446
DRUMMULLAN	63	0.13%	0.13%	14	39
DUNMAN	20	0.04%	0.04%	4	0

## APPENDIX 1

### HOUSING LOCAL INDICATORS AND ECONOMIC DEVELOPMENT LOCAL INDICATORS OVER PLAN PERIOD 2015-2030

MAIN TOWNS	APPROXIMATE NO. OF HOUSEHOLDS*	% SHARE OF ALL HOUSEHOLDS** (48,072)	% SHARE OF HGI (10,950);	HOUSING LOCAL INDICATORS 2015-2030 (units)	COMMITTED UNITS STILL TO BE DEVELOPED AND RESIDUAL ZONING (at 1st April 2015)
DUNNAMORE	35	0.07%	0.07%	8	20
DYAN	16	0.03%	0.03%	3	0
EDENDORK	85	0.18%	0.18%	20	18
EGLISH	143	0.30%	0.30%	33	92
FIVEMILETOWN	552	1.15%	1.15%	126	755
GALBALLY	71	0.15%	0.15%	16	30
GLEN	47	0.09%	0.09%	10	0
GLENONE	153	0.32%	0.32%	35	99
GORTACLADDY	21	0.04%	0.04%	4	5
GRACEFILED	19	0.04%	0.04%	4	4
GRANGE	8	0.02%	0.02%	2	7
GULLADUFF	194	0.40%	0.40%	44	40
GRANVILLE	115	0.24%	0.24%	26	6

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INISHRUSH	42	0.09%	0.09%	10	6
KILLEEN	144	0.30%	0.30%	33	1
KILLEENAN	10	0.02%	0.02%	2	6
KILROSS	20	0.04%	0.04%	4	14
KILLYMAN	257	0.53%	0.53%	58	231
KNOCKLOGHRIM	70	0.15%	0.15%	16	45
LONGFIELD	31	0.06%	0.06%	7	1
MAGHERA	1,514	3.15%	3.15%	345	490
MONEYNEANEY	63	0.13%	0.13%	14	82
MONEYMORE	730	1.52%	1.52%	166	312
MOORTOWN	172	0.36%	0.36%	39	118
MOY	591	1.2%	1.2%	131	266
NEWMILLS	223	0.46%	0.46%	50	61



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ORRITOR	54	0.11%	0.11%	12	66
POMEROY	306	0.63%	0.63%	69	183
SANDHOLES	50	0.10%	0.10%	11	28
STEWARTSTOWN	271	0.56%	0.56%	61	84
STRAW	127	0.26%	0.26%	28	65
SWATRAGH	145	0.30%	0.30%	33	0
TAMNAMORE	55	0.22%	0.22%	24	51
TAMLAGHT O CRILLY	66	0.14%	0.14%	15	0
TOBERMORE	313	0.65%	0.65%	71	242
THE BUSH	181	0.38%	0.38%	41	129
THE LOUP	68	0.14%	0.14%	15	25
THE ROCK	43	0.09%	0.09%	10	5
THE WOODS	12	0.02%	0.02%	2	15

\* The figures denoting the number of households in each settlement are based on the Headcount and Household Estimates for Settlements spreadsheet. It was carried out by NISRA in 2015 and is based on figures from the 2011 census. These are the most up to date household figures available for individual settlements.

\*\* The figure of 48,072 as the total number of households in the whole District is based on figures provided by NISRA in September 2012, which were based on the 2011 census.

More up to date household projections are available for 2015 onwards for the whole District but given the fact that there are no corresponding headcount figures for each settlement, it would be inaccurate to use them as a means of calculating a percentage figure based on figures from 2011

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### HOUSING LOCAL INDICATORS AND ECONOMIC DEVELOPMENT LOCAL INDICATORS OVER PLAN PERIOD 2015-2030

MAIN TOWNS	APPROXIMATE NO. OF HOUSEHOLDS*	% SHARE OF ALL HOUSEHOLDS** (48,072)	% SHARE OF HGI (10,950);	HOUSING LOCAL INDICATORS 2015-2030 (units)	COMMITTED UNITS STILL TO BE DEVELOPED AND RESIDUAL ZONING (at 1st April 2015)
TULLYALLEN	11	0.02%	0.02%	2	3
TULLYHOGUE	81	0.17%	0.17%	19	34
UPPERLANDS	221	0.46%	0.46%	50	58
<b>TOTALS</b>	<b>15,681</b>	<b>32.62%</b>	<b>32.62%</b>	<b>3562</b>	<b>8092</b>

\* The figures denoting the number of households in each settlement are based on the Headcount and Household Estimates for Settlements spreadsheet. It was carried out by NISRA in 2015 and is based on figures from the 2011 census. These are the most up to date household figures available for individual settlements.

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### HOUSING LOCAL INDICATORS AND ECONOMIC DEVELOPMENT LOCAL INDICATORS OVER PLAN PERIOD 2015-2030

#### New Settlements

MAIN TOWNS	APPROXIMATE NO. OF HOUSEHOLDS*	% SHARE OF ALL HOUSEHOLDS** (48,072)	% SHARE OF HGI (10,950);	HOUSING LOCAL INDICATORS 2015-2030 (units)
TULLYWIGGAN	73	0.15%	0.15%	16
AUGHAMULLAN & DERRYLAUGHAN	53	0.11%	0.11%	12
DERRYTRESK	11	0.02%	0.02%	2
EDENCRANNON	9	0.02%	0.02%	2
<b>TOTALS</b>	<b>146</b>	<b>0.3%</b>	<b>0.3%</b>	<b>32</b>
	<b>15,827</b>	<b>32.92%</b>	<b>32.92%</b>	<b>3594</b>

#### The Countryside

Housing approvals in the countryside will be monitored over the plan period to ensure the rate does not exceed 40% of HGI = 4380 units

## Appendix 2 – Guidance for Advertisements

The main purpose of this annex is to set out the Councils' detailed guidance to provide a consistent basis against which to consider the display of different categories of advertisements. In drawing up the guidance it is acknowledged that amenity and public safety are the main criteria that will be taken into account in assessing proposals for advertisements.

The guidance is not intended to be overly prescriptive, but is intended to advise applicants and commercial companies involved in promoting outdoor advertising how such advertising, if appropriately designed and sited, can contribute towards a quality environment.

### Poster Panel Displays

Poster panel displays do not generally relate directly to the land or premises on which they are located. They comprise the more traditional paper posters on panels or hoardings, either freestanding or attached to buildings, modern displays, including moving prismatic panels, and internally illuminated PVC faced panels.

Poster panel displays are a common feature of urban advertising and rely on size and siting for their impact. As a result they have the potential to be over dominant and obtrusive in the street scene. There is a need therefore to ensure that such displays respect the scale of their surroundings. Equally there is a need to prevent clutter and the undue dominance of such advertisements over other uses of land.

### The Countryside

Poster panel displays are out of place in the countryside and will generally be unacceptable. An exception may be made where the display advertises a particular event, such as a local agricultural show or fair, and is restricted to a specified time period.

### Villages and Small Settlements

Large scale poster panel displays are generally out of place in villages and small settlements because of their potential to detrimentally impact on the visual amenity of these locations. Smaller poster panels may be acceptable depending on their size and on the scale and character of the village. The position and siting of such signage should respect the size, scale and character of surrounding buildings and features.

### Residential Areas

Poster panel displays are out of place in any predominantly residential locality. The priority in residential areas is to maintain local character and environmental quality and to protect the amenity of residents. The size, scale and intrusive nature of poster panel displays therefore make them generally unacceptable. An exception may be made for the display of a poster panel on bus shelters in residential areas where there will be no significant impact on the amenity of adjacent residents.

### Predominantly Commercial Areas

In commercial areas the scale of buildings may be sufficiently large to accommodate poster panel displays without adverse effect on visual amenity. The scale of commercial and industrial surroundings in our cities and towns can however vary greatly, often within short distances. It will be expected therefore that the scale of advertisement displays should respect the scale of adjacent buildings and the wider area.

Where an area is in mixed use, with shops and offices interspersed with residential properties, poster panel displays may on occasion be acceptable. They should be carefully related to the size and scale of surrounding buildings and designed in a manner that will not damage visual amenity or prejudice public safety.

### **Freestanding Advertisement Displays**

Large freestanding panels (generally 48 sheet displays or greater) are commonly used to screen derelict and untidy land. These sites can be a potential eyesore and in many cases a carefully designed scheme for screening that integrates advertisement panels can often prevent fly tipping, vandalism and help ensure security. Such schemes need to be well maintained and will generally only be acceptable on a temporary basis. Freestanding displays are also often found at airports, ports and other gateway locations where they generally provide information on the locality, local events and services.

#### **DESIGN GUIDELINES**

- *The number, scale, proportions and design of freestanding advertisement panels should respect the site and its surrounding area. In particular where these are situated at the back edge of the pavement, or in other prominent locations, care will be needed to ensure that their effect on pedestrians is not overwhelming;*
- *Panel displays should be integrated into a well-designed scheme of good quality screening which allows for visual breaks between each panel. Areas to the sides of and around the hoardings should be considered with as much care as the display itself;*
- *Wherever possible, good quality hard and soft landscaping should form part of the proposal and should be of sufficient scale to assist integration of the panel by reducing the visual impact of the overall display; and*
- *Where the rear of the advertising panel is visible from surrounding roads or properties it should be appropriately treated.*

### **Gable Mounted Advertisement Displays**

Large scale poster panels (generally 48 sheet displays) located on gables are a common feature in the predominantly commercial parts of our towns and cities and may offer benefits, such as screening an untidy gable. Care however needs to be taken with such proposals to ensure they are not over dominant, and relate well to the building on which they are proposed to be positioned.

#### **DESIGN GUIDELINES**

- *The form, design, size, proportions and siting of a wall mounted poster panel should be sympathetic to the building to which it is to be attached;*
- *The panel should generally be above ground floor level on the gable and be symmetrical with the wall on which it is to be positioned;*
- *Interesting features, for example architectural details should not be obscured or destroyed; and*
- *Windows should not be covered and the normal functioning of the building should not be adversely affected.*



Tiers of advertisement poster panels affecting the gable or flank wall of a building should be avoided as they can have a significant detrimental impact over long distance views, whilst more local views can appear cluttered.

The guidance above also applies to large electronic screen displays and to freestanding panels in front of a gable or flank wall of a building.

### Shroud Advertisement Displays

Shroud advertisement displays are a relatively new form of advertising. They are known by a variety of names such as meshes, wraparounds or blow-up signs. They range in size, but are generally large-scale and can cover the whole of an elevation of a building. They can even be used to present an image of what a building will look like when alterations, renovations or building works have been completed.

In view of their scale and size, shroud advertisements have the potential to seriously conflict with the visual amenity of the buildings upon which the display is situated and the area in which buildings are sited. Accordingly, proposals for this type of advertisement are only likely to be acceptable in commercial areas, where they are to be attached to scaffolding surrounding a building or development site and where a contract has been drawn up for the building or renovation works.

To prevent clutter, account will be taken of the number of similar proposals located within the vicinity of the site and others that have the benefit of advertisement consent.

### Signs of Commercial Premises

Signs and advertisements on commercial premises are important in announcing the presence of a business in the street and in directing customers to that location, and can assist the vibrancy of our city and town centres and other commercial areas. When sympathetically sited and designed they can contribute positively to the distinctive visual amenity of an area by giving a sense of quality and permanence.

The most common signs on commercial premises are fascia signs and projecting signs, either box or hanging. Their design should always complement the design of the shopfront and building and respect the wider locality. An excessive number of signs or those which are too large can dramatically affect the premises on which they are sited and have an adverse impact on the general character of the area.

### Fascia Signs

#### **DESIGN GUIDELINES**

- *fascia signs should be of an appropriate size, and sited and designed to harmonise with the shop front, the façade of the building and any detailing thereon;*
- *where there is an original fascia, the sign should make use of this with generally no advertising at sub-fascia level or on pilasters or columns;*
- *where a new commercial building is proposed, the location of fascia signage should be integrated into the overall design;*
- *on older and more traditionally styled buildings, painted signs or non-illuminated letters are preferable to panels or other types of display;*
- *internal illumination should preferably be in the form of individually backlit letters; and*
- *where external illumination is proposed, trough lighting is preferred. The trough should extend over the whole fascia and be painted to integrate it into the whole display*

## Projecting Signs

### DESIGN GUIDELINES

- *Projecting signs should be sympathetic to the design of the building where they are to be displayed and respect fascia signage;*
- *Box signs should be located at fascia level and are generally best situated at the end of the fascia;*
- *Hanging signs may be acceptable at first floor level and are generally best situated in a central position between windows;*
- *To reduce visual clutter a projecting sign will generally only be acceptable where there is no other projecting advertisement such as a canopy, awning, flag or horizontal banner;*
- *Internal illumination should preferably be in the form of individually backlit letters;*
- *Where external illumination is proposed trough lighting is preferred with the trough painted out;*
- *Projecting signs should generally project no more than 1 metre including fixings, with a maximum end width of no more than 0.1m in the case of a box sign;*
- *Projecting signs should be a minimum of 2.25m above ground level in the interests of public safety; and*
- *Illuminated projecting signs are generally unacceptable immediately adjacent to a neighbouring residential property.*

### Blinds and Awnings

Originally the function of blinds was to protect perishable goods from deterioration due to strong sunlight. Today however blinds, awnings and canopies are increasingly used as a means to provide additional advertising.

Blinds that are well designed can improve the attractiveness of a building or street. Poorly designed or prominently located blinds or canopies displaying advertising can however detract from the appearance of buildings, the surrounding neighbourhood and can result in clutter. They are particularly obtrusive when located above windows on upper floors and should be avoided.

### DESIGN GUIDELINES

- *Blinds and Awnings should be retractable, made from non-reflective material and be designed to integrate with the appearance of the shopfront as a whole; and*
- *Such blinds should be a minimum of 2.25m above ground level in the interest of public safety.*

### Advertisements of Upper Floors

Where commercial premises occupy the upper floors of buildings the need to advertise their whereabouts can be important to their viability. Great care needs to be taken in considering how this can be achieved without the exterior of the building appearing cluttered.

Fascia signs, panel style signs, canopies, flags and banners are generally out of place on upper floors.

### **DESIGN GUIDELINES**

- *Advertising on upper floors should be printed or etched onto the glass or on to internal window blinds. As an alternative, individual letters rather than an advertisement panel may be suspended behind the glass.*

These guidelines also apply to commercial premises on ground floors wishing to advertise on upper floors.

### **High Level Signs**

High level signs generally relate to those vertical or horizontal signs on the walls of tall, single use buildings such as hotels. If not treated with great sensitivity they have the potential to give the appearance of clutter within the local street scene and be obtrusive and dominant over long distances particularly when located on roofs.

### **DESIGN GUIDELINES**

- *High level signs will generally only be appropriate where they relate to the scale and primary use of the host building;*
- *They should be designed to read as part of the building and should not detract from any architectural feature;*
- *They should not project above the eaves or parapet of the host building; and*
- *They should have only the lettering illuminated.*

### **Offices in Former Residential Properties**

In predominantly residential areas, where offices occupy part or all of a former residential property, it is essential that advertising remains unobtrusive in order that the residential amenity of the area is not prejudiced. Even in situations where offices occupy a row of former residential properties it will generally still be important to retain the overall residential appearance of the area. A more flexible approach will however be considered in those areas where, through ongoing change, surroundings have become mainly commercial.

### **DESIGN GUIDELINES**

- *The advertisement of offices in former residential properties should be by means of nameplates made from silver or other suitable materials and should be fixed to the doorway pilaster or there if there is no pilaster they may be fixed to masonry beside the front door*
- *Painted or etched lettering on a front window will also generally be acceptable*

### **Signs at retail and Business Parks**

In retail parks and business parks the uncoordinated display of advance advertisements or ad hoc directional signs to individual businesses, which bears no direct relationship to the building, land or structure upon which it is displayed is often confusing, untidy and detrimental to the appearance of an area.

There is great potential for all advertising associated with retail or business parks to be undertaken in a planned and co-ordinated manner. Ideally the fascia signs for individual premises should form an integral part of the building, while a single carefully designed directory board located at the entrance to the park or in other acceptable locations can avoid a proliferation of advance signs.

### **DESIGN GUIDELINES**

- *All new buildings in a retail or business park should incorporate a signing zone as part of the design;*
- *Fascia and projecting signs should be in scale with the host building and surrounding buildings and be consistent across the whole unit; and*
- *Advance signage should be provided in the form of a combined directory board within a proposed or existing landscaped area designed and integrated as one scheme.*

### **Signs at Filling Stations and on Forecourts**

Signage at filling stations usually comprises a combination of a canopy, a pole/pylon, and shop fascia signage together with a number of smaller forecourt signs. In view of the range of signs involved there is often potential for their cumulative effect to result in clutter. To help prevent this a co-ordinated approach should be taken when bringing forward proposals, particularly where existing signage is being replaced.

Particular care is needed in assessing proposals for illuminated advertisements at filling stations located adjacent to or near residential properties.

### **DESIGN GUIDELINES**

- *All signs should be in scale with their surroundings and not detract from the amenity of the surrounding area;*
- *Illumination should generally be restricted to the sign lettering and logo; and*
- *Freestanding signs should be located so as not to interfere with or obstruct sightlines.*

### **Pylon and Pole Mounted Signs**

Pylon and pole mounted signs are a common feature at petrol filling stations. Increasingly they are found in association with drive-through restaurants, supermarkets, retail warehousing, retail parks and car showrooms.

The height, size and levels of illumination of these signs may result in visual intrusion within the locality where they are situated. They can be extremely dominant over long distances and detract not only from the character and appearance of the area in which they are sited but also that of the area from which they are viewed. In addition where they are proposed close to residential properties they can be detrimental to amenities enjoyed by local residents.

### **DESIGN GUIDELINES**

- *Pylon and pole mounted signs should be in scale with their surroundings and they should not significantly exceed surrounding building heights*
- *They should not detract from the visual amenity or character of the surrounding area;*
- *They should not be sited adjacent to, and wherever possible should not directly face residential properties; and*
- *Illumination should generally be restricted to the sign lettering and logo.*

## Appendix 3 – Landscape Design Considerations for Holiday Parks and Touring Caravan Sites

Matters which need to be addressed in preparing a layout / landscaping plan include the following:

1. The creation of an appropriate link with the surrounding landscape (eg a dense tree belt may be appropriate in a heavily treed part of the countryside, but in an open landscape may draw attention to the development rather than allowing it to blend into the surrounding countryside).
2. Appropriate boundary treatment, taking account of point 1 above and reflecting needs for shelter, screening and privacy. Buffer zones of at least 3 metres in width should be retained and kept free of development on the inside of all boundaries.
3. Informal layout of caravan units / motor homes / chalets characterised by the use of small informal clusters separated by appropriate landscaping and the avoidance of 'regimented' rows of units that typically results in a detrimental visual impact ( a 'sea' of caravans effect).
4. The avoidance of long straight lines for roads and paths with due regard to the protection of key views from the holiday park. An exception to this may arise where an avenue is an appropriate design element.
5. Integration of ancillary buildings, hard landscaping and facilities such as car parks and water points by reflecting local design characteristics, the use of local materials and appropriate planting. The use of muted colours (usually green tones) for caravan units / chalets may be appropriate particularly for those close to site boundaries.
6. The use of permeable surfaces for caravan pitches, hard landscaped areas and car parking in order to safeguard against flood risk through surface water run off.
7. Appropriate planning and selection of planting taking account of function, suitability for prevailing soil and climatic conditions (eg coastal environments), durability, seasonal changes and ease of maintenance. Planting will be required for a variety of functions including:
  - *linking the holiday park into its wider landscape setting,*
  - *enhancing the visual character of the development and promoting a distinctive sense of place,*
  - *boundary treatment and screening,*
  - *creating visual diversity in the layout,*
  - *integrating public and private open spaces into the design of the holiday park,*
  - *softening the visual impact of accommodation units and ancillary buildings and facilities,*
  - *adding definition and interest to accesses, particularly footpaths and cycle tracks.*



8. Retention and enhancement of existing natural features such as ponds, copses of trees and hedgerows. This may also apply in some instances to archaeology and features of the built heritage.
9. The provision of communal open space should be considered as an integral part of the design in order to:
  - *meet formal and informal recreation and amenity open space needs,*
  - *contribute to the attractiveness of the development,*
  - *create a safe, convenient and accessible space for all holiday park users, particularly children, the elderly and people with disabilities,*
  - *reduce the need for people to seek open space outside the park,*
  - *enhance security through providing opportunity for onsite activity.*

Reliance on the use of residual areas of unused land for open space provision will not be acceptable.

## Appendix 4 – Guidance for Submission of Flood Risk Assessment (FRA) and Drainage Assessment (DA)

### When is a Flood Risk Assessment required?

A FRA is required when the development is located close to the edge of the area of flood risk. Due to the nature of the Strategic Flood Map for Northern Ireland the geographical extent of predicted flood areas cannot be precisely defined. In some cases reservoir inundation maps may not be available. A FRA to determine a more accurate extent of flooding is therefore necessary for development proposals located in proximity to the margins of the predicted flood plain, irrespective of whether the site lies just outside or just inside (wholly or partially) the extent as depicted on the Strategic Flood Map.

An FRA is also required when a proposed development is located within a flood plain but is otherwise acceptable under policy e.g. it constitutes an exception listed under Policy FLD 1. In such cases, an FRA is required to be submitted as part of the planning application, so as to ensure the identification of all sources of flooding, the resulting flood extents and the means by which flooding is to be controlled and mitigated. A FRA should not be undertaken when a proposal is clearly unacceptable in principle under the policy as this will invariably result in nugatory work and expense on the part of the developer.

### What Information Should be Included in a Flood Risk Assessment

#### When a more accurate definition of Flood Plain and Extents is needed

- *A location plan to a suitable scale, which clearly illustrates geographical features and identifies the catchment, watercourses in the vicinity and the built development;*
- *A site plan (and where appropriate, cross sections) showing existing levels related to Ordnance Datum Belfast), existing structures, watercourses in or bounding the site, internal site drainage and drainage outfalls;*
- *Data on historical flooding events, including photographs and media reports, supported by information on rainfall, flood return periods and the probability of storm surge occurrences, where appropriate. Evidence on trends in flood occurrences and changes in the local environment since the last event is particularly valuable;*
- *A plan of the site showing the extent of the predicted Q100 / Q200 flood plain, and / or in the case of a reservoir, the extent of the predicted flood inundation area. This may require a local hydraulic model based on the topographical information, historical flood events and the assessment of design flow discharges at the site using industry standard methodologies.*

## When the proposed development is within the fluvial floodplain

- *A location plan as detailed above.*
- *A site plan (and where appropriate, cross sections) showing pre-development and post-development levels related to Ordnance Datum Belfast, existing structures, development proposals, watercourses in or bounding the site, internal site drainage and drainage outfalls*
- *Details of any existing or proposed flood alleviation measures or flood defence structures that may influence the site including information on their structural condition, level of protection and maintenance regime;*
- *The identification of all sources of flooding pre and post- development;*
- *An assessment of the hydraulic capacity and structural integrity of all drains and sewers within or bounding the site. The methodologies for assessment must be clearly identified;*
- *Data on historical flooding events accompanied by supporting information as outlined above*
- *A plan of the site showing the extent of the predicted Q100 / Q200 flood plain and / or in the case of a reservoir, the extent of the predicted flood inundation area. This will involve the production of hydraulic models requiring longitudinal / cross sections of the watercourse and the site, assessment of flood discharges using industry standard methodologies, and the inclusion of information such as finished floor levels, access road and car park levels, estimated flood water levels, flood depths and velocities and associated probability of flooding;*
- *A plan and description of features which may influence local hydraulics. For example, bridges, pipes or ducts crossing watercourses, culverts, embankments and walls;*
- *An assessment of the likely speed of potential flooding, the sequence in which various parts of the site may flood, the likely duration of a flood event, the potential consequences of a flood event, the depth and velocity of flood water;*
- *Where appropriate, the likely impact of any displaced water or increased run-off from the development site should be estimated and the consequences for neighbouring or other locations assessed.*

## When is a Drainage Assessment required?

A Drainage Assessment must be submitted along with the planning application, for development proposals located outside the fluvial flood plain, in any of the following circumstances:

- *Where the proposed development exceeds the thresholds specified in the policy, for example 10 or more new dwellings;*
- *Where run-off from the development may adversely impact upon other development or features of importance to nature conservation, archaeology or the built heritage;*
- *Where there is evidence of a history of surface water flooding.*

The Drainage Assessment, as well as addressing surface water flooding, may also need to identify control measures for storm water discharge from the site. The use of sustainable drainage systems to manage and limit site discharges to pre-development run-off rates is encouraged.

### **What information is required in a Drainage Assessment?**

Drainage Assessment will typically be required to contain the following information relating to the assessment of surface water flood risk:

- *A location plan to a suitable scale, which clearly illustrates geographical features and identifies the catchment, watercourses in the vicinity and the built development;*
- *A site plan (and where appropriate, cross sections) showing pre-development and post-development levels related to Ordnance Datum Belfast, existing structures, development proposals, watercourses in or bounding the site, internal site drainage and drainage outfalls;*
- *Confirmation as to whether the proposed development is to be located on previously developed land (that may have minimal impact on the existing drainage network);*
- *Indication as to whether the local area has past flooding problems, which may limit site discharge to the local drainage and watercourses to pre-development run-off rates;*
- *Identification of likely overland flow paths including depth, velocities, timing and sequence of inundation;*
- *An assessment of hydraulic capacity and structural integrity of all drains and sewers within or bounding the site, which may result in out of sewer flooding. The methodologies for assessment must be clearly identified;*
- *Data on historical flood events*
- *The likely impact of any displaced water or increased run-off from the development site should be estimated and the consequences for neighbouring or other locations assessed.*

## Glossary of Terms

### Term / Abbreviation Definition

AAP	Areas of Archaeological Potential comprise those areas within historic settlements which may require mitigating measures (which may include excavation) in the context of redevelopment.
AMR	An Annual Monitoring Report is a report that is published on an annual basis and reporting on amongst other things the extent to which the objectives of the local development plan are being achieved.
AONB	Area of Outstanding Natural Beauty is an area of countryside which has been designated for conservation due to its significant landscape value.
Areas of Constraint on Wind Turbines High Structures	Areas of Constraint on Wind Turbines and High Structure – These are areas which are designed to protect our most vulnerable and sensitive landscapes from the adverse visual impact of development involving high structures such as wind turbines and telecommunications development.
Areas of Constraint on Minerals Development	Areas of Constraint on Minerals Development protect the most valuable and vulnerable features of the natural environment and man-made heritage including areas of high scenic value from the adverse effects caused by the development of mineral resources.
AVC	Area of Village Character – a village which exhibits a distinct character normally based on its historic build, form or layout.
ASAI	
	Areas of Significant Archaeological Interest – Areas designated in order to protect not just the individual sites and monuments but the overall landscape settings within which they are located.
ASSI's	Areas of Special Scientific Interest Designated by Natural Environment Division, these protected areas that represent the best of our wildlife and geological sites that make a considerable contribution to the conservation of our most valuable natural places.
ATC	
	Areas of Townscape Character exhibit distinct character and intrinsic qualities, often based on the historic built form or layout in many of our cities, towns and villages.
Blue Infrastructure	Blue infrastructure includes ponds, streams and lakes (RDS 2035, Strategic Guidance RG11 'Natural Environment').
Brownfield Sites	This is sometimes referred to as Previously Developed Land being land that is, or was occupied by a permanent structure within a defined settlement limit. The term may encompass vacant or derelict lands, infill sites, land occupied by redundant or underused buildings, a piece of industrial or commercial property that is abandoned or underused and often environmentally contaminated.



Community Planning	Community planning involves preparing and implementing a community plan that will set the long term vision for the social, economic and environmental well-being of a Council area, with a focus on improving service delivery for the benefit of citizens. Part 10 of the Local Government Act (Northern Ireland) 2014 provides the high level framework 115 for the operation of community planning. It confers a duty on Councils to initiate, maintain, facilitate and participate in the process, a duty on community planning partners to participate in community planning, and a duty on departments to promote and encourage community planning and have regard to community plans in the exercise of their functions. The Council and its community planning partners must seek participation of the community and take their views into account in the community planning process. Defined under Section 66 of the Local Government Act (Northern Ireland) 2014.
DRC's	Dispersed Rural Communities are identified in the Magherafelt and Cookstown Area Plans. They are recognised under provision in PPS 21 and are defined as rural areas that display symptoms of economic and social disadvantage that may contain dispersed communities with a strong sense of identity.
EQIA	An Equality Impact Assessment examines the likely effects of policies and proposals on the promotion of equality of opportunity.
Green Infrastructure	Green infrastructure includes parks, green spaces and street trees (RDS 2035, Strategic Guidance RG11 'Natural Environment').
HGIs	The RDS identifies regional housing needs as Housing Growth Indicators across Northern Ireland. These are used as a guide for estimating future housing need in each of the District Councils.
Housing Needs Assessment	Housing Needs Assessment is an assessment by the Northern Ireland Housing Executive of local housing needs primarily in relation to general needs social housing, supported housing, travellers and affordable housing.
HRA	Under the provisions of the Habitats Regulations, plan-making authorities are required to undertake an Appropriate Assessment (Habitats Regulations Assessment) for any development plan (or development proposal) which either individually, or in combination with other plans or projects, is likely to significantly affect a European Site such as a SPA or SAC.
IE	Independent Examination - The Department will appoint the Planning Appeals Commission or other independent examiners to hold an IE. The IE will examine the Draft Plan Strategy against soundness tests which will relate to how the Plan Strategy has been produced, and how it has taken account of central government plans, policy and guidance, and also its coherence, consistency and effectiveness.
Key Transport Corridor	Part of the Regional Strategic Transport Network as defined in the RDS. There are 5 Key Transport Corridors throughout Northern Ireland.
LDP	The Local Development Plan provides a broad land use policy framework for the physical development of the District. When adopted, the Mid Ulster Local Development Plan 2030 will become the statutory land use planning document for the area.

LLPAs	Local Landscape Policy Areas consist of those features and areas within and adjoining settlements considered to be of greatest amenity value, landscape quality or local significance and therefore worthy of protection from undesirable or damaging development.
Local Nature Reserves	Local Nature Reserves are areas of land, designated by a District Council under Article 22 of the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985, to conserve its nature conservation, earth science and recreational value, with the primary land use being for conservation purposes.
LPP	The Local Policies Plan will be prepared once the Plan Strategy is agreed. It will focus on each town and villages by defining settlement limits, land use zonings, environmental designations, and introducing bespoke policies as appropriate to individual places.
MRPA	Mineral Reserve Policy Areas identify important mineral resources and protect them from surface development which may sterilise their future exploitation.
NIMDM	The Northern Ireland Multiple Deprivation Measure 2010 is the official measure of spatial deprivation in Northern Ireland.
NINIS 2014	Northern Ireland Neighbourhood Information Service aim to make small area information held within Central Government and Non-Departmental Public Bodies available to as wide an audience as possible. NINIS is one function of the Northern Ireland Statistics and Research Agency (NISRA), an Agency of the Department of Finance and Personnel.
NISRA	Northern Ireland Statistics and Research Agency is an Agency of the Department of Finance. NISRA is the principal source of official statistics and social research on Northern Ireland. These statistics and research inform public policy and associated debate in the wider society.
National Nature Reserve and Nature Reserve	Nature Reserves including National Nature Reserves are declared under the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985 – nature reserves can be of national (and sometimes international) importance. They are usually managed by the Department or by agreement with another Department, a District Council or a voluntary conservation body.
National Planning Policy Framework (NPPF)	Sets out the government’s planning policies for England and how they should be applied.
PAC	Planning Appeals Commission - an independent body which deals with a wide range of land use planning issues and related matters
Passive Solar Design	In passive solar design of buildings, windows, walls, and floors are made to collect, store, and distribute solar energy in the form of heat in the winter and reject solar heat in the summer.
Planning Strategy for Rural Northern Ireland.	The Planning Strategy for Rural Northern Ireland sets out planning policy for Northern Ireland across a range of topics. Most of the topics within the Strategy have been superseded by the various PPS’s or SPPS.
POP	The Preferred Option Paper is a consultation document, intended to promote focused debate on those issues to be addressed when preparing the LDP.

PRC	Primary Retail Core – Areas within town centres where the aim is to protect existing retail use and to promote the growth of retail.
PFG	Programme for Government - the highest strategic document of the Executive setting out priorities that will pursue in the current Assembly and the most significant actions it will take to address these.
Planning Agreement	A planning agreement is a legally binding agreement between a Council or the Department and the land owner / developer who has submitted a planning application.
PS	The Plan Strategy provides the framework for accommodating growth and managing sustainable development across the whole District.
Public Realm	The space between and around buildings that are publically accessible, including streets, squares, parks and open spaces. These areas and settings support or facilitate public life and social interaction.
Ramsar	A Ramsar Site is a wetland site designated of international importance under the Ramsar Convention of 1971 (in force since 1975).
RDS	The Regional Development Strategy 2035 is the spatial strategy of the NI Executive. Its purpose is to deliver the spatial aspects of the Programme for Government. It complements the Sustainable Development Strategy and informs the spatial aspects of the strategies of all Government Departments.
Ribbon Development	The building of houses along a main road, particularly a road leading out of a town or village.
Rural Proofing	Rural Proofing is to consider rural needs when developing, adopting, implementing or revising policies, strategies and plans and designing and delivering public services.
SACs	Special Areas of Conservation are strictly protected sites of European importance, recognised for the threatened habitats and species they support.
SA and SEA	The purpose of the Sustainability Appraisal is to promote sustainable development through the integration of social, environmental and economic considerations into the preparation of local development plans. It also incorporates the more environmentally focused considerations of Strategic Environmental Assessment.
SCAs	Special Countryside Areas -an area of countryside where it is proposed to provide a stricter policy control for those sensitive landscapes which merit special protection.
SCI	The Statement of Community Involvement outlines how a Council proposes to engage the community and stakeholders in exercising its planning functions. The document allows everyone to know with whom, what, where and when participation will occur in the planning process.

Shared Environmental Services	Provide expert advice to all Northern Ireland Councils on their legal obligations regarding their enhanced environmental responsibilities after the transfer of planning powers to local government. The primary role of the service is to carry out Habitats Regulations Assessments on planning applications and local development plans to assess their impact on European sites, mainly special areas of conservation and protection.
SLNCI	Sites of Local Nature Conservation Importance are identified within the process of preparing a development plan with policies provided in the plan for their protection and /or enhancement.
SPAs	Special Protection Areas Strictly protected sites of European importance, classified for their rare and vulnerable birds and for regularly occurring migratory species.
SPPS	The Strategic Planning Policy Statement is a statement of central government's policy on important planning matters that should be addressed across the whole of Northern Ireland.
Sustainable Development	Development that meets the needs of the present without compromising the ability of future generations to meet their own needs.
The Geological Survey Northern Ireland	The Geological Survey Northern Ireland is part of the Department for the Economy Northern Ireland (DfE). It is staffed by scientists of the British Geological Survey (BGS) under contract to DfE, which allows GSNI to call upon expertise from within other parts of the BGS.
The Sustainable Development Strategy (2010)	The NI Executive launched its new Sustainable Development Strategy, 'Everyone's Involved', on 27 May 2010. The strategy has been designed to provide a framework that can support and inform the decisions and actions taken by individuals, groups and organisations in progressing the sustainability agenda.
Urban Sprawl	As urban settlements continue to grow, they often start to encroach on the countryside and this is known as urban sprawl.
WWTS	A Waste Water Treatment Works is an area where waste is assembled and processed.
'Windfall' Development	Windfall development is potential future housing development on land not designated for housing within the urban footprint of towns.

## NOTES

A series of horizontal dotted lines for taking notes.











# **LOCAL DEVELOPMENT PLAN 2030**

## **– DRAFT PLAN STRATEGY**

**FEBRUARY 2019**



Comhairle Ceantair  
**Lár Uladh**  
**Mid Ulster**  
District Council