

22<sup>nd</sup> January 2021

Our Ref: C04360

Your Ref: LDP-PS-REP-18



Derry City & Strabane District Council  
 Planning Office  
 98 Strand Road  
 Derry  
 BT48 7NN

Dear Sir/Madam,

**Re: Counter Representation made in respect of representations made to the Derry City and Strabane District Council Draft Plan Strategy (DPS)**

This letter is submitted on behalf of our client, Foyle Port, and provides a response to representations made by others in respect of the Derry City and Strabane District Council Draft Plan Strategy (DPS).

### Foyle Port Comments

The Enagh Youth Forum have made numerous representations in respect to Foyle Port specifically. These are set out below:

#### **LDP-PS-REP-03D– Enagh Youth Forum**

I would like to place on record my concerns regarding paragraph 5:50 of the LDP.

*"In considering the future of the Port, an extensive representation was submitted at post POP stage in the form of a development framework setting out the long term plans for the area. Map 1 shows the extent of the study area for the Development Framework, referred to as the Harbour Development Zone in this plan. While LPHC do not control all the lands, any development within this area has the potential to impact upon or affect Port operations and therefore such lands are included within the Development Framework Plan (DFP). The extent of the study area is approximately 427 hectares (1,050 acres)"*

I would argue that in considering the above, council planning officers must also equally consider all of the recommendations outlined in the comprehensive 'Industrial Facilities, Health Impact Report' commissioned by Derry City Council in 2015 and carried out by Ben Cave Associates with particular emphasis on recommendation A. Link to report annex below.

<http://meetings.derrycityandstrabanedistrict.com/documents/s12120/Appendix%20%20health%20impact%20AN NEX.pdf>

As you will note Strathfoyle is a village located adjacent to the zone Figure 3 (Page 45 Draft LDP)

Enagh Youth Forum, the local residents and wider community of Strathfoyle have already made representations at the post PP stage outlining our strong requests for some of the lands that exist within this zone on Temple Road to be re-designated for social housing to help meet the identified needs of the local community and population. (See NIHE homelessness stats for Strathfoyle). This is an issue that has also been identified in the local community planning process and is already identified as a priority action within the Strathfoyle and Maydown village cluster plan.

What we are looking for is for council and the planners to explore this site in a much more detailed way than they have done to date, taking into consideration the needs of the local community and crucially providing the village with the opportunity to grow. Working with council and others we want to help make Strathfoyle a destination. We are already active in campaigning for the Waterside Greenway to extend out to Strathfoyle and we are fully supportive of the Into The West Rail lobby Groups proposals for Phase Three of further developing local rail infrastructure. However the need for more social housing in the local area is overwhelming and this must be considered. Our local community has every right to co-exist beside high industry (Lisahally/Maydown/Culmore) is the second most industrialized zone in all of Northern Ireland. Cancer clusters have also been identified and NINIS stats show that the local population are well above the NI average in terms of accessing multiple prescriptions.

**LDP-PS-REP-03I- Enagh Youth Forum**

Our vision is to make Strathfoyle and Maydown a destination. Plans are already underway for significant infrastructure projects that will help make this happen. It is essential that these projects are brought to fruition over the next few years. These include:

**1. Safe & Sustainable Travel**

A new Greenway extending the Waterside Greenway out to Strathfoyle and linking with Maydown through a new cycle path connecting Haw Road with Maydown Road and Maydown Village.

Once completed it would be possible to work with Foyle Port to extend the Strathfoyle Greenway to Foyle Port and enhance Foyle Ports existing wildlife area. This is something that Council officers should take on board. We also feel strongly that there is tourism potential in bringing to life the historical significance of Foyle Port (U-Boat Surrender etc).

**7. Land Zoning**

Derry Area Plan 2011: Zoning of lands between Strathfoyle & Maydown - Proposed Industry must be reviewed and re-designations for private and social housing developments, green space, community and recreational space considered.

We **disagree** with the above comments by Enagh Youth Forum, which include calling for more social housing close to or on the edge of the Port area and the promotion of a public greenway through the Port area. As the Council are aware, Foyle Port is a busy, working port and we anticipate port operations increasing over the coming years to redress the economic deficit in the region.

*Public Greenway*

Foyle Port would not object to extending the Waterside Greenway to Strathfoyle. However, from a health and safety point of view, a public greenway into and through the Foyle Port area, including Haw Road, is not acceptable or feasible. Given the existing and anticipated future heavy industrial processes undertaken at the Port, and the associated traffic coming to and from the Port area, the encouragement and facilitation of greater public use (especially by foot and/or cycling) will increase the risk of serious injury. Both the Strategic Planning Policy Statement (SPPS) and Planning Statement 4 (PPS4) guard against inappropriate development and/or uses that are incompatible with existing economic development uses. In particular, policy PED8 of PPS4.

On the basis of existing regional planning policy, the Council should not take forward any greenway that would be routed through the Foyle Port area as this would result in the Plan Strategy being contrary to the SPPS and therefore unsound.



### *Re-zoning for Social Housing*

Foyle Port strongly object to the de-zoning and/or re-zoning of existing employment/industry lands for social housing development. As demonstrated by the Port's Development Framework Plan, a comprehensive, long-term strategy has been developed to utilise the Port area for economic development and job creation. The loss of part of the Port lands to non-industrial and/or non-employment uses would jeopardise the Development Framework Plan.

Furthermore, any new social housing zoning that replaces existing industrial/employment zoned lands would be contrary to both the SPPS and PPS4. Paragraph 6.89 of the SPPS states:

*"It is important that economic development land and buildings which are well located and suited to such purposes are retained so as to ensure a sufficient ongoing supply."*

Housing in the suggested location would be incompatible with Foyle Port operations. New zonings for social housing would bring future residents closer to the Port and associated industrial works and processes. This will undoubtedly result in complaints regarding noise and odour from the Port, as residential and heavy industrial uses are not compatible land uses. In addition, new housing closer to the Port would also increase the risk of serious injury as residential traffic (both vehicular and pedestrian) comes into conflict with heavy industrial traffic.

Special Economic Development Areas (SEDAs) are identified within the Council's DPS and Foyle Port is identified as a SEDA. The DPS states that this strategic development area will facilitate expansion of the port, including opportunities for improvement of berthing and dockside facilities. It is said that other uses that would complement the port use and existing energy generation uses could be accommodated in this area. Furthermore, relevant draft planning policy is set out in Policy ED 1 (General Criteria for Economic Development), Policy ED 3 (Economic Development in Settlements) and Policy ED 4 (Protection of Zoned and Established Economic Development Land and Uses).

Should social housing be introduced to the area, it would be contrary to the Council's own draft policy direction, as set out above. For this reason, the suggestion of introducing new housing zonings in the area should be rejected.

### **Conclusion**

In summary, we disagree with comments made by Enagh Youth Forum, which propose social housing close to or on the edge of the Port area and promotes a public greenway around and through the Port area.

From a health and safety point of view, a greenway through Foyle Port is not acceptable, given the industrial processes at the port and traffic coming to and from the port area making it unsafe for pedestrians and cyclists.

Social housing in this location would be inconsistent with the SPPS and PPS4 'Planning and Economic Development' (PPS 4). Such a use is considered incompatible with the existing economic development

uses at the Port and the introduction of housing to the port area would prejudice its future operations and growth.

We fully support the inclusion of Foyle Port as a SEDA within the dPS and would encourage the Council to extend any future Port SEDA designation/zoning to cover the wider Port area as detailed in Foyle Port's Development Framework Plan.

We would also suggest that the Council considers a unique zoning/designation for the Foyle Port area that encourages appropriate uses, such as import/export operations and associated/supporting supply chains and associated uses. Again, the Port's Development Framework Plan (a copy of which has been provided to the Council) will hopefully assist the Council when considering this suggestion.

Yours sincerely,

**Gravis Planning**

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