

From:
Sent: 28 October 2020 10:37
To: Local Development Plan
Cc:
Subject: Representation Enclosed for Re-Consultation on LDP Draft Plan Strategy
Attachments: LDP Submissions Form Eglinton.pdf; Killylane Road Area Plan Submission Final Report October 2020.pdf; Appendix 1 Table 2 LDP.PDF; Appendix 2 Derry District 2018-2019 Housing Monitor.pdf; Appendix 3 Apex Support Letter.pdf

Follow Up Flag: Follow up
Flag Status: Completed

To whom it may concern,

Please find an attached representation (consisting of 5 documents) to be taken into consideration in the most recent consultation period from 11th September to 6th November 2020 on the LDP Draft Plan Strategy. The five documents are as follows:

- Completed draft Plan Strategy Representations Form
- Accompanying Explanatory Report
- Appendix 1: Table 2 of Appendix 5 of draft Local Development Plan
- Appendix 2: Housing Monitor Derry District as of April 1st 2019
- Appendix 3: Apex Housing Support Letter

Please take into consideration all documents enclosed.

Many thanks,



27th October 2020

Local Development Plan Team
Planning Office
Derry City and Strabane District Council
98 Strand Road
Derry, BT48 7NN

Dear Sir/Madam,

RE: SUBMISSION TO THE DERRY CITY AND STRABANE DISTRICT COUNCIL LOCAL DEVELOPMENT PLAN TEAM.

PROPOSAL TO HAVE APPLICANT'S LANDS AT KILLYLANE ROAD (IMMEDIATELY ADJACENT TO AND SOUTH WEST OF FAUGHANVALE PRESBYTERIAN CHURCH) INCLUDED WITHIN THE PROPOSED DEVELOPMENT LIMITS FOR EGLINTON VILLAGE IN THE NEW LOCAL DEVELOPMENT PLAN 2032.

We have been instructed by my client, WestCo. Developments Ltd, to make a formal submission to Derry City & Strabane District Council, Local Development Plan Team on their Draft Plan Strategy (DPS).

Our clients welcome the publication of the Derry City and Strabane District Council's Local Development Plan (LDP) – Draft Plan Strategy - and the progress the Council is making toward a Local Development Plan for the District but consider the statutory requirements of 'soundness' have not met the Procedural Tests, Consistency Tests and the Coherence & Effectiveness Tests. As some of the draft plan strategies are not 'sound', we therefore call for them to be amended.

We have also indicated lands on the Killylane Road, Eglinton and request Council include all, or any part of the subject site, as identified in red on the aerial photograph included below, within the village development limits of Eglinton.

1.0 SUMMARY:

- 1.1 This representation seeks to provide a detailed commentary on the overall soundness of the DPS and suggested amendments that should be made to a number of flagged policies.
- 1.2 Specific comments are included with respect to the soundness failings of Designation SETT 1, Designation SETT 2, Policy HOU 1, Policy HOU 2 and Policy HOU 5, as well as Designation GB 1.
- 1.3 Detailed coverage of relevant planning policy guidance, in relation to Eglinton, has been explored.
- 1.4 We explore the recommendation that Eglinton should be upgraded from 'village' to 'local town' status within the LDP settlement hierarchy and the reasoning for this.
- 1.5 We also provide specific comments with respect to the need for new housing land, specifically for the supply of much needed social housing, in Eglinton and the appropriateness of our client's lands.
- 1.6 Finally, we identify our client's lands as a rational rounding off for the settlement limit of Eglinton that will facilitate the delivery of much needed social housing dwelling units and therefore recommend the extension of Eglinton settlement limit to include these lands.

JUSTIFICATION:

- 2.0 DC&SDC LOCAL DEVELOPMENT PLAN 2017- 2032.
- 2.1 The LDP retains Eglinton’s designation as a village as outlined in the Derry Area Plan 2011 and furthermore it has been recognised as an *“important and attractive historic village”* due to its status as a tourism settlement.
- 2.2 Eglinton, as outlined in the LDP, has identified a housing allocation of 201 no. units to be delivered up until 2032.
- 2.3 Para 2.16 of the LDP elaborates upon the District’s ‘housing need’. NIHE figures for March 2019 indicated that there were 4, 510 applicants on the social housing waiting list for Derry City and Strabane, with 3,401 of those applicants in housing stress. Its further stated that the total number of applicants in housing stress has consistently increased year upon year from a figure of 1,031 in 2002, to 3,401 as of March 2019.
- 2.4 NIHE Derry and Strabane Housing and Investment Plan 2019-2023 indicates that the social housing need for Derry City and Strabane District is 2,744 units over a five-year timeframe (2018-2023) with other settlements requiring 132 units and Eglinton having a need for 45 new units over this period. This reiterates the current and projected need to ensure the delivery of suitable small-unit housing not only for families and single occupant households, but also for the ageing population and those with disability.
- 3.0 LDP EVIDENCE BASE 16: HOUSING IN SETTLEMENTS AND THE COUNTRYSIDE, DECEMBER 2019.
- 3.1 Upon reviewing LDP Evidence Base 16: Housing in settlements and the countryside, it was stated that the NIHE sought the retention of CTY5: Social & Affordable Housing (PPS 21) to allow for the exceptional development of a group of no more than 14 dwellings adjacent to or near a small settlement to provide social and affordable housing where it can be clearly evidenced that no suitable sites are available within the settlement limits. They considered it was important to have this specific policy flexibility within the LDP for such scenarios where a demonstrable need has been identified to ensure the LDP can react to and deliver for such need across the LDP period.
- 3.2 A further response from NIHE suggested that in some settlements, such as Eglinton, there may be a specific zoning or Key Site Requirements for an adequate amount of social housing to meet need over the plan period. Some rural areas that are particularly popular among social housing applicants are along the main A2, A5 and A6 arterial routes where relatively good transport links to the main urban centres are enjoyed. These housing areas include Sion Mills, Eglinton and Claudy. For this reason, demand for rural housing generally exceeds supply.

- 3.3 The principle of 'soundness' is the cornerstone of policy formation with regards to the local development plan.
- 3.4 Section 10(6) of the 2011 Act states that the purpose of the Independent Examination is to determine, with regards to the development plan document, whether:
- (a) It satisfies the requirements of sections 7 and 8, or as the case may be, sections 7 and 9, and any regulations under Section 22 relation to the preparation of development plan documents.
 - (b) It is **sound**.
- 3.5 The NI Planning Act 2011 does not define the meaning of 'soundness' however, Development Plan Practice Note (DPPN) 6 – Soundness 2017, suggests that the term may be interpreted in the context of its ordinary meaning of 'illustrating good judgement' and 'able to be trusted'.
- 3.6 DPPN 6 goes on to state that the tests of soundness are based upon three categories that relate to the following:
- How the development plan document has been produced.
 - The alignment of the development plan document with central government regional plans, policy, and guidance.
 - The coherence, consistency, and effectiveness of the development plan document.
- 3.7 DPPN 6 advises that the principle of 'soundness' involves testing the principles, content and preparation processes involved in the formation of the development plan document against a key list of criteria. Namely:
- Procedural Tests
 - Consistency Tests
 - Coherence and Effectiveness Tests
- 3.8 Whilst the test of soundness is based on the above 3 categories, there is a degree of overlap of the criteria specifications to be met in each test. The purpose of the Independent Examiner is to determine how the development plan document meets each test and whether the document is sound as a whole.
- 3.9 With regards to making representations to Council in relation to the draft plan document, DPPN 7 states that '*representations should provide evidence to demonstrate why the draft PS is unsound and/or how any proposed changes make the draft PS more sound*'.
- 4.0 Designation SETT 1 – Settlement Hierarchy

4.1 The Draft LDP Plan Strategy comprises of 47 settlements including Derry City, Strabane Town, 3 Local Towns, 23 Villages and 19 Small Settlements as indicated on the Table below:

Designation SETT 1: Settlement Hierarchy for DC&SD, LDP 2032

City	Derry
Main Town	Strabane
Local Towns (3 No.)	Castlederg, Claudy, Newtownstewart
Villages (23 No.)	
Andrath	Allen
Angaryn	Blisler
Ballymagarity	Letterkenny
Crady	Magheramason
Cranaugh	Newbuildings
Crinmore	Park
Donemana	Plumbridge
Eglinton	Sean Mill
Erganagh	Spanduff
Grebe	Strathfoyle
Leamishan	Victoria Bridge
Killea (part – rest is in ROI)	
Small Settlements (19 No.)	
Aghabrack	Drumleagh
Aghyran	Garvetagh
Ardmore	Garshodan
Ballyrory	Killalee
Bready	Maydown
Campsey	McDon's Cornet
Cloghcor	Straidarran
Craigbane	Tammanerin
Donaghready	Tullintrain
Douglas Bridge	

4.2 As indicated above, Eglinton has retained its status as a village in the new DPS under the fourth tier of the settlement hierarchy.

4.3 Eglinton was first designated as a village in the settlement hierarchy of the DAP 2011.

4.4 A village, as defined by the Local Draft Plan 2032 is as follows:

- *“The fourth tier on the proposed hierarchy are ‘Villages’. These settlements are often quite ‘sustainable’ and can be fairly self-sufficient, characterised by having a cluster of services such as a primary school, good local shop(s), pub(s), doctors, varied community facilities, play areas, etc. The type of services listed are those that normally service the immediate local population (several miles radius) and tend to be clustered around a well-defined core which offers a range of retail services.”*
- *“The third proposed tier will be for ‘Local Towns’, to take into account the local importance of a number of settlements throughout the District, particularly given their spatial location and where they serve a wider rural area in terms of service provision. It is therefore proposed to identify 3 Local Towns to service the more peripheral rural areas: Castlederg, Newtownstewart and Claudy; these are also ‘rural service hubs’ in line with the District’s Rural Development Programme. It is proposed to re-classify the current Local Town of Sion Mills to a Village, given its current character, role and historic evolution, along with the context of its strategic function close to Strabane”.*

- 4.5 Eglinton lies at the southern end of the flat land of the Foyle estuary some 11 kilometres east of Derry-Londonderry and approximately 1 kilometre off the A2 Derry-Londonderry to Limavady Road. Killylane Road connects the settlement of Eglinton Village with the Clooney Road (A2).
- 4.6 Population density is calculated to be 200 persons and above per sq. km. Statistics for Eglinton (*sourced from the LDP 2017-2032*) illustrate that the settlement has an approximate total of **1,365 households** with a **resident population of 3,679**.
- 4.7 Eglinton provides a broad range of facilities and services which are found in the definition of **‘main town centre uses’** in the SPPS and which function as a focus for the local community.
- 4.8 Eglinton should be upgraded and included as a ‘Local Town’ in the new Draft Plan Strategy as it has clearly outgrown its village status due to its Settlement Hierarchy-Related Infrastructure, Number of Households, Population, its position within the District on its eastern boundary with Causeway Coast & Glens Council District, and the services it offers to the settlements of Maydown, Tamnaherin, Lettershandoney, Greysteel and the large industrial areas of Campsie and Maydown, as well as the good road infrastructure both to and from Derry City Airport and the City itself.



Table 7: Settlement Hierarchy-Related Infrastructure

Infrastructure	Principal City (Derry)	Main Town (Strabane)	Local Towns	Villages/Small Settlements
Education	University		Library, post-Primary	Nursery, Primary
Health	Acute Hospital, A& E, Maternity		Pharmacy, Health, Funeral, Social Care, Day Care, Day Centres	Dental, Ambulance, Maternity, Surgery
Cultural	Museums/Galleries, Conference/ Concert Arena		Community Centre, Club, Family Welfare Service	Local Pub, Club
Energy and Environment	Power Generation, AONB/ASSI		Recycling, Renewable, Water & Sewers Supply	Renewable, Water, Sewage disposal
Commercial	Department Stores, Specialist Shops, Arts & Cultural Facilities	Shopping Centres, Retail	Supermarket, Restaurants, Mix of Retail, Offices	Shop, Pub, Post Office, Petrol Station
Justice	Police HQ, High Court, Prison Forensic Science	Courts, Court House	Police Station	Magistrates Court, Welfare
Productive	Tourism Signature Projects, Science Centre, Major Industrial parks, Strategic Development Zones	Industrial Park, Tourism Office	Enterprise Centre, Transnational Office	Workshop, Retail, Light
Networks	Ports & Airports, Key Transport Nodes, Energy Generation Interconnector	Local Roads, Rail, Ferry, Air, Bus	Link Corridors, Local Roads, Bus Stops, Bus Parks, Transport Centres	Local Roads, Footpaths, Transport, Lighting, Local Bus, Cycle

Figure 10: Settlement Hierarchy-Related Infrastructure (Source: LK) (2017)

4.9 Eglinton is spread across 2 Super Output Areas (SOAs). The following were key findings for each of the SOAs (Population statistics are based on 2017 estimates with all other data based on 2011 Census Data):

4.10 **Eglinton 1 SOA Community Profile:**

- Population – 1724 residents; between 2007 and 2017 the population of Eglinton 1 SOA decreased by 101 people or 5.5% (compared to NI increase of 6.2%).
- 18.37% of population were aged 65 and over.

- 23.62% of people had a long-term health problem or disability that limited their day to day activities.
- 11.43% of households were comprised of a single person aged 65+ years.

4.11 Eglinton 2 SOA Community Profile:

- Population – 2626 residents; between 2007 and 2017 the population of Eglinton 2 SOA increased by 57 people or 2.2%.
- Younger average age profile of 34 compared to Eglinton 1 SOA of 45.
- 8.27% of population were aged 65 and over.
- 15.67% of people had a long-term health problem or disability that limited their day to day activities.

4.12 Deprivation: (Range 0= Most Deprived, 890=Least Deprived)

- **Income Deprivation:**

Eglinton 1 SOA = 310 lies within the top 14% most deprived areas in NI.

Eglinton 2 SOA = 510 sits within the bottom 50% most deprived.

- **Employment Deprivation:**

Eglinton 1 SOA = 348

Eglinton 2 SOA = 553

- **Access to Services Deprivation:**

Eglinton 1 SOA = 249

Eglinton 2 SOA = 269

Both SOAs lie within the top third most deprived areas in NI in relation to access to services

4.13 According to the settlement hierarchy Eglinton should have been upgraded to a town prior to, or in preference to Claudy, which was designated as a 'village' in the Derry Area Plan 2011 and upgraded to a 'local town' in the DPS.

4.14 No justifiable, coherent, or robust evidence has been provided to upgrade Claudy to a town in preference to Eglinton, which is superior in all sectors as illustrated on the tables below:

Settlement	Share of Housing Requirement (9,000) by % Households	Service Level	WWTW (Treatment Capacity only. Subject to Change)	Spatial Strategy Status	Indicative Potential for more Housing post-April 2017	Indicative Share of District's Housing 2017 - 2032	Approximate Current Housing Capacity
Ardswee	1%	Medium	Excellent	Close to A5	Low	15	136
Bohemian	4%	High	Good	Close to A2 & A6	High	75	809
Blackburnham	4%	High	Good	Close to A5 & A6	High	70	847
Clady	6%	High	Good	Close to A6 & A7	High	60	710
Clonsilla	5%	Low	Limited	Remote Rural	Medium	15	98
Coleraine	12%	High	Good	Close to A6	High	140	256
Lisnabreena	4%	High	Excellent	Remote Rural	Low	50	271
Eglinton	20%	High	Good	Close to A2 & Derry	High	154	167
Erasmagh	3%	Medium	Good	Remote Rural	Medium	32	55
Total							
Castlederg	20%	High	Good	Remote Rural	High	227	794
Clonoy	7%	High	Good	Close to A6	High	107	543
Blackburnham	10%	High	Good	Close to A6	High	128	519

Tables sourced from Draft LDP – Appendix 5.

- 4.15 Council are encouraged to reconsider the status of Eglinton and upgrade to a 'local town' in the LDP for the district. The robust evidence would suggest Eglinton is located in easy accessibility to both the Derry – Coleraine A2 and Derry to Belfast A6 roads. It has a population of 3679 persons and 1365 households and offers all of the town standard services as set out in the settlement hierarchy.
- 4.16 The evidence would also suggest that Eglinton is superior to the three other designated towns which all have lower households' numbers, population numbers, access to services and infrastructure.
- 4.17 We would therefore deem Designation SETT 1 to be unsound in relation to Test CE2 and Test CE4 as the LDP has not logically applied the relevant settlement status, as per their own definition, to the settlements of Eglinton and Clady.
- 5.0 DESIGNATION SETT 2 – Development within Settlement Development Limits.
- 5.1 Designation SETT 2 provides each indicated settlement, in the settlement hierarchy, a settlement development limit, beyond which there will be presumption against further urban development (subject to development in accordance with the other relevant policies).
- 5.2 The current development limits in the DAP 2011 and SAP 2001 will remain in place and continue to guide development until they are reviewed and adopted in the LPP.
- 5.3 We would suggest that Designation SETT2 fails soundness tests with regards to CE 2 and CE4.

- 5.4 It is not founded on a robust evidence base that illustrates the rationale employed nor is it flexible enough to accommodate changing circumstances over the LDP lifespan.
- 5.5 The vast majority of housing zones are either built out to capacity or already have planning approval where there is no requirement to provide social housing. Thus, a current assessment of the existing and future social housing need of these areas, covering the duration of the plan period to 2032, is required.
- 5.3 Paragraph 16.13 states *“In addition to the significant number of existing housing commitments, land has been identified for housing on ‘urban capacity’ and ‘whiteland’ sites, plus an allowance for ‘windfall’ dwellings within our District’s settlements. These figures are rounded and summarised in Table 2 below. It is clear that there is ample ‘housing land’ available within the District’s settlements, when compared to the number of houses required over the LDP lifetime”.*
- 5.4 See Table 9 below which provides a summary of land for delivery of housing in the district’s settlements at 2017:

Table 9: Summary of Land for Delivery of Housing, in District’s Settlements, at 2017³⁵

Settlement Tier (47 No.)	Commitments on Zoned Housing Land		Other Commitments (outside Zonings)		Approx. Urban Capacity & Whiteland ³⁴		Additional Windfall Potential ³⁵	Total Dwellings Capacity
	Units	Ha	Units	Ha	Units	Ha		
City	8,000	400	1,500	44	2,500	125	600	12,600
Main Town	300	20	200	9	1,000	33	75	1,600
Local Towns	700	40	400	24	400	16	75	1,575
Villages	160	9	2,200	130	1,400	93	190	3,760
Small Settlements	-	-	330	30	600	40	45	930
Total	9,160	469	4,630	237	5,900	307	985	20,500*

Source: DEBSDC Housing Monitor, Urban Capacity Study & Windfall Study. *Rounded figures

- 5.5 The draft LDP states that it will seek to manage the District housing by:
- a. Zoning (by defining and refining) the committed housing land and prioritising sites, using phasing to focus on early delivery, in the city and towns;
 - b. **Not zoning additional land for housing generally;**

- c. Identifying additional housing land on brownfield sites and otherwise in sustainable, accessible and central locations;
- d. ***Zoning additional housing lands only in an exceptional circumstance, where a specifically identified local need, and lack of alternative lands, is robustly evidenced. These sites should also be sustainable, accessible and central locations as far as possible;***
- e. Within villages and small settlements, identify and manage the priority housing areas for early delivery, at appropriate density levels;
- f. Managing the amount, type and location of dwellings outside of settlements through Policies HOU 18 to HOU 26; and
- g. By actively monitoring the amount, type and location of all dwellings being

5.6 Council are encouraged to review the following restrictive policies in order to accommodate the growth and housing need for the District over the plan period:

- Criterion (b) *Not zoning additional land for housing generally; &*
- Criterion (d) *Zoning additional housing lands only in an exceptional circumstance, where a specifically identified local need, and lack of alternative lands, is robustly evidenced. These sites should also be sustainable, accessible, and central locations as far as possible.*

5.7 These policies are overly restrictive and damage the overall housing growth of the District in the long term by focusing growth mostly in the larger towns and cities which is detrimental and disproportionate to smaller towns, settlements, and villages.

5.8 In order to deliver the realistic housing lands within the Council area we would suggest that they revisit the housing allocations and settlement development limits so that housing lands can be identified within villages and small settlements.

6.0 Housing Allocations Provision & Available Lands:

- **HOU 1 Strategic Allocation and Management of Housing Land – Zoned Housing Land and LUPAs Part (b) Villages and Small Settlements.**

6.1 This policy states that exceptions will be made for social housing, in relation to land located outside Land Use Policy Areas (LUPAs), where a Housing Association demonstrates a need within a settlement that cannot be met inside a LUPA.

6.2 Housing provision in the District's settlements will be reflective of the LDPs overall Strategic Growth Plan, Spatial Growth Plan and Settlement Hierarchy. The Council will strategically allocate and manage housing for 9,000 new homes for the LDP period.

6.3 Council confirm that in many of our settlements, the number of existing commitments is sufficient to meet the housing requirement up to 2032 and even beyond. It will only be after these commitments are delivered that a requirement will emerge for the phased release of selected sites for housing.

Table 8: Indicative Allocation of Housing in DC&SDC by Settlement Tier 2017-32

Settlement Tier	% Share of District's Households	% Share of District's Population	Proposed Indicative % Share of Requirement	Proposed Indicative Number of Dwellings
City	57.9%	55.3%	55 - 65%	4,950 - 5,850
Main Town	9.2%	8.8%	8 - 10%	720 - 900
Local Towns	4.2%	3.9%	3.5 - 4.5%	315 - 405
Villages	13.7%	14.1%	12 - 14%	1,080 - 1,260
Small Settlements	1.8%	1.8%	1.5 - 2%	135 - 180
Countryside	13.1%	16.2%	12 - 16%	1,080 - 1,440
				c. 8,300 - 10,000 c. 9,000 average

- 6.4 We would suggest that Policy HOU 1 is to be considered unsound as it fails to meet the requirements of Test CE2 and Test CE4.
- 6.5 As part of the LDP Evidence Base, Settlement Appraisals have been undertaken, based upon the RDS evaluation framework which takes account of the following six tests:
1. Resource Test
 2. Environmental Capacity Test
 3. Transport Test
 4. Economic Development Test,
 5. Urban/Rural Character Test and
 6. Community Services Test.
- 6.6 These test figures for each village/settlement are not made available by Council for viewing but Table 2 of Appendix 5 (*copy attached*) uses this settlement evaluation information, plus the LDP Spatial Strategy, in order to produce an indicative allocation of houses for that settlement over the LDP period.
- 6.7 In nearly all settlements, there is 'ample' housing land capacity, so the LDP is confident that the indicative numbers of dwellings can be delivered. We would contend that the majority of existing housing land capacity, as listed within existing settlement, is not available for housing or has historical problems attached rendering them unavailable to meet the future housing need in the area.
- 6.8 The LDP Plan Strategy and Local Policies Plan seek to manage the settlements' housing land supply.
- 6.9 Table 9, below, indicates a total of 9160 new homes for the Council District over the plan period. The figures as set out on Table 9 would advise that taking account of existing housing commitment inside and outside of development sites, urban capacity and windfall potential sites, the district has the capacity to 20,500 new homes; over twice the required figures.

Table 9: Summary of Land for Delivery of Housing, in District's Settlements, at 2017³³

Settlement Tier (47 No.)	Commitments on Zoned Housing Land		Other Commitments (outside Zonings)		Approx. Urban Capacity & Whiteland ³⁴		Additional Windfall Potential ³⁵	Total Dwellings Capacity
	Units	HA	Units	HA	Units	HA	Units	Units
City	8,600	402	2,500	44	25	25	600	12,600
Main Town	500	20	200	9	10	3	75	1,600
Local Towns	700	30	160	24	30	6	7	1,575
Villages	160	0	2,200	170	1,400	13	190	3,760
Small Settlements	-	-	330	30	60	40	45	950
Settlements Total	9,160	469	4,630	237	5,950	307	985	20,500*

* 2017 - 2022 - Planning Monitor Green Capacity, 2017 - 2022 - 2017 - 2022 - 2017 - 2022

- 6.10 The figures, above, express that the District has sufficient lands availability for a potential of 13,960 housing units on 706HA of committed housing sites to address the housing need for the District over the plan period.
- 6.11 The Urban Capacity Sites and Windfall Sites are very speculative and most likely not available for housing; therefore, they should be omitted from the figures as they can't be relied on for the delivery of housing over this plan period. The Urban Capacity Sites account for **6885** housing units or **33.58%** of the total dwelling capacity.
- 6.12 Appendix 5 – Housing Allocation Table indicates that Eglinton has **1365** households, **3679** population and its share of the housing allocation by households is 201 minus the councils housing capacity figure of **187 homes (Appendix LKP1)**. This requires housing lands for 14 new homes over the plan period, which is 12 years, and totally unacceptable for a village of this scale and nature with well-known historical problems for housing land and home delivery.
- 6.13 Council housing allocation on '*planned growth*' scenario is to restrictive and should be done on the '*potential growth*' scenario which would provide sufficient lands to accommodate and facilitate the potential of between **11,000 – 15,000 new homes** and the creation of between **16,000 – 18,000 jobs** with services and infrastructure to accommodate up to **170,000 people**.
- 6.14 These figures would redistribute growth to settlements, including the villages and small settlements, by up to 14% - increasing the housing provision for Eglinton by **28 units** taking the total from **201 units** (share of household population) to **229 housing units**.
- 6.15 Council's Housing Monitor Sites in the Derry District, as of 1st April 2019, (**Appendix LKP2**) indicate Eglinton Village has 667 units completed with remaining potential of **71 units**. Not

187 units as indicated in Table 2 of Appendix 5 of the LDP. I note that no map has been provided of the potential remaining **71 units** within the Village for assessment.

- 6.16 We have carried out an indicative assessment of remaining capacity sites in the village and believe the true figure to be **45 units**; 39 units on the Carmoney Road (currently on market for 2 years for sale), 4 units on Main Streets and 2 units within Madison Avenue (approved but never built due to restrictions on the lands).
- 6.17 Taking potential growth on potential figures would estimate a potential for 229 housing units minus committed housing sites in the village (45 units) requiring sufficient available housing lands to provide **184 housing units** over the plan period. In addition, the NIHE have indicated a requirement to provide 45 social housing in the Village from 2019 – 2024 where no sufficient land is available.
- 6.18 To resolve the social housing need Apex Housing Association, together with a local developer, have recently submitted a planning application on Killylane Road, Eglinton for 24 social housing units (*Planning Reference: LA11/2020/0708/O*) to accommodate some of the overwhelming social housing need for the village. Apex Housing Association state they are in support of the proposed social housing development proposal, particularly as there is a historical shortfall of development land within the settlement limits of Eglinton, to meet this need. (**Appendix LKP3 - Apex Housing Association Supporting Letter**).
- 6.19 For the reasons set out above, we request Council include the lands, highlighted below on the aerial photograph, into the settlement development limits of Eglinton to accommodate the overwhelming social housing need of the village.

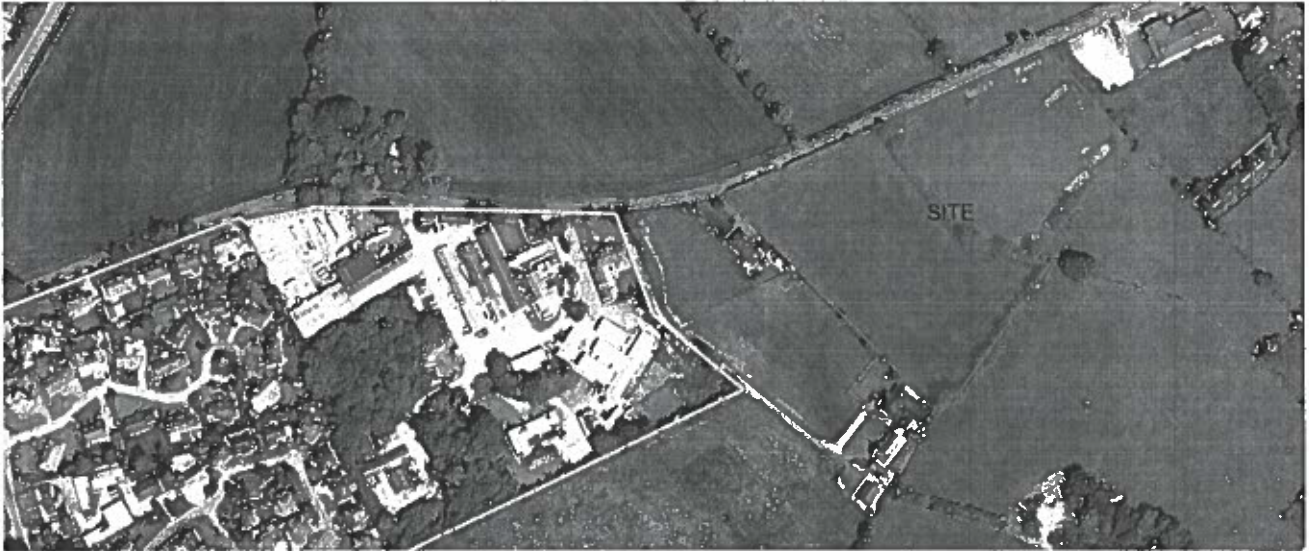
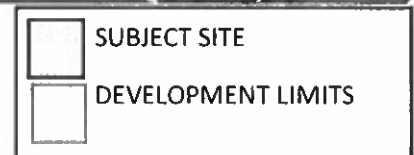


Figure 1: Aerial photograph of subject site



6.20 This proposed development falls under the **exception to the phased approach** as outlined in Para. 16.24 whereby the Council has acknowledged that there may be an evident shortfall between the District's very high social housing need versus a very specific shortage of housing land. We would like to highlight that Eglinton village is indeed one of these areas whereby it is necessary to permit additional housing lands, outside of settlement development limits.

6.21 We would also question Policy HOU1 as the number of existing commitments/land capacity within the District / Eglinton is insufficient to deliver the housing requirement in the plan timeframe of up to 2032.

- **HOU 2 Strategic Allocation of Housing in Settlements – Other than Zoned Housing Land and LUPAs**

7.0 This policy states that it is the intent of the LDP that all new housing development will be delivered on previously committed sites or within the existing development limits. The policy promotes the development of new housing on appropriate vacant and underutilised land in order to contribute to the regional target for 60% of new housing to be located in appropriate 'brownfield' sites.

7.1 A brownfield site, as defined within the LDP, is a site within a settlement limit which is or was occupied by a permanent structure. We wish to draw attention that the application subject site (although outside the existing development limits by an approximate distance of

150m) is a brownfield site of which permitted development would assist in returning the derelict site to a productive use and would therefore reduce the need for development on existing undeveloped sites. Furthermore, as previously stated, there is an identified housing need in Eglinton village, justifying the inclusion of this brownfield site within settlement development limits.

7.2 We would deem Policy Hou 2 unsound as it does not meet the requirements of soundness tests CE2 and CE4 in relation to being based on a robust evidence base and as having the flexibility to accommodate for changing circumstances in the LDP lifespan.

- **HOU 5 Affordable Housing in Settlements**

8.0 This policy states that planning permission will be granted for a residential development scheme, of, or including, 10 or more residential units; or on a site of 0.5 Ha or more, where a minimum of 10% of units are provided as affordable housing.

8.1 We would deem Policy HOU 5 unsound as it does not meet the requirements of soundness Test CE 2 and Test CE 4. It is not based on a robust evidence base nor is it reasonably flexible to deal with changing circumstances.

8.2 Affordable housing is defined within the LDP in Para. 16.53, and relates to social rented housing and intermediate housing. As it is social rented housing that is relevant to our proposal, the following definition is therefore relevant; “Social Rented Housing is housing provided at an affordable rent by a Registered Housing Association; that is, one which is registered and regulated by the Department for Communities as a social housing provider.”

8.3 The proposed development consists of 100% social housing units. As previously stated, an acute localised need as illustrated in current NIHE figures is apparent in the settlement of Eglinton. The proposed development will be in keeping with the RDS agenda of the provision of more affordable housing in the pursuit of strong and balanced communities.

8.4 The LDP acknowledges that there is a significant demand for social housing within the District and that the total new-build social housing need for the period 2017-2032 is 4,750 units. The LDP states that approximately 4,400 units of the required Social Housing Need will be delivered through existing housing sites or via remaining housing zonings however, this leaves a residual of 350 units for which suitable land needs to be sourced. We would therefore put forward our proposed site as a suitable location to deliver and address the much-needed social housing requirement in Eglinton settlement.

8.5 One of Eglinton’s key issues was in relation to housing provision and, in particular, the need for more social housing and affordable housing options. This was flagged as a **priority action**. Key physical improvements flagged included the need for facilities specifically for young

people, sport and leisure facilities, a community building/hall, and additional shop or business units.

- 8.6 The Strategic Growth Plan Para. 2.11 states that a priority for the cluster is to:
“input into the legislative Local Development Plan (LDP) process (both Plan Strategy & Local Policies Plan) being undertaken by DCSDC and provide appropriate and sustainable evidence in support of perceived need for additional housing/ tenure types to meet local needs”.
- 8.7 This has been flagged as priority level 2 for the Eglington and Campsie Cluster and will be further explored in this document.
- 8.8 Paragraph 29.2, of the LDP states...Planning permission will be granted for development proposals within local towns, provided they are of a high standard and:
- are sensitive to and make a positive contribution to the character of the settlement;
 - are in keeping with the size and character of the settlement;
 - do not lead either individually or cumulatively to a loss of amenity;
 - respect the opportunities and constraints of the specific site and have regard to the potential to create a new sense of place through sensitive design;
 - comply with all other relevant LDP policies and in particular GDPOL 2
- 9.0 Designation GB 1 Green Belts:
- 9.1 The LDP designates a Green Belt around Derry City and Strabane Town in which Eglington is included.
- 9.2 Designation GB 1 states that “development will be strictly managed and, apart from a limited number of uses, there will be a clear presumption against any new use of land which might create a demand for more buildings”.
- 9.3 The lands of the proposed site lie approximately 170m to the east of the current development limit as set out in the DAP 2011. They are not located within the Area of Townscape Character nor the Area of Local Nature Conservation and Amenity Importance, but they are located within the Green Belt.
- 9.4 Para. 16.25 states that “development proposals for housing on ‘greenfield sites’ that are within the settlement limits will not normally be approved as they would undermine the LDP strategy for housing allocation.” The proposed subject site, although located within the green belt, is not strictly considered to a greenfield site. The site can be defined as a brownfield site due to its previous use as a camp base.

- 9.5 We would deem Policy Designation GB 1 to be unsound as it does not meet the requirements of soundness Test CE2 and Test CE4 as it is too restrictive and therefore not equipped to be flexible enough to deal with changing circumstances.

CLUSTER VILLAGE PLAN FOR EGLINTON AND CAMPSIE 2017-2022

- 10.0 The Cluster Village Plan was produced as part of the Village Renewal Scheme under the NI Rural Development Programme 2014-2020. The plan identifies the specific needs of the community and sets out a range of agreed actions to be delivered over a five-year timeframe. The plan aligns with the strategies outlined in the Faughan Local Growth Plan 2017-2022.

FAUGHAN LOCAL GROWTH PLAN 2017-2022

- 11.0 Eglinton is included within the District Electoral Area (DEA) of Faughan. Priorities for the local growth plans are social, economic, and environmental well-being. The plan states that the Faughan DEA, as a whole, has *“great potential for economic development which will benefit the whole community such as food, tourism, extreme challenge sports and the development of small and medium sized enterprises.”* Pg.6
- 11.1 It was highlighted that the population of Faughan DEA is living longer and so it is an advisable action point to look at issues surrounding supported housing and age-friendly/dementia friendly hubs. There is also **an increased need for social housing** including accommodation to meet the needs of older residents. Below is the exploration of this action point.
- 11.2 **Action Point: Physical and Environmental Regeneration**
- Scope and develop the need for social and supported housing or tailored units for retirees, disabled and older people who want to downsize and live rurally.
 - Within the rural Faughan DEA there is a lack of social housing and supported living. There is a real need to develop this type of housing as the population is growing but also getting older, allowing local people to stay within their own area with easy access to services and opportunities.

INCLUSIVE STRATEGIC GROWTH PLAN 2017-2032

- 12.0 The Inclusive Strategic Growth Plan 2017-2032 acknowledges that Derry and Strabane District Council Area comprises the second largest city in Northern Ireland. Derry-Londonderry is the 'Capital of the North West' and is at the core of the only functional economic city region of scale which straddles the border into the Republic of Ireland.
- 12.1 Eglinton is described as a vibrant rural town/village and it is noted that 29% of the district's population are rural dwellers.
- 12.2 Over recent years the City and District have experienced considerable social, economic, and environmental transformation, thanks, in part, to the role played by the city's recognition as inaugural UK Capital of Culture 2013. Continued success can only be achieved by ensuring that proactive policies and actions to target and effectively challenge and address the inequalities and social deprivation that exists across the Council Area; as previously illustrated by statistics garnered from the Cluster Village Plan for Eglinton and Campsie 2017-2022.
- 12.3 The district illustrated a population increase of 4% between 2001 and 2015 and it has been calculated that there is a projected need of additional 12,000 dwellings to cover the LDP timespan.
- 12.4 With regards to housing tenure the council area has the second highest number of applicants on the social rented waiting list (4,247 in 2015-16). A major social challenge has to be acknowledged; over the next 20 years (2016-2039) the City and District will experience a significant shift in the age profile of the population. By the end of this period, the region is forecasted to have an increase, of those of retirement age, of around 14,000 (a 66% increase). This is a dramatic change to the region's population structure and highlights the urgency to review appropriate infrastructure to meet the needs of the population.
- 12.5 Furthermore, people and places matter; *"Our sense of identity, of being rooted within our families, neighbourhoods, communities and our relationships and connections within them matter."* It is therefore important to stop the displacement of residents from their locality due to lack of housing infrastructure and services.
- 12.6 Therefore, a key outcomes and actions of the plan is detailed below:
- Action Point: Physical and Environmental Regeneration**
- Provide quality social and private housing in sustainable urban and rural neighbourhoods to meet the needs of the growing population providing attractive places to live within easy access to local services and amenities.
 - Promote neighbourhood and village enhancement through the development of local environmental improvement schemes and community play parks and facilities.
- 12.7 ***The focus is on affordable housing provision which will contribute to high quality living environments making up diverse and sustainable communities***

DC&SDC LOCAL DEVELOPMENT PLAN 2017- 2032.

- 13.0 The LDP retains Eglinton’s designation as a village as outlined in the Derry Area Plan 2011 and furthermore it has been recognised as an “*important and attractive historic village*” due to its status as a tourism settlement.
- 13.1 Eglinton, as outlined in the LDP, has identified a housing allocation of 201 no. units to be delivered up until 2032.
- 13.2 Para 2.16 of the LDP elaborates upon the District’s ‘housing need’. NIHE figures for March 2019 indicated that there were 4, 510 applicants on the social housing waiting list for Derry City and Strabane, with 3,401 of those applicants in housing stress. It further stated that the total number of applicants in housing stress has consistently increased year upon year from a figure of 1,031 in 2002, to 3,401 as of March 2019.
- 13.3 NIHE Derry and Strabane Housing and Investment Plan 2019-2023 indicates that the social housing need for Derry City and Strabane District is 2,744 units over a five-year timeframe (2018-2023) with other settlements, such as Eglinton, requiring 132 units. This reiterates the current and projected need to ensure the delivery of suitable small-unit housing not only for families and single occupant households, but also for the ageing population and those with disability.

LDP EVIDENCE BASE 16: HOUSING IN SETTLEMENTS AND THE COUNTRYSIDE, DECEMBER 2019.

- 14.0 Upon reviewing LDP Evidence Base 16: Housing in settlements and the countryside, it was stated that the NIHE sought the retention of CTY5: Social & Affordable Housing (PPS 21) to allow for the exceptional development of a group of no more than 14 dwellings adjacent to or near a small settlement to provide social and affordable housing where it can be clearly evidenced that no suitable sites are available within the settlement limits. They considered it was important to have this specific policy flexibility within the LDP for such scenarios where a demonstrable need has been identified to ensure the LDP can react to and deliver for such need across the LDP period.
- 14.1 A further response from NIHE suggested that in some settlements, such as Eglinton, there may be a specific zoning or Key Site Requirements for an adequate amount of social housing to meet need over the plan period. Some rural areas that are particularly popular among social housing applicants are along the main A2, A5 and A6 arterial routes where relatively good transport links to the main urban centres are enjoyed. These housing areas include

Sion Mills, Eglinton and Claudy. For this reason, demand for rural housing generally exceeds supply.

- 14.2 The principle of 'soundness' is the cornerstone of policy formation with regards to the local development plan.
- 14.3 Section 10(6) of the 2011 Act states that the purpose of the Independent Examination is to determine, with regards to the development plan document, whether:
- (c) It satisfies the requirements of sections 7 and 8, or as the case may be, sections 7 and 9, and any regulations under Section 22 relation to the preparation of development plan documents.
 - (d) It is **sound**.
- 14.4 The NI Planning Act 2011 does not define the meaning of 'soundness' however, Development Plan Practice Note (DPPN) 6 – Soundness 2017, suggests that the term may be interpreted in the context of its ordinary meaning of 'illustrating good judgement' and 'able to be trusted'.
- 14.5 DPPN 6 goes on to state that the tests of soundness are based upon three categories that relate to the following:
- How the development plan document has been produced.
 - The alignment of the development plan document with central government regional plans, policy, and guidance.
 - The coherence, consistency, and effectiveness of the development plan document.
- 14.6 DPPN 6 advises that the principle of 'soundness' involves testing the principles, content and preparation processes involved in the formation of the development plan document against a key list of criteria. Namely:
- Procedural Tests
 - Consistency Tests
 - Coherence and Effectiveness Tests
- 14.7 Whilst the test of soundness are based on the above 3 categories, there is a degree of overlap of the criteria specifications to be met in each test. The purpose of the Independent Examiner is to determine how the development plan document meets each test and whether the document is sound as a whole.
- 14.8 With regards to making representations to Council in relation to the draft plan document, DPPN 7 states that '*representations should provide evidence to demonstrate why the draft PS is unsound and/or how any proposed changes make the draft PS more sound*'.

15.0 CONCLUDING STATEMENT

- 15.1 For the reasoning set out above, we would encourage Council to make amendments to the flagged policies so that they adequately meet the tests of soundness. We would also urge Council to reconsider the settlement status of Eglinton to be upgraded from 'village' to 'local town' as per the settlement hierarchy.
- 15.2 Furthermore, for the reasons set out above, we request that Council, in the preparation of its new Local Development Plan (LDP) 2032, consider the enclosed subject lands in whole, or any part of, for inclusion within the new and revised settlement limits of Eglinton and zone for social housing development.
- 15.3 Please feel free to contact me if you wish to discuss in more detail.

Yours Faithfully,



Derry City and Strabane District Council HOUSING MONITOR

HOUSING COMPLETIONS ON MONITORABLE SITES IN
DERRY DISTRICT AS OF 1 APRIL 2019

Settlement	Units Complete	Remaining Potential	Area Developed	Area Remaining
ARDMORE	68	60	3.4	2.1
CAMPSEY	1	3	0.1	0.1
CARNANREAGH	3	0	0.8	0.0
CLAUDY	262	215	15.1	11.9
CRAIGBANE	1	1	0.9	0.9
CULMORE	841	160	40.1	10.4
DERRY	13085	10372	544.8	426.8
EGLINTON	667	71	38.1	3.5
KILLALOO	1	17	0.1	0.5
KILLEA	54	2	2.6	0.1
LETTERSHENDOWNEY	39	91	1.7	4.3
MAYDOWN	86	4	3.7	0.1
NEWBUILDINGS	479	211	23.7	9.5
NIXON'S CORNER	30	0	1.4	0.0
PARK	98	29	6.8	1.7
STRAIDARRAN	121	0	5.1	0.0
STRATHFOYLE	437	44	21.4	4.0
TAMNAHERIN	10	7	0.7	0.3

Site survey findings/completions have been informed by data obtained from Land and Property Services. (LPS)

TULLINTRAIN	2	1	0.3	0.4
District Totals	16285	11288	711.0	476.7

Site survey findings/completions have been informed by data obtained from Land and Property Services. (LPS)

02 October 2020

Page 2 of 2

4th September 2020

JJM Developments
2 Victoria Gate
Derry
BT47 2TP

Dear Sir or Madam,

Development of 24no. Social Housing Homes at Killylane Road, Eglinton

The Housing Executive has confirmed that there is currently a need for 45 homes in Eglinton. This figure is likely to increase when a new projected need for the period 2020 to 2025 is published by NIHE.

On this basis, Apex is supportive of this application especially as there is a shortfall of development land within the settlement of Eglinton.

Yours faithfully

Director of Development & Procurement

Apex Housing Association Ltd

BELFAST OFFICE:

6 Cromac Place
The Gasworks
Belfast
BT7 2JB

HEAD OFFICE:

10 Butcher Street
Derry~Londonderry
BT48 6HL
Northern Ireland

CONTACT:

Tel: 028 7130 4800
info@apex.org.uk
www.apex.org.uk



View detailed
information about
Apex's services
on www.apex.org.uk
Scan with your
Smartphone

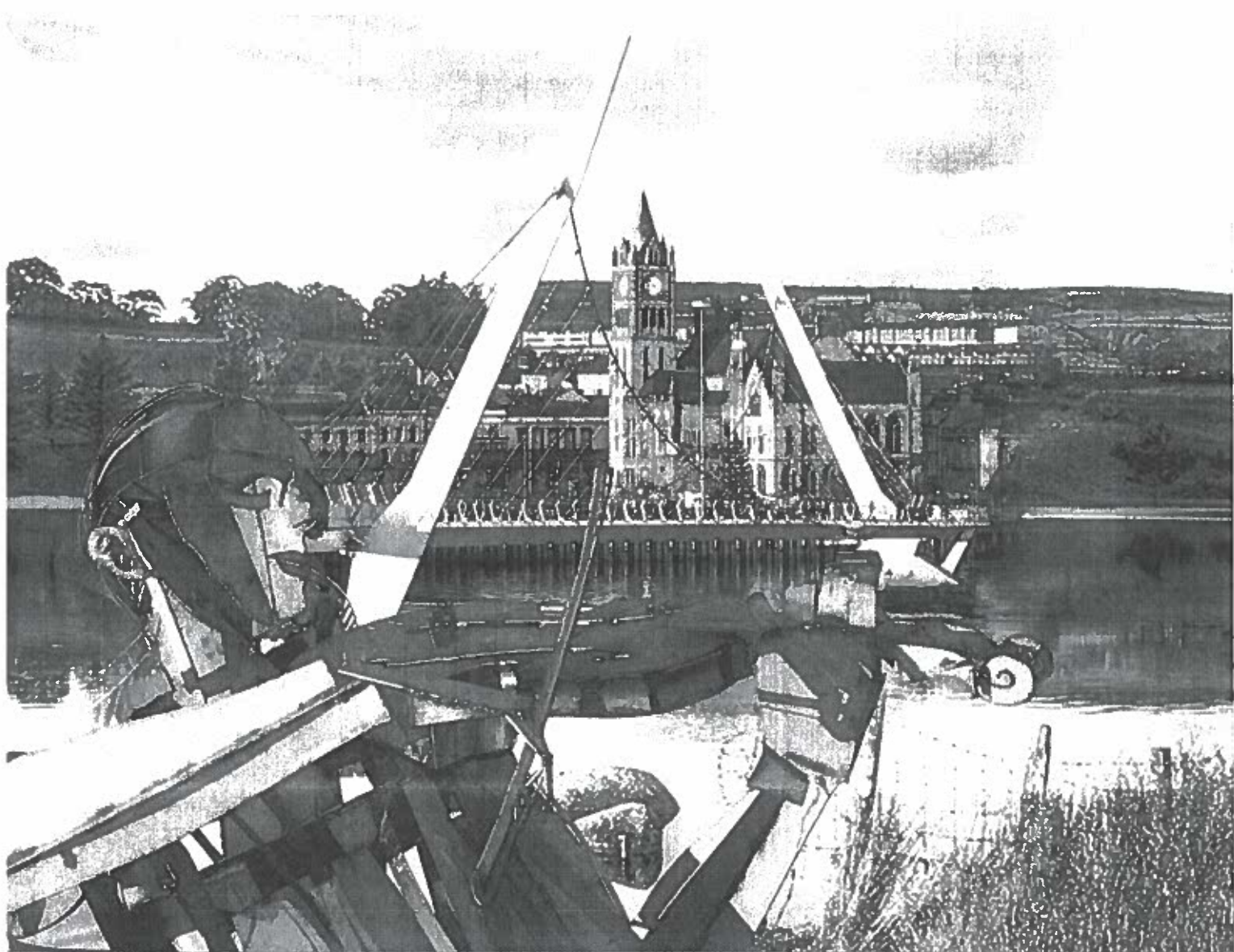


Derry City & Strabane District Council

Local Development Plan

(LDP) 2032

**Representations Form for the Re-Consultation of the LDP
Draft Plan Strategy & Associated Appraisal / Assessments**



September 2020

<http://www.derrystrabane.com/Subsites/LDP/Local-Development-Plan>

Re-Consultation on LDP Draft Plan Strategy

The Council's LDP draft Plan Strategy was already published in December 2019, followed by a consultation period which ended in January 2020. However, a procedural error has been identified so this further consultation period is now being undertaken. Any additional or revised representations may now be submitted during this re-consultation period.

If you did not make a Representation to the draft Plan Strategy during the previous consultation period and now wish to do so, please use this form to make your Representation. Similarly, you can use this form to provide any additional or revised information to a previously made Representation or to indicate that you do not wish to add any further information to your previously submitted Representation.

What is the Local Development Plan (LDP)?

The new LDP will guide land-use development and set out Planning policies and proposals for the use, development and protection of our settlements and countryside across our District to 2032. Crucially, it will help to deliver the outcomes in the Strategic Growth Plan. Once the LDP is adopted, its Planning policies, zonings and development proposals will be used to determine planning applications across the District. The LDP will comprise of two development plan documents: this LDP Plan Strategy and, in due course, the LDP Local Policies Plan.

What is the LDP Plan Strategy (PS)?

This LDP draft Plan Strategy sets out the Council's strategic Planning objectives, designations and policies for the District in line with regional strategies and policies, but tailored to the local needs of this City and District.

The preparation of the PS has been informed by the Council's LDP Preferred Options Paper (POP – May 2017) which provided the basis for consulting with the public and stakeholders on a series of options for dealing with key issues in the Plan area. It set out the Council's initial proposals and policy direction, therefore aiming to stimulate public comment and help interested parties to become involved in a more meaningful way at the earliest stage of Plan preparation. The published draft LDP PS fully reflects a consideration of all the representations made during the POP consultation period and all engagement with stakeholders, consultees and elected Members of the Council.

How We Are Consulting

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 **11th September 2020** and closing on **6th November 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.

Availability of Documents

The LDP draft Plan Strategy and supporting documents, including the Sustainability Appraisal Report (incorporating the Strategic Environmental Assessment), the Habitats Regulation Assessment, Rural Needs Impact Assessment and the Equality Impact Assessment, are all available to view online www.derrystrabane.com/ldp

From Friday 11th September to 6th November 2020, between the hours of 9am-5pm (Monday to Friday), all documents will also be available for inspection, by appointment only, at the Council's offices at 98 Strand Rd, Derry BT48 7NN, or at 47 Derry Rd, Strabane BT82 8DU. In order to arrange an appointment to view the documents, or if you have any queries on accessing the documentation, the Planning Office can be contacted on 028 71 253 253 or ldp@derrystrabane.com

The dPS document will also be available at the Council Leisure Centres and Public Libraries that are open in the District, due to COVID 19 restrictions, from 11th September 2020.

Please note that, due to the current COVID 19 circumstances, there will be no further public meetings or drop-in sessions with this re-consultation. Instead, during the re-consultation period, an appointment may be made to speak to or meet / virtual meeting with a Planning Officer by contacting us at the email / telephone number above, where you can ask questions in the same manner as you would at a public meeting or drop-in.

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
- 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:

Designation SETT 1: Settlement Hierarchy for DC&SD

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)

Chapter 6 Spatial Strategy for the Derry City and Strabane District

(and/ or) Relevant Policy number(s)

Designation SETT 1: Settlement Hierarchy for DC&SD

(and/or) Relevant Paragraph number(s)

(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.

Please see enclosed report.

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.

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

Section J: **Tests of Soundness** (Required)

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

Designation SETT 2: Development within Settlement Development Limits

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)

Chapter 6 Spatial Strategy for the Derry City and Strabane District

(and/ or) Relevant Policy number(s)

Designation SETT 2: Development within Settlement Development Limits

(and/or) Relevant Paragraph number(s)

Para. 6.16 to Para. 6.19

(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.

We deem Designation SETT 2 to be unsound as it is not founded on a robust evidence base that illustrates the rationale in the designation of settlement boundaries. There are instances where nil provision of any zoned housing land or net additional social dwellings have been made. The vast majority of housing zones are either built out to capacity or already have planning approval where there is no requirement to provide social housing. Thus, a current assessment of the existing and future social housing need of these areas, covering the duration of the plan period to 2032, is required. The proposed strategy is therefore deemed unrealistic and has not properly considered relevant alternative sites. It is also inflexible and not robust to accommodate changing circumstances over the lifespan of the LDP.

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.

It is recommended that a robust, up to date assessment of the urban footprint is undertaken to ensure the sustainability and availability of sites to facilitate the development ambitions of Council and therefore a revisionment of settlement development limits.

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

Section J: **Tests of Soundness** (Required)

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

Chapter 16: Housing in Settlements and the Countryside

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)

Chapter 16: Housing in Settlements and the Countryside

(and/ or) Relevant Policy number(s)

Policy HOU 1: Strategic Allocation and Management of Housing Land

(and/or) Relevant Paragraph number(s)

Para. 16.19 to Para. 16.29

(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.

Please see enclosed report.

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.

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

Section J: **Tests of Soundness** (Required)

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

Chapter 16: Housing in Settlements and the Countryside

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)

Chapter 16: Housing in Settlements and the Countryside

(and/ or) Relevant Policy number(s)

Policy HOU 2: Strategic Allocation of Housing in Settlements

(and/or) Relevant Paragraph number(s)

Para. 16.30 to Para. 16.33

(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.

Please see enclosed report.

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.

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

Section J: **Tests of Soundness** (Required)

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

Chapter 16: Housing in Settlements and the Countryside

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)

Chapter 16: Housing in Settlements and the Countryside

(and/ or) Relevant Policy number(s)

Policy HOU 5: Affordable Housing in Settlements

(and/or) Relevant Paragraph number(s)

Para 16.45 to Para 16.60

(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.

We deem Policy HOU 5 to be unsound as it is not reasonably flexible to enable it to deal with changing circumstances (Test CE4) nor is it based on a robust evidence base (Test CE2).

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.

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

Section J: **Tests of Soundness** (Required)

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

Chapter 6: Spatial Strategy for the Derry City and Strabane District

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)

Chapter 6: Spatial Strategy for the Derry City and Strabane District

(and/ or) Relevant Policy number(s)

Designation GB 1 Green Belts

(and/or) Relevant Paragraph number(s)

Para 6.24 to Para 6.25

(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.

We deem Designation GB 1 Green Belts to be unsound as it does not consider the development of 'brownfield' sites which are included within the green belt, of which their development would facilitate the redevelopment of underutilised and vacant lands in preference to the development of new lands.

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.

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.

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