

Local Development Plan Team
Proinsias McMaughey
Planning Office
Derry & Strabane city Council
98 Strand Road
Derry
BT48 7NN.

Dear Proinsias,

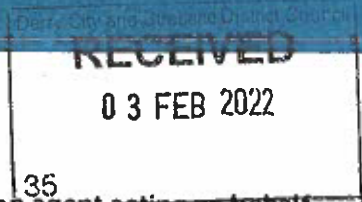
Submissions for Rep 85 and Rep 105 were made in response to the latest LDP draft Plan Strategy consultation to ensure that further representation could be made during Council's Plan making process from both these REPs.

Correspondence from Council to myself on 6th December advised that further comment could be made in relation to the proposed changes hence the submissions refer to test of soundness DPPN 10. Should these comments not be appropriate at this time and Council believe to be a late additional comment for REP85 I fully understand. Re Rep 105 simply reiterates one2one original submission focusing on the proposed changes.

Should you require any further clarification please do not hesitate to contact me

Kind Regards

Laura McCausland



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
- Unsure

Q4. Tick whichever is applicable:

- I / we wish to carry forward my previously submitted representation without adding anything further (Insert Rep Number if known)
- I / ~~we~~ do wish to provide additional / revised information to my / our previously submitted Representation (insert Rep Number if known)
- I / we did not submit a representation during the previous consultation period (December 2019 – January 2020) and now wish to submit a Representation during this Re-Consultation period.

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.

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 D Chapter 16 HOW 1, 2, 3

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 D CHAPTER 16 HOUS 1, 2, 3

(and/ or) Relevant Policy number(s)

SEE ATTACHED

(and/or) Relevant Paragraph number(s)

SEE ATTACHED

(and/or) District Proposals Map

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.

SEE ATTACHED

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.

SEE ATTACHED

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

Section L: **Sustainability Appraisal**

If you wish to submit an 'expression of opinion' in relation to the Sustainability Appraisal (SA) of the LDP draft Plan Strategy (incorporating the Strategic Environmental Assessment (SEA)) please state them below or by email to LDP@DerryStrabane.com. If sending by email, please clearly state that your comments are in relation to the SA.

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

Section M: **Draft Habitats Regulation Assessment (HRA or AA)**

If you have any comments or opinions in relation to the Draft Habitats Regulation Assessment (HRA) report of the LDP draft Plan Strategy, please submit them below or by email to LDP@DerryStrabane.com. If sending by email, please clearly state that your comments are in relation to the HRA.

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

Section N: **Draft Equality Impact Assessment (EQIA)**

If you have any comments or opinions in relation to the Draft Equality Impact Assessment (EQIA) report of the LDP draft Plan Strategy, please submit them below or by email to LDP@DerryStrabane.com. If sending by email, please clearly state that your comments are in relation to the EQIA.

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

Section O: **Draft Rural Needs Impact Assessment (RNIA)**

If you have any comments or opinions in relation to the Draft Rural Needs Impact Assessment (RNIA) report of the LDP draft Plan Strategy, please submit them below or by email to LDP@DerryStrabane.com. If sending by email, please clearly state that your comments are in relation to the RNIA.

PART D CHAPTER 16 HOW SEE ATTACHED

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

LDP-REP-85**Castleberg, Claudy and Newtownstewart****Which allocations or policies in the DPS are not sound?**

15% of the population are living in the countryside. Outside the larger population centres such as Derry and Strabane, the dispersed pattern creates challenges for service provision especially in the more rural and remote areas of the district. In relation to age, it is young and old people who tend to be most vulnerable. There tends to be more elderly people in the towns where there is a range of facilities including nursing homes, sheltered and other housing designed to meet their needs, together with better access to services. However, there are also many elderly people living in the countryside where access to services is more problematic, particularly in Strabane.¹

Planning needs to ensure that housing for the elderly is sited where it is accessible to local services and transportation. These services include health and other community facilities together with recreation and shops. A rising elderly population will also increase demand for health and community services, the development of which will also need to be accommodated.²

Castleberg, Claudy and Newtownstewart as 3 Local Towns to service the rural areas of the district; A wide number of Villages and Small Settlements, spread across the remainder of the district, to help ensure a vibrant rural area;³ 5.8 Whilst being informed by the Broad Evaluation Framework, RDS Hierarchy Wheel and population size, significant weight has also been given to spatial location and importance of settlements in relation to the wider rural areas they serve. It is therefore proposed to identify 3 Local Towns to service the more peripheral rural areas: Castleberg, Newtownstewart and Claudy; these are also 'rural service hubs' in line with the Council's Rural Development Programme. : Castleberg, Newtownstewart and Claudy.⁴

New rural policy in this LDP will provide opportunities for appropriate development in the countryside, so as to sustain vibrant rural areas and their communities.⁵

Part D Chapter 16 HOU 1 Housing allocation and Housing Lands and the Countryside

Derry is to be allocated the majority of housing with further opportunities afforded to settlement tiers and in the countryside. Whilst Para 16.16 the LDP Strategy for the strategic allocation of housing land sets the policy and allocation to meet future need (PC 126 Appendix 5) of the district it does not meet the test of for soundness per tests below;

- **C1 Compliance with RDS**

Furthermore, due to a lack of available smaller dwellings within Northern Ireland's social housing stock, many would be unable to move to a property with fewer bedrooms even if they were willing to do so; as a result, other mechanisms may be needed to incentivise social landlords to build additional smaller properties.⁶ Access to services must be provided to the demograghs in towns and settlements they serve identified broader trends and aging population whose access to these services and facilities is critical, settlements can't be defined bey population alone should the plan

¹ 13-EVB-2-Survey-and-Profile-of-District.pdf 5.11,5.12 p14

² 13-EVB-2-Survey-and-Profile-of-District.pdf 5.14 P15

³ 13-EVB-2-Survey-and-Profile-of-District.pdf p67

⁴ EVB-6-Spatial-Strategy.pdf 5.8 p28

⁵ 13-EVB-2-Survey-and-Profile-of-District.pdf p68

⁶ Comments on Housing Growth Indicators 2016-based -publication by NISRA October 2019 p10

continue to allocate housing on the basis of population density it does not provide flexibility to service growth and type of housing offering to meet the requirement of trends.

- **C3 Compliance with SPPS**

Housing in the countryside for ageing population is in appropriate, single rural dwellings isolate elderly demographics and are not sustainable development principles. Unit numbers should be reserved for the LLP stage. Smaller pockets of development expansions to accommodate this identified trend Para 16.19 (evidence base 16 para 2.35) may elevate urban sprawl preserving the countryside yet would strengthen existing rural communities with greater access to facilities and services.

- **CE3- Clear Mechanisms for Implementation and Monitoring**

HOU1 sets out the plan for how housing is to be zoned. HOU1 and HOU2 wording still is ambiguous as there is no clarification of what is a "small site", clarity of what constitutes "extreme". This wording does not create an opportunity for identified trends for aging population who would not be in the social/affordable market referenced in this section. What does Whiteland in HOU1 referring to regarding local towns.

- **CE 4- the Plan is reasonably flexible to deal with changing circumstances**

The plan fails to demonstrate that it has observed its evidence of aging population within rural areas and reduction in infill opportunities etc will make supplying this need impossible or realistic in the plans current form. There is no flexibility afforded to redirect housing to meet identified need other than that of social/affordable.

Conclusion

The Plan fails on soundness as outlined above. I would ask that RNIA Part d 16 Housing in Settlements and Countryside allow for more provision within Claudy serving other settlements and villages the Plan has identified be considered that A Small Expansion of the development limit East of Claudy to facilitated to provide suitable social/affordable housing also aligned with identified trends of an aging population and community facility and detail on the Local policy direction for Claudy be considered during the next stage.

Figure 3 Site option 2

