

LDP-PS-REP-33

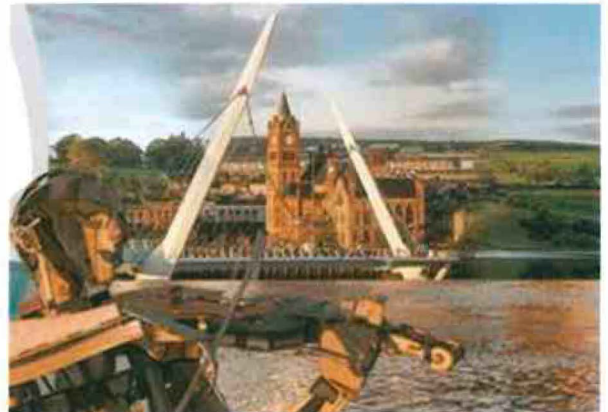
RE: DERRY CITY &
STRABANE DISTRICT
COUNCIL;
LOCAL DEVELOPMENT
PLAN 2032
DRAFT PLAN STRATEGY



Representations to Draft Plan Strategy

ON BEHALF OF

Mr Watson



AUTHOR

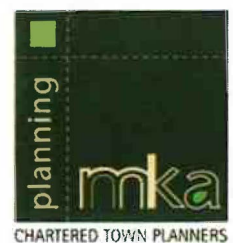
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Tamnaherin Small Settlement.

1.0 Summary.

- 1.1 Policy Designation SETT2 – Development within Settlement Development Limits and GB 1 - Green Belts is unsound as both designations fail the Soundness Tests of CE2 and CE 4 – Coherence and Effectiveness.
- 1.2 The policy is not founded on a robust evidence basis which explains the rationale in respect to the proposed nil provision of net additional social and affordable dwellings for Tamnaherin.
- 1.3 We recommend that a robust, up to date assessment of the urban footprint of Tamnaherin is undertaken to ensure the suitability and availability of sites to facilitate the housing proposals of the Council.
- 1.4 The proposed Strategy is unrealistic and inappropriate, has not properly considered the relevant alternatives and it is not based on a relevant evidence base.
- 1.5 The proposed Strategy has limited flexibility and it is not robust to deal with changing circumstances.
- 1.6 The Strategy needs to consider extending the existing development limits of Tamnaherin to meet the local need for social and affordable housing.

2.0 Amplification.

- 2.1 This representation sets out the aspects of the Derry and Strabane Draft Plan Strategy (LDP) which we consider to be unsound on the basis that a number of policies contained within the LDP do not satisfy the tests of soundness as set out in the relevant legislation and guidance notes.

2.2 Designation GB 1

- 2.3 Designation GB 1 is not necessary as normal countryside planning policies as previously set out in PPS 21 are more than adequate to restrict development in the countryside. Indeed, Council propose to adopt a number of these PPS 21 planning policies into the proposed DPD. Council proposed amendments to these former PPS 21 policies further significantly restrict the potential for these policies to facilitate development within the countryside.
- 2.4 We do not believe that the evidence basis provided for the DPD provides robust evidence of significant urban generated development pressure on this area to now justify a new green belt. Belfast, Derry and other major towns and cities have operated since 2008 and the

introduction of PPS 21 with no green belts in operation with it would appear no significant harmful effects.

- 2.5 Therefore, we do not believe it is necessary to designate a new green belt to curb urban generated development pressure from residential and non-residential development in the countryside, to prevent urban sprawl and ensure urban regeneration.

2.6 Designation SETT 2

- 2.7 Designation SETT 2 states each settlement in the settlement hierarchy will have a defined development limit, beyond which there will be a presumption against further urban development (subject to development in accordance with the other relevant policies.)

(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).

- 2.8 The Draft LDP states at Paragraph 16.14 that most of the District's settlements have sufficient land to meet their housing requirement up to 2030. The LDP will seek to manage the District's housing zonings 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.*

- 2.9 In terms of this submission Criteria d is particularly important. Criteria d states:-

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.

2.10 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 Tamnaherin in terms of a specific social housing need and a lack of alternative lands.

2.11 We consider these two material factors below.

2.12 Local Housing Need.

2.13 As part of planning application LA11/2019/0374/F the NIHE has indicated that the proposal is located in an area of housing need as demonstrated by previous Rural Housing Needs Tests carried out by the NIHE in 2014 and 2018 where a "latent" need for social and affordable housing was identified.

2.14 The NIHE has identified in Tamnaherin during the course of this planning application a social housing need of between six to ten dwellings units. The NIHE has also welcomed the mixed tenure aspect of the proposal providing affordable housing.

2.15 The need to keep the new school viable in terms of numbers and to the site specific need for social and affordable housing at Tamnaherin supports the application of Criteria d.

2.16 The local community has consistently pointed out that the lack of developable land within Tamnaherin has had significant adverse effects on the local community. Slaughtmanus GFC, the local Gaelic team, has pointed out that many of their players and members have been forced to move away from Tamnaherin due to the lack of development in the settlement and are now living in Eglinton, Claudy, Drumahoe or the City.

2.17 Alternative Sites.

2.18 Table 1 in Appendix 5 of the DPD at Page 506 states that Tamnaherin has an approximate current housing capacity of 42 dwelling units and a housing provision of 8 dwellings to meet housing need up to 2032. We do not believe that this housing capacity of 42 units is correct for the following reasons.

- We attach at **Appendix MKA1** the 2013 DOE NI Housing Monitor for Tamnaherin incorporating settlement map and tables of monitorable sites within the settlement. This indicates that there were remaining potential for only 7 no. dwellings over a remaining area of 0.34 hectares within Tamnaherin.

- We attach at **Appendix MKA2** the 2016/2017 Housing Monitor carried out by Derry and Strabane Council (DSC) also indicates a remaining potential of 7 dwellings.
- We attach at **Appendix MKA3** as part of my submission on Planning Application – LA11/2019/0374/F a housing capacity study which considered undeveloped land with potential for housing development within Tamnaherin. This agreed with the conclusions of the earlier housing monitors. However, this study also pointed out that some of this land to provide the proposed 8 no. dwellings is also unavailable or undevelopable. We also note that Identified Sites 2 and 3 in this Study were both excluded from both the Department’s 2013 and Council’s Housing Monitor 2016/17 for consideration as potential housing sites.

2.19 Service Provision.

2.20 Table 1 also indicates that Tamnaherin’s service level is low. We attach at **Appendix MKA 4** the settlement assessment from Paper EVB 6 – Spatial Strategy.

2.21 We note that the only services identified at Tamnaherin are a playing pitch and a proposed primary school. Work has now commenced on the primary school which will also provide a nursery facility for the surrounding area. This appraisal also ignores St Mary’s Roman Catholic Chapel. The local Gaelic club has also indicated that they have two pitches, four changing rooms, a community hall, meeting rooms and a recently completed gym all available to the public. The original EVB 4 Paper for Tamnaherin prepared for the POP’s Paper published an identical appraisal in 2017. This appraisal does not appear to have been updated for Paper EVB 6 which supports the DPD. Therefore, service provision within Tamnaherin is better and is likely in the near future to be significantly better than that set out in the evidence base.

2.22 In these circumstances we believe it is appropriate for Criteria d to be applied and there is clearly a need for additional lands to be incorporated within the Tamnaherin area.

2.23 We believe that these particular circumstances in Tamnaherin are exceptional and additional land needs to be brought into the settlement and zoned to accommodate this identified social housing need and affordable housing. It is noted that the proposed green belt surrounding Tamnaherin will further increase pressure on Tamnaherin settlement to accommodate rural need.

2.24 It is important when reviewing the effectiveness and delivery of its housing land supply the potential of sites which can be brought forward quickly is recognized by the Council. In this context we provide details of the Watson lands at Tamnaherin.

3.0 Site Specific Considerations.

- 3.1 In the context of the strategic representations set out above, the LDP, might in future, consider the suitability of the Watson lands, at Ervey Road, Tamnaherin.
- 3.2 We attach a plan to identify the site at **Appendix MKA5**.
- 3.3 We believe that it is reasonable to assume, considering the identified social housing need and the lack of alternative housing sites in Tamnaherin that Planning Application LA11/2019/0374/F is likely to get planning permission in the near future.
- 3.4 We believe that the application site should be incorporated within the new settlement limits of Tamnaherin in the new LDP Strategy. The adjoining lands between the application site and the existing settlement limit should also be incorporated within the development limits.
- 3.5 As the LDP is a fifteen year development plan for the Council district it makes sense for the Council to incorporate this impended housing development within the new settlement limits of Tamnaherin.
- 3.6 The subject site is consistent in broad terms with the general thrust of the Regional Development Strategy to promote compact urban forms and a more sustainable pattern of development.

Appendix MKA 1

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NORTHERN IRELAND LAND USE DATABASE HOUSING SITES

DEVELOPMENT STATUS OF ALL MONITORABLE SITES IN
TAMNAHERIN AS OF 1 AUGUST 2013

Site Ref	Site Name	Date of Survey	Units Complete	Remaining Potential	Area Developed	Area Remaining	Development Status	Completion Date
17967	12 BROCKKAGH ROAD	01/08/2003	4	0	0.27	0.00	COMPLETE	01/08/2003
17999	SOUTHWEST OF 10 BROCKKAGH ROAD	01/08/2002	1	0	0.15	0.00	COMPLETE	01/08/2002
18033	ADJ. TO 13A BROCKKAGH ROAD	01/08/2002	1	0	0.057	0.00	COMPLETE	01/08/2002
18098	22 BROCKKAGH ROAD	01/08/2008	2	0	0.1	0.00	COMPLETE	01/08/2008
18176	ADJACENT TO 95 ERVEY ROAD	01/08/2008	1	0	0.04	0.00	COMPLETE	01/08/2008
18278	93 ERVEY ROAD	01/08/2007	1	0	0.1	0.00	COMPLETE	01/08/2007
18287	NEAR TARA COURT BROCKKAGH ROAD	01/08/2013	0	6	0	0.20	NOT STARTED	

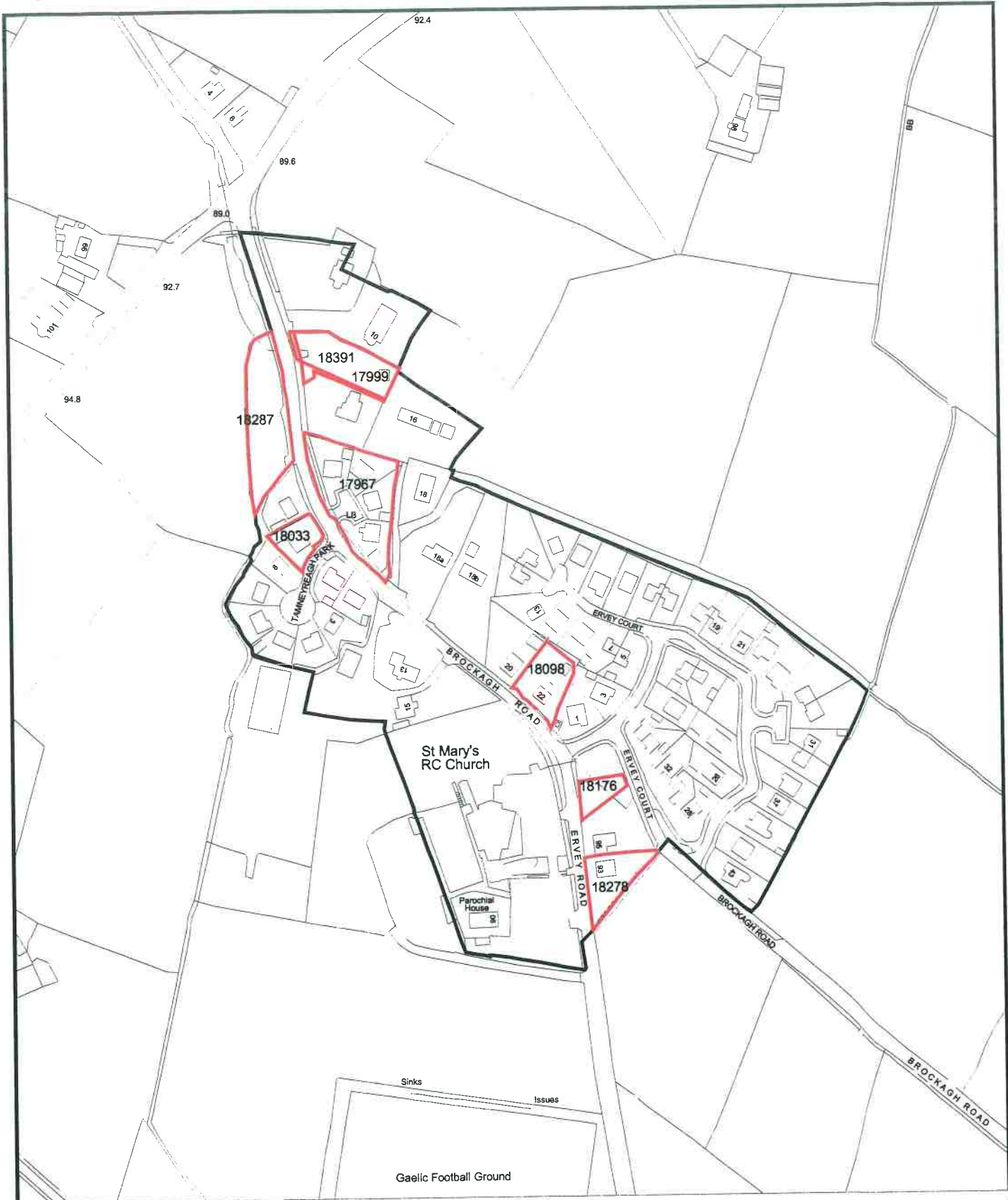
This report excludes Phase 2 Development Land

Site Ref	Site Name	Date of Survey	Units Complete	Remaining Potential	Area Developed	Area Remaining	Development Status	Completion Date
18391	SITE BETWEEN 8 AND 10 BROCKKAGH ROAD	01/08/2013	0	1	0	0.14	NOT STARTED	

SETTLEMENT TOTALS

10 7 0.72 0.34

This report excludes Phase 2 Development Land



Tannaherin NILUD Urban Housing Monitor 2013

DOE Disclaimer
 The DOE does not accept liability for any loss incurred or damage to any person or property caused as a result of any inaccuracy in the data shown on this map



Monitor Sites
 Settlement Development Limit



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Appendix MKA 2

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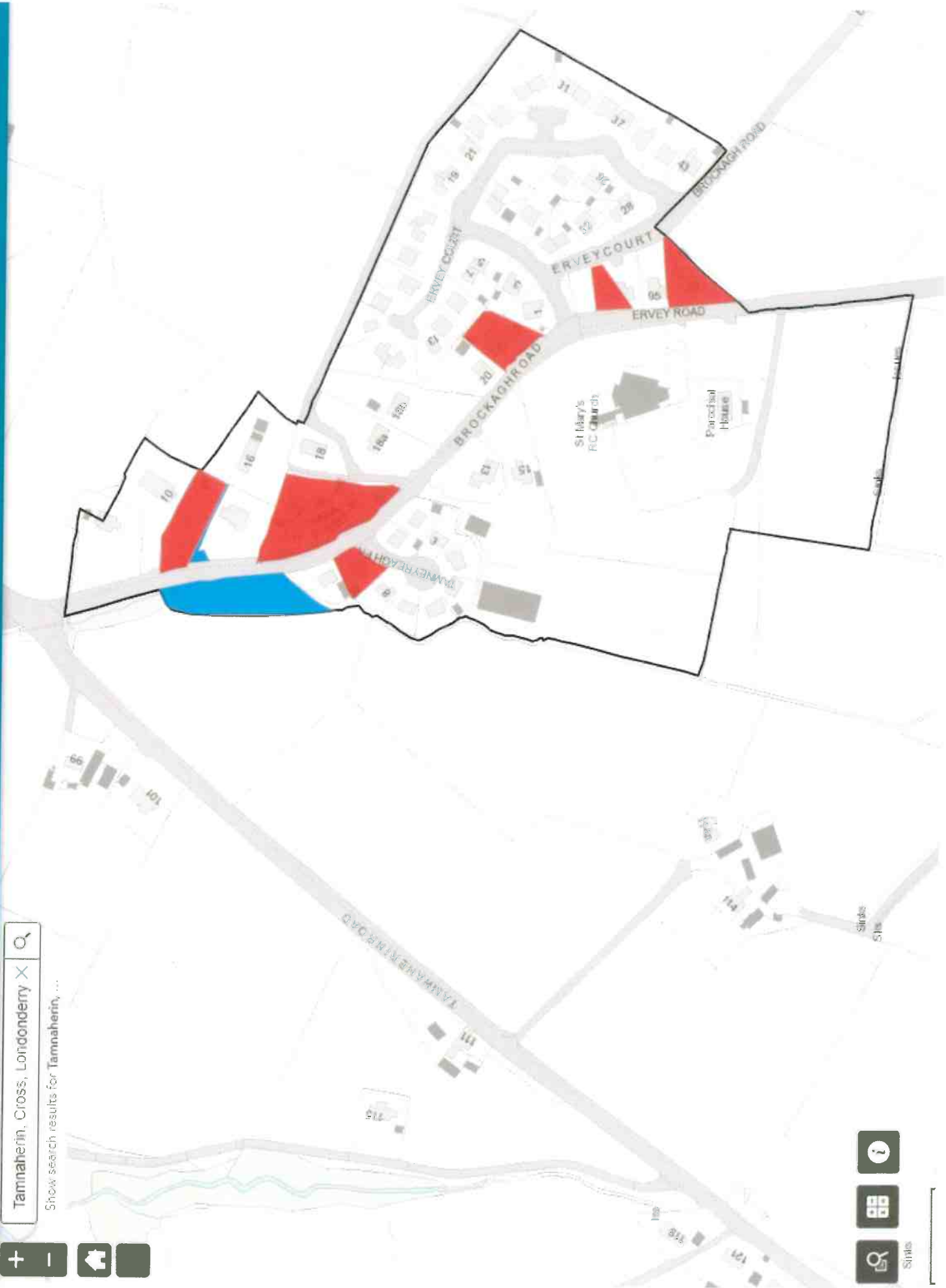
Tamnaherin, Cross, Londonderry X



Show search results for Tamnaherin, ...



Stiles



Appendix MKA 3

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This assessment has shown that no suitable sites are available as set out in **Map 1** in **Appendix MKA5** as there are only three potential sites for this proposal within the settlement.

- **Site 1 – Land at Brockagh Road.**

Site 1 is a small undeveloped linear site along Brockagh Road. Outline planning permission was granted in 2007 and renewed in 2010 for six dwellings on Site 1. This permission has now lapsed for over 5 years. This site has never been available for sale. This site is also too small physically to accommodate this proposal. Part of this site is also within the floodplain and affected by surface water flooding.

- **Site 2 - Former Eglinton Fast Freight Premises.**

Site 2 is a brownfield site formerly occupied by Eglinton Fast Freight within Tamnaherin. The vehicular access to this site is poor and the vehicular entrance off Brockagh Road is substandard and the required visibility splays are not available for the existing vehicular access. The site is not currently on the market and appears to be in storage and equestrian use. A significant part of this site is also within the floodplain and affected by surface water flooding.

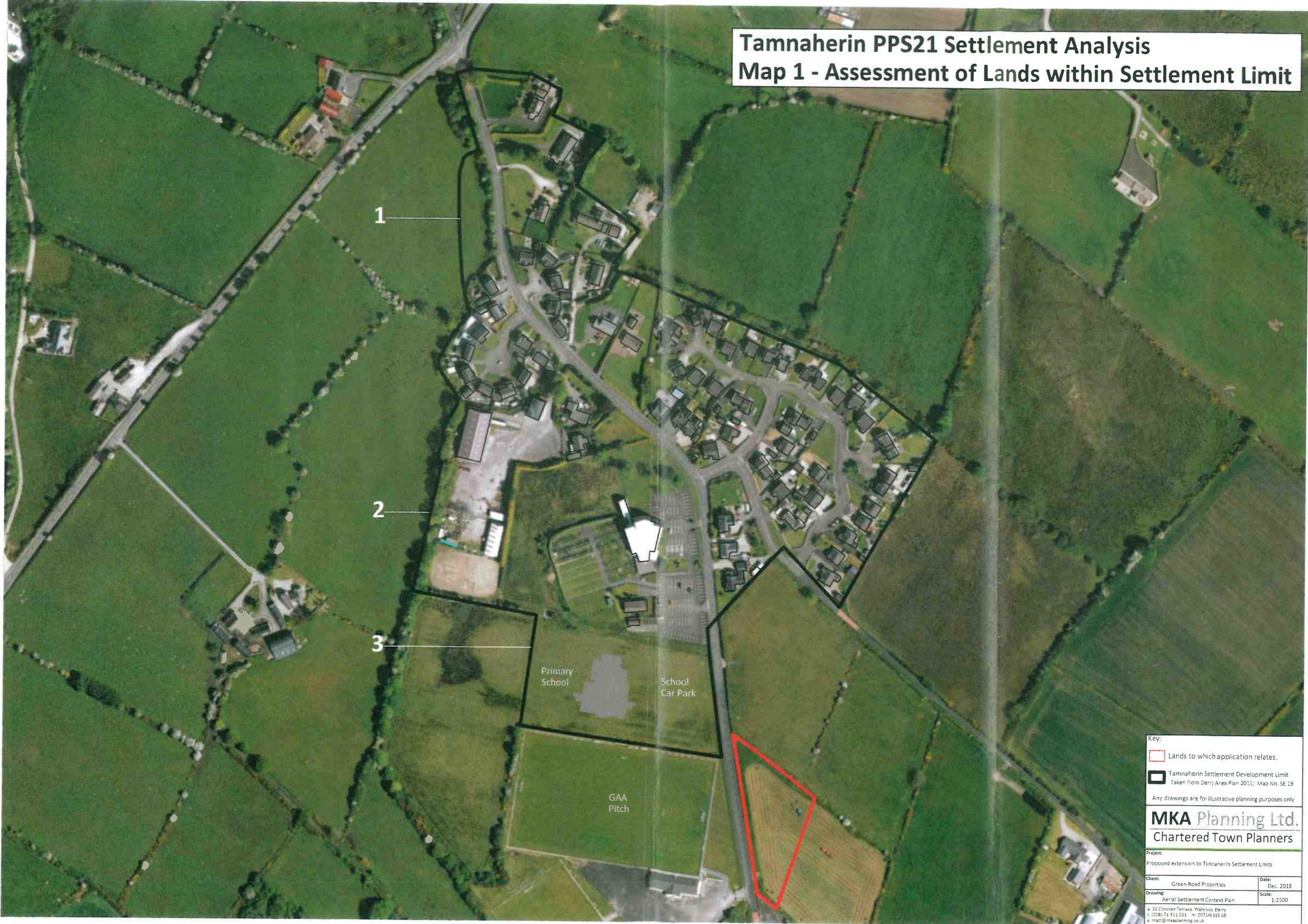
- **Site 3 – Land at Ervey Road.**

Site 3 is a greenfield site which is currently in the process of being developed as a primary school to replace the existing primary schools at Mullabuoy and Listress. This development clearly shows that Tamnaherin is becoming a greater service provision provider in this rural area. Planning permission was granted on 6th April 2017 and the development is under way, (LA11/2016/0996/F). It is therefore not a realistic option for this proposal.

It is also noted that Sites 2 and 3 are excluded by the Department's Housing Monitor in Tamnaherin from consideration. Even Site 3 is either affected by the floodplain or surface water flooding which would further affect their suitability for residential development.

Tamnaherin PPS21 Settlement Analysis

Map 1 - Assessment of Lands within Settlement Limit



Key:
[Red outline] Lands to which application relates.
[Black outline] Tamnaherin Settlement Development Limit
Taken from Derry Area Plan 2011; Map No. SE 19
Any drawings are for illustrative planning purposes only

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Project:
Proposed extension to Tamnaherin Settlement Limits

Client:	Green Road Properties	Date:	Dec. 2018
Drawing:	Aerial Settlement Context Plan	Scale:	1:2500

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Appendix MKA 4



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Derry City and Strabane District Council - EVB 6 Spatial Strategy

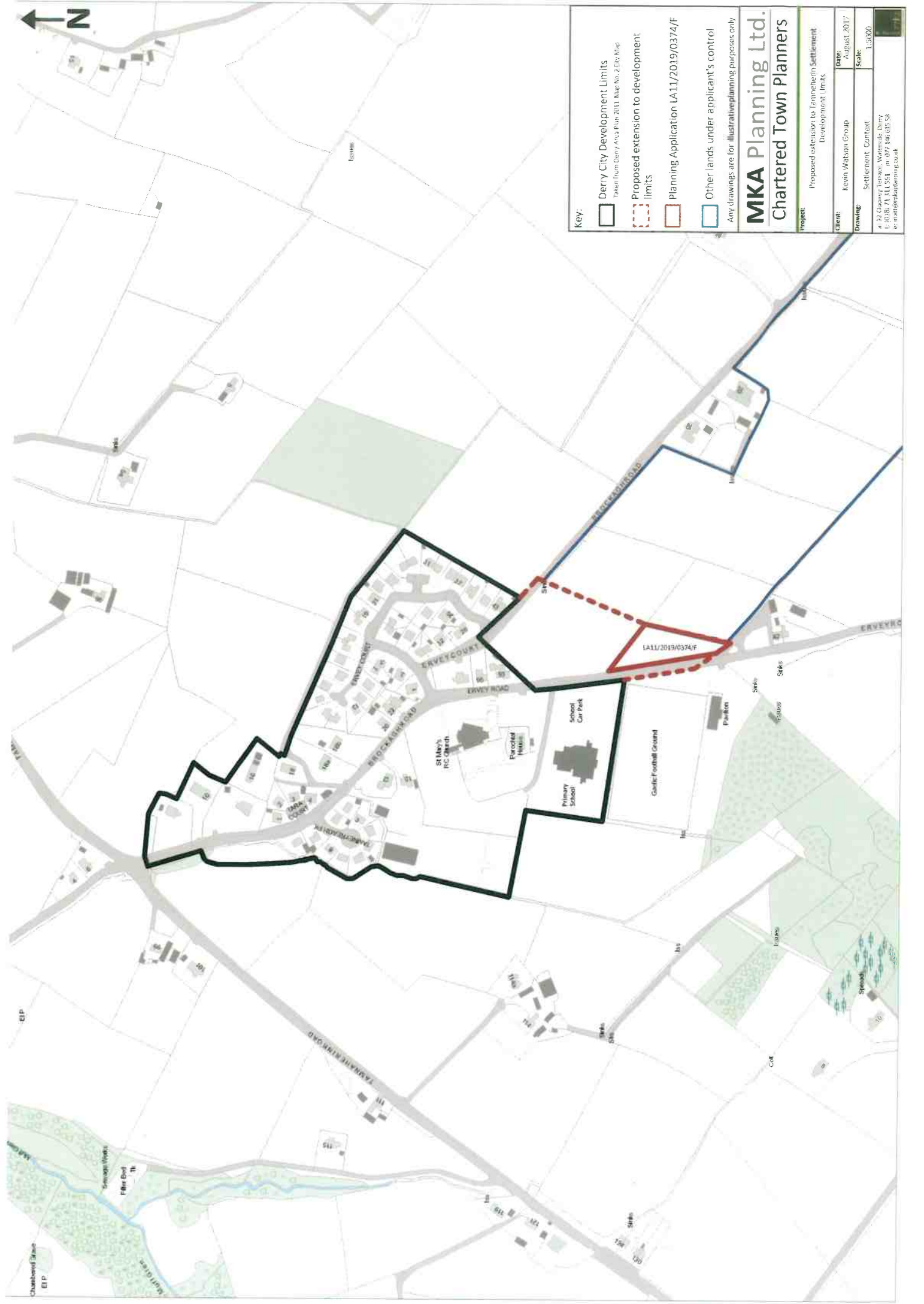
Settlement	Current Status	2011 * + Population	Level of Services	WWTW	Housing Units completed (Jan 1999- Aug 2014)	Proposed LDP Status (Possible changes in status are shown in bold or ?)
				Capacity Available		
NIXON'S CORNER	Small Settlement	242	<ul style="list-style-type: none"> • WWTW 	√ Yes- Reasonable Capacity Available	22	Small Settlement
STRAIDARRAN	Small Settlement	410	<ul style="list-style-type: none"> • Community Playgroup 	√ Yes- Reasonable Capacity Available	114	Small Settlement
TAMNAHERIN	Small Settlement	251	<ul style="list-style-type: none"> • Playing Pitch • Proposed Primary School 	√ Yes- But at or Reaching Capacity	10	Small Settlement
TULLINTRAIN	Small Settlement	26**	<ul style="list-style-type: none"> • Hall 	Not served by WWTW	2	Small Settlement
AGHABRACK	Hamlets	33**	<ul style="list-style-type: none"> • Shop • Business units • Community Hall • Playing Pitches • 4G Pitches • St Marys Church 	Not served by WWTW	2	Small Settlement
AGHYARAN	Hamlet	23**	<ul style="list-style-type: none"> • Playing Fields • Community Centre • Post Office • Primary School • Church 	Not served by WWTW	1	Small Settlement
BREADY	Hamlet	231	<ul style="list-style-type: none"> • Heritage Centre • Church Hall • Community Playgroup • Primary School 	√ Yes- But at or Reaching Capacity	49	Small Settlement
CLOGHCOR	Hamlet	13**	<ul style="list-style-type: none"> • Church • Primary School 	Not served by WWTW	0	Small Settlement
CRANAGH	Hamlet	62	<ul style="list-style-type: none"> • Primary School • Pub • Heritage Centre – Outside Limits • Parish Hall • St Patrick's Church • Public Toilet • Shop – Outside Limits 	√ Yes- But at or Reaching Capacity	5	Village
DONAGHEADY	Hamlet	123	<ul style="list-style-type: none"> • Church Hall • Community Playgroup • Tennis Courts 	√ Yes- Reasonable Capacity Available	33	Small Settlement
DOUGLAS BRIDGE	Hamlet	124	<ul style="list-style-type: none"> • Community Centre • Pub • Post Office • Church Hall • Memorial Hall 	X No Insufficient Capacity	17	Small Settlement
DRUMLEGAGH	Hamlet	92	<ul style="list-style-type: none"> • Church • Large Agri- Shop • Primary School (closed) • Orange Lodge • Post office 	X No Insufficient Capacity	19	Small Settlement
GARVETAGH	Hamlet	66	<ul style="list-style-type: none"> • Primary School (closed) • Church Hall • Church • Credit Union 	√ Yes- But at or Reaching Capacity	0	Small Settlement
GLENMORNAN	Hamlet	142	<ul style="list-style-type: none"> • Church • Primary School • Shop • Playing Fields 	√ Yes- Reasonable Capacity Available	37	Village

Appendix MKA 5



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Key:

- Derry City Development Limits
taken from Derry Area Plan 2011, Map No. 2 City Map
- Proposed extension to development limits
- Planning Application LA11/2019/0374/F
- Other lands under applicant's control

Any drawings are for illustrative planning purposes only

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Project: Proposed extension to Terenure Settlement Development Limits	
Client: Kevin Watson Group	Date: August 2017
Drawing: Settlement Context	Scale: 1:5000
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