

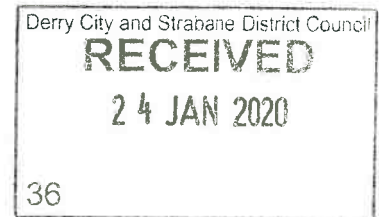
Sarah-jayne Boyle

From: Graham Cardwell <graham.cardwell@investni.com>
Sent: 24 January 2020 12:20
To: Local Development Plan
Cc: Proinsias McCaughey; Malachy McCarron; Mark Latimer; Paul Tinney; William Hoey; Sharon Keenan; Des Gartland; Katherine Spratt
Subject: Invest NI Response to Derry City & Strabane Council LDP Draft Plan Strate.pdf
Attachments: DCS LDP dPS Invest NI Comments January 2020.pdf

Folks,
Please see Invest NI's comments on the Draft Plan Strategy attached.

William – grateful if you could forward it to the appropriate team in DfE as usual

Best regards,
Graham



Graham Cardwell
Property Executive
Business Solutions Group
Invest Northern Ireland, Bedford Square, Bedford Street. Belfast. BT2 7ES.
Direct T: +44 (0) 28 9069 8091 Mobile T: +44 (0) 7796 277 174
Email: graham.cardwell@investni.com
www.investni.com :: www.nibusinessinfo.co.uk :: www.investni.com/property
Text Relay Number: 18001 028 9069 8091

If you are calling using a textphone from outside the UK please call: +44 151 494 1260 028 9069 8091

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Derry City and Strabane District Council

Local Development Plan 2032

Draft Plan Strategy

Invest NI Comments – January 2020

1. Invest NI welcomes the opportunity to consider the soundness of the Derry City and Strabane District Council 2032 (the draft Strategy). Our comments should be read in conjunction with those made in relation to the Council's Preferred Options Paper (POP) in August 2017, which we have enclosed at Annex A along with these comments.
2. It is noted within the Strategic Planning Policy Statement (SPPS) that Councils in preparing their Local Development Plans (LDP) must take account of the RDS 2035, the Sustainable Development Strategy for Northern Ireland, the SPPS and any other policies or advice in guidance issued by the Department.
3. In considering our comments we have taken account of the strategic direction set out within the Regional Development Strategy 2035 (RDS), the Strategic Planning Policy Statement (SPPS), Planning Policy Statement 4 (PPS4) as well as the Council's Community Plan.
4. As the regional business development agency for Northern Ireland Invest NI's role is to grow the local economy. For this reason our specific focus in reviewing the aforementioned documents has been on those elements of each that relate to economic development or, in our view, could have a particular resonance with economic growth.
5. As noted in our response to the POP Invest NI can only speak on behalf of the spatial needs of those businesses meeting its intervention criteria, these will primarily be those which can drive productivity and make the greatest contribution to growing the economy. These include both indigenous and foreign owned businesses. A copy of our POP response is included as an Annex to this response for your convenience.

Vision and Plan Objectives

6. Invest NI notes the vision of the draft Strategy, as set out on Page 44, is to “make Derry City and Strabane District a thriving, prosperous and sustainable area – Planning for balanced and appropriate high quality development, whilst protecting our environment, and also promoting wellbeing with equality of opportunity for all.”
7. This vision is underpinned by a number of objectives which fall into four areas namely;
 - Spatial and Cross Cutting Objectives
 - Economic Development Objectives
 - Social Development Objectives
 - Environment-Focused Objectives
8. Invest NI’s particular focus will be on the economic development objectives which will seek to create jobs and promote prosperity. We will also comment on aspects of other objectives where we consider them to have a particular resonance with economic development.
9. It is through the economic development objectives that the Council will, in summary
 - Facilitate the creation of approximately 15,000 new jobs by 2032
 - Recognise and accommodate entrepreneurship and innovation
 - Recognise the importance of and accommodate self-employment and home working
 - Recognise the North West’s significant renewable energy resource and encourage the use of sustainable energy
 - Manage the utilisation of the District’s mineral resources
 - Facilitate the City to capitalise on its role as a key cross-border and international gateway
 - Continue the high levels of co-operation between Letterkenny, Derry and Strabane
 - Achieve a strong, vibrant and multi-use City Centre and Town Centres
 - Increase the visitor numbers, spend and economic benefit of tourism for the District

Growth Strategy for the Derry City and Strabane District

10. Invest NI notes the overall growth strategy for Derry City and Strabane as set out within Table 6 on Page 52. Paragraph 5.14 on Page 53 notes the LDP Plan Strategy is to provide enough land to accommodate and facilitate 15,000 jobs. This is to be welcomed.

11. In the strategy to deliver the growth levels set out at Paragraph 5.15, we note that the Council will expand economic development and employment in the main settlements and across the District. It might be useful to also reference within this section the provision of land to support the creation of 15,000 new jobs and infrastructure to service them in the same manner as the new home provision is identified.

Spatial Strategy for the Derry City and Strabane District

12. Invest NI notes the Settlement Hierarchy for the District as set out at SETT1 on Page 58.
13. In respect of land uses we recognise that development limits will be defined for all settlements and land use zonings and local policy areas policy will be defined at the Local Policies Plan stage as per SETT2 on Page 63.
14. Invest NI notes the proposal for Green Belts around both Derry City & Strabane Town and the attendant constraints on development within them.

General Development Principles and Policies

Supporting Sustainable Economic Growth

15. Invest NI notes Paragraphs 7.28 to 7.32 inclusive and in particular that the LDP will take a positive approach to appropriate economic development proposals and proactively support and enable growth-generating activities provided they accord with the relevant policy (Paragraph 7.30).
16. We note policy **GDP 4 - Supporting Sustainable Economic Growth** and that it highlights that the Council will balance the need to support job creation and the economic growth against the environmental impacts.
17. Invest NI notes the provisions of policy **GD POL1 General Development Management Policy** and recognises the sustainable development principles underpinning this principles. However Invest NI urges caution that this approach does not endanger the supply of zoned economic B3 uses (General Industry) at the Local Plan Policies (LPP) stage. Adequate provision for zoned economic land suitable for B3 use should be provided. Furthermore, we highlight that consideration should be given to ensure that no ambiguity arises between LPP economic zoned land key site requirements and overarching general development management policy. B3 uses should not be considered as unsustainable or not environmentally friendly.

Economic Development Land Supply

18. Invest NI notes the range of 5 tiers of economic zoned lands which have the potential to accommodate a range of economic requirements from small scale to regional business requirements.
19. In respect of GEDAs, Invest NI notes that the Council concludes that it has more than sufficient land in terms of quantity and that there is no strategic need to expand GEDAs through the LDP. It also notes that a NEDA is proposed to provide sustainable employment opportunities for the expanding western section of the city.
20. It notes that some guidance is given on the range of uses accepted in some of the designations and that some uses are specifically excluded and wishes to reserve the opportunity to comment further, in particular in respect of GEDAs, following the confirmation of scale, extent and location of all employment opportunity areas at the Local Policies Plan (LPP) Stage.

Economic Development Policies

21. **ED1: General Criteria for Economic Development**
Invest NI notes, and acknowledges, that Policy ED1 cross references other potentially relevant planning policy issues, which developer should have regard.
22. **ED2: Office Development**
Invest NI recognises that whilst Policy ED2 replaces elements of Policy PED 1 of PPS4 relating to office development (Class B1 (a) and (b) use), the thrust of the policy remains the same.
23. **ED3: Economic Development in Settlements**
Invest NI should note that this policy now makes provision for Class B4 uses where they will not lead to the diminution of the economic development land resource.
It also notes that B1(b) is not included in Policy and would reiterate its POP comments that *“business support services could also include office use, particularly those that would be considered to fall within B1(a) of the Planning (Use Classes) Order. The Council may therefore wish to reflect on the suitability of limited office use within these policies”*
24. **ED4: Protection of Zoned and Established Economic Development Land and Uses**
Invest NI recognises that this draft policy reflects elements of both PED 7 of PPS4 and the SPPS.
However, we wish to highlight the element of policy which states that *“small scale complementary / ancillary use that meets the day-to-day needs*

of local employees” could be considered acceptable. The justification and amplification of the policy text states “Examples may include a café or a crèche or other uses that can be demonstrated to primarily meet the needs of the immediately nearby employees. If the same use exists within 600m-800m of the site, the onus will be on the applicant to demonstrate why the additional proposal is required above and beyond the existing nearby facilities.”

Invest NI recognises that these conditions focus the provision for the essential day-to-day needs of those employees in the immediate vicinity, but wonders how compliance with these criteria would be managed/policed on an ongoing basis. While it acknowledges the potential benefits such uses may bring *in the vicinity of* economic development land, Invest NI is on record as having serious concerns over the location of crèche facilities *IN* industrial parks as they have the potential to be incompatible with the existing industrial land-use.

Invest NI therefore notes that this section of policy appears to contradict the second part of Policy ED4 ‘Compatibility with Nearby Established/ Approved Economic Uses’ which seeks to protect economic development enterprises from incompatible land uses..

25. **ED5: Small Scale Economic Development in the Countryside**

Invest NI notes that this policy condenses much of PED 4 & 6 into a single policy and introduces additional opportunities, that don’t exist in current policy, It recognises that the scale proposed is in line with the RDS/SPPS objectives of sustaining rural communities..

26. **ED6: Expansion of an Established Economic Use in the Countryside**

It is Invest NI’s view that Policy ED6 reflects the provisions in Policy PED3 of PPS 4.

27. **ED7: Major Industrial Development in the Countryside**

It is Invest NI’s view that Policy ED6 reflects the provisions in Policy PED5 of PPS 4.

Developer Contributions and Community Benefits

28. Invest NI would reiterate its comments from its POP response on Developer Contributions namely that in public sector developments, wider societal benefits are the driving force rather than profit and it could be considered that delivery for the greater economic good is community benefit in and of itself. In addition, the imposition of such additional cost has the potential to adversely affect, and potentially inhibit, project deliverability.
29. Accordingly, Invest NI would welcome the opportunity to provide comment on the emerging draft Developer Contributions Framework proposed by Council.

Conclusion

30. In terms of the draft Plan Strategy's economic elements Invest NI considers the proposals to be largely in conformity with the Council's Community Plan, the RDS, PPS4 and the SPPS. Some issues have, however, been raised for further consideration and/or clarification.

----- End of Submission -----

Annex A: Invest NI response to POP follows on next page

**Derry City & Strabane District Council Local Development Plan
Preferred Options Paper: Consultation Response from Invest NI
June 2017**

1. Invest NI welcomes the opportunity to comment on the Derry City and Strabane District Council Local Development Plan Preferred Options Paper (POP).
2. It is important to note that Invest NI can only comment on the needs of those companies which meet its intervention criteria, these businesses will primarily be those which can drive productivity and make the greatest contribution to growing the economy.
3. In preparing the Local Development Plan (LDP) the Council should ensure that it makes sufficient provision for those business that fall outside our remit; typically these will include those involved in areas such as distribution, logistics and retail. It may therefore be beneficial for the Council to engage with representatives of these sectors.
4. Invest NI's comments will largely relate to **Section 7** of the POP which considers issues and options relating to the economy. We will also comment on specific elements of the wider document as necessary; these, however, will be those which in our view have a resonance with economic growth.
5. We note the economic objectives as set out on Page 37. Considering particularly objectives i, ii and iii Invest NI would underline the importance of providing a choice and variety of sites across the Plan area to respond to the changing nature and requirements of business and industry.

Growth Strategy

7. Invest NI notes at Paragraph 5.4 that the Council has considered three “Growth Strategy” options for the District with their preference being for “Planned Growth” (Option 2). The forecast figures within this are largely centred on 2008 based NISRA projections, this forecasts the population growing to around 160,000. It is estimated that this, in conjunction with the planned investment envisaged by the Council, will generate between 8,000 and 15,000 new jobs over the plan period.
8. If the target growth levels are being achieved the Council will revisit the LDP at the 5 and 10 year review stages to ensure that the potential further growth considered under Option 3 can be sustainably accommodated.

Spatial Strategy

9. The spatial strategy will determine where planned growth across the District will be directed and balanced with the priority areas for environmental protection and enhancement.
10. Invest NI notes that comment at paragraph 6.3 on Page 47 that in the Council's view there is generally adequate quantum of land within the limits of most settlements to cater for the main development land needs over the LDP period.
11. We note the Settlement Hierarchy as proposed at paragraph 6.4 (Page 51) which sets out a five tier hierarchy of City, Main Town, Local Towns, Villages and Small Settlements. Derry and Strabane have been identified as the Principal city and Main town respectively. Some settlements as identified in previous Local Development Plans may be reclassified.
12. Beyond the five tier hierarchy is the "open countryside" outside of the defined settlements. New rural policy in the LDP will provide opportunities for appropriate development in the countryside so as to sustain vibrant rural areas and their communities. Invest NI welcomes this and will comment further under the Rural Economy section.
13. The Settlement Hierarchy options are set at 6.17. As regards Overall Spatial Distribution the preferred option (option 3) seeks to achieve Balanced Growth with a focus on Derry City as a Regional City as well as Strabane Town as a Main Hub plus other opportunities in the rural settlements and countryside. For the Specifics of Settlement Hierarchy the Council's preference is to pursue the second option and rationalise upper tiers as Derry, Strabane and Local Towns; re-designate some villages and small settlements including some new settlement designations. It is envisaged that Derry could expand towards the border.

Economy

14. Invest NI notes the ten main aspects of economic development as detailed on the table on Pages 61 to 63 inclusive.

Economic Development Land

15. We note from paragraph 7.10 (Page 65) that 31% (equivalent to 70 hectares) of the zoned economic development land within the District has been developed. On this basis it is considered that there is "*ample quantum of economic development land for the LDP period but existing lands may need to be reviewed to ensure that it is adequate in terms of quality and location*".
16. Paragraph 7.11 (Page 65) advises that the amount of economic development land required over the plan period will be dependent upon a diverse range of factors, the Council will however seek to ensure there is a supply of suitable sites and infrastructure to attract business to the District. Invest NI welcomes the recognition of the importance of having a

supply of land which can “facilitate all likely economic development proposals to deal with changes in business types and modern requirements”.

17. Invest NI considers the supply of suitable sites to be a key element of Northern Ireland’s investment proposition. Without a sufficient provision of available land upon which businesses can readily develop they may have to consider other locations outside of the Province for their investment plans. We would reiterate the importance of providing a choice and variety of sites across the Plan area to respond to the changing nature and requirements of business and industry.
18. Paragraph 7.7 (Page 63) lists the factors that should be taken account of in considering the location of employment land, one of those listed is the compatibility with nearby uses including the operational requirements of existing or approved economic development.
19. Invest NI is strongly supportive of this and would underline the need for the LDP to have in place policy protection akin to that set out within Planning Policy Statement 4 PED 8 and the Strategic Planning Policy Statement which should apply across the Council area. The potential for even apparently benign uses to adversely impact, or even inhibit, future economic development is an important consideration and must not be underestimated.
20. We note from Paragraph 7.12 that at Local Policies Plan Stage there will be an emphasis placed on ensuring that sites are identified closer to the city/towns at more sustainable and accessible locations. With the prevalence of micro-businesses and the role that incubator/start-up units/digital economy play the availability of suitable brownfield sites to complement Fort George and Ebrington will be explored in greater depth. In Strabane the LDP will seek to identify central, accessible and flexible sites.
21. In considering the way forward for the zoning of economic development land the three options considered by the Council have been set out at Paragraph 7.13; Option Three is identified as the preferred direction of travel. With this the Council would intend to re-evaluate all current economic zonings and rezone (or zone) new sustainably located sites. This would also include new “local sites”, especially for businesses start-ups and mixed-use to be focussed in areas of recognised deprivation, close to population centres and accessible. Strategic sites could also be identified close to the new A5 and A6 and Bunrana Road, the A2, orbital links, the port/airport and cross-border locations.
22. In principle Invest NI has no objection to the Council’s proposed approach, indeed such an exercise could prove advantageous in identifying well situated land that could have the potential to meet the needs of modern business. The agency would, however, expect that any re-zoning exercise would not see a reduction in the overall supply of available employment land across the district.

23. We note with interest the Council's plans for both "local" and "strategic" sites, and would suggest with this that it may be useful for investors if the Council was to consider providing guidance on the range of uses it would deem to be acceptable at each, particularly given that those deemed to be "local" will permit "mixed use".
24. In terms of business uses it is the view of Invest NI that those operating within Part B of the Planning (Use Classes) Order (Northern Ireland) 2015 represent the best opportunity to grow and develop the Northern Ireland economy through, for example, their greater emphasis on export, innovation and Research & Development. Their particular focus in these areas has the potential to generate new employment opportunities and to bring new (external) money into Northern Ireland through external sales.
25. Further to comments at Paragraph 24 above we would suggest that it may be useful for investors if the Council were to include key site requirements within the LDP highlighting any necessary infrastructural work and potential studies/assessments that they may also reasonably be asked to carry at a minimum by statutory consultees in respect of development proposals. We appreciate that for some sites this may not be possible, particularly in instances where the need for such assessments may largely be dictated by the development proposals. There will, however, be some sites where their location, surrounding environment/habitat or history could make this feasible.

Mixed Use Developments

26. With reference back to comments at Paragraph 23 concerning mixed uses within "local" sites. Invest NI fully appreciates the benefits that can be ~~derived from a mixed use zoning, particularly those around sustainability.~~ There are, however, potential dangers that the Council should be cognisant of.
27. From an industrial/economic point of view these will often relate to the generation of industrial traffic and industrial processes/machinery used on site. Such activities can pose dangers to the wellbeing of those unfamiliar to the industrial environment, particularly children. We would therefore encourage the Council to ensure that in any plans for mixed use developments that industrial elements are separate from other uses and preferably served by different access points.

City/Town Centres

28. Paragraph 7.18 outlines the strategic direction to promote town centres as the appropriate first location for retailing and "other main town centre uses" including business, leisure, cultural, housing and community facilities. The Council's preferred option towards city and town centres as set out at 7.22 indicates a balanced approach to encourage existing centres to re-invent themselves as multi-use locations including retailing, leisure, night-time economy, office, residential and urban living. Some limited development

in District Centres will also be permitted in line with a “town centres first” and “sequential” approach.

29. Invest NI sees merit in this approach, however, key to ensuring town and city centre vitality will be ensuring an appropriate balance of uses.

Transport

30. At paragraph 7.50 the intention of the Council to introduce measures to complement the use of the private car is noted; the aim being to reduce the need to travel long distances across the District. This will require an assessment of the transport needs, problems and opportunities to ensure that appropriate consideration is given to transportation issues in the allocation of land for future development.
31. Invest NI would welcome such an assessment particularly in relation to the Council’s plans to re-evaluate all current economic zonings as discussed at Paragraph 21 above. Such proposals would also be in line with the Regional Guidance set out within the RDS (RG1) which notes that land should be “*accessible and located to make best use of available services*”.

Rural Economy

32. At Paragraph 7.72 the POP sets out the need to balance the protection of our environment from inappropriate development whilst also supporting and sustaining rural communities. It recognises a need to facilitate development in appropriate locations to ensure that proposals are integrated properly.
33. We note from Paragraph 7.74 the concerns of the Council that Planning Policy Statement 4 Planning and Economic Development has been unduly restrictive and has acted contrary to rural enterprise and sustaining vibrant rural areas. The preferred option for sustaining the rural economy is set out at Paragraph 7.78; this seeks to provide more balanced growth in rural settlements for appropriate scale development/employment plus opportunities for appropriate business starts and small businesses in the countryside to promote a vibrant rural economy.
34. Invest NI welcomes the potential for continued economic development opportunities in the countryside. Many businesses in rural locations will have arisen in response to a particular need it is important therefore that they be afforded some opportunity to develop and grow in situ. The cost implications of moving a small rural business to a larger settlement can be prohibitive and limited local growth will allow them to reach a stage of financial capability to make such a move affordable in due course.

The Environment – Built Environment/Heritage

35. In consideration of enhancing our built and archaeological heritage with a view to driving both economic and community benefit whilst also

safeguarding historic or architectural integrity, the Council's preferred option set out on Page 104 is to continue to protect existing areas/buildings of historic environment importance and facilitate development with policies in lines with the SPPS.

36. We welcome the Council's recognition that our built heritage can continue to contribute towards economic growth and vitality. Former industrial premises are an important part of our built heritage and within the district there will undoubtedly be those which, with sympathetic restoration, could once again make an important economic contribution to the District.

37. We do recognise, however, that there may be instances where such properties may not easily or viably lend themselves to modern industrial use, with sympathetic restoration works, however, they may offer opportunities for new development which could include office or other workspace provision.

Planning Policies

38. At Paragraph 10.1 (Page 120) the Council sets out its intention to undertake a fundamental review of a number planning policies including the rural element of PPS4. We also note from the table on Page 121 that a review of PED7 of PPS4 will also be undertaken around the release the criteria for protecting and releasing economic development land.

39. The Council will be aware that Invest NI is generally opposed to the loss of land either currently or last used for industrial purposes to other uses. As such it would welcome the opportunity to engage with the Council as it undertakes its review of PPS4.

Planning Agreements and Community Benefits

40. We note on Page 124 that the Council intends to further research requirements/mechanisms around the area of planning agreements with a view to securing development contributions.

41. In principle Invest NI can appreciate the application of a development contributions in respect of private sector developments where the primary motivation might be the generation of financial benefit for the developer. It would, however, caution against its application in respect of public sector developments where wider societal benefits are the driving force rather than profit. In such cases, it could be considered that delivery for the greater economic good is community benefit in and of itself. In addition, the imposition of such additional cost has the potential to adversely affect, and potentially inhibit, project deliverability.

END
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