

From:
Sent: 02 November 2020 23:14
To: Local Development Plan
Subject: Draft Plan Strategy Representations form - LDP 2032
Attachments: Final-LDP-Reps-2-Re-Consultation-form-2020.pdf, lands at
Glenshane Road, Drumahoe.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir / Madam,
Please find attached a completed re-consultation form with explanatory details. Please confirm receipt and acceptance. Thank you.

Sent from [Mail](#) for Windows 10

Summary

Designation SETT 2 – Development within Settlement Development Limits

1. Designation SETT 2, part of the LDP Plan Strategy, is unsound as it fails the Coherence and Effectiveness Tests, namely:
 - CE2. The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base.
 - CE4. The plan is reasonably flexible to enable it to deal with changing circumstances.
2. Designation SETT 2 is not founded on a robust evidence base and does not explain the rationale for the nil provision of any zoned housing land in Drumahoe, in addition to that previously zoned in the Derry Area Plan (DAP) 2011.
3. For the LDP Plan Strategy to be sound and sustainable, consideration should be given to extending the city development limits at Drumahoe to meet the current and future economic and social development needs of the local population, and to help protect the environment.

Introduction

Designation SETT 2: Development within Settlement Development Limits states that each settlement in the settlement hierarchy will have a defined development limit, beyond which there will be presumption against further urban development (subject to development in accordance with the other relevant policies).^{6.15}

(The current development limits in the Derry Area Plan (DAP) 2011 and Strabane Area Plan (SAP) 2001 will remain in place and continue to guide development until they are reviewed and adopted in the LPP).^{6.15}

The draft LDP states that most of the District's settlements have sufficient land to meet their housing requirement up to 2032 and beyond. The LDP will therefore seek to manage the District's 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 approved and implemented, with a view to revising the LDP zonings or policies so as to ensure that adequate housing is actually being delivered.^{16.14}

Criteria d identifies exceptional circumstances for zoning additional housing lands where there is a specific local need and a lack of alternative lands. We believe that these exceptional circumstances exist in Drumahoe at the site indicated in Appendix 1.

Rationale for extending the city development limit at Drumahoe

The LDP presents robust evidence which identifies exceptional circumstances for zoning additional housing lands at Drumahoe, namely population demographics, household growth and direction, employment opportunities and key infrastructure / transport links.

Population demographics: The LDP identifies household growth as a consequence of the long-term trend towards the formation of smaller and single person households across the region. Smaller households (single households and two adults without children), currently make up 53% of all households projected to increase to 59% by 2037. Consequently, smaller size, new-build dwellings, across all tenures, will be required to meet future household needs.^{16.62}

Household growth and direction: The DAP 2011 states that “since 1945 Londonderry has expanded in a generally northerly direction on either side of the River Foyle. On the urban west bank the principal direction of growth will be along the Buncrana Road axis. On the urban east bank the main thrust of development will be along Clooney Road, Glenshane Road and east of Crescent Link.”

Analysis of the current planning permissions granted in the Waterside show that housing zonings towards the east of the DAP 2011 city development limits – H25 (Drumahoe) and H26 (Fincairn Road); together with H27 (Crescent Link) are now fully developed, or are in the process of being developed, suggesting a continuing trend in household growth towards the eastern periphery of the city development limits.

The LDP provides evidence that there is continuing household growth, with a need for smaller size, new-build, social and private housing. As predicted in the DAP 2011, growth has continued to the east of the city development limits along Glenshane Road.

Going forwards, the LDP states that most of the City's growth will be accommodated within the city development limits, provided by the significant number of existing housing commitments within the City. However, this strategy is unsound and contradicts the objective of the Council's Planning system which “is to secure the orderly and consistent development of land within this District, whilst furthering sustainable development and improving well-being.”^{7.1} Extending the city development limit at Drumahoe will enable sustainable development through employment opportunities facilitated by key transport links.

Employment opportunities: When compared to Northern Ireland (NI), a higher proportion of Derry City and Strabane District (DCSD) employee jobs are concentrated in those sectors with high public sector involvement. This is due to the presence of a major hospital, university campus and regional technical college in the Council District. As a

result, nearly a third of employee jobs (32.9%) are in the 'Human Health and Social Work' industry (21.6%) and the 'Education' industry (11.3%). In NI, just over a quarter (26.9%) of employee jobs are in the same industries.^{2.20}

The LDP provides a breakdown of employee jobs which shows the rise in employee jobs in the Human Health and Social Work Industry from 9,800 to 11,310 between 2011 – 2017. The majority of these jobs are centred on Altnagelvin Hospital.

The Council's ambitious plan to provide employment opportunities through the Ulster University, Magee and Altnagelvin Campus Relevant Planning Policy: ED 1, ED 3 & ED 2 (offices ancillary to main medical and educational use) will play a key role in the economic development of the Council Area. Designated as a Special Economic Development Area (SEDA), Ulster University will develop campuses at Magee and Altnagelvin which will lead to increased employment opportunities in the local area.

The anticipated increase in employment opportunities in the Altnagelvin area will make Drumahoe a sought-after location to live in.

Transport links: The Regional Development Strategy (RDS) seeks to grow a strong North West centred on Derry-Londonderry.^{5.2} Recent joint studies by Donegal County Council and DCSD Council have identified the realistic yet ambitious pathway to growth of the region over the next 15 years, including the extensive investment in infrastructure such as the A5 and A6 dual carriageways and the expansion of Altnagelvin Hospital amongst other initiatives.^{5.3} Through the North-West Transport (NWTP) Study, the LDP will seek to investigate the potential for orbital roads / links around Derry including the A5 to A6 and A6 to A2.^{6.36}

As part of active travel proposals, the LDP, informed by the NWTP, will indicate strategic locations for Park and Ride / Park and Share facilities at the main strategic bus and rail stops and at all the main entrances / exits to Derry city, including A6 Drumahoe. This will be important in providing realistic alternatives to private car usage to bring people to the City / District yet limiting the number of cars to be accommodated on roads and to be parked.^{11.29}

At LPP stage, key corridors will be identified that are capable of accommodating employment / residential uses by knowing how well linked they are by public transport and potentially cycling.^{11.37}

The LDP identifies that transport corridors, which benefit from sustainable transport services are examples of accessible locations suitable for both higher density and mixed use development. Higher densities will assist in making the best use of urban land and generally support the viability of public transport services.^{16.37}

HOU 3 Policy: Density of Residential Development advises that a high – medium housing density will be acceptable in locations outside of the central areas, which front on to key transport corridors, including arterial routes within Derry and Strabane, and sites adjacent to District and Local Centres. The location and extent of these locations, arterial routes and District and Local Centres will be clarified and identified at the Local Policies Plan. In the interim period, between LDP Plan Strategy and Local Policies Plan, it will be for the applicant to demonstrate how their development proposal can be considered to front on

to an arterial route or be adjacent to the Centres. These areas will be reviewed and the location and extent of the boundaries will be defined at Local Policies Plan Stage.^{16.39}

Site Specific Considerations

In the context of the robust evidence base set out above, the LDP, might in future, consider the suitability of the Wards' lands at Glenshane Road, Drumahoe. It is subdivided in to 3 potential areas for housing zoning.

The site, comprising all 3 areas, is ideally situated, lying between housing zone 25 and the path of the A6 dual carriageway. The site is contiguous to the existing Settlement Development Limit (SDL) on the west side. Appendix 1 shows multiple points of access from the site, with right of connection to Utilities, to the Braidwater Development at zone H25. The site is a natural extension of the existing development and it is clearly a sustainable and accessible location.

To the south, the site fronts on to the main arterial route on to Derry city.

The site lies adjacent to the A6 Drumahoe entrance / exit, enabling easy access to the A6 Dual carriageway protected route. Future development of an A5 to A6 orbital link will further improve key transport links.

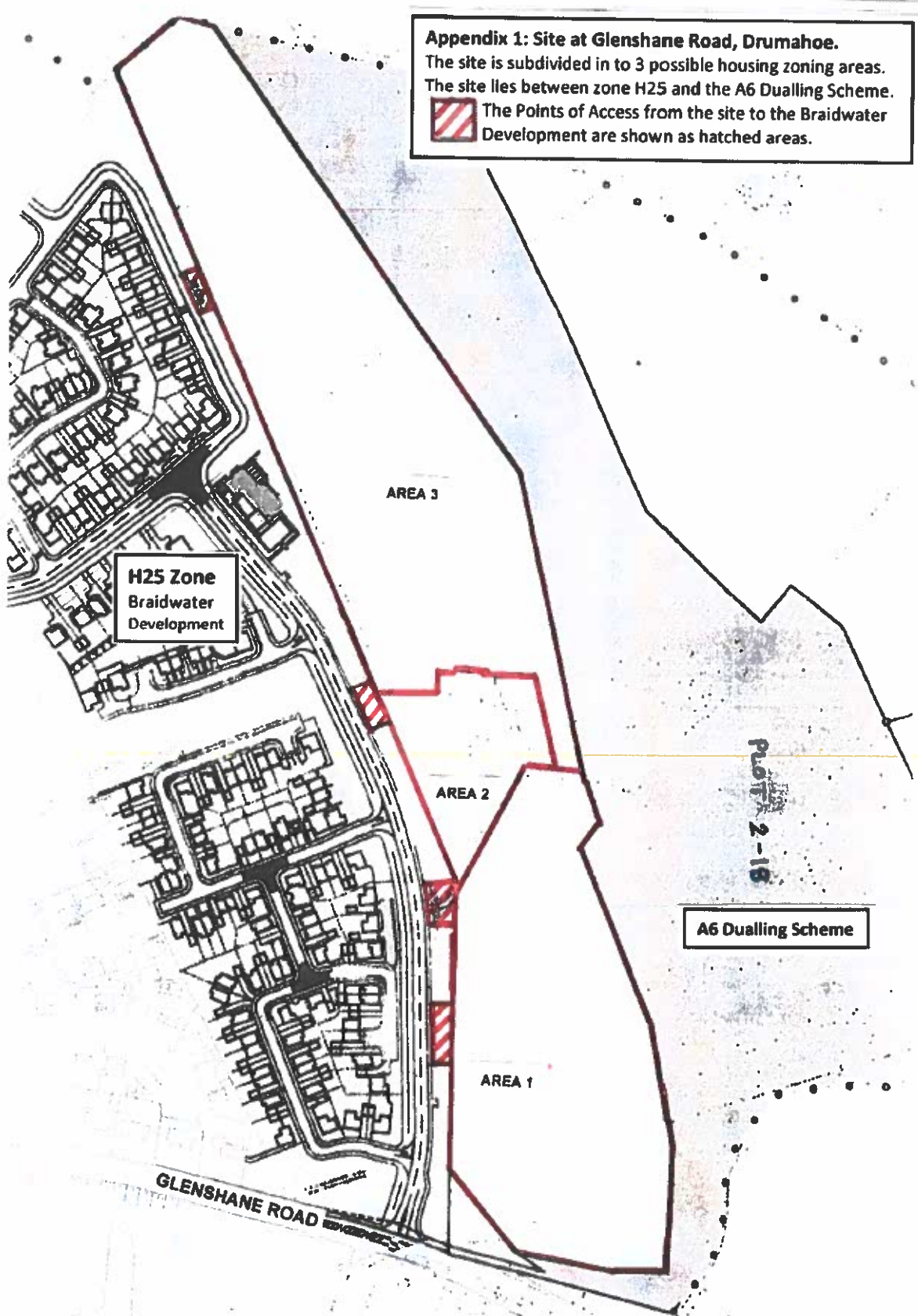
The site lies adjacent to a Park and Ride / Park and Share facility which will allow people to use public transport to travel on to Derry city.

The site lends itself to a high-quality mixed housing development in a range of sizes and tenures including private housing and social / affordable housing.

Environmental studies have been undertaken at zone H25 and at the site of the A6 dual carriageway, on either side of the site.

TAM 4 Protection for New Transport Schemes states that planning permission will not be granted for development that would prejudice the implementation of a transport scheme identified in the LDP.^{11.77} Zoning housing lands at this site would not compromise the implementation of the A6 Dualling scheme as evidenced by the current on-going development of the H25 zone which lies immediately adjacent to this site.

In summary, the evidence presented in the LDP identifies the exceptional circumstances for zoning additional housing lands at Drumahoe. Other than this site, there is a lack of alternative lands at Drumahoe. The River Faughan lies to the west and south of Drumahoe and is liable to flooding. Land to the south of the site is designated as an Area of High Landscape Importance (AHLI). Land to the north is less accessible and does not front on to a main arterial route on to Derry city. This site, comprising 3 areas for possible housing zoning, is ideally situated, lying between housing zone 25 and the A6 dual carriageway.



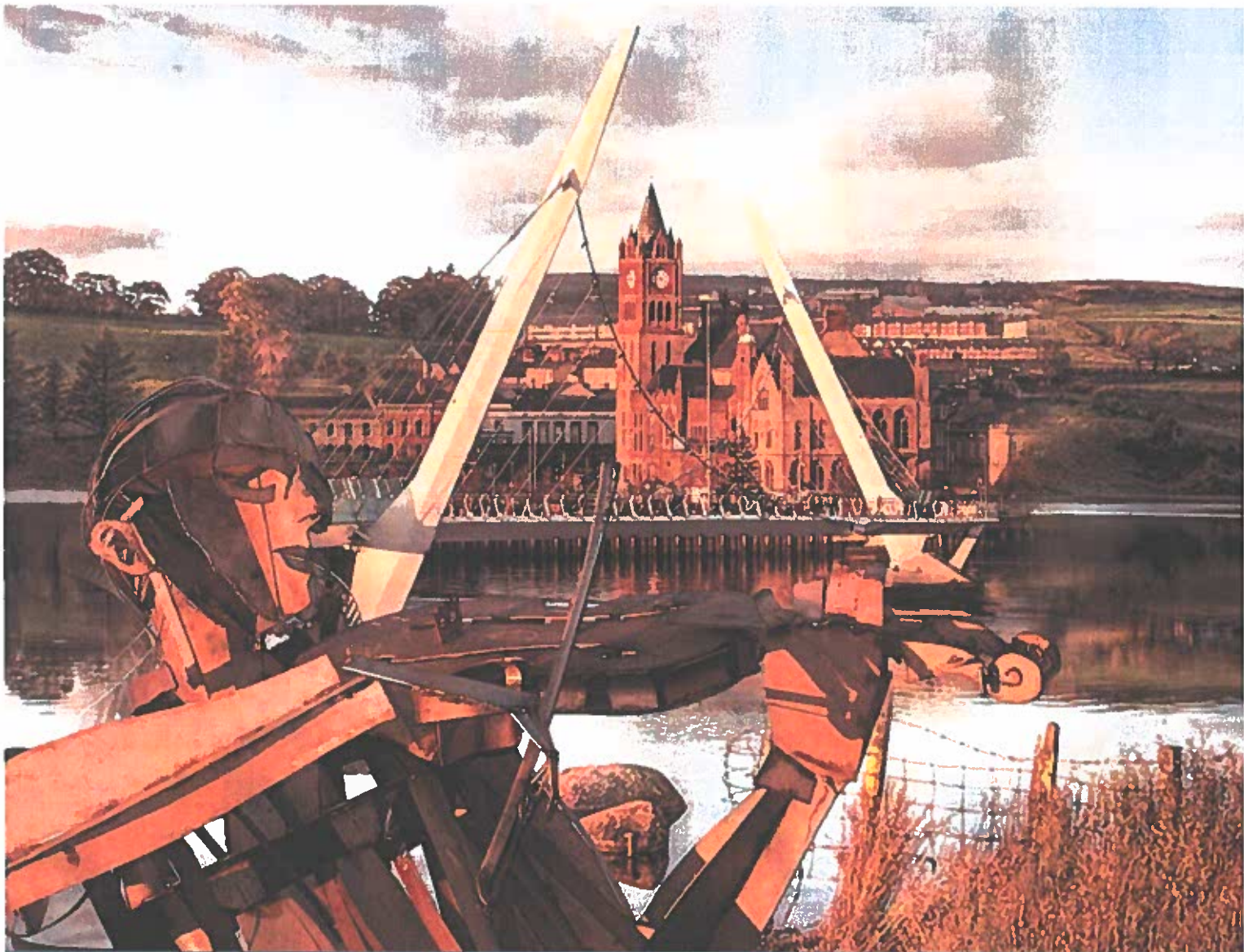


Derry City & Strabane District Council

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
- I received an email on 29.10.20 advising me that my previous representation was disallowed, in spite of previous correspondence to the contrary. Because of COVID restrictions, there is insufficient time to appoint an agent before the deadline on 06.11.20.

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.

N/A

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:

See attached submission - Designation SETT 2

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

Procedural tests

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

Consistency tests

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

Coherence and effectiveness tests

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

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

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

Relevant Chapter number(s)

See attached submission

(and/ or) **Relevant Policy number(s)**

(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.

See attached submission

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

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

See attached submission

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.

N/A

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.

N/A

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.

N/A

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.

N/A

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