

DERRY CITY AND STRABANE DISTRICT COUNCIL

LOCAL DEVELOPMENT PLAN (LDP) 2032



POLICY REVIEW 7

1. **Planning Policy Statement 7: Quality Residential Environments;**
2. **(Addendum) to PPS7: Residential Extensions and Alterations;**
3. **(Addendum) to PPS7: Safeguarding the Character of Established Residential Areas.**

(May 2017)

This Document is one in a series, which builds up to form the 'evidence base' that informs the preparation of the Local Development Plan (LDP).

The afore-mentioned evidence base will be continually updated, to additionally include the latest information, input from public engagement, statutory consultees, stakeholder groups, Sustainability Appraisal and from other Departments within the Council, including Community Planning.

The Evidence Base is published as a 'supporting document' in accordance with Article 10(a) and 15(a) of the Planning (LDP) Regulations (NI) 2015.



Purpose: To consider existing planning policies relating to:

1. PPS 7 Quality Residential Environments;
2. PPS 7 (Addendum) Residential Extensions and Alterations;
3. PPS 7 (Addendum) Safeguarding the Character of Established Residential Areas.

and to consider alternative policies which will inform the forthcoming Preferred Options Paper (POP) as part of the preparation of the Local Development Plan (LDP).

Content: The paper will provide information on:

- (i) Brief overview of housing context in Derry City and Strabane District.
- (ii) The Legislative context and the relevant plans and policies that consider housing.
- (iii) Consider existing policies and issues and consider preferred/alternative policy approach within the Local Development Plan (LDP).
- (iv) Consider Council Workshop feedback;
- (v) Conclusion which will summarise why there is a need to scope/tailor some or all of the PPS and be more flexible/stricter than the current policy approach.

Recommendation: The findings shall be used to inform the Preferred Options Paper (POP) and strategic policies in the Local Development Plan (LDP).

1.0 Introduction

- 1.1 The purpose of this paper is to consider current planning policies associated with PPS 7 Quality Residential Environments, PPS7 Addendum, Residential Extensions and Alterations and PPS7 Addendum, Safeguarding the Character of Established Residential Areas and to determine whether or not they need to be amended to take account of local circumstances through the new Local Development Plan (LDP).
- 1.2 This paper provides an assessment of how existing planning policies take account of the Regional Development Strategy (RDS) and Strategic Planning Policy Statement (SPPS).

2.0 Legislative Context:

- 2.1 Article 5 of the Planning Act (Northern Ireland) 2011 states that the creation of planning policy as part of the Plan Strategy must be done with the objective of furthering sustainable development and in doing so, must take account of policies and guidance issued by OFMDFM, DOE and DRD such as the Regional Development Strategy (RDS) 2035 and Strategic Planning Policy Statement (SPPS).
- 2.2 Section 25 of the Northern Ireland (Miscellaneous Provisions) Act 2006 requires all NI Departments and District Councils in exercising their functions, to act in a way they consider to be best calculated to contribute to the achievement of sustainable development.

3.0 The Objectives

- 3.1 The statutory requirement, contained in the Planning Act (Northern Ireland) 2011, to further sustainable development is reflected in the policy objectives for the formulation of the LDP.
- 3.2 There a number of strategic policy objectives that will assist in formulating the aims and objectives of sustainable development in the LDP. These are as follows:
 - Social: Accommodating People and Creating Places
 - Environment: Enhancing the Environment and improving Infrastructure
 - Economic: Creating Jobs and Promoting Prosperity

4.0 **Derry City and Strabane District Council Context**

- 4.1 It is important to put in context the District wide housing situation and that the LDP policies take account of the circumstances of the District.
- 4.2 In terms of type and tenure of housing the LDP needs to ensure that there is an adequate range of sites at suitable locations to provide a mix of house types and tenures to meet our future population needs. Housing Tenure data from the 2001 and 2011 Census would appear to mirror the House Condition Survey (HCS) findings in that there has been a slight decline in the proportion of owner occupation as well as social housing stock with an increase in private rented accommodation.
- 4.3 The private house building sector has been performing at a low and gradually decreasing level since 2012, with just under half of all new build being produced by housing associations for the social housing sector. The very low total of new build units in 2013/14 and 2014/15 is mainly due to the reduction in the numbers of social housing units being built. The failure of the private sector to develop the required level of new houses in DCSDCA has a critical impact on the ability to deliver sustainable mixed tenure, mixed income communities. (Source: Housing Executive).
- 4.4 The Private Rented Sector (PRS) continues to play a significant role in the local housing market. Local estate agents report that there is continuing strong demand for private rental accommodation across the DCSDCA. The main areas of high demand include the westbank of Derry/Londonderry, followed by the Waterside, Strabane Town and Eglinton where demand for rented properties outweighs supply.
- 4.5 The Housing Executive have stated that despite a small increase in house prices over the past year a number of imbalances in the housing market remain. The decline in private sector house development, low house prices, a lack of mixed tenure development, an undersupply of private rented accommodation and an increasing number of applicants in housing stress on the social housing waiting list all pose particular challenges.
- 4.6 The composition of house types has also changed slightly between 2001 and 2011. Strabane sits significantly higher than the NI average in terms of % of detached properties, while Derry sits significantly lower. This is partly due to the large proportion of housing in the countryside and partly due to the nature of post war, private sector housing development in settlements. Overall the actual % numbers for detached properties between 2001-11 remain relatively unchanged.

By way of contrast the opposite is true for semi-detached properties with Derry ahead of the NI average and Strabane slightly below. Between 2011 – 11, both districts experienced slight increases in the proportion of flats and a slight decrease in terrace dwellings.

- 4.7 The availability of affordable housing is one part of the drive to help create mixed and inclusive communities. The DCSDCA records the second highest concentration of social housing stock compared to other districts in Northern Ireland. The 2011 census records 21% of all households in DCSDCA reside in the social housing tenure compared with the Northern Ireland average of 15%. Approximately 75% of the social housing waiting list comprises single households, and small families. The predominance of single and smaller family households will mean a high requirement for one and two bedroom dwellings.

5.0 Sustainability Appraisal (SA)

- 5.1 A Sustainability Appraisal is a systematic process which must be carried out during the preparation of a Local Development Plan in order to promote sustainable development by assessing the extent to which an emerging plan will achieve required environmental, economic and social objectives. All LDP strategic planning policies will be subject to SA incorporating Strategic Environmental Assessment (SEA).
- 5.2 Draft key objectives of the Sustainability Appraisals in respect of housing for the DCSDC has commenced work on the preparation of the required Sustainability Appraisal and associated Strategic Environmental Assessment.

6.0 Community Plan

- 6.1 The new duty of Community Planning introduced in April 2015 requires the Council to lead the process of creating a long term vision for the social, environmental and economic well-being of the area and its citizens. The Local Government Bill introduces a statutory link between the resultant Community Plan and the Council's Local Development Plan (LDP), in that the LDP must take account of the Community Plan in its preparation. Therefore it provides the key context at the local Council level for the preparation of the LDP.

- 6.2 It is intended that the LDP will be the spatial reflection of the Community Plan and that the two should work in tandem towards the same vision for the District and its communities and set the long term social, economic and environmental objectives for an area. In practice, it is expected that the Community Plan will set higher level objectives to provide adequate and appropriate housing for its people – which the LDP will then help to deliver, spatially.
- 6.3 The Community Planning Team of DCSDC carried out a public consultation in Autumn 2016 in preparation of the draft Community Plan.
- 6.4 The Draft Community Plan talks about people and place matter and our sense of belonging and identity, of being rooted within our families, communities and our relationships and connections within them. It also comes from the physical places that we live in, from our places of work and from places for leisure and play. It is strongly connected with our access to quality public services, good health, our historic environment and our culture.
- 6.5 One of the Principle Actions arising from the Community Plan is to future proof our housing stock for extended life expectancy .One of the Sub Actions is to provide circa 700 lifetime homes by 2019 and develop a policy to encourage universal design principles with lifetime adaptability. Another Sub Action is to install monitoring and sensing devices for use at home – where relevant and appropriate - to facilitate and support independent living in all new housing. This is to be provided through the NIHE/Housing Association providers and private sector.
- 6.6 A Principle Action from the Environmental Wellbeing Delivery Plan is to achieve a high quality of life for all citizens through the preparation and implementation of the Local Development Plan that will support the future sustainable growth and resilience of the city and district. Another Principle Action is to provide quality housing and sustainable urban and rural neighbourhoods that are attractive places to live and are within easy access to local services and amenities.

7.0 The Regional Development Strategy

- 7.1 The Regional Development Strategy 2035 (RDS, launched 2012) is the spatial strategy of the NI Executive, expected to deliver the spatial aspects of the Programme for Government. It emphasises the significant role that Derry has to play as the principal city of an expanding North West region and the importance of Strabane town as Derry's clustered Main Hub. In preparing the Local Development Plan, the Council must 'take account' of the RDS. This overarching

document sets out clear objectives for housing in settlements that have been fully considered in formulating the objectives of the SPPS.

- 7.2 The RDS presents Regional Guidance (RG) under 3 sustainable development themes – economy, society and environment. In particular is RG8 – Manage Housing Growth to achieve sustainable patterns of residential development. Also very relevant is the guidance on “achieving balanced communities and strengthening community cohesion” that requires the availability of good quality housing offering a variety of house types, sizes and tenures to suit varying social needs.
- 7.3 The RDS recognises that there are significant opportunities for new housing on appropriate vacant and underutilised land, and sets a regional target of 60% of new housing to be located in appropriate ‘brownfield’ sites within the urban footprints of settlements greater than 5,000 population.

8.0 The Strategic Planning Policy Statement for Northern Ireland (SPPS)

- 8.1 The Strategic Planning Policy Statement for Northern Ireland (SPPS) was published in September 2015. It sets out the Department of the Environment’s regional planning policies for securing the orderly and consistent development of land under a reformed two-tier local planning system. The SPPS reaffirms the regional strategies contained within the RDS 2035 and sets out strategic subject planning policy for a wide range of planning matters. It sets the strategic direction for the new councils to bring forward detailed operational policies within future local development plans.
- 8.2 Housing is recognised as a key driver of physical, economic and social change in both urban and rural areas. In furthering sustainable development it is important to manage housing growth in a sustainable way, placing particular emphasis on the importance of the inter-relationship between the location of local housing, jobs, facilities and services, and infrastructure. It is similarly important to successfully integrate transport and land use generally in order to improve connectivity and promote more sustainable patterns of transport and travel. Good quality housing is a fundamental human need that plays a significant role in shaping our lives and our communities. A home is a vital part of people’s lives and contributes to creating a safe, healthy and prosperous society. The planning system can play a positive and supporting role in the delivery of homes to meet the full range of housing needs of society, within the wider framework of sustainable development.

8.3 The SPPS states that in preparing Local Development Plans (LDPs) councils shall bring forward a strategy for housing, together with appropriate policies and proposals that must reflect the policy approach of the SPPS, tailored to the specific circumstances of the plan area. Planning authorities must deliver:

- Increased housing density without town cramming;
- Sustainable forms of development;
- Good design;
- Balanced communities.

9.0 Derry Area Plan 2011

9.1 The Derry Area Plan 2011 was adopted in May 2000. Housing policies were aimed at ensuring that an adequate and continuous supply of housing land was identified to facilitate the provision of a range of housing opportunities to meet the needs of the community. The DAP also designated a Greenbelt to protect the open countryside from urban sprawl and ribbon development. Similarly, Countryside Policy Areas were designated to protect those areas of countryside where any future development could adversely affect the rural character of their landscape.

Section 6 of the Derry Area Plan has the following proposal and policies:

Proposal H 1 Zoned Housing Land;

Policy H 1 Housing Design and Layout;

Policy H 2 Open Space Provision in New Housing Areas;

Policy H 3 Infill Housing;

Policy H 4 Housing for People with Special Needs;

Policy H 5 Designated Flats Zones;

Policy H 6 Conversions Outside the Designated Flats Zones;

Policy H 7 Flats Development and Redevelopment Outside the Designated Flats Zones.

10.0 The Strabane Area Plan 1986 -2001

10.1 The Strabane Area Plan 1986-2001 zoned 205 hectares of land for housing (of which 111 hectares currently remain) in anticipation of an estimated requirement of 2,270 additional dwellings during the plan period. Additionally, there was a considerable amount of unzoned 'white land' within the towns, villages and hamlets, much of which was also considered suitable for appropriate housing. Beyond the District and Local towns, new house building was also expected to

take place not only within the villages and hamlets but also throughout the remainder of the rural area.

11.1 Living Places

11.1 This Urban Stewardship and Design Guide aims to clearly establish the key principles behind good place making. It seeks to inform and inspire all those involved in the process of managing (stewardship) and making (design) urban places, with a view to raising standards across Northern Ireland.

11.2 The focus of the guide is urban areas, by which is meant all of our cities, towns, villages and neighbourhoods. It recognises the wider economic, cultural and community benefits of achieving excellence in the stewardship and design of these important places, be they existing or newly proposed.

12.0 LDP Workshops and members input

12.1 In considering and assessing the policy approach to be taken in the DCSDC District in relation to PPS7 it was important to get the views of the elected members. A number of workshops were held including workshops on 'Policy Evaluation' and 'Housing in Settlement Hierarchy'. A number of points relating to operational policy were raised namely:

- There should be more guidance on the design of small housing developments in small settlements and hamlets that are located in the rural parts of the District. Previous approvals have seen housing developments designed that are very suburban in their design and a suggestion was made that there should be more recognition of the housing being in a rural part of the District albeit inside the settlements so that the house designs draw on the local traditions of the area.
- Another issues raised for e.g. the Limavady Road, Derry has seen higher density schemes where the local character in their opinion, has not been taken account of and this has led to schemes that are uncharacteristic of the area.
- There were concerns that there is no brownfield land available, a general belief that greenfield development was more suitable for residential development. An example again was the perceived over development of Limavady Road.

- There were concerns regarding cramming of social housing developments.
- There is a need to integrate housing development with infrastructure and community services.

12.2 At workshop 2 'Policy Evaluation' parties requested that they were afforded time to submit their comments in writing. One formal response was received from Sinn Fein in relation to PPS 7 and the following specific policy comment was made:

- Local Development Plan should have scope for rezoning to counter land banks not being developed as originally planned – Skeoge lands as an example.

13.0 Consideration and Assessment of Planning Policy Statement 7, Quality Residential Environments.

13.1 **Overview** Planning Policy Statement, PPS 7 'Quality Residential Environments', sets out the Department's planning policies for achieving quality in new residential developments. The policies apply to all residential development proposals with the exception of proposals for single dwellings in the countryside. PPS 21, Sustainable Development in the Countryside contains policy for housing outside the development limits. This section will consider the two policies in PPS7 and consider preferred approach.

13.2 **The main objectives of PPS7 are:**

- To promote an integrated approach to achieving sustainable and quality residential environments.
- To promote quality residential development that:
 - creates places for people which are attractive, locally distinctive and appropriate to their surroundings, safe, convenient, adaptable and easy to maintain;
 - respects and enhances features of value and local character and promotes biodiversity; and
 - reduces reliance on the private car, supports movement by pedestrians and cyclists, provides adequate and convenient access to public transport and connects well with the wider locality.

- To promote the comprehensive planning and development of residential areas and ensure that adequate information accompanies planning applications which will enable the delivery of an improved design quality.
- To ensure that adequate provision is made for infrastructure and appropriate local neighbourhood facilities as an integral part of residential development.

14.0 Policy QD 1 Quality in New Residential Development

14.1 **Overview** QD1 brings forward the need for a quality and sustainable residential environment in new settlements whose design and layout draws upon the positive aspects of the character and appearance of the surrounding area. A high quality of design, layout and landscaping in all new housing developments will ensure more attractive and sustainable residential environments for present and future generations. This emphasis on quality and sustainability means that these matters are considered as important as the suitability of the site in deciding whether to grant planning permission. The SPPS encourages good design and it is important that this policy details specifically what is required to reflect the SPPS.

14.2 In established residential areas proposals should not result in unacceptable damage to the local character, environmental quality or residential amenity of these areas. In Conservation Areas and Areas of Townscape Character housing proposals will be required to maintain or enhance their distinctive character and appearance. It sets out specific criteria that all proposals are expected to conform to such as the site context and character; layout considerations; Local Neighbourhood facilities, form, materials and detailing; landscape Design; Public Open space; private open space; movement; parking; privacy and security by design.

14.3 Issues raised following Meeting with Development Management

The current policy generally offers appropriate provision in ensuring quality residential environments. There were a few suggestions that there should be more detail included in the points to firm up the requirements necessary to ensure all layouts are designed to a high standard and quality.

1. **Title:** The title of QD1 'Quality in New Residential Development' should be re-worded and should apply to all applications within settlement limits only. A suggestion to have greenbelts around settlements would ensure less urban sprawl and would be a stricter policy when applications are being considered for housing outside the development limits. This wider policy issue will be considered as part of the LDP process.
Permeability, Legibility and Connectivity should be referred to in the wording at point (a) of PPS7. Permeability describes the extent to which an urban area permits the movement of people by walking or cycling and movement of vehicles. Legibility is the ease with which potential users can understand and navigate through the pedestrian environment. Connectivity is a layout that should demonstrate how multiple access points can be incorporated into the layout and provide valid reasons why this cannot be achieved. There should be a permeability, legibility and connectivity glossary to ensure the applicants are aware of the requirements necessary. This will enable the applicant to have a better understanding of what is required in the housing development.
2. **Road Types:** There have been issues with housing developments having to tie in with Local Distributor Road guidance as detailed in Creating Places. A boulevard is the same size, useable, natural traffic calming and can access onto roads and motorways from housing developments. It was suggested that this should be considered and discussed with Transport NI as there is often an awareness that layouts are dominated by roads regulations. Innovative quality design that embraces all aspects of a sense of place is encouraged and by removing vehicle priority the streets can become more sociable and safer.
3. Consider a **Concept Plan** as a validation requirement to ensure the quality of the CP is submitted at the beginning of the design process.
4. **Design and Access Statements** should encourage quality design solutions. They are a good idea but more thought should be given as to what is required to inform the outcome of the application. In major applications a Concept Master Plan contains sufficient detail to consider the scheme and a design and access statement is a duplication and contains less information.
5. **Play Facilities/Open Space:** Point (c) in QD1 should also mention adequate provision of play facilities. There should be a requirement to provide for play within all residential schemes as the primary focus. The SPPS is not prescriptive in the provision of children's play or if, or how it should be accommodated within residential developments unlike Policy OS2 of PPS8 where it stipulates specific development sizes by area and unit numbers that must provide an equipped children's play area. Where there is a requirement for a play area for units over 99 this could be reduced to 50 in line with 2015

- Legislation where major applications are 50 units and over. The SPPS states that 'Councils must bring forward policy to require new residential development of an appropriate scale (generally 25 or more units, or on sites of one hectare and above) to provide adequate and well-designed open space as an integral part of the development. Councils should also ensure a suitable mechanism is in place to secure the future management and maintenance of open space in new residential developments.
6. **Separation Distance.** The current guidance on separation and maintaining privacy is contained with Creating Places with a guide of 20m from rear of dwelling to rear of adjacent dwelling. However there were also concerns that by being too prescriptive in nature it may challenge good design and innovation. Development management in their experience have suggested that for e.g. in the Central Area Boundary of Derry this could discourage housing applications to come up with innovative design solutions to overcome any issues.
 7. **Levels** Point (a) of QD1 makes no reference to levels – this should be included as policy instead of it being in the justification and amplification (paragraph 4.13) to emphasis the importance of its consideration in good design. Consideration should also be given to sloping sites within the Central Area Boundary by ensuring environmental considerations are met as per relevant policy as well as working out how to get a quality scheme that works in terms of permeability, connectivity and legibility.
 8. Point (d) of QD1 references **Local Neighbourhood facilities** (LNF). Further consideration needs to be given as to what are the trigger points for insisting on a LNF. Should this be at a certain number of dwellings and how much retailing would be required for example Class 1 or Class 2. The current policy is unclear and not prescriptive.
 9. **Boundary treatments/ Landscape Buffer:** Another issue for consideration is whether there should be a landscape buffer of 10metres where the housing development adjoins the open countryside. Boundary treatments and retaining walls should also be considered as policy to ensure that the layout is of a high standard.
 10. **Density** An extract from the Justification and Amplification of QD1 states 'In all cases developers should note that the demolition of existing property will not create a presumption that permission for more intensive and high density development will be granted' and 'the overall scale and density of development proposed should also respect the form and character of the settlement'. There is no reference in policy to minimum and maximum units to be provided by hectare. There should be regard to the location of the proposal in relation to its

context and the overall quality of the residential environment to be created. However by indicating a density requirement or a specific number of dwellings for housing development good design could be inhibited.

14.3 Approach

PPS 7 QD1 Quality in New Residential development
Approach 1 – Retain existing policy
Approach 2 – Retain existing policy and add minor changes

14.4 **Preferred Approach 2** The preferred approach 2 would be to keep QD1 one but add some more specific detail such as:

1. QD1 (a) incorporate permeability, legibility and connectivity into the design requirements.
2. QD 1(a) level requirements should be incorporated into this section of the policy.
3. QD1 (c) request play facilities as well as open space and landscaped areas as an integral part of this policy. Further consideration shall be given as to what would be the appropriate trigger points for a play area. Further supplementary guidance could suggest what type of play facilities are required.

These amendments will reflect the supporting good design and place design and place making section of the SPPS and also takes into account themes brought in through the 'Living Places' Document.

15.0 Policy QD 2 Design Concept Statements, Concept Master Plans and Comprehensive Planning

15.1 **Overview** This policy requires the submission of Design Concept Statements and where appropriate, Concept Master Plans to support all planning applications for residential development which will assist in delivering a quality residential environment on a particular site. The design concept should provide a clear idea of what is intended for the site without the need for fully detailed plans so that a satisfactory layout and design that meets acceptable quality standards will be better achieved. Justification and amplification is given for Design Concept Statements; Concept Master Plans; Comprehensive Planning; Planning Agreements and local community development guidelines for Urban and Rural Areas.

15.2 The SPPS in regional strategic policy requires a Design Concept to be ‘sought’ from and agreed with the Developer, whereas QD2 requires a Concept Master Plan to ‘accompany’ all planning applications for residential development.

15.3 **Issues raised following Meeting with Development Management**

The current policy generally offers appropriate provision in ensuring quality residential environments. A few parts of this policy and justification and amplification could be clarified or reinforced.

1. Design Concept Statement. It was important to highlight that the wording in Policy QD2 PPS7 where it calls for a Design Concept Statement to form part of the submission for all residential applications regardless of the number of units. This is important to ensure that there is early engagement to enable a quality scheme. It was also important that applicants were clear as to what level of detail is required to allow a large housing application to be considered and that the Justification and Amplification could be revised.

2. Piecemeal development in a large scheme was raised as an issue. There needs to be stronger policy to ensure that applicants are aware of the issues arising out of this situation.

3. It was also highlighted that if a major application is received that applicants are aware of the requirement for PANs (Pre Application Notices) and Section 76 planning agreements whereby there is a legal requirement with the Council. Section 76 agreements can restrict the development or use of the land in any specified way; require specified operations or activities to be carried out in, on, under or over the land; require the land to be used in any specified way; require a sum or sums to be paid to the authority on a specified date or dates or periodically; or require a sum or sums to be paid to a Northern Ireland department on a specified date or dates or periodically. This ensures that the large housing schemes have the necessary facilities and works provided to help guarantee the quality of development required.

4. Living Places Design Guide could be referenced.

15.4 Approach

PPS7 – QD2 Design Concept Statements, Concept Master Plans and Comprehensive Planning
Approach 1 – Retain existing policy
Approach 2 – Retain existing policy and provide more guidance

15.5 **Preferred Approach** - Retain existing policy and provide more guidance to ensure applicants are aware of what information is required from the start of the process to ensure the scheme is processed as quickly and efficiently through the system.

16.0 PPS 7: (Addendum): Residential Extensions and Alterations

- 16.1 **Overview** The policy sets out the main considerations for assessing proposals for residential extensions and/or alterations. The provisions of this policy will prevail unless there are other overriding policy or material considerations that outweigh it and justify a contrary decision. The policy is to encourage the highest standard of design for all development, including proposals for residential extensions and alterations. Good design will help promote sustainable development and improve the quality of the existing environment. It should also afford appropriate protection of residential amenity.
- 16.2 There is one policy EXT 1 – Residential Extensions and Alterations where there are 4 criteria to be met such as scale, massing, design and external materials, privacy and amenity of neighbouring residents, protection of environmental quality and curtilage space for recreational and domestic purposes, parking and manoeuvring of vehicles.
- 16.3 The SPPS requires Councils to bring forward policy or guidance for achieving quality residential developments including proposals for extensions or alterations. The regional strategic policy that relates to residential developments are equally applicable to extensions and alterations.
- 16.4 **Issues raised following Meeting with Development Management**
1. The current policy generally offers suitable provision in ensuring quality residential environments.
 2. **Ancillary Accommodation:** There is reference made to granny flats in 2.8 – 2.11. It states that there may be occasions when people wish to provide additional living space for elderly relatives or to meet a variety of personal and

- domestic circumstances. Annex A, paragraph A49 Extensions and Alterations to provide for Ancillary Uses would appear to contradict 2.8-2.11. Clearer guidance and policy is required on granny flats and conversions and extensions of outbuildings and garages. For example the Planning Appeals Commission adheres to EXT1 where planning permission is required for an extension for ancillary accommodation however there is case law where the conversion of an existing outbuilding and garage for ancillary accommodation is considered permitted development and therefore does not require planning permission but an extension for a granny flat does require planning permission. Further consideration of the policy, Annex A and justification and amplification needs to be sought to ensure there is no operational ambiguity.
3. Section 2.12 in the Justification and Amplification refers to a paragraph on Rural Design. There is policy NH6 of PPS 2 Areas of Outstanding Natural Beauty. PPS 2 was published in 2013 and PPS7 was published in 2008. The policy in PPS2 is often used as a refusal reason as there isn't policy that is specific in EXT 1 for rural design in particular in Areas of Outstanding Natural Beauty (AONBs). Consideration should be given to ensure there is stricter policy for AONBs to ensure extensions in these areas encourage appropriate high quality design.
 4. It was suggested that at Annex B, the Document 'Your Home and Planning Permission should be referenced or attached. This would not require any policy changes.
 5. Annex B, paragraph B4 should include further information on Certificates of Lawful Use and Development. This would not alter any policy if this information was referenced.

16.5 Approach

PPS 7 Addendum EXT1 Residential Extensions and Alterations
Approach 1 – Retain existing policy
Approach 2 – Retain existing policy and provide more guidance

16.6 Preferred Approach 1:

The current policy generally offers appropriate provision in ensuring quality residential environments. There are a few points raised in the justification and amplification that require more clarity.

17.0 PPS 7: (Addendum): Safeguarding the Character of Established Residential Areas.

17.1 **Overview** The policies, together with the extant policy provisions of PPS 7, set out the main considerations that the Department will take into account when assessing proposals for housing development within urban areas.

17.2 **Policy LC 1 Protecting Local Character, Environmental Quality and Residential Amenity** The majority of established residential areas, villages and smaller settlements do not have the distinctive character of Conservation Areas (CAs) or Areas of Townscape Character (ATCs). However, existing policy emphasises that this does not mean that their quality of residential environment is unimportant. These areas too can be vulnerable to changes in their physical environment particularly from the redevelopment of existing houses and development on infill sites at higher densities than that of the surrounding area.

17.3 **Issues raised following Meeting with Development Management**

1. There is overlap with a few policy documents namely PPS7, PP12 and PPS8. Putting all the policy text together in one document would be useful.
2. The Exception test in Annex E should be put into policy. It is often used in applications and should be brought to the fore of the document.

It states:

Exceptions: In recognition of the desirability of promoting increased density housing in appropriate locations, Policy LC 1 will not apply to:

- designated city centres, and designated town centres within large towns (including previously developed land / brownfield land – see Annex C for definition);
- along key and link transport corridors (including designated arterial routes) within cities and large towns; and
- sites adjacent to main public transportation nodes within cities and large towns.

17.4 Approach

PPS 7 Addendum Policy LC 1 Protecting Local Character, Environmental Quality and Residential Amenity
Approach 1 – Retain existing policy
Approach 2 – Retain existing policy and add more specific policy

17.5 Preferred Approach 2

The current policy generally offers appropriate provision in ensuring quality residential environments. There are a few points raised in the justification and amplification that could be policy in particular the Annex E exception.

18.0 Policy LC2 The Conversion or change of Use of Existing Buildings to Flats or apartment.

18.1 The conversion and reuse of existing buildings for flats or apartments is consistent with achieving more sustainable patterns of residential development and makes an important contribution to meeting the varied housing needs of the whole community, assists with the creation of balanced communities, and can also support urban regeneration by recycling buildings.

18.2 Issues raised following Meeting with Development Management

1. In practice most flats or apartments are normally within the central areas of Derry and therefore the Flats Policy of the Derry Area Plan is used and gives a local context. Consideration could be given to merging the two policies as LC2 gives additional detail. LC2 is adequate for areas outside the city centre and should be retained.
2. The provision of waste and recycling storage to be screened from public view is mentioned in the justification and amplification section in LC2. This is particularly important in apartment schemes. This could be made into policy.

18.3 Approach

PPS 7 Addendum Policy LC2 The Conversion or change of Use of Existing Buildings to Flats or apartment.
Approach 1 – Retain existing policy
Approach 2 – Retain existing policy and merge with the Flats Policy of the Derry Area Plan.

18.4 Preferred Approach 2

The current policy generally offers appropriate provision in ensuring quality residential environments. There are a few points raised in the justification and amplification could be policy.

19.0 Policy LC3 Permeable Paving in New Residential Areas.

19.1 Favourable consideration will be given to using permeable paving within new residential developments as a means of reducing the risk of flooding associated with surface water run-off. Where appropriate private driveways, patios, paths and shared hard landscaped surfaces should be built using permeable paving materials.

19.2 Issues raised following Meeting with Development Management

1. There should be a greater link to PPS (Revised) 15 Planning and Flood Risk.

19.3 Approach

PPS 7 Addendum Policy LC3 Permeable Paving in New Residential Areas.
Approach 1 – Retain existing policy
Approach 2 – Retain existing policy and merge with PPS 15 flood risk policies

19.4 Preferred Approach

Approach 2 – Retain existing policy and merge with PPS 15 flood risk policies.

20.0 Conclusion

20.1 District Benefits of Proposed Changes. Housing is recognised as a key driver of physical, economic and social change in both urban and rural areas. Good quality housing that supports the creation of more balanced communities is a fundamental human need that plays a significant role in shaping our lives and our communities. A home is a vital part of people’s lives and contributes to creating a safe, healthy and prosperous society. Good design should be the aim of all those involved in housing development and will be encouraged everywhere. All new housing developments should demonstrate a high quality of design, layout (including road infrastructure considerations) and landscaping. Good design contributes to the creation of places to live that are safe and attractive and is also a key element in achieving sustainable development.

20.2 It is important that the LDP develops a robust and comprehensive policy to ensure quality housing in the District. The existing policies in PPS7 and PPS7 Addendums can be largely retained within the LDP. The strategic direction and principle of the two policies in PPS7 will not require significant change. The preferred approach will give greater weight to important parts of some sections of justification and amplification that should be policy. This should provide greater clarity to applicants submitting housing schemes, houses, extensions or alterations.