

Derry City & Strabane District Council

Local Development Plan

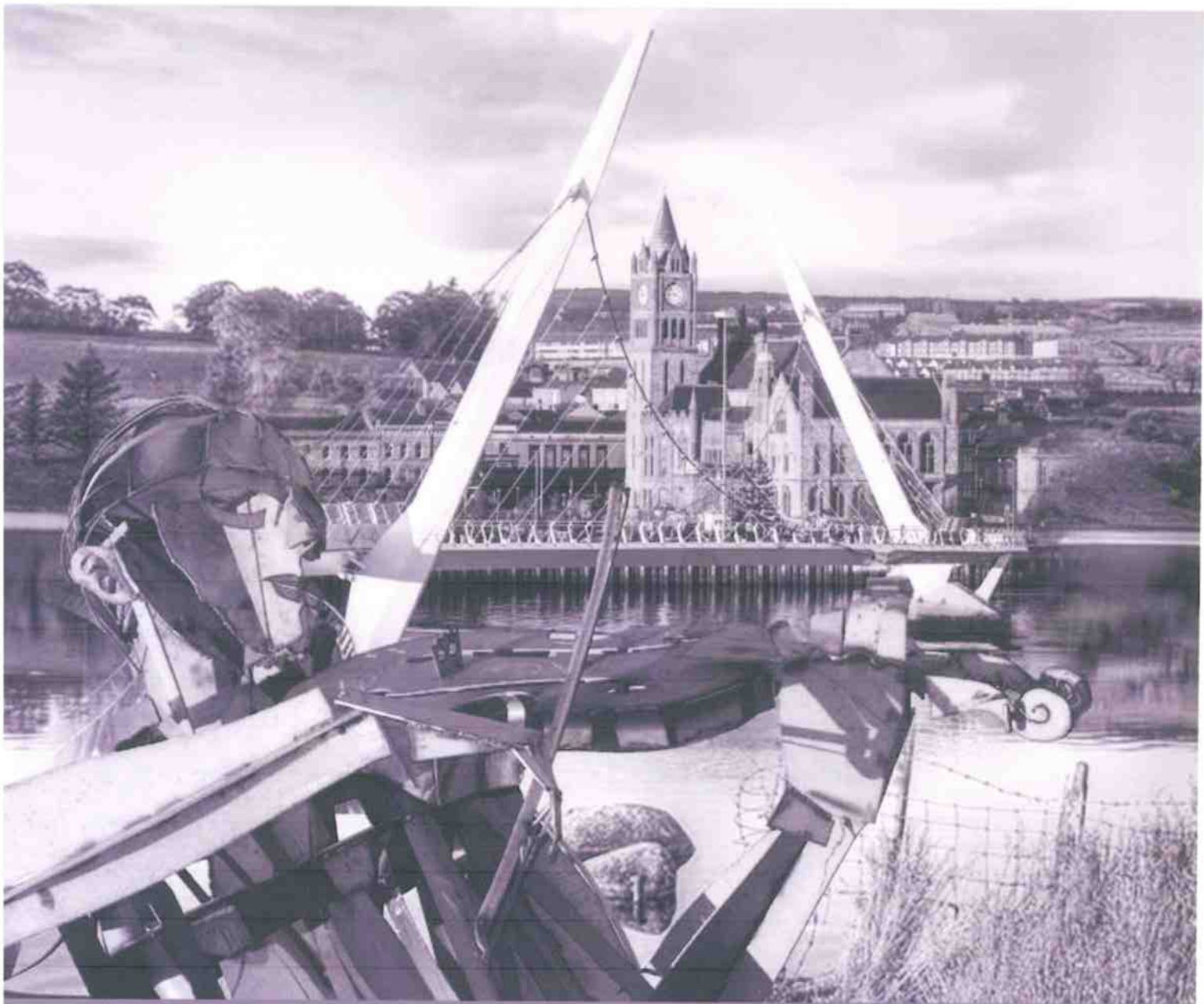
(LDP) 2032



**Representations Form for the LDP Draft Plan Strategy
& Associated Appraisal / Assessments**



December 2019



How We Are Consulting

The best way to submit a representation is by completing our online representations form:
<https://haveyoursay.derrystrabane.com/mkt/ldpconsultation>

Alternatively, complete this draft Plan Strategy Representations Form and either return by email to **LDP@DerryStrabane.com** or download a copy and post to:

**Local Development Plan Team,
Council Offices,
98 Strand Road,
Derry,
BT48 7NN**

Hard copies of the form will be available at the above address and our other main office at 47 Derry Road, Strabane, Tyrone, BT82 8DY. Please note that if you are making a representation in any other format, it must include the requested information set out in this form and address the Tests of Soundness

The draft Plan Strategy is published for formal public consultation for a period of eight weeks beginning on **Monday 2nd December 2019** and closing on **Monday 27th January 2020**. Please note that in order for comments to be considered valid, you must include your contact details. We will use these details to confirm receipt of comments and to seek clarification or request further information. Anonymous comments or comments which do not directly relate to the draft Plan Strategy will not be considered as part of the consultation process.

Section A: Data Protection

Local Development Plan Privacy Notice

Derry City and Strabane District Council is a registered data controller (ZA119397) with the Information Commissioner's Office and we process your information in accordance with the General Data Protection Regulation and Data Protection Act 2018 (GDPR).

Derry City and Strabane District Council only collects and processes personal information about you in order to fulfil our statutory obligations, to provide you and service users with services and to improve those services. Your personal information will be used to populate the LDP Representations Database.

If you wish to find out more about how the Council processes personal data and protects your privacy, our Corporate Privacy Notice is available at:

<https://www.derrystrabane.com/Footer/Privacy-Policy>

It contains the standards you can expect when we ask for, or hold, your personal information and an explanation of our Information Management Security Policy. All representations received will be published on our website and made available at our Local Planning Office, 98 Strand Road, Derry BT48 7NN, for public inspection and will be forwarded to the Department for Infrastructure (DfI) and hence to the Independent Examiner / PAC.

Why are we processing your personal information?

- To enable the preparation of the Council's Local Development Plan;
- To consult your opinion on the Local Development Plan through the public consultation process;
- To ensure compliance with applicable legislation;
- To update you and/or notify you about changes; and
- To answer your questions.

If you wish to find out more information on how your personal information is being processed, you can contact the Council's Data Protection Officer:

Data Protection Officer
47 Derry Road
Strabane
BT82 8DY
Telephone: **028 71 253 253**
Email: **data.protection@derrystrabane.com**

Section B: Your Details

Q1. Are you responding as an individual, as an organisation or as an agent acting on behalf of individual, group or organisation? (Required)

Please only tick one

- Individual (Please fill in Question 2, then proceed to Section C)
- Organisation (Please fill in the remaining questions in the section, then proceed to Section D.)
- Agent (Please fill in the remaining questions in the section, then proceed to Section E.)

Q2. What is your name?

Title

First Name (Required)

Last Name (Required)

Email

Q3. Did you respond to the previous LDP Preferred Options Paper?

- Yes
- No *BOOMHALL TRUST NOT FOUNDED AT THAT TIME*
- Unsure

Section C: Individuals

Address (Required)

Town (Required)

Post code (Required)

On completion, please proceed to Section F

Section D: Organisation

If you have selected that you are responding as an organisation, there are a number of details that we are legally required to obtain from you. If you are responding on behalf of a group or organisation, please complete this section, then proceed to Section F.

Organisation / Group Name (Required)

Your Job Title / Position (Required)

Organisation / Group Address (if different from above)

Address (Required)

Town (Required)

Postcode (Required)

On completion, please proceed to Section F

Section E: Agents

If you have selected that you are responding on behalf of another individual, organisation or group there are a number of details that we are legally required to obtain from you. Please provide details of the individual, organisation or group that you are representing.

Client Contact Details

Title / First Name (Required)

Last Name (Required)

Organisation / Group Address (if different from above)

Address (Required)

Town (Required)

Postcode (Required)

Email address (Required)

On completion, please proceed to Section F

Agent Contact Details

Title / First Name (Required)

Last Name (Required)

Organisation / Group Address (if different from above)

Address (Required)

Town (Required)

Postcode (Required)

Email address (Required)

On completion, please proceed to Section F

Q4. Would you like us to contact you, your client or both in relation to this response or future consultations on the LDP? Please only select one

Agent

Client

Both

Section F: Soundness

The LDP draft Plan Strategy will be examined at Independent Examination (IE) in regard to its 'soundness'. Accordingly, your responses should be based on soundness and directed at specific strategic policies or proposals that you consider to be unsound, along with your reasons. The tests of soundness are set out below in Section J.

Those wishing to make representations seeking to change the draft Plan Strategy should clearly state why they consider the document to be unsound having regard to the soundness tests in Section J. It is very important that when you are submitting your representation that your response reflects the most appropriate soundness test(s) which you believe the draft Plan Strategy fails to meet. There will be no further opportunity to submit information once the consultation period has closed unless the Independent Examiner requests it.

Those who make a representation seeking to change the LDP draft Plan Strategy should also state below whether they wish to be heard orally at the Independent Examination (Please see www.pacni.gov.uk for further details on the IE procedures.)

Section G: Type of Procedure

Q5. Please indicate if you would like your representation to be dealt with by: (Required)

Please select one item only

- Written (Choose this procedure to have your representation considered in written form only)
- Oral Hearing (Choose this procedure to present your representation orally at the public hearing)

Unless you specifically request a hearing, the Independent Examiner will proceed on the basis that you are content to have your representation considered in written form only.

Please note that the Independent Examiner will be expected to give the same careful consideration to written representations as to those representations dealt with by oral hearing.

Section H: Is the draft Plan Strategy Sound?

Your comments should be set out in full. This will assist the Independent Examiner to understand the issues you raise. You will only be able to submit further additional information if the Independent Examiner invites you to do so.

Sound

If you consider the Plan Strategy to be Sound and wish to support the LDP Plan Strategy, please set out your comments below.

GENERALLY SOUND WITH ONE EXCEPTION

Attach additional sheet(s) if necessary, but please be as clear and concise as possible.

Section I: Unsound

In this section, we will be asking you to specify which part(s) of the draft Plan Strategy you consider to be unsound.

Note: If you wish to inform us that more than one part of the draft Plan Strategy is unsound each part should be listed separately, and Sections J and K filled out for each separate part of the draft Plan Strategy. (i.e. if you believe that multiple parts of the draft Plan Strategy are unsound, please fill out multiple copies of Sections J & K.).

Q6. If you consider that the LDP draft Plan Strategy is unsound and does not meet one or more of the tests of soundness below, you must indicate which test(s) you consider it does not meet, having regard to Development Plan Practice Note 6 available at:

https://www.planningni.gov.uk/index/news/dfi_planning_news/news_releases_2015_onwards/development_plan_practice_note_06_soundness__version_2__may_2017_.pdf

Please note that if you do not identify a test(s), your comments may not be considered by the Independent Examiner. Continued on next page.

Section J: Tests of Soundness (Required)

State which Chapter / Policy / Paragraph / Map that this Section refers to:

PART E 21 NET PROPOSALS MAP 2

This should relate to only one section, paragraph or policy of the LDP draft Plan Strategy. If you wish to inform us that you consider more than one part of the LDP draft Plan Strategy is unsound, you can submit further representations by completing and submitting additional copies of this section.

Procedural tests

- P1. Has the plan been prepared in accordance with the Council's timetable and the Statement of Community Involvement?
- P2. Has the Council prepared its Preferred Options Paper and taken into account any representations made?
- P3. Has the plan been subject to Sustainability Appraisal including Strategic Environmental Assessment?
- P4. Did the Council comply with the regulations on the form and content of its plan and on the procedure for preparing the plan?

Consistency tests

- C1. Did the Council take account of the Regional Development Strategy?
- C2. Did the Council take account of its Community Plan?
- C3. Did the Council take account of policy and guidance issued by the Department

Coherence and effectiveness tests

- CE1. The plan sets out a coherent strategy from which its policies and allocations logically flow and where cross boundary issues are relevant, is it in conflict with the plans of neighbouring Councils.
- CE2. The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base.
- CE3. There are clear mechanisms for implementation and monitoring.
- CE4. The plan is reasonably flexible to enable it to deal with changing circumstances.

Section K: Which part(s) of the draft Plan Strategy are you commenting on?

This should relate to only one section, paragraph or policy of the LDP draft Plan Strategy. If you wish to inform us that you consider more than one part of the LDP draft Plan Strategy is unsound, you can submit further representations by completing and submitting additional copies of this section.

Relevant Chapter number(s)

PART E - ENVIRONMENT - STRATEGY, DESIGNATIONS + POLICIES

(and/ or) Relevant Policy number(s)

21. NATURAL ENVIRONMENT

(and/or) Relevant Paragraph number(s)

NE 7 DEVELOPMENT WITHIN AREAS OF HIGH LANDSCAPE IMPORTANCE
AHL'S

(and/or) District Proposals Map

PROPOSALS MAP 2: ENVIRONMENTAL

Please give full details of why you consider this part of the LDP draft Plan Strategy to be unsound, having regard to the tests(s) you have identified above. Please be as clear and concise as possible.

THE TERMS OF THE PROPOSED AHL DESIGNATION OF THE BODY OF LAND LYING ON THE WEST BANK OF THE FOYLE AND BOUNDED BY THE FOYLE BRIDGE APPROACH ROAD, THE M2 CULMORE ROAD AND THE SOUTHERN LIMIT OF CULMORE VILLAGE ARE NOT SUFFICIENT TO ENSURE THE PROPER PROTECTION AND CONSERVATION OF THIS UNIQUE LANDSCAPE .

* SEE ATTACHED SHEET

Attach additional sheet(s) if necessary, but please be as clear and concise as possible.

If you consider the LDP draft Plan Strategy to be unsound, please provide details of what changes(s) you consider necessary to make the LDP draft Plan Strategy sound.

THE TERMS OF THE PROPOSED AHL DESIGNATION SHOULD BE EXPANDED AND REINFORCED TO ENSURE THAT NO NEW DEVELOPMENT NOT ESSENTIAL TO THE RETENTION OR RESTORATION OF THE PRESENT LANDSCAPE CHARACTER, NATURAL AND BUILT, WILL BE PERMITTED IN THIS SPECIFIC CASE .

Attach additional sheet(s) if necessary, but please be as clear and concise as possible.

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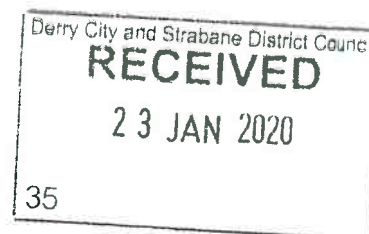
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Derry and Strabane District Council

LOCAL DEVELOPMENT PLAN 2032

Draft Plan Strategy



Comments by Boomhall Trust

The body of land lying on the west bank of the River Foyle and bounded by the Foyle Bridge approach road, the A2 Culmore Road and the southern limit of Culmore Village contains an unspoiled landscape of outstanding quality and interest, unsurpassed in any other Irish city of comparable size. Viewed from the River it forms an unbroken panorama composed of the gently rising and extensively planted grounds of four historic Country Mansions. Free of any significant urban intrusion, it is a historic designed landscape of unique landmark value to the city, unmatched in terms of its natural heritage, biodiversity, archaeology, distinctive architecture and social history.

In these circumstances the Boomhall Trust considers that it should be the unequivocal aim of planning policy to conserve and support the existing character of this landscape in all its various elements. Thus, in this specific instance, the terms of the proposed Area of High Landscape Quality designation should be expanded and reinforced to ensure that no new development which is not patently essential to the retention or restoration of the present landscape character will be permitted.

For the Attention of:

Planning LDP Team,

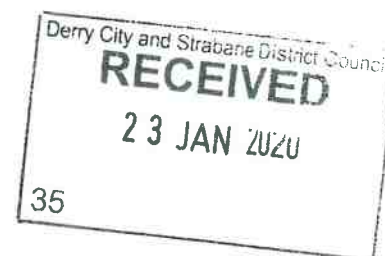
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In these circumstances the Boomhall Trust considers that it should be the unequivocal aim of planning policy to conserve and support the existing character of this landscape in all its various elements. Thus, in this specific instance, the terms of the proposed Area of High Landscape Importance designation should be expanded and reinforced to ensure that no new development which is not patently essential to the retention or restoration of the present landscape character will be permitted.

For the Attention of:

Planning LDP Team,

98 Strand Road,

Derry BT48 7NN