

Strategic Response to Derry & Strabane Draft Plan Strategy

Introduction

1. The Department for Infrastructure would like to thank the Council for the opportunity to comment on the Derry City and Strabane District Council Local Development Plan (LDP) draft Plan Strategy. The LDP should provide a 15-year framework to support the economic and social needs of a Council's district taking account of planning policy and guidance.
2. The Council's LDP should support and spatially represent the Community Plan vision. Whilst the LDP and Community Plan should work in tandem toward this vision, the LDP has a distinct role in giving spatial expression to the Community Plan. It is also important to acknowledge that preparation of the LDP is subject to a different statutory process, including an Independent Examination (IE) to test Soundness of the Plan as a whole. This includes examining the content of the Plan by reference to tests set out in guidance. These require Council to take account of the Regional Development Strategy (RDS) 2035 and other policy and guidance issued by the Department.
3. In view of the above, and in keeping with its oversight role, the Department offers this representation in the interest of good practice and to assist the Council to minimise the risk of submitting an unsound Development Plan Document (□PD). In developing this response the Department has looked for clear evidence that the tests set out in Development Plan Practice Note (DPPN) 06 'Soundness' have been addressed. All comments are offered without prejudice to the Minister's discretion to intervene later in the plan process or to the IE of the draft Plan Strategy.
4. We acknowledge the considerable amount of work that the Council development plan team have put into preparing the draft Plan Strategy and supporting documents. We would urge the Council to seek legal advice to ensure that all the procedural requirements have been met, including Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA). Responsibility for these matters rests with the Council.
5. This strategic response highlights broad areas which the Department considers are relevant to the tests of Soundness set out in DPPN 06. These are the Growth Strategy and Spatial Planning Framework (focusing on Part B of the document), Infrastructure

availability, Cross Boundary Working and Monitoring. These aspects have been highlighted by the Department in order to reinforce their importance to achieving an integrated and co-ordinated approach to higher-level regional planning aims and objectives. These matters are also aspects of Soundness and so the relevant Soundness Tests are highlighted.

6. In relation to the contextual information presented in Part A of the document the Department welcomes acknowledgement of the link between the LDP and Community Plan and the overall legislative and planning policy context including Regional Development Strategy (RDS) and Strategic Planning Policy Statement (SPPS). Also welcomed is reference to Rural Needs Impact Assessment (RNIA) and clarification that equitable means fair and reasonable treatment but does not mean that rural areas should have equal level of resources as urban areas. Policies should demonstrate proportionality taking account of need and unique circumstances of these areas.
7. By way of clarification however Paragraph 3.12 states that the Planning Act NI 2011 requires that the LDP should be in general conformity with the RDS. The Council should note that the legislation requirement is for the Council to take account of the RDS. (Section 8 (5)).
8. Detailed comments in relation to specific subject policy chapters are addressed in Annex 1.

Covid-19 recovery and the climate emergency

9. The Covid-19 pandemic has had a profound social and economic impact here in the North as elsewhere. While there remains some uncertainty in relation to the medium and long term implications, the immediate impacts upon the retail, hospitality and tourism sectors of our economy have been significant and are well documented. Other impacts include a widespread increase in home-working; greater use of telecommunications technology; a substantial reduction in commuter traffic and a corresponding increasing in active travel including walking and cycling.
10. The planning system has a key role to play in supporting sustainable economic recovery from these effects. The Local Development Plan in particular is an important document that aims to provide certainty for the public and developers and will play a

vital role in guiding investment decisions as part of a longer term recovery. The Chief Planners Updates of March and May 2020 acknowledged this by stressing the importance of continuing to liaise with statutory consultees as well as continuing to undertake any necessary technical work in order to progress plans.

11. As set out above, some of the impacts of the pandemic have also created new ways of working and going about our daily lives. Some of these changes have been positive. For example the reduction in commuting by private car and the corresponding increase in active travel can, if encouraged and maintained, contribute to tackling the Climate Emergency as part of an accelerated green recovery from the pandemic.
12. Therefore the impacts of the pandemic and the need to secure a green recovery serve to reiterate the importance of appropriate LDP policies and allocations which take account of the SPPS and in particular the 5 Core Planning Principles that are fundamental to the achievement of sustainable development.

Document structure

13. The Department would make a general observation in respect of the structure of the document and in particular the substantial strategic policy context. Section B of the document initially sets out the LDP vision and objectives, followed by the growth strategy and spatial strategy for the District.
14. In addition a significant number of overarching general development principles are presented in Chapter 7 (GDP1 - GDPB) together with substantial justification and amplification. The content of these principles broadly reflect the many of the core planning principles set out within the Department's Strategic Planning Policy Statement (SPPS). The Department acknowledges that these principles have been tailored to reflect the circumstances of the District but this presents a significant layer of policy context when read with the remainder of Section B. The Council may wish to

consider simplification of these section to align with the core planning principles already articulated in the SPPS. Also noted in this regard are the General Development Management Policies which set out essential criteria to which all development proposals are required to meet. Again, this is a further layer of policy context prior to consideration of specific policy chapters to follow in the document.

General Development Policy 8 and Enabling Development

C1 Did the Council take account of the Regional Development Strategy?

C3 Did the Council take account of policy and guidance issued by the Department?

CE1 The DPD sets out a coherent strategy from which its policies and allocations logically flow and where cross-boundary issues are relevant it is not in conflict with the DPDs of neighbouring councils.

15. GDP 8 sets out development principles for preserving and enhancing the historic environment with detailed policy provided in Chapter 23. Policy HE 9 sets out the Councils approach to enabling development.
16. The regional approach to enabling development is set out in paragraph 6.25 of the SPPS and clearly relates only to development that would secure the long term future of a 'significant place', which is defined as 'any part of the historic environment that has heritage value'. The same definition is used in PPS23. The Council have not made this important distinction under policy HE 9. Instead the policy use has been widened to include 'a place of heritage significance or scheme of significant regional or sub-regional benefit' (23.56). This approach is not in line with regional policy and the Department would question the inclusion of such additional wording which has the potential to impact on other policies contained within the document.

Place-making and Design Vision

CE1 The DPD sets out a coherent strategy from which its policies and allocations logically flow and where cross-boundary issues are relevant it is not in conflict with the DPDs of neighbouring councils.

17. Following on from the strategic policy context for the draft plan Strategy, the Department acknowledges the considerable amount of work that the Council has put into preparing the ambitious and highly aspirational place-making and design vision for the District. It is evident that the SPPS' Core Planning Principle 'supporting Good Design and Positive Place-making' is reflected throughout Part F of the Plan Strategy, albeit not specifically referenced within the text.
18. The Design and Place-making Vision is underpinned by a hierarchy including 6 Place-making and Design objectives (PDOs); 18 Place-making and Design Principles (PDPs), and a range of location specific Strategic Design Policies (SDPs). Firstly, it is very encouraging that the Council's study regarding this hierarchy was informed by Departmental guidance publications 'Living Places' and 'Building on Tradition' and this is evident throughout.
19. The 18 PDPs clearly take account of the SPPS as well as living places design guidance. It is also noted that the 18 PDPs are highly cross cutting and relate to a wide range of subject policy areas such as archaeology and built heritage, natural heritage, tourism, sustainable transport and walkable settlements (which has clear linkages with the Department's draft transport strategy) and mitigating risks associated with climate change. These policy areas are also covered in detail in other sections of the draft Plan Strategy and although this contributes to integration of the theme of place-making and design throughout the document, it results in a substantial volume of policy context to take into consideration for users of the plan.
20. The bottom tier of the place-making hierarchy is made up of location specific Strategic Design Policies (SDPs) which are highly detailed and demonstrate a clear commitment to improving the quality of places from a district wide basis right down to small settlements. There is a specific focus on Derry with 11 SDPs and Strabane with 7. These provide a strong policy direction setting out expectations for new development within these locations and are to be further material considerations in guiding investment in the city and in determining planning applications.

LDP Vision and Objectives

C1 Did the Council take account of the Regional Development Strategy?

C3 Did the Council take account of policy and guidance issued by the Department?

CE1 The DPD sets out a coherent strategy from which its policies and allocations logically flow and where cross-boundary issues are relevant it is not in conflict with the DPDs of neighbouring councils.

CE2 The strategy, policies and allocations are realistic and appropriate having considered the relative alternatives and are founded on a robust evidence base.

CE3 There are clear mechanisms for implementation and monitoring.

21. The LOP vision reflects the linkage with the Council Community Plan - the inclusive Strategic Growth Plan (SGP). The vision has also been developed since the Preferred Options Paper to be more locally distinctive and land use orientated. The Department notes that 31 separate objectives have been identified and would reiterate comments made at POP stage in relation to the monitoring of these objectives.
22. The addition of 'Spatial and Cross-Cutting Objectives' is welcomed in terms of providing overall clarity and direction for the LOP at the outset. Objectives (a)(ii) and (iii) in relation to Derry City and Strabane highlight the range of land-uses for which these settlements will be the focus. These include employment, administration, shopping, health education etc. but do not reference residential/housing-land use despite this being the single largest land-use across the District. Clarification of the reason for this would be welcomed, especially in context of (c)(i) that refers to the provision of quality homes 'at sustainable locations'. In relation to (c)(i) clarification is requested in relation to the use of the wording 'possibly mixed tenure'.
23. The Council acknowledge that the objectives are critical for the clarity of focus of the LDP1. In relation to economic development objective (b)(i) the wording relates to facilitating the creation of 'approximately' 15,000 new jobs by 2032. Whilst it is accepted that the Plan Strategy cannot directly create employment opportunities it is nonetheless important that the objectives are drafted with clarity and that they are capable of being monitored. For example, in relation to this objective it is unclear if

¹ Draft Plan Strategy, Page 48, Paragraph

approximate is to be understood as any job creation in the range of 8-15k as indicated by Table 6. However, job growth at the lower end of this range could arguably not be regarded as being approximate to 15,000. Please see further comments in respect of the Growth Strategy within this response.

24. Similarly in respect of social development objective (c) (i) the aim is to provide approximately 9000 new homes. Clarification is requested if approximate in this context is between 8000 - 10,000 new homes as indicated by Table 6. A clear housing requirement figure would be more consistent with the purpose of the Plan Strategy in establishing a strategic direction early in the plan process in order to provide a level of certainty². Please also see comments in relation to the Growth Strategy and in Annex 1.

Growth Strategy

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?

CE1 The DPD sets out a coherent strategy from which its policies and allocations logically flow and where cross-boundary issues are relevant it is not in conflict with the DPDs of neighbouring councils.

CE2 The strategy, policies and allocations are realistic and appropriate having considered the relative alternatives and are founded on a robust evidence base.

CE3 There are clear mechanisms for implementation and monitoring.

25. The Growth Strategy for the district responds to evidence on the role of Derry City and Strabane within a wider NW Region, the role of Derry city as the second city of NI, and its identified role in the RDS 2035 as the North West City Gateway with strategic links to Letterkenny and Donegal. This is a role also acknowledged in the National Planning Framework.
26. The strategy is based on a programme of capital investment projects included within the SGP. Paragraph 5.3 lists the planned investment projects and provides a useful

²DPPN 07 'Plan Strategy' Page 2, Paragraph 1.2

context for understanding the level of growth sought by the Council. A key element is the proposed significant expansion in students enrolled in Magee Campus and the North West Regional College³. Many of the key investment projects are to be delivered through the proposed City Deal that was announced for Derry in May 2019. The delivery of the forecast levels of population, homes and jobs appears however, to be dependent on the completion of these projects early in the LOP period.

27. The Department welcomes the reference to the RDS 2035 objective to develop a strong North West (SFG 6) and to strengthen the role of Derry as the principal city of the North West (SFG 7). Also welcomed is acknowledgement that RDS objectives for Derry are not factored into the updated HGI which is 'policy neutral'. The Department therefore fully welcomes the Council's approach in seeking to provide for a higher level of housing growth than that indicated by the HGI where this supports the objectives of the RDS. The Department has some concern however around a lack of clarity in the level of growth that is being planned for and in relation to the evidence used to justify the additional housing growth proposed.
28. The Overall Growth Strategy for DCSDC is set out in Table 6. By 2032 this seeks to achieve 155-160k population (an increase of 5-10k from the current baseline); an increase of jobs 8-15k new jobs; and an increase in the number of homes by 8-10k. It is noted that the POP previously referred to 7-12k new homes although the reason for this revision is not immediately clear and clarification would be helpful.
29. In general the presentation of the Growth Strategy in the plan creates some uncertainty in relation to the Council's actual expectations for growth across the region. The range of growth in population, jobs and homes presented in the table differs from the later clarification in Paragraph 5.10 that population growth of 10k is based upon growth of 15,000 new jobs, necessitating up to 10,000 new homes. Subsequently a target of approximately 9000 new homes is introduced at Paragraph 5.14 and in Figure 9. The Department acknowledges the extensive and detailed commentary around the growth strategy including the evidence provided by the Ulster University Economic Policy Centre (UUEPC) and the review of the revised HGI figures by the Council's

³Evidence paper EVBSb

Senior Economist. Further comments on the housing growth set out within the Growth Strategy are contained in the 'Housing' section of this response and in Annex 1.

Spatial Strategy for the Derry City and Strabane District

30. The Department welcomes the overall approach to the spatial strategy's five tier hierarchy on the basis that that it is expressed to be in accordance with the guidance set out in the RDS and SPPS. Derry is identified as a principal city and Strabane as a main town. The three local towns of Castlederg, Claudy and Newtown Stewart are identified as servicing the rural areas. A further 23 villages and 19 small settlements are identified. The Department notes the approach has been informed by the RDS 2035 Hierarchy of Settlements and Related Infrastructure Wheel in evaluating the role and function of settlements within each tier. Also noted is the proposal to re-classify Local Town of Sion Mills as a Village. The Council should ensure that the appraisal of the role and function of Sion Mills supports this decision.
31. The identification of Derry as the principal city, linked with Letterkenny as part of an expanding North West cross-border city region is welcomed and acknowledged. The proposal to designate Strabane as main hub town takes account of the RDS 2035. Identification within the overview of its cross border relationship with Lifford is welcomed, however reference to Strabane's potential to cluster with Derry as set out in the RDS Spatial Framework and SFG10 has not been included. The objective of sustaining rural communities living in towns, villages and small settlements as well as the open countryside is noted. The issue of development in the open countryside is addressed later in this response.
32. The use of consistent terms within the overview section would assist with providing clarity, for example presently the overview refers to Derry as the 'prime focus of development' however Paragraph 6.5 subsequently emphasises balanced growth with a 'degree of focus on Derry'. Consistency in language used will avoid possible ambiguity in the overall approach of the Council.
33. On a related matter, the indicative allocation of housing growth set out in Table 8 of the draft Plan Strategy⁴ provides a range of possible growth allocations also creates some ambiguity. In addition, the table appears to indicate that housing growth in the

⁴ Part D of DCSDC draft Plan Strategy, page 221

countryside will increase when compared with recent build rates. Furthermore the Housing Allocation Tables⁵ suggest the quantum of new housing will be allocated based upon a settlements existing share of population and/or households as a proportion of the wider District. This creates some uncertainty as to whether the spatial strategy will achieve its objective to accord with the RDS 2035⁶. The Council may wish to consider whether the allocation of housing growth across the settlement tiers is best represented through the use of indicative ranges.

Spatial Plan for Derry

34. The Department notes the spatial plan for Derry set out in Figure 10. This proposes most of the City's growth will be accommodated within development limits. It is expected that supply of housing will be met by the completion of existing commitments, zonings and development/windfall opportunities on brownfield sites. The Department supports proposals to encourage appropriate densities in the interests of sustainability. The proposal to support higher densities in Derry is welcomed as supporting the RDS⁷. Also noted is the proposal to accommodate economic development growth within the settlements limits through a number of employment opportunity areas. However there are also proposals for a number of large economic development opportunity sites located outside the settlement limit of Derry and other settlements.
35. The Spatial Plan's proposal for the city centre to be the focus for shopping, office and entertainment is welcomed as supporting the RDS and SPPS. The plan's aspiration to improve transportation and movement in the city, including a focus on public transport, walking and cycling is supportive of the SPPS and RDS.

Spatial Plan for Strabane

36. The Department welcomes the spatial plan for Strabane. It is noted that housing growth will be substantially met by existing commitments, zonings and development/windfall opportunities. Clarification is however requested on the statement that, depending upon the amount of urban capacity land identified at LPP stage, there may be a requirement to include a limited amount of additional land for

⁵ Appendix 5 of DCSDC draft Plan Strategy, page 501

⁶ RDS 2035 SFG7; SFG6; SFG12 and SFG13 all refer.

⁷ SFG 7

housing especially on the western side of the town. The Department understands that an Urban Capacity Study (UCS) has been completed although it has not assessed the suitability of identified sites for possible inclusion in a subsequent LPP. Had the UCS identified suitability of sites it may have been possible to be more definitive about the need for additional housing land within the Plan Strategy. The Council is reminded that the requirement for identification of further land beyond the urban footprint in a settlement will be the residual amount after taking account of the urban capacity yield, windfall allowance and dwellings already constructed or committed.

37. The Department welcomes the other aspects of the spatial plan for Strabane town including the town centre focus for shopping and the expectation that economic land will be located within the development limit. These support regional planning policy as set out in the RDS and SPPS.

Resilient form of settlement

38. It is noted that no new settlements are proposed after a systematic evaluation of candidate settlements however, 'a resilient form of settlement' exemplar pilot project is referred to. This resilient settlement is identified elsewhere as being subject to a feasibility study. Although this is a specific pilot project, any feasibility study should consider the issue of housing need and the fundamental sustainability embodied by the 'sequential approach' that promotes the use of previously developed and undeveloped land within the urban footprint before considering the extension of cities and towns or, exceptionally, a new settlement.

Land use in Settlements

39. In the interests of sustainable development and the proper planning of the district development limits will be defined for all settlements. Land use zonings and local policy areas will be defined at LPP stage. 'Designation SETT2 'Development within Settlement Development Limits' states that development will be granted for proposals within settlement limits, including zoned sites, provided the proposal is appropriate in nature and scale for the settlement and its location and is in accordance with other LOP policies in particular the General Development Policies 1 and 2.
40. Although the policy references a need for proposals to be in accordance with specific policy area requirements, it appears not to account directly for Phase 1 and Phase 2

in the LPP (policy HOU 1). Housing zonings assigned to Phase 2 housing will be held as a long term reserve. Please see further comments in the Housing section of this response and in Annex 1.

Strategic Environmental Spatial Designations

41. The Council proposes Strategic Environmental Spatial Designations including a Special Countryside Area in the Sperrins AONB and also Areas of High Landscape Importance (AHLIs). Also proposed are Strategic Development Pressure Areas including Green Belt designations around Derry City and Strabane. Further Development Pressure Areas (DPAs) are proposed for designation within the LPP. The Department supports this approach which accords with the RDS⁶ in terms of protecting and enhancing the setting of Derry City and the North West.
42. The proposal to introduce Wind Energy Capacity Areas to protect sensitive landscapes is noted. The Department supports proposals that seek to protect sensitive landscapes from inappropriate development, however, the Council should also be mindful of RDS RG5 which aims to ensure delivery of a sustainable and secure energy supply; RDS SFG6 which aims to help maximise the North West's significant renewable energy resource; and RDS RG9 which aims to reduce our carbon footprint and facilitate mitigation and adaptation to climate change whilst improving air quality. It is noted that the detailed boundaries of these areas will be defined at LPP stage. Identifying the broad extent of WECA's at Plan Strategy stage would have provided additional clarity and allowed assessment of the likely impacts on achieving the objectives of the RDS and SPPS. Please see additional comments in Annex 1.

Housing

43. Further clarification of the evidential basis for the proposed 8-10k (or approximately 9000) homes indicated by the draft plan strategy is necessary. Specifically, if the aim is to grow the population by 10,000 over the period, given the average household sizes of 2.44 per household, the number of homes required from a population growth perspective would appear to be 4098 units. This approximates to the 2016 based HGI for the District which is 4100 for 2016 - 2030.

⁶ RDS 2035 SFG9 refers.

44. The Department would reaffirm that the HGIs are policy neutral estimates based on recent trends and best available data on households and housing stock. They assume that recent trends will continue into the future. They do not attempt to model existing policy or societal factors nor predict the impact that future policies, changing economic circumstances or other future events may have on housing requirements in LDPs. For these reasons the Council should not regard the HGIs as a cap on housing or a target to be met. The Department therefore welcomes the Council's approach in having regard to other evidence to justify the housing requirement in the draft Plan Strategy.
45. The Department however notes the statement in Paragraph 5.12 suggesting the need to re-evaluate the HGI because of the trend toward lower need indicated with each successive revision to the indicator. The Department would comment that while the information presented on previous HGIs provides historic context, it is the current 2016-based HGI that is relevant. This is based on the most recent data and therefore provides the most robust starting point for the consideration of housing need. While the comparison with build rates is noted in reality it is this factor, coupled with the downward revision in projected population growth, which contributes to the lower housing need indicated in the 2016-based HGI.
46. Also noted is the statement at Paragraph 5.13 that NISRA household projections reflect the fact that household size is falling and therefore even a static population requires more housing. The Department accepts that over the plan period household size will fall⁹ and this would indicate a need for more dwellings, however the population is also projected to fall from 150,142 to 149,050. Notwithstanding this, the 2016-based HGIs still indicate a requirement for more dwellings so the Department is unclear what point is being made.
47. The Department agrees that the information provided by NIHE in relation to the need for 4000 affordable houses is an important aspect of the evidence but would however note the comments by the Council's Chief Economist that the figures for affordable housing 'appear incompatible with the much lower HGI numbers'¹⁰. The Department has addressed this matter in more detail in Annex 1. In summary however these two measures are produced using different data sets and methodologies. They also relate

⁹ From 2.58 to 2.44 persons per household between 2016 and 2032

¹⁰ Comments on Housing Growth Indicators 2016 based - October 2019

to differing definitions of need. Due to the limitations of the datasets there is no arithmetical way of combining the figures to produce a single overall assessment of housing need. It is also not possible to add the figures together because the HGI calculation takes into account whole population data and any addition of the two sets of figures would result in an element of double counting.

48. Notwithstanding the above the Department would re-iterate that it supports the Council in seeking to grow the population of Derry. It therefore in principle supports housing growth above that indicated by HGI where this required to achieve the RDS 2035 objectives of developing a strong North West and to strengthen the role of Derry as the principal city¹¹. In this regard the Department is encouraged by the strategy to deliver the growth set out in Paragraph 5.15 which reflects much of the Strategic Guidance contained in the RDS for Derry and the NorthWest.
49. In conclusion while the Department supports the principle of housing growth above the HGI it should provide greater clarity and certainty in relation the actual housing requirement and the evidential basis for it. The Council is reminded that the Growth Strategy should be realistic, appropriate and founded on a robust evidence base. In this regard the Council is reminded of the provisions of Soundness Test CE2.

Reference to 5 year housing supply

50. The Draft Plan Strategy states at paragraph 16.7 that, as per the SPPS, it would be prudent to provide an additional five years land supply thereby establishing a requirement for land for approximately 12,000 dwellings over the LOP period. Council is reminded that the requirement to maintain 5 year supply is as part of a plan, monitor and manage approach to the release of land. Additional comments on this aspect are set out in Annex 1.

Phasing Strategy

51. HOU 1 sets out an approach to the managed release of housing land in Derry, Strabane and the local towns through the use of phasing. The Department welcomes this approach which provides a strategy for addressing the issue of oversupply of housing land arising from existing settlement limits and housing zonings within extant

¹¹ RDS 2035 SFG 6 and SFG 7

area plans. This is summarised in Table 9 which indicates a total dwellings capacity of 20,500 when commitments, urban capacity, whiteland and windfall are considered. The approach takes account of PPS12 and applies it to the local circumstances of the District. Please however see the comments in respect of HOU 1 in Annex 1.

Affordable Housing

52. In relation to proposed approach set out in HOU5 'Affordable Housing in Settlements', while the Department welcomes any policy that maximises opportunities to deliver affordable units and mixed tenure developments, Council should continue to liaise with statutory partners including the Department for Communities and NIHE to ensure that the evidence base underpinning such approaches is robust and that measures are in place to support the practical implementation of the policy, for example guidance. In this regard the Department notes that the NIHE suggested a 25% contribution however Council considers that the proposed 10% requirement will maintain an appropriate supply of affordable housing. Please also refer to detailed comments in Annex 1.

Windfall

53. The RDS 2035 identifies windfall as housing sites that were neither zoned nor anticipated during the formulation of the development plan but which have become available during the lifetime of the plan. The SPPS identifies that 'windfall potential arising from previously developed land within the urban footprint can be a key source of housing supply over the plan period'. In line with the objectives of the RDS 2035 it is necessary to make full allowance for this source of supply in order to prevent excessive allocation of housingland. The Department therefore welcomes the Urban Capacity and Windfall Study prepared by the Council.
54. The study examined completions from 2008/09 - 2012/13 and planning approvals for Derry City and Strabane from 2014/14 - 2018/19. The examination of competitions is based on housing monitor data however clarification is requested of why more recent data is unavailable. This evidence indicates that the majority of development completed in Derry City and Strabane between the years 2008 - 2013 was windfall. Similarly the examination of historic trends in planning approvals indicates that between 2014/15 and 2018/19 windfalls as a proportion of total approvals ranged from 55% to 21% over the period.

55. Taking account of the above, the Council estimate that windfall over the LOP period will be lower at around 10% of total dwelling capacity. It is assumed that the reference to 'total dwelling capacity' is the figure of 20,500 identified in Table 9 of the draft Plan Strategy. This would result in a windfall estimate of 2050 or approximately 23% of the apparent housing figure of 9000. Clarification is therefore requested, especially in the context of Table 9 which indicates a windfall potential of 985.
56. The Department welcomes the completion of an Urban Capacity Study however it is noted that the study identifies a total of 77 sites with a total area of 93.48 however Stage 3 of the study had not been completed and as a consequence it does not provide an overall estimate of capacity of identified sites in terms of dwelling numbers.

Strategy for Housing in the Countryside

57. The Department also notes the overall strategy for Housing in the Countryside¹² is to provide appropriate development in the countryside so as to sustain vibrant rural areas and their communities. The Strategy aims to manage the amount and location of rural housing to achieve appropriate and sustainable patterns of development which achieves 1,100 - 1,400 homes (as per Table 8 'Indicative Allocation of Housing'). The allocation/allowance of 1,100 - 1,400 housing growth to the countryside is substantially more than the projected potential, based upon recent approvals under PPS21¹³.
58. Policy for development in the countryside should reflect and complement the overall approach to housing growth across a plan area. An increase in the anticipated amount of residential development in the countryside may not, in the Department's view, support the vision and objectives of the draft Plan Strategy including the drive to strengthen Derry City. While the Department welcomes the commitment to monitoring and review to ensure that growth will not undermine the objectives for sustainable development, environmental protection and the drive for strengthening of Derry City and Strabane town there remains a concern with the overall housing allowance made to countryside.

¹² DCSDC draft Plan Strategy Paragraph 16.121

¹³ Evidence paper EVB 16 indicates that a projection of 878 dwellings in the countryside based on past approvals under PPS21

59. Council is reminded that the overall coherence of plan documents is a key aspect of Soundness Test CE1. Evidence to justify the approach is unclear and clarification is requested of the basis for the approach. Please see Annex 1 for comments in respect of operational policies for development in the countryside.

Economic Development

60. In relation to the overall quantum of land allocated for economic development purposes the Department would refer to its comments in relation to the growth strategy and supporting evidence . In particular the apparently wide range in projected job creation of between 8 - 15k jobs is highlighted again. While accepting a need to provide an ample supply of economic development (and that not all jobs will be created on land zoned for economic development) there is nevertheless a broad relationship between the number and type of jobs projected to be created in the district and amount and format of land designated for economic development purposes in the plan.

61. Paragraph 2.10 of Evidence Paper EVB 9 acknowledges the RDS Employment Land Evaluation Framework (ELEF) that should be used for the assessment of the quality and viability of sites zoned for economic development uses in LDPs. An assessment has been carried out with regard to the current economic development lands in the Council area including zoned and unzoned lands (Economic Land Monitor 2017). In addition, the Economic Land Evaluation Report (December 2019) considers further the suitability of these sites for carrying forward in the new LOP.

62. The Evidence Paper EVB 9 (paragraphs 5.56 - 5.64) makes reference to an independent report entitled 'Derry City and Strabane Economic Outlook, June 2019', which was undertaken by Ulster University Economic Policy Centre. Whilst a link to additional information is offered at paragraph 5.64, this links to a presentation given by UUEPC and not the full report, which does not appear to be available online. As the full report informs the Local Development Plan, it would be helpful if this document could be provided as part of the evidencebase.

63. With regard to designations, paragraphs 6.8 and 6.9 of EVB 9 refer to the 'Industrial Land Monitor 2017' that, in part, informs the LOP draft Plan Strategy approach to the designation of economic development land. It is noted that, amongst the documents that constitute the evidence base, there is an 'Economic Land Monitor 2017'. The Department would welcome clarification with regard to whether or not these are the

same, and if so, the Council should ensure consistency in referencing documents to avoid the potential for confusion.

LDP Strategy for Economic Development

64. The Department welcomes the Council's LOP Strategy for Economic Development, as set out at Paragraph 9.8 of the draft Plan Strategy. This seeks to promote sustainable economic development in an environmentally sensitive manner, whilst reinforcing Derry's role as the hub of the North West City Region.
65. The draft Plan Strategy designates 5 tiers of Economic Development sites throughout the Council area. Paragraph 6.12 of EVB 9 advises that the Council's SGP and City Deal proposals identify key areas of focus in terms of economic growth and regeneration, particularly within Derry City and Strabane. This has been the basis of designating Strategic Redevelopment Areas (SRAs) and Strategic Economic Development Areas (SEDAs). Although these are strategic designations, the scale, extent and location of these will not be provided until LPP stage. Paragraph 6.13 advises that there is a significant supply of economic land within remaining zonings and existing portfolios, however, it is proposed to retain these lands for economic development purposes through their reclassification as General Economic Development Areas (GEDAs).
66. The Department notes that, within the GEDA tier, the Council proposes to designate Land Use Policy Areas (LUPAs) within villages and small settlements for economic development uses as set out for this tier and as appropriate to the scale of the settlement. Furthermore, Designation SETT 2 (page 63), also refers to LUPAs, and states that areas will be identified in Villages and small settlements for housing and certain other uses including community uses, open space and economic development. Paragraph 6.86 of the SPPS advises, with regard to villages and small settlements, an LOP will not normally zone land for economic development purposes, as this could inhibit flexibility. The Department would welcome clarification on the rationale for identifying/designating these areas.
67. The Department notes that the Council proposes to identify a New Economic Development Area (NEDA) in the vicinity of the Bunrana Road, and that the intention of this designation is to provide sustainable employment opportunities for the

expanding western section of the city. However, it is previously stated that the economic land monitor and evidence base concludes that there is more than sufficient land in terms of quantity. Any proposed or intended zoning, whether at Plan Strategy or Local Policies Plan stage, should be clearly supported by the evidence base and this does not appear to be the current position with regard to the NEDA designation. Further comments are provided in Annex 1 in relation to policies ED policies.

LDP Strategy for Retail and Town Centres

68. SFG7 within the RDS highlights the need to strengthen and secure the role of Derry as the principal city for the North West, and identifies its continued regeneration as a means to secure a strong and vibrant city owing to its importance to the economic and social wellbeing of the North West. The RDS advises that Derry should be the focus for administration, shopping, commerce, specialised services, cultural amenities and tourism within the North West. The extant Derry Area Plan 2011 recognises the city as the principal retailing centre for the legacy Derry City Council area and for the neighbouring areas of Limavady and Strabane, and for parts of Donegal. Paragraph 10.2 of the draft Plan Strategy states that 'Derry is recognised as an important regional retail centre in the RDS.'
69. Paragraph 6.271 of the SPPS sets out the regional strategic objectives with regard to town centres and retailing, the first of which relates to securing a town centres first approach for the location of future retailing and other main town centre uses. Paragraph 6.273 further reinforces this objective, and advises that 'planning authorities must adopt a town centre first approach for retail and main town centre uses'. Paragraph 10.6 of the draft Plan Strategy states that the strategy 'aims to adopt a town centre first approach'. This is welcomed and could be strengthened to clearly take account of the regional strategic objectives.
70. The Department notes the proposed 5-tier hierarchy of centres outlined under Designation HC 1, and the intention under Designation DOS 1, to identify (at LPP stage) development opportunity sites within Derry City Centre and Strabane Town Centre to facilitate a mixture of uses, which will further support the town centre first approach. Further comments on the proposed retail policies are provided in Annex 1.

Infrastructure - Transport

C1 *Did the council take account of the Regional Development Strategy?*

C3 *Did the council take account of policy and guidance issued by the Department?*

CE2 *The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base.*

71. The Policy Context references the 'Regional Development Strategy 2035' (RDS), 'Ensuring a Sustainable Transport Future - A New Approach to Regional Transportation' as well as the 'Strategic Planning Policy Statement for Northern Ireland' (SPPS). These strategic references are useful in 'setting the scene' to stress the importance of sustainable travel and the integration of transport and land use planning.
72. As with the other subject areas, this chapter references a strategy, designations and policies. The Local Transport Strategy is based on the Local Transport Study (LTS) undertaken as part of the draft North West Transport Plan (NWTP). This Transport plan has been developed jointly by the Council and fl.
73. The purpose of the LTS is to set out an objective, evidence based assessment of current and future transport issues in the context of the Council's growth ambitions during the LOP period to 2032. It is supported and informed by the Council's car parking study that examines current and future parking provision in Derry and Strabane. The Council indicate that the aim is to constrain parking in the City and Strabane town in order to discourage private car use.
74. The LTS follows the same 7 objectives set out in the draft PFG, the Community Plan, the Preferred Options Paper and the emerging draft Plan Strategy. These include improving external linkages as well as public transport accessibility and active travel accessibility. They also include providing high quality public realm, improving town centre accessibility, public safety and promoting suitability and resilience.
75. The LTS presents a range of measures referenced in strategic terms. Many of the transport measures relate to Derry City and Strabane. The Council indicate that the detail will be provided at the LPP stage when zonings are identified.

76. Thirteen transport measures have been referenced and will require on-going engagement with DfI and other transport providers if they are to be realised. The measure that refers to the Derry Glider scheme could prove misleading as this may imply a full rapid transit system.
77. Traffic Management Schemes in urban areas to rebalance modal hierarchy with priority given to pedestrians, cyclists and public transport in Derry and Strabane centres is welcomed and whilst the Council emphasise that the detail of this is yet to be determined they should ensure that other policies would not undermine the objective.
78. The overarching aspiration / objective of moving towards a modal shift from single occupancy car to walking, cycling and public transport or more sustainable car sharing practices is emphasized and recognized as a challenge. The Council stress that the LDP cannot simply deliver this modal shift by itself. In this regard it is vital that on-going engagement is continued with necessary stakeholders.
79. The LDP Strategy in accordance with the LTS will therefore focus on promoting sustainable forms of development, reducing the need for motorised transport encouraging active travel facilitating public transport over the private car. References to climate change and health and social equality issues are welcomed.
80. It is the strategic intention of the council over the plan period to reduce parking within Derry city and Strabane town centre public parking and expand long stay capacity within edge of centre and peripheral Park & Ride and Park & Stride sites. Reduction of current parking will be undertaken in a phased manner and will not take place until alternatives are in place. These are to be identified at the LLP stage. Also stressed is the objective of achieving the necessary modal shift will require continued engagement and work with DfI and other statutory partners and bodies.

Infrastructure - Utilities Development

81. The Department notes the Councils strategy for utilities development which is to facilitate the efficient use of infrastructure, to enable economic and social development across the district and thereby minimising the harm to the environment and or sensitive locations. The Department welcomes the approach, however, it nevertheless has

some concerns over the apparently higher level of residential development allowed for as part of the LOP strategy for the countryside (see comments elsewhere). As highlighted within the RDS, access to services and facilities is important. Creating a critical mass to support a level of services raises challenges for service providers in meeting the needs of spatially dispersed populations (RDS page 23).

82. Furthermore the issue of no remaining headroom capacity identified at a number of settlements is noted and that the LOP will seek to accommodate any programme of capital investment to facilitate development that meets environmental standards. Please see additional comments within Annex 1.

Cross boundary considerations

CE1 The DPD sets out a coherent strategy from which its policies and allocations logically flow and where cross boundary issues are relevant it is not in conflict with the DPDs 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.

83. The Department welcomes the emphasis within the plan on cross-boundary issues. In particular the narrative in relation to adjoining districts of Causeway Coast and Glens; Fermanagh and Omagh District; and Mid Ulster District is acknowledged. So too is the focus on the role of DCSDC within the broader socio-economic and geographic area characterised as the North West Region. This highlights the strong relationships that exist with Donegal County Council and the strong relationship that Derry in particular has with Letterkenny¹⁴ and Buncrana. Also welcome is the reference to the work of the North West Strategic Growth Partnership and the North West City Region Initiative. The Council has acknowledged the wider challenges and opportunities arising from its unique location.
84. The Department acknowledges the focus on cross-border issues within the evidence base including the analysis of cross-border flows in terms of population and commuting patterns. While the impact of Brexit is difficult to quantify the Department welcomes the consideration of this issues in the evidence papers including in the paper by the Council's Chief Economist reviewing the 2016-based HGI.

¹⁴ The RDS 2035 identifies the strategic links of Derry to Letterkenny and Donegal.

85. The Department notes the analysis of the County Donegal Development Plan and in particular its approach to identifying areas to the east of the county as being 'under strong urban influence'. This categorisation has informed the Council's approach to other near urban rural areas and the Council's approach to the designation of Green Belts.
86. The RDS provides strong regional and sub-regional guidance through a Spatial Framework for Northern Ireland which divides the Region into 5 components based on functions and geography. Implementation depends upon effective joint working between Councils. This engagement is fundamental to ensuring that the aims and objectives of Council LDPs are integrated and provide a coherent, joined up approach to regional planning issues, for example housing growth and infrastructure provision. Such cross boundary working also ensures that LDPs do not conflict with each other and that potential areas of conflict are identified and resolved prior to a Development Plan Document being submitted to the Department to cause an Independent Examination. The Chief Planner's letter dated September 2017 refers.
87. Engagement of the Council through various forums such as the Sperrin Forum and Cross Border Forum are noted. The Department welcomes recognition of the need to work with neighbouring local authorities to provide consistency of approach in areas such as minerals development and wind energy and in relation the Sperrin Area of Outstanding Natural Beauty (AONB) and through the North-West Strategic Growth Partnership as an ongoing special planning initiative between the two councils either side of the border. The Sperrin's Statement of Common Ground between all four Sperrin Councils is also noted and welcomed. The Department is supportive of this ongoing work as this is an important aspect of soundness that will be examined at IE.

Monitoring

CE3 There are clear mechanisms for implementation and monitoring.

88. A council may revise its Plan Strategy or Local Policies Plan at any time (after adoption), or by direction by the Department. This requires councils to keep under review the implementation of their plans to ensure that LOP objectives are being achieved.
89. The Department notes the provisions in draft Plan Strategy on monitoring and welcomes the range of issues identified within the monitoring framework. DPPN

states that 'monitoring is essential for the delivery of the DPD and should provide the basis to trigger any requirement to amend the strategy, policies and proposals of the DPD'. The Department welcomes the 'Monitoring and Review Technical paper' which sets out the indicators and targets to assess the effectiveness of the LOP policies which will accompany the draft Plan Strategy.

Extant planning guidance

90. The Department has clarified its position on the future of extant planning guidance and the Council should consider this in relation to references within the draft Plan Strategy.
91. The Department's website now sets out which guidance has been withdrawn, which will cease to have effect in a council area once the Council adopts its plan strategy and which guidance is retained, unless and until replaced by the Department. In relation to guidance which will cease to have effect when the Council adopts its Plan Strategy, it is considered that this affords councils the opportunity to prepare local guidance on such matters, if so desired. Additional comments in relation to guidance are provided in Annex 1.
92. Further detail on each piece of guidance can be found at: www.infrastructure-ni.gov.uk/articles/guidance-updat

Annex 1 – Additional DFI comments

General

Appendix 6 entitled 'Supplementary Planning Guidance' (SPG) sets out a range of guidance from DfI and other Departments listed with narrative detailing 'purpose of the guidance' and 'Guidance proposed for retention/ cancellation'. A number of Departmental SPG is listed in this table for retention. The Department has clarified its position on the future of extant planning guidance and the Council should consider this in relation to references within the draft Plan Strategy.

The Department's website now sets out which guidance has been withdrawn, which guidance will cease to have effect in a council area once the Council adopts its Plan Strategy and which guidance is retained, unless and until replaced by the Department. In relation to guidance which will cease to have effect when the Council adopts its Plan Strategy, it is considered that this affords councils the opportunity to prepare local guidance on such matters, if so desired.

Climate Change

The Department notes and welcomes the council's acknowledgement and inclusion of climate change issues within the draft Plan Strategy. It may be beneficial for the council to include reference to Northern Ireland's 2nd Climate Change Adaptation Programme 2019-24 which DAERA published in September 2019, as there are associated actions which will be the responsibility of councils to ensure Climate Change Adaptation has been considered during the development of their LDPs. Council may wish to engage with Climate NI to gain further insight and assistance in bringing forward local planning policies which have regard to climate change issues.

Part B - Overall Strategy

Part B includes the LDP Vision and Objectives, Growth Strategy and Spatial Strategy (including settlement hierarchy). It also includes general development principles and policies. The Growth Strategy in particular is justified on the basis of the reference to the Community Plan and other analysis carried out by the Ulster University Economic Policy Centre (UUEPC). Detailed comments in respect of these documents are provided later within this Annex.

General Development Principles and Policies

GDP 1 – Sustainable Development

Welcome that development in the countryside will be delivered in accordance with Growth Strategy, Spatial Strategy and the LDPs Housing and Economic Development Strategies. The Department would however be concerned that these strategies will not support the sustainable development of the countryside for the reasons set out in the main strategic response.

GDP2 – Climate Change

Note context and reference to promoting the use of zero carbon technologies. Whilst welcome this approach concern there may be difficulties in application in relation to assessment of zero carbon developments.

Welcome encouragement of facilitating sustainable travel by encouraging active travel and travel by public transport but would observe that the Housing Growth strategy in respect of the countryside is not overall supportive of this objective.

GDP3 – Improving Health and Well-being

Welcome proposals that make a positive contribution to health and well-being however note that the language used requires developments to demonstrate how they 'do not have a significant adverse impact on human health and well-being' which implies that some level of impact on health is acceptable. Is this consistent with promotion of health and well-being which is what the GDP is seeking to achieve?

Implementation of General Development Principles

The Department queries the practical necessity for this policy and clarification is sought. Is it not already clear that the general development principles are implemented through the policies in the plan? It is unclear how this policy, which is focused on implementation, can include additional measures not reflected in the within GDP 1 – 8 – such as significantly increasing tree planting associated with development proposals. This appears to go beyond mitigating harm through compensatory tree planting referred to in GDP 7.

GDPOL 1 – General Development Management Policy

Note criteria (v) in relation to carbon offsetting through the planting of trees on or off site, proportionate to the scale of the site. Again, while welcome clarification is sought on how this policy would apply in practice. For example is there a requirement to understand the amount of carbon that must be offset? If so this could pose practical difficulties of application.

8. Enforcement of Planning

The Department notes the provisions in relation to enforcement which identify additional priorities in addition to those set out in the Council's Enforcement Strategy including in respect of advertisements, minerals, waste and access arrangements. Will this newly identified priorities be reflected in an updated Enforcement Strategy? Overall whilst the Department welcomes the identification of additional priorities it is unclear in practice what this means and what this LDP section adds to either the SPPS or the Council's Enforcement Strategy. Please also note the reference to the Planning (Northern Ireland) Act 2011 I should read Planning Act (Northern Ireland) 2011.

Part C - Economy – Strategy, Designations & Policies

9. Economic Development

ED 2 Office Development

This policy, which relates to proposed B1(a) and B1(b) office developments within cities, towns, villages and small settlements is generally representative of strategic guidance outlined in the RDS, and regional strategic objectives and policy set out in the SPPS, particularly in paras. 6.85 and 6.86.

Whilst ED 2 addresses proposals for Class B1(a) and B1(b) developments at locations elsewhere in cities and towns (outside of a city or town centre), with criterion requiring a demonstration that there is no suitable site within the city or town centre, there does not appear to be any specific policy requirement to demonstrate that no suitable edge of city/town centre sites available. The Department would welcome further clarification in relation to this matter, and whether the Council seeks to ensure that edge of centre sites will be considered before those that are outside of the city or town centre. This is

suggested in the justification and amplification to the policy at paragraph 9.20 where a 'sequential assessment' approach is advocated.

ED 3 Economic Development in Settlements

Similar to ED 2, this policy addresses proposals for economic development within cities, towns, villages and small settlements, however, in this case, these relate specifically to proposals for Class for B1(c), B2, B3 and B4 use. The policy is generally reflective of strategic guidance presented within the RDS, and the regional strategic objectives and policy set out in the SPPS.

However, the issue raised above, regarding the availability of suitable edge of city/town centre sites also applies to this policy. Whilst it is acknowledged that this issue relates primarily to proposals for B1(c) developments (research and development), the Department would again welcome clarification in relation to this matter, particularly how the Council will address this matter through operational planning policy. Has the Council given any consideration as to how development proposals to extend an existing economic development use or premises within settlements would be assessed?

The Department welcomes confirmation at paragraph 9.22 that existing zonings contained in existing area plans will apply during the interim period after the draft Plan Strategy, and that the location and extent of zonings will be decided at Local Policies Plan stage.

ED 4 Protection of Zoned and Established Economic Development Land and Uses

This policy addresses the retention of economic land in order to ensure a sufficient ongoing supply, which is reflective of regional and strategic objectives and policy. Existing regional operational planning policy allows for exceptions for 'the development of a sui generis employment use within an existing or proposed industrial/employment area', subject to criteria. However, it is noted ED 4 provides an exception whereby a 'small scale complementary/ancillary use that meets the day-to-day needs of local employees' will be permitted provided 'it meets other relevant planning policies and does not lead to a significant diminution in the industrial/employment resource both in the locality and the plan area generally'. It

would therefore appear that ED 4 would facilitate development (albeit of a small scale) that is considered to be neither economic development, nor sui generis employment use and this should be considered in the context of paragraph 6.89 of the SPPS. Furthermore, the policy criterion for this exception is unclear and does not refer to compatibility; scale, nature and form of the development. The Council may wish to consider inclusion of key details set out in para 9.29 and 9.30 within the policy.

It is also noted that reference is made to SPG Planning Policy Statement 4 – Policy PED 8: 'Development Incompatible with Economic Development Uses' which will be a material consideration in the assessment of proposals under this policy. Please refer to the comments made earlier in the response in relation to the Department's position existing guidance and policy.

ED 5 Small Scale Economic Development in the Countryside

This policy appears to be generally reflective of strategic guidance within the RDS and the regional strategic objectives and policy set out within the SPPS. Para. 6.87 of the SPPS states that the 'guiding principle for policies and proposals for economic development in the countryside is to facilitate proposals likely to benefit the rural economy and support rural communities, while protecting or enhancing rural character and the environment'. The Department welcomes the confirmation at paragraph 9.34 of the draft Plan Strategy that this guiding principle has been adopted by the Council.

Paragraph 6.87 of the SPPS states that the greatest scope for sustainable economic development in the countryside will normally be provided in a number of ways including the re-use of rural buildings. The Department notes that the policy wording of ED 5 refers to the re-use of an existing or redundant building in the context of proposals for small scale economic development in Green Belt locations (and in association with GB 1).

Para. 9.35 of the J&A states that criterion (b) is 'intended to support small scale rural business start-ups, who may grow and move to a nearby settlement'. However, the policy wording allows for a 'small scale Class B2, B3 or B4 business use/building adjacent to the main dwelling of business owner'. The justification and amplification suggests that this may facilitate a small business until it can grow and relocate to a nearby settlement but considered in association with ED 6, this would present an opportunity for further expansion subject to that policy rather than relocate.

Furthermore there is no requirement to re-use (at least in the first instance) an existing building for such purposes, before a new building is proposed. The Department would welcome further clarification in relation to this matter, and to ensure that no unintended consequences arise as a result of this policy.

In addition to the above, paragraph 9.35 sets out criterion for the assessment of proposals for small scale rural business start-ups. The Council should consider whether the policy wording should be expanded to include any criterion that is subject to demonstration within an application, together with any cross referencing to other policies within the draft Plan Strategy.

Criterion (c) of this policy relates to proposals for the redevelopment of an established economic development use or re-use of existing or redundant non-residential rural buildings which is reflective of paragraph 6.87 of the SPPS. This recognises the potential contribution the reuse of rural buildings and appropriate development can make to sustainable economic development in the countryside and is therefore welcomed. Due to the potential complex nature of economic development in the countryside, particularly where there may be long established sites, the Department would welcome additional detail within the Justification and Amplification relating to the practical implementation of this policy. The Council may wish to consider whether this type of development or situation may require a separate individual policy, such as that already presented within current regional operational planning policy.

10. City / Town Centres, Retailing, Offices, Leisure and Other Uses

RP 1 Town Centre First

The Department welcomes the Council's policy to adopt a town centre first approach for retail and main town centre uses, and advises that a sequential test will be applied to all applications that are not located within a town centre. This is reflective of strategic guidance and the regional strategic objectives and policy as set out within the RDS and the SPPS.

However, whilst the order of preference with regard to the sequential test generally mirrors that set out in the SPPS (para. 6.281), it does not appear to align with hierarchy detailed at HC 1. In addition, the Department notes that the Council refers to town

centres, including town, district, local and village centres. This would suggest that a district or local centre should be considered before edge of town centre sites. The Department would therefore welcome additional clarification from the Council on this matter, and consideration should be given to the unforeseen implications of the defined sequential approach.

A key objective of the LDP (Para. 10.11) is to 'strengthen Derry city centre and also Strabane town centre', however it is also noted that reference is made to Castledearg, Newtownstewart and Claudy (para. 10.14). Further clarification would be welcomed if the Council considers it also appropriate to strengthen these town centres as well.

RP 2 Derry Primary Retail Core (PRC) and City Centre

It is noted the last paragraph states 'planning permission will be granted for retail development on sites which adjoin or can form an effective extension to the town centre if it is clear that no suitable sites are available within the PRC' subject to the policy criteria. Clarification would be welcome on how proposals would demonstrate whether 'it is clear that no suitable sites are available...' and the degree of detail necessary to satisfy this requirement? In addition, the policy appears to require that no suitable sites are available in the PRC, rather than including the city centre. This may result in any town centre first approach being undermined whereby the availability of suitable sites are not considered before allowing the development of a site adjoining or beyond the city centre boundary.

RP 3 Strabane Primary Retail Core (PRC) and Town Centre

Please refer above to RP4, the same comments apply. The implementation of the last policy paragraph may result in any town centre first approach being undermined whereby the availability of suitable sites are not considered before allowing the development of a site adjoining or beyond the town centre boundary.

The Department also notes that within the evidence paper EVB 10 (at para. 6.35), it is suggested that there is a requirement to demonstrate that there will be no significant adverse impact on the vitality and viability of Derry City Centre. However, this has not been carried through to the policy.

RP 4 Other Town and District Centres

This policy identifies the towns of Castledearg, Newtownstewart and Claudy at the same policy level as the District Centres at Lisnagelvin, Springtown, Rath Mór and Northside. The inclusion of town centres and district centres within the same policy context is likely to cause a degree of confusion when considering development proposals.

The SPPS (Paras. 6.271 and 6.273) advises that a town centres first approach for retail and main town centre uses must be adopted by planning authorities. Therefore the policy proposed will undermine these regional strategic objectives and policies, by facilitating parity between the four district centres in Derry and the town centres of Castledearg, Newtownstewart and Claudy, rather than direct retail and main town centre uses to these town centres in the first instance. The Department would recommend that the Council carefully consider the potential consequences of this policy.

The Council is reminded that the regional strategic policy, set out within the SPPS (para. 6.276) is to retain and consolidate existing district and local centres as a focus for local everyday shopping, and ensure their role is complementary to the role and function of the town centre. In such centres, further extension should only be permitted where the applicant has demonstrated no adverse impact on town centres in the catchment area. RP 4 establishes a presumption in favour of retailing and other town centre uses within district centres, thereby facilitating the further expansion of such centres, rather than consolidation.

The J&A would benefit from reference to the details set out in para 10.15 and 10.16 identifying the function of the town centres and district centres.

RP 5 Local Centres

As above, the SPPS sets out the regional strategic policy in relation to district and local centres, which is to retain and consolidate existing district and local centres as a focus for local everyday shopping, and ensure their role is complementary to the role and function of the town centre. In such centres, further extensions should only be permitted where the applicant has demonstrated there are no adverse impacts on town centres in the catchment area. This policy appears to be supportive of new

development within local centres, and any potential expansion of these centres. Whilst it is acknowledged that criterion (3) refers to proposals not having an impact on any other centre within the network and hierarchy, there is a risk that this policy might conflict with the regional strategic objectives as set out in the SPPS.

Whilst para. 10.33 confirms that RP 5 relates to the existing Local Centres identified in the Derry Area Plan 2011, these are not identified in the text or spatially on a map. The Department would welcome further detail in relation to Local Centres to which this policy applies, and would assist with the application of this policy.

The Department also notes the evidence paper (para. 6.37) refers to accessibility by various forms of transport as a requirement however this has not been pulled through to the policy.

The J&A would benefit from reference to repetition of the details set out in para 10.16 identifying the function of a local centre.

RP 6 Villages and Small Settlements

It is unclear if criterion (2) relates to the overall design of the proposal and meeting local day-to-day needs (as required by the SPPS), therefore if this is the policy intention, greater clarity would be welcomed. In addition the Department would welcome clarification on the reference/intended interpretation and terminology within criterion (4) in relation to 'or very recently expanded'.

The J&A (para. 10.36) places a number of requirements upon prospective applicants whereby a number of matters must be demonstrated, including accessibility by a number of different modes of transport, and the submission of a 'convincing supporting statement' in some instances. The Department considers that, as these refer to detailed requirements in order to satisfy policy, inclusion within the policy itself may be more appropriate?

RP 7 Retail Development in the Countryside

The policy advises that retailing will be directed to the 'centres within the retail hierarchy' and that development of inappropriate retail facilities in the countryside will be resisted. This approach is welcomed and is reflective of the SPPS (para. 6.279), however it is noted that the policy does not specifically direct proposals to town centres, which is contrary to policy RP1, and the SPPS (para 6.279). Further

clarification would be welcomed within the policy and associated J&A in relation to those centres to which retailing will be directed.

RP 8 Alternative Uses of Shops in Primary Retail Cores and Other Centres

This policy seeks to restrict the amount of non-retail uses 'across the entire frontage in question' to no more than 40%. Furthermore, this restriction will also apply to the amount of consecutive non-retail uses that would result from permitting a change of use. It is unclear how proposals that result in a breach of this threshold might be considered/assessed. The policy would benefit from greater clarity on the practical application. The Council should also consider the impact of this policy on the PRC, and the unintended consequences for vitality and viability that it seeks to protect.

RP 9 Out of Centre Development

It is noted that, in line with the SPPS (para. 6.283), development proposals with a retail floorspace of 1000sqm gross and above are required to be accompanied by a retail impact assessment and an assessment of need. The Department is also encouraged by the Council's decision to facilitate flexibility, whereby assessments of retail impact and need might also be required for proposals under the stated threshold.

Whilst the J&A (para. 10.48) acknowledges this requirement would also apply to applications for extensions which would result in the overall development exceeding 1000sqm, the inclusion of this within the policy itself would be beneficial.

11. Transport and Movement

In reference to designations to be carried forward, the Council refer to the Derry Area Plan Policy TR5 'Parking Provision in New Development'. The Department considers that it may have been appropriate to reproduce this within the Plan Strategy as opposed to a reference.

Twelve operational policies for transport and movement are included in the plan. DfI Transport and Roads will make comment on the detail of these. The Department welcomes the statements that the policies reflect strategic policy set out in the SPPS. The Department would however bring to the council's attention a number of paragraphs that seem incomplete within the J&A under TAM8.

TAM 1 Creating and Accessible Environment

It is noted that reference is made within the J&A to SPG in the context of the provision of further information on designing for a more accessible environment. This SPG draws attention to an SPG list at Appendix 6 of the dPS, which includes both DCAN 11: Access for People with Disabilities and draft DCAN 11: Access for All – Designing for an Accessible Environment. The Department has clarified its position in relation to extant planning guidance, please refer to the Department's strategic response.

TAM 3 Access to Protected Routes

It is noted that, with particular regard to 'Other Protected Routes – Within Settlement Limits', whilst the Council presents the two criterion as set out in para. 6.301 of the SPPS, a third criterion (c) states 'the distinction between the various categories of Protected Routes is illustrated on the Protected Routes map'. The Department would welcome clarification with regard to the relevance of criterion (c) in this instance, as this appears to be for information purposes.

Furthermore, the J&A (para. 11.74) clarifies that this map, which identifies the existing roads throughout Northern Ireland established as Protected Routes and indicates the distinction between the various categories of Protected Routes, is presented at Annex 1. Whilst there does not appear to be an Annex 1 contained within the dPS, there is an Appendix 1, which presents Plan Strategy Maps of Derry & Strabane. However, it is noted that no distinctions are made with regard to the categories of Protected Routes.

TAM 9 Car Parking and Servicing

It is noted that, in relation to reserving an appropriate proportion of parking spaces to meet the needs of people with disabilities, the J&A (para. 11.120) advises that best practice on the number, size and layout of reserved parking spaces is set out in the Council's adopted guide 'Access for All'. Whilst it is not clear, it is apparent that this reference might relate to the Council's SPG and associated list of SPG that may be retained. With particular reference to DCAN 11 Access for People with Disabilities, and draft DCAN 11: Access for All, the Department has clarified its position in relation to extant planning guidance, please refer to the Department's strategic response.

12. Tourism Development

TOU 1 Safeguarding of Tourism Assets

The J&A (para. 12.12) would benefit from the inclusion of the indicative list of tourism assets identified within the Tourism Evidence Base Appendix.

TOU 2 Tourism Development in Settlements

The policy states that, 'All proposals must meet the General Development Principles and Policies set out in Chapter 7, in terms of Sustainable Development and also the normal Operational Planning criteria...', and cross-reference to other policies is welcomed. The Council may wish to consider all the principles and policies that are set out in the General Development Principles and General Development Policies; all of which could be applicable to an application, not just sustainable development.

Furthermore, the policy also states, 'All tourism developments should be located in one of the nine tourism settlements identified in paragraph 12.5', whereas the J&A (para. 12.15) refers to 'ten identified tourism hubs, gateways and attractive historic villages'. Clarification would be welcome, as it is unclear the relationship between the tourism settlements and the tourism hubs, gateways and attractive historic villages.

TOU 3 Tourist Amenities in the Countryside

This policy appears to be generally reflective of regional guidance and strategic regional objectives and policy as set out in the RDS and SPPS.

A list of 'Tourist Amenities in the District' is identified in EVB 12: Tourism Development, many of which appear to fall under the category of 'Craft/Retail Outlets' and 'Food & Drink'. The Department would recommend that the Council ensure that any amenities identified fall within the definition of a tourist amenity as set out at in the J&a (para. 12.19).

TOU 5 Major Tourism Development in the Countryside – Exceptional Circumstances

The SPPS (paragraph 6.261) states that proposals for major tourism development in the countryside may be provided for in exceptional circumstances in that it must demonstrate exceptional benefit to the tourism industry; sustainable benefit to the

locality; and that a countryside location is required by reason of its size or site specific or functional requirements. However, this policy advises that such proposals will be permitted where it 'can' demonstrate these criterion. The Department considers that this policy wording does not provide as strong a policy test as required under the provisions of the SPPS.

Clarification would be welcomed on criterion (a) if 'Region' refers to the North West Region or Northern Ireland. It is assumed that 'District' refers to the Council district.

TOU 6 Self-Catering Accommodation in the Countryside

The policy refers to 'substantial cabins of various types' identifying examples such as 'wooden huts and chalets where there are substantial connections to services and facilities within the units'. Additional clarification on this reference would be welcomed.

13. Minerals Development

MIN 1 Minerals Development

It is noted this is reflective of existing policy requirements and consideration will be given to natural environment, historic environment, land and visual amenity; water environment, public safety, human health and amenity of people living or working nearby and; road safety and convenience of road users. Whilst the J&A (para 13.23) sets out the reasons where commercial extraction of peat will only be granted, the policy omits reference to peat extraction. The Department considers that this should be included within the policy, supporting the SPPS requirement to safeguard mineral resources which are of economic or conservation value. Para 13.10 makes refers to an 'existing mineral working which minimises environmental in the countryside' Clarification welcomed if the intention is for this policy to state which minimises environmental impacts'.

MIN 2 Areas of Constraint on Mineral Development (ACMDs)

The SPPS (Para 6.155) states that LDPs should identify ACMDs, and that "there should be a general presumption against minerals development in such areas".

Whilst the Department acknowledges policies relating to mineral development are reflective of existing policy provisions, it is noted that the Council have not designated any new or amended any existing ACMDs or MRAs. The Council state (para 13.7)

that all existing Areas of Mineral Constraint as set out in the extant Plans shall remain and be subject to the policy in this draft PS. It also highlights where there are cross boundary designations regarding minerals proposals that liaison will be undertaken with surrounding councils, which is welcomed. The Council also state that defined boundaries and local specific policies will apply at the LPP stage.

Furthermore it is noted that SCAs and AHLIs are also considered as ACMDs and therefore policy MIN 2 also applies, however the Department notes that Proposals Map 2: Environmental does not identify as such, which may lead to confusion.

The Council have included a footnote relating to the definition of 'significant' at para 13.25. It is noted that this is in addition to the requirements of the SPPS.

MIN 3 Mineral Reserve Areas (MRAs)

As noted above in MIN 2, the Council have not defined boundaries of MRAs and will do so at LPP stage, applying local specific policies where necessary. It is noted a number of development exemptions will apply to MRAs under this policy, in particular applications for 'temporary planning permission', which may be open to interpretation as there is no specific detail to what that could include? Further detail is welcomed on what proposals are considered to fall within 'temporary planning permission'?

MIN 4 Valuable Minerals

The SPPS stipulates in relation to valuable minerals '*...in considering a proposal where the site is within a statutory policy area, due weight will be given to the reason for the statutory zoning.*'. It is noted that MIN 3 refers to NE 1, however the policy should be clear about the weighting or consideration is required. NE 1 itself does not refer to valuable minerals and/or the associated policies.

14. Signs & Outdoor Advertising

AD2 Advertisements and Heritage Assets

The SPPS (Para 6.59) states that 'it is important to prevent clutter, to adequately control signs involving illumination and protect features such as listed buildings, and conservation areas from the potential adverse effects of advertising'. The Council have introduced this within a policy relating to heritage assets. It should be noted that this sentence does not wholly relate to listed buildings and conservation areas but that

prevention of clutter and adequately controlling illuminated signs are matters relating to all advertising.

15. Agriculture & Other Development in the Countryside

The Council's strategy for agriculture and other economic development in the countryside aims to promote agricultural development in sustainable locations through opportunities for diversification, agriculture and policy development and the conversion and re-use of existing buildings for agricultural and other development uses.

AGR 1 Farm Diversification

The Justification and Amplification clarifies that 'run in conjunction with' does not necessarily mean that the proposal has to be in some way related to agricultural or forestry. This is welcomed on basis that the policy requires diversification schemes to be appropriate to their location in terms of character and scale.

Note the proposed wording in relation to Green Belt which requires applicants to demonstrate a site-specific need why the proposal cannot be located in a nearby settlement. Clarification is requested on the requirement to justify why proposals cannot be located in a nearby settlement. In larger farm holdings where there may be other land or buildings located outside the Green Belt designation might these be acceptable also?

AGR 2 Farm and Forestry Development

The new criterion in relation to human health, sensitive habitats, biodiversity and ecosystem services through increased ammonia emissions is welcomed.

The additional provision in relation to Green Belts and the requirement in these areas to demonstrate that new development is needed to meet the essential requirements of the farm business is noted. It is assumed that this is higher test than (a) being "necessary for the efficient use of the agricultural holding/forestry enterprise" however clarification is requested.

AGR 3 The Conversion and Re-use of Existing Buildings for Agricultural and other Suitable Rural Uses

Council is reminded of the provisions of Section 23(3) of the Planning Act (Northern Ireland) 2011 as they may be relevant to the operation of this policy particularly in relation to agricultural use of buildings.

Part D - Social Development – Strategy, Designations & Policies

16. Housing in Settlements and in the Countryside

In reference to paragraph 16.7 incorporating an additional 5 year supply from the outset of the plan period is not consistent with a plan, monitor and manage approach. It is also likely that given the high level of commitments identified by the council there is at present already a 5 year supply of deliverable housing land without a further requirement to make available additional land to maintain a 5 year supply at the end of the plan period. Any shortfall in 5 year housing land supply that may arise over the plan period can be addressed through plan review as part of the plan, monitor manage approach. Should council wish to incorporate a small flexibility allowance to help ensure delivery of the housing requirement they may however this is distinct from the 5 year supply referred to in the SPPS.

Furthermore, whilst accepting that there is no standard methodology for determining the 5 year housing supply, clarification is however requested in relation to methodology used to arrive at the figure of 3000 units. It seems this is based on simply annualising the housing requirement of 9000. It appears not take account of actual completion rates, or to include any buffer to address any shortfall in these compared with the housing requirement. It also appears not to take into account supply from windfall sources which the evidence suggest has been a consistently significant source of supply in the Council district.

HOU 1 Strategic Allocation and Management of Housing Land – Zoned Housing Land and LUPAs.

The Department notes the content of HOU 1 which sets out an approach to the managed release of housing land in Derry, Strabane and the local towns. The Department welcomes this approach which responds to issues posed by existing settlement limits and housing zonings within extant area plans. It provides a means of

aligning the release of housing land with evidence on housing need thereby supporting more sustainable housing development as part of a plan, monitor manage approach.

The approach takes account of PPS12 by indicating that existing commitments will generally be assigned to Phase 1. It is noted that other selected urban capacity sites in the main and local towns and Whiteland sites in Local Towns (identified at LPP stage) will also be assigned to Phase 1. In accordance with the advice set out in PPS12 the Council should ensure that the criteria used to assign sites should reflect the objectives of the RDS, local circumstances and other relevant planning considerations.

In this regard the Department welcomes the clarification provided at paras 16.21 and 16.22, especially the confirmation that existing commitments are only those sites with a current planning permission or where development is ongoing. The Council should ensure that in local towns the evidence supports assigning Whiteland Sites to Phase 1. It will be essential to ensure that the level of housing land assigned to Phase 1 is sufficient to meet the housing needs of the plan period once account has been taken of windfall and dwellings constructed or committed.

The intention to assign 'other' urban capacity sites to Phase 2 is noted however the Department would comment that in general the development of urban capacity sites will be supported in preference to other less sustainable locations.

Also relevant in the context of the two stage plan process is a concern that identifying at Plan Strategy a later intention to phase land within the LPP may encourage applications in less sustainable locations within the settlement in order to secure their inclusion as a zoning within Phase 1. Council should therefore be satisfied that the approach is as supportive as possible of the sequential approach and compact urban forms.

It is also acknowledged that Phase 2 is intended as a 'land bank' to be held as a long term reserve (subject to the exceptions identified). Nevertheless the council may wish to give consideration to further clarifying how development proposals that come forward on Phase 2 will be assessed? For example, will only social/affordable housing

development be permitted on Phase 2 land and all other development will be refused?
Please also see comments on HOU 2.

HOU2 Strategic Allocation of Housing in Settlements – other than Zoned Housing Land and LUPAs

This policy cross refers to policy HOU1 and summarises the LDPs intent that all new housing development will be delivered on previously committed sites 'or *within the existing settlement limit*'. Some land within the settlement limit of the city, main and local towns will be designated as Phase 2 land (to be held a long term reserve in accordance with HOU1) therefore is this statement in *italics* accurate?

Furthermore, while the policy relates to land other than Zoned Housing land the decision to refer to the regional brownfield target within the first paragraph gives the impression that it is primarily focused on achieving this target. This creates confusion when the policy subsequently refers to small whiteland and open space as well as brownfield. For clarification the RDS excludes open space from the definition of previously developed land (brownfield). While the development of such land may be permitted by exception it will not contribute to the regional target for brownfield development as may be implied by this policy.

HOU 3 Density of Residential Development

The Department notes the proposed density bands to guide development proposals which takes account of the SPSS requirement to set density levels for housing sites appropriate to the location of the site. There appears to be a slightly different application of the approach here as these density levels relate to larger settlement areas rather than individual housing sites.

Density Band 1 will equate to Derry City Centre and Strabane Town Centre where there are established higher densities in sustainable locations. The statement that "the development of higher density housing should be appropriate in scale and design to the existing housing density in established residential areas where they are not already of a high density" is confusing and the Department would welcome further clarification. It appears to suggest that within Derry City Centre/ Strabane Town Centre there are established residential areas of lower density where high density development

residential development will only be permitted where it is appropriate in scale and design. This approach could pose difficulties of policy application which may not provide the intended protection to these 'established residential areas'.

Similarly the application of the approach as it relates to Density Band 2 may pose practical difficulties of application in the interim period before publication of the LPP. In general the policy would also benefit from clarification of what is meant by high and medium-high density. There would appear to be nothing prevents their definition at Plan Strategy stage and it would aid understanding of what the policy is seeking to achieve.

HOU 5 Affordable Housing in Settlements

The new build social housing need for the period 2017 – 2032 is 4750 units. It is indicated that a significant majority (4,400) will be delivered through existing housing sites, commitments or existing zonings.

The Department notes the content of policy HOU 5 seeks to address the evidence on the significant affordable housing needs in the District as well as contribute to balanced and mixed communities.

Whilst welcoming the policy intention, the wording is confused and appears contradictory. The policy requirement is for a minimum of 10% units to be provided as affordable above the thresholds identified. However, the policy subsequently states that 'housing schemes' will normally be expected 'to have no more than a maximum of 70% of either private or affordable houses' with any exceptions to be specifically justified by the applicant. This wording would appear to contradict the earlier requirement for a minimum of 10%. The Department would request further clarification on the policy intention for affordable housing thresholds.

It is noted in evidence paper EVB 16 (paragraph 4.62) that the 70% tenure split referred to above relates to 'housing localities' and not 'housing schemes' as in the policy wording.

The subsequent paragraphs including those relating to where there is no need, and those in relation to rural villages and small settlements create further ambiguity in relation to the level of contribution the policy is seeking to secure.

HOU 7 – Accessible Housing (Lifetime Homes and Wheelchair Standards)

The Department notes the policy requirement that all new housing complies with the Lifetime Homes standards as set out by DfC. Clarification within the J&A of the nature of the compliance statement would be welcomed.

HOU 9 Design Concept Statements, Concept Master Plans and Comprehensive Planning

The Department acknowledges that this policy takes account of the SPPS and largely reflects the provisions of existing operational policy PPS7 Policy QD2. It is noted the reduced threshold requirement for a Concept Master Plan (200 dwellings as opposed to 300 in SPPS and >10ha as opposed to >15 in SPPS) and council should ensure that the local evidence justifies the preferred thresholds.

HOU 10 Residential Extensions and Alterations

The Department welcomes this policy which takes account of the SPPS and provisions of operational policy EXT 1 in the Addendum to PPS7 on Residential Extensions and Alterations. It noted that this policy applies to proposals for alteration and extension for other residential uses, such as residential/nursing homes, hostels and holiday accommodation. For information EXT 1 applies to proposals for extension and/or alteration of a dwelling house or flat, including those in multiple occupancy. While the addendum acknowledges that the policy approach and associated guidance it contains will be useful in assessing proposals for other residential uses, such as, residential/nursing homes it is not primarily intended for this purpose. The council should consider removing the reference to these other residential institutions from the policy box and instead acknowledge the possible relevance of the policy to these aspects within the J&A instead.

It is noted in para 16.86 reference is made to Chapter 25 SPG Annex A, however Chapter 25 refers to Flooding. Appendix 6 SPG on page 516 would appear to correspond with this policy, and clarification would be beneficial. The Department

notes from the evidence paper the proposed clarification to 'guidance for residential extensions and alterations' that, in the assessment of proposals for ancillary accommodation, determining weight will no longer be given to the requirement to share facilities as kitchens.

Furthermore paragraph 16.97 addresses heritage issues and applications for extensions in Conservation Areas and Areas of Townscape Characters. The paragraph refers to relevant policies in PPS6 and its Addendum ATCs which will cease to have effect once the draft Plan Strategy is adopted.

HOU 13 Houses in Multiple Occupation (HMO) Management Areas

The Department has some concerns with the wording and structure of the policy and requests clarification of the justification for the approach. In particular, what is the reason for applying a higher threshold of 30% in streets outside HMO Management Areas in the transition period before the introduction of a lower 10% threshold in the adopted LPP? In the Department's view this has the potential to prejudice the objective of the policy which is to limit HMO development to 10% of the number of units located on roads or streets outside these designated areas.

Furthermore, the Justification and Amplification states that the 30% interim threshold is designed to enable 'such HMO proposals to come forward and be suitably managed in terms of numbers while not impacting on the existing established character and amenity of the immediate and surrounding areas'. Without passing judgement on the appropriateness or otherwise of the threshold, if 30% is considered by the Council to be an acceptable threshold in amenity terms what is the justification for the lower 10% threshold?

HOU 15 Specialist Residential Accommodation

The policy refers to sheltered accommodation, residential or nursing care accommodation, retirement village and care-related facilities. Clarification in particular of the definition of a retirement villages and how this is distinct from sheltered housing would be welcomed. The reference to SETT 2 'Development within Settlement Development Limits' indicates that this policy relates to development within settlements only.

HOU 16 Travellers Accommodation

The policy takes account of the SPPS and the Addendum to PPS 12 Policy HS3 (Amended) 'Travellers Accommodation'. The SPPS states that where an HNA/HMA demonstrates a demonstrable need for Travellers specific accommodation planning permission will be granted for a suitable facility to meet this need. Where a need is identified for a transit site or a serviced site, which cannot readily be met within an existing settlement in the locality, proposals will be required to meet the policy requirements in respect of rural planning policy for social and affordable housing. The Department welcomes acknowledgement within the policy of the provisions of amended Policy HS3 in particular the exception to permit a single family transit site as an exception, and without the requirement to demonstrate need.

HOU 17 Large-Scale Managed Student Accommodation

The SPPS does not specifically refer to large scale managed student accommodation however comments made in respect of HOU 13 above detail the applicable SPPS policy context. The Department notes the policy which is intended to respond to local circumstances and the LDP policy context including the expansion of the Magee campus, which is one of a number of key strategic developments underpinning the Council's wider growth objectives. The policy cross-refers to HOU 3 and therefore the Department's comments in respect of this policy also refer

Policies for Housing in the Countryside

HOU 18 Dwellings on Farms

The Department notes the provisions of the policy which largely take account of the SPSS and reflect PPS21 Policy CTY10. It is noted that the criteria (c) departs from the approach set out in the SPPS by removing the option for a new dwelling to be visually linked to an established group of buildings on the farm. Furthermore it is noted that this criteria includes an additional exception for an alternative site. Importantly this appears to remain conditional upon *there being no other sites available that would cluster*, and where it would result in demonstrable landscape, natural and/or historic environment benefits. Clarification is requested that this is the case. If not then the Department would be concerned that the approach could undermine the strategic approach to clustering in the SPPS and expressed elsewhere in this plan.

Para. 16.133 of the Justification and Amplification states that as an alternative to the requirement of criteria 3, where the building cannot be sited to cluster with the established buildings on the farm, evidence will need to be provided to show that an alternative site would result in a better planning outcome. Clarification is sought that the use of the word 'cannot' within the policy and J&A distinguishes from a simple desire for an alternative site. The wording of this paragraph is also somewhat confusing as it refers to 'an alternative to criteria (c)' however criteria (c) of the policy actually includes the alternative site exception. It is noted that this exception will not apply in Green Belts and permission will not be granted where there are no buildings to cluster with.

The Department notes Paras 16.125 & 16.127 that refer to Single Farm Payment. While this is relevant going back for the required 6 year period, reference to subsequent DAERA payments such as the Basic Payments Scheme would be welcomed.

Furthermore, it is noted that according to Para 16.127 only one business can avail of a dwelling for a particular farm over the 10 year period. Could a tenant farmer taking the land in conacre potentially prevent a landowner benefiting from a farm dwelling?

HOU 21 The Conversion and Reuse of Other Rural Buildings

The Department notes the provisions of the policy but considers that it doesn't properly take account of the SPPS insofar as there is no reference to 'Locally Important Buildings' which is a key policy requirement of the SPPS. Largely reflects the provisions of PPS21 Policy CTY4. This could lead to a continuation of issues around the interpretation of the policy in respect of 'suitable buildings'.

HOU 22 New Dwelling in an Existing Cluster in the Countryside

This takes account of the SPPS and the selection criteria largely reflect PPS21 Policy CTY2a. Criteria 3 requires the cluster be associated with an established focal point or be located at a cross roads. The Justification and Amplification at Para 16.166 however indicates that other forms of road junction besides cross roads may constitute acceptable locations. It is considered that this goes beyond clarification and changes the effect of the policy wording which specifically refers to cross-road type junctions.

Furthermore the policy introduces an exception '*where there is a particularly strong, established and recognised rural focal point, may be relaxed, in cases where there are currently only a few dwellings or other buildings.*' The Department is concerned that this flexibility could represent a new policy provision for new dwellings at existing focal points (as opposed to existing clusters) which goes beyond the SPPS and which has not been justified by the plan evidence base.

Additionally the Department notes Para. 16.165 refers to proposals for appropriate-scaled economic and social development also being sympathetically considered. Clarification of this aspect would be welcomed as would an explanation of why it appears in the Justification and Amplification rather than policy text box.

HOU 23 New Single Dwelling in a Small Gap in Existing Built-up Frontage in the Countryside

The Department notes the policy which takes account of the SPPS and largely reflects the provisions of PPS21 Policy CTY8 with tighter limits regarding the maximum allowance of one dwelling in a small gap site; and in respect of the definition of a substantial and built-up frontage including a line of 5 or more dwellings (without accompanying development to the rear *or opposite*).

The Department notes the exception to this policy in those parts of the Sperrin AONB with steep side valleys and few opportunities for dwellings. This allows for a larger gap site and maximum of 2 dwellings in an otherwise substantial and continuously built up frontage. It is noted however that the Justification and Amplification seeks to apply a less stringent definition of substantial and continuous within AONBs (3 or more dwellings within 100 metres). This results in two different definitions within the same policy depending upon whether the frontage is located outside or inside an AONB.

HOU 24 Personal and Domestic Circumstances in the Countryside

This policy takes account of the SPPS and largely reflects the provisions of PPS21 Policy CTY6. Para. 16.175 refers to instances where a young adult requires a continuing and high level of care, but who could also benefit from a greater degree of independent living. Clarification is requested in relation to what this means.

17. Open Space, Sport & Outdoor Recreation

The Department queries the rationale for why the Council have opted to omit objectives 2 and 3 of 6.201 of SPPS.

OS 1 Protection of Open Space

Exception 1

The Department notes in para 17.17 that Affordable housing would constitute a 'substantial community benefit' which would be considered an acceptable exception under specific circumstances. The Department would advise that the Council should be aware that the existing joint Protocol was between the Department and the Northern Ireland Housing Executive. Continuation of this protocol would therefore require a new agreement to be negotiated between the Council and NIHE. The Council should satisfy itself, in the case of loss of open space that the implications and permanence of any redevelopment have been carefully considered.

Furthermore in the same paragraph the Council refer to a 'community facility' as example of a 'substantial community benefit'. The Department would welcome further clarification on details of this exception.

Exception 2

The Department notes the proposed policy provisions under Exception 2 (i), however Council should consider how they will secure alternative open space provision, which is acceptable in principle without a Section 76 agreement (previously Article 40) or conditions. The agreement would ensure that the alternative provision is capable of being maintained adequately through appropriate management agreements.

Furthermore the policy exception 2 (ii) also fails to include any reference or explanation (para 17.19) to a Section 76 Agreement which would tie the financial gain arising from redevelopment of part of the playing field or sports pitch, to the retention and enhancement of the facility, as is in the case in existing operational policy.

OS 2 Public Open Space in New Developments

This policy specifies that in smaller residential schemes (of less than 25 units) the need to provide open space will be considered on its individual merits, however later in the policy under 'Amount and Type of Open Space in Residential Developments' criteria (i) states that '*At least 10% of the total site area will be required for all housing developments of 5 units or more.*'. The Council should ensure the policy is clear and consistent. The additional policy for 'Open Space in Non-Residential Developments' is also noted.

Exception 2

The Department notes the requirement for the developer to 'make an agreed developer contribution towards the provision and maintenance of the referenced public open space/play area' where a residential development is designed to integrate with and make use of adjoining public open space.

The Department also notes and welcomes the Council's approach to green/blue infrastructure as an integral part of new housing developments.

OS 3 Green and Blue Infrastructure

The Department welcomes the introduction of the Council's policy on Green and Blue Infrastructure which will support the delivery of the Council's 'Green Infrastructure Plan 2019-2032'. It is acknowledged that this policy aligns with the RDS, SFG 9 and the SPPS, with emphasis being placed on: protecting and enhancing wildlife habitats; SuDs, and climate change.

OS 4 Outdoor Sport and Recreation

It is noted that this policy at criteria i) changes the language used in the operational policy (PPS8) from 'there is no adverse impact on...' to 'there is no significant detrimental impact on ...' which may change the policy intent and potential offer less protection.

Existing policy refers to acceptable proposals were *'there is no permanent loss of the best and most versatile agricultural land and no unacceptable impact on nearby agricultural activities'*, however this Council policy stipulates under criteria (ii) *'there is no significant detrimental impact on features of importance to the natural and historic environment; agricultural land and no unacceptable impact on nearby agricultural activities.'* This deviation does not reflect regional policy, and the Council should consider its implications.

OS 5 Intensive Sports Facilities

The Department notes that the council's policy is reflective of existing policy provision. It is noted that this policy introduces additional criteria for intensive sports facilities, *'there is no unacceptable impact on the visual appearance of the countryside especially as a result of floodlighting – for visual and 'dark skies'/light pollution considerations'*.

Furthermore the Department consider that detail at para 17.37 outlining that *'It will not be acceptable to locate a development in the countryside if the applicant has disposed of / ceased use of an existing alternative site in a settlement in recent years.'* should be included within the policy itself. However it noted this may contradict the final paragraph of OS4.

OS 8 Floodlighting of Sports and Outdoor Recreational Facilities

The Department notes that the policy criteria are the same as those contained within OS 7 of PPS 8. In addition the Department welcomes the attention given to the protection of bats. The Council have outlined the need for a Bat Survey to be conducted where necessary – in accordance with The Northern Ireland Biodiversity Checklist. Furthermore, the Council have recognised that floodlighting can affect salmon migration and as such will give due regard to this in locations that may be affected.

18. Community Infrastructure

CI 1 Community Infrastructure

It is noted that proposals for change of use or redevelopment to a non-community use will be permitted provided it is demonstrated that the building / facility is no longer needed for a community use. The policy is unclear if it primarily relates to proposals within settlements with exceptions possible in the countryside.

The Council should consider the practical application and implementation of this policy.

19. Utilities Development

UT2 – Water Infrastructure

The Department notes the requirement within the Justification and Amplification for a developer to submit a statement to demonstrate why it is not feasible to utilise Sustainable Drainage Systems (SuDS). Council should note that if there is any specific requirement upon a developer such as to submit a statement this should be included within the policy box.

UT3 – Telecommunications & Connectivity, Including Broadband.

The Department notes that the policy does not refer to the approach to be taken in respect of this type of development in the vicinity airports as per the approach to airport safeguarding set out on page 463 of the draft Plan Strategy.

Note the requirement for the submission of a Statement detailing a range of matters including how landscape and visual impacts. Council may to give consideration to detailing in the policy or elsewhere in the J&A the need for the statement to indicate the location and height of the antenna and details of power output etc which were requirements of TEL 1 of PPS10 'Telecommunications'

20. Waste Planning

WP 2 Waste Collection and Treatment Facilities

The cross-reference to and inclusion of WP 1 is within this policy is welcomed.

It is noted that 'Chapter 24 Renewable Energy' is included in this list. Clarification would be welcome what renewable energy projects identified within chapter 24 would be considered.

WP 3 Waste Disposal

The Department acknowledges that Policy WP 3 aligns with existing operational policy and welcomes the cross-reference to and inclusion of WP 1. It is noted that additional criterion is included whereby the presumption in favour of approval will only apply to sites outside proposed designated landscape areas, such as AONBs and proposed Special Countryside Areas.

Part E - Environment – Strategy, Designations & Policies

21. Natural Environment

NE 1 Nature Conservation Sites

It is noted that this policy aligns with the SPPS however this policy omits refers to "*proposed Special Protection Area*" and "*Sites of Community Importance*" within European sites, which are referred to in para 6.175-178 of the SPPS, and the Council should include these also.

NE 3 Biodiversity or Features of Natural Heritage Importance

The Department welcomes the increased level of protection afforded to ancient or long-established woodland and notes the Council's explanation of this deviation from regional policy within its Evidence Paper.

NE 5 Development within or affecting the setting of the Sperrin AONB

This policy is a departure from this regional approach to a more bespoke local policy. The Department welcomes this approach but also considers that the policy would benefit from the inclusion of text more in line with the SPPS (Para 6.186-188) and PPS2. This would ensure that not only is the policy tailored to local circumstances but that it also aligns with regional policy. Furthermore, the policy would benefit from the inclusion of information at para 21.31.

The Department welcomes the Council's consideration of the cumulative effect of development within the policy.

NE 6 Development within Special Countryside Areas (SCA)

The Department welcomes the Council's approach to tailor regional policy to local circumstances as set out in the SPPS (para 6.75). As stated in the SPPS appropriate policies should be brought forward to ensure protection from unnecessary and inappropriate development. It is noted that 40% of the Upland Sperrin AONB and its significant vistas fall within this district and are protected by this policy. Furthermore the Department welcomes Proposals Map 2: Environmental, which identifies this spatially.

NE 7 Development within Areas of High Landscape Importance (AHLIs)

The Department welcomes this designation to protect those second-tier landscapes which are of District-scale importance. This is in line with the SPPS 6.191-192 which seeks to protect features of earth-science conservation importance and biodiversity. It is noted these are also spatially reflected in Proposals Map 2: Environmental and they also double up as ACMDs.

22. Coastal Development

CD 1 Coastal Development

This policy states that development "*will not normally be permitted*" in areas of the coast known to be at risk of flooding, coastal erosion, or land instability. This is not in line with the SPPS (para 6.42) "*Development will not be permitted in areas of the coast known to be at risk from flooding, coastal erosion, or land instability*"

Whilst the SPPS (para 6.46) states that the LDP "*should identify areas of the coast known to be at risk from flooding, coastal erosion, or land instability where new development should not be permitted*", the Department acknowledges there is ongoing work in relation to the coastal management baseline with Government departments as the Council referred to in para 22.4.

Furthermore within the "*Undeveloped Coast*" section, the LDP refers to "*within the existing developed coast in the locality*", however this does not take account of the precautionary approach set out in the SPPS (para 3.9) which states that councils should be guided by the precautionary approach when formulating policies and plans.

In addition the SPPS (para 6.38) which refers to "*within an existing urban area in the locality*".

Para 6.44 of the SPPS clearly states that LDPs should identify land within settlements to be zoned for developments which require a coastal location. At para 6.38, in relation to development which requires a coastal location, the SPPS is clear with regards to the undeveloped coast. It states that "Development should only be permitted on the undeveloped coast where the proposal is of such national or regional importance as to outweigh any potential detrimental impact..." However, the Council have introduced an exception for a "*tourism or water-based amenity where it can be demonstrated that the proposal needs to be located in a coastal or waterside location and that it is not feasible to locate within a settlement and that it is of District-scale importance and that the general public will have access*". This is not in line with the regional approach in relation to the protection of the undeveloped coast.

The Council may wish to consider the inclusion of detail set out in para 22.22 within the policy itself.

23. Historic Environment

HE 1 Archaeology and Upstanding Remains

The term "Upstanding Remains" is unclear and may cause confusion for how the policy would operate.

Para 6.8 of the SPPS makes reference to the ongoing nature of the scheduling process, highlighting that there are archaeological remains yet to be scheduled. It considers that the same approach to archaeological remains should be applied to such sites that whilst not scheduled presently, would otherwise merit such statutory protection. The Department considers that Council should bring forward this regional approach to protect archaeological remains yet to be scheduled within their LDP.

HE 2 Archaeological Assessment, Evaluation and Mitigation

The Department considers that by merging the policy content from both paras 6.10 and 6.11 in the SPPS, the intent of regional policy may be lost, or misinterpreted. The

Council should consider making a clear distinction between archaeological assessment and evaluation and mitigation.

The final sentence of the policy should include *"or licensed excavation and archiving of....."* as per the SPPS (para 6.11). The associated J&a (para 23.18) should also reflect this regional policy.

HE 3 Development adjacent to the Walls

Policy HE1 relates to the protection of Archaeological Remains of Regional Importance. The Department consider that HE1 offers policy coverage in relation to the Walls, which are a Historic Monument in State Care.

The reference to "within sight of the Walls" is ambiguous as this is prominent feature of Derry City, and the Council should consider how this policy would operate in practical terms.

HE 5 Conservation Areas

The SPPS states that there will be a general presumption against the grant of planning permission for development or conservation area consent for demolition of unlisted buildings, where proposals would conflict with this principle. This is dealt with under section b) however, the SPPS highlights an exception to this approach *"exceptional circumstances where it is considered to be outweighed by other material considerations grounded in the public interest."*

The Department welcomes this approach however para 23.42 states *"there will be occasions where demolition is justified"*. This may potentially undermine the policy intention.

HE 9 Enabling Development

Para 6.25 of the SPPS relates to Enabling Development. The regional approach clearly relates only to development that would secure the long term future of a *"significant place"*, which is defined as *"any part of the historic environment that has heritage value..."* The same definition is used in PPS23. The Council have not made this important distinction. Instead they have widened the intended use of this policy to include *"a place of heritage significance or scheme of significant regional or sub-regional benefit"* (23.56). This approach is contradictory to regional policy and the

Department questions the inclusion of such additional wording that has the potential to impact on other policies contained within the document. It is advised that Council should align to the wording as stated as stated within PPS23.

24. Renewable and Low Carbon Energy Development

The Council may wish to consider that an indication that the SEF is currently under review may be beneficial.

The Department welcomes GDP 2 Climate Change (ii), Economic Development Objective (b) (iv) & GDPOL1(iv) however, it is unclear the level of renewable energy development that can be achieved given: the unknown cumulative impact that the various restrictive spatial designations; Landscape Character Area review; the general policy approach for Renewable Energy including re-powering; and the challenges of turbines proposals within 30km of City of Derry airport with regards the potential impacts on radar, may have for development proposals in the council area. Council should be satisfied that the evidence supports this approach.

The Department would reinforce the RDS objective to deliver a sustainable and secure energy supply and increase the contribution that renewable energy can make to the overall energy mix (RG5). The SPPS seeks to facilitate the siting of renewable energy generating facilities in appropriate locations in order to achieve renewable energy targets and realise the benefits of renewable energy without compromising assets of acknowledged importance. The policy applies to all renewable energy development, not only wind and solar energy.

RED 1 Renewable and Low Carbon Energy Development – General Criteria

The Department has concerns that this policy may create a policy tension with regards the weight to be attributed for Renewable Energy proposals generally and within designated landscapes. The weight to be attributed to proposals within designated landscapes does not align with paragraph 6.225 of the SPPS.

Wind Energy Development

The policy for Wind Energy Development combines both wind turbines and wind farm development, creating ambiguity around the policy intention. The SPPS (para 6.227) is clear in its intention that *'For wind farm development a separation distance of 10 times the rotor diameter to occupied property, with a minimum distance not less than 500m, will generally apply'*.

If it is the Council's intention to provide policy provision in relation wind turbines, this should be clearly separated from policy relating to wind farms to provide clarity for practical application. Currently as this policy is drafted the requirement for individual wind turbines is more onerous than that relating to wind farm development, is this Council's intention? Council should be satisfied that the evidence supports this approach and should be clear.

Whilst it is noted at paragraph 24.24 that the extent of the Wind Energy Capacity Area (WECA) designation is intended to be fully indicated in the Local Policies Plan, it would have been more beneficial if the full extent of this designation was shown in the Plan Strategies Appendix 1 – Proposals Map 2 in combination with the AONB, SCA and AHLI designations.

It is noted that the Council has updated NIEA's original Landscape Character Assessment in the supporting Evidence Base EVB 24 however, it appears that many of the landscape characteristic descriptions and sensitivity ratings remain unchanged.

Where reference is made to 'significant' under Policy RED 1 for Anaerobic Digesters Viii, and Hydro-Schemes ii & iii, the council may wish to consider using the language of the SPPS to state 'unacceptable' instead. Furthermore this would apply to the use of 'significant' within paragraph 24.28

25. Development and Flooding

FLD 3 Development and Surface Water (Pluvial) Flood Risk Outside Flood Plains

There appears to be a conflict between Policy GDPOL1 (iii) and reference to SuDs being the *preferred* drainage solution (para 25.58). It is noted GDPOL 1(iii) refers to SuDs being a policy requirement. It may be beneficial for the Council to include Policy

GDPOL1 (iii) or replicate the policy within the Renewable and Low Carbon Energy Development section to avoid any ambiguity as to whether SuDS is a Policy requirement or a preferred drainage method. The Council should ensure policies are consistent throughout the draft Plan Strategy.

FLD 5 Development in Proximity to Controlled Reservoirs

The second policy requirement in relation to situations where assurance on the condition, management and maintenance regime of a reservoir is not demonstrated, as drafted, is incomplete. The Department strongly advises including *“failure as being acceptable to enable the development to proceed.”* at the end of the last sentence of this policy, as per the Department’s advice (as advised to all Council Heads of Planning on 6th June 2019). The Council also should refer to DfI Rivers response.

Part F - Place-Making And Design Vision

26. Place-Making & Design Vision For Development in the District

The Department notes an overview of Place-making and Design Objectives (PDOs); Place-making and Design Principles (PDPs); and Strategic Design Policies (SDPs) is set out in Para 26.4. It is noted that the second bullet states *“there are 18 Place-making & Design Principles (PDPs) which provide additional guidance on what is important to the Council in terms of delivering the PDO”*. This reference to guidance is ambiguous since the following paragraph specifies that *“PDOs and PDPs are material considerations, which can be given weight alongside SDPs, as well as other policy in the LDP”*. It is unclear if PDOs, PDPs and SDPs are to be treated like policy and this could perhaps benefit from clarification.

The Department welcomes the Councils approach to place-making and the inclusion of policies PDO 1, PDO 2, and PDO 3 however it is noted the associated PDP’s that supplement the PDO’s generally contain the information which is already replicated from the policies and J&A that are already covered associated chapters earlier in the document. For example, Historic Environment, Natural Environment, Open Space, Sport and Outdoor Recreation, and Transport and Movement

The Department notes PDO 3 *"Implement a Sustainable Hierarchy"*, and PDP 8 'Create Walkable Settlements' where it refers to *"building within a walkable catchment of key services and facilities. This will require medium density development pattern that results in more people living a 5-10 minute walk (400m – 800m) away from shops, parks, schools, employment opportunities and public transport hubs"* (para 26.19). *The Council should ensure that PDP 8 is reflected throughout the policies earlier in the document.*

In relation to PDP5 *"Capitalise upon Natural Assets"* the Council should ensure the use of consistent language throughout the LDP. In line with the SPPS, The Council's own LDP Strategy for the Natural Environment (para 21.10) clearly demonstrates its position of *"protect, restore, enhance and conserve ...the District's natural heritage"*. This PDP wording appears to be contradictory.

Strategic Design Policies (SDPs) are presented in the document like individual Policies within a PPS document (complete with Justification and Amplification). They are detailed, prescriptive and very location specific (based on areas identified in a 'settlement and Place-making study') and are material considerations in guiding potential investment and determining planning applications.

27. Place-Making & Design Vision/Policy for Derry-Londonderry

Derry Strategic Design Policy 2 (DSDP) *"Sustainable Connectivity for the City"* is welcomed. Policy to alleviate city centre traffic and the presumption in favour of blue and greenways and cycle paths and lanes is positive and to be encouraged.

Para 29.6 states *"There is also further potential to exploit the natural and historic assets and historical links such as the remains of Castlederg Castle, to maximise tourism potential"*. The Department would urge Council to exercise caution to ensure that such assets/ links are not exploited so as to undermine their value.

32. Place-Making & Design Vision/Policy for Countryside

Council should ensure that there is no conflict between policies CY4 “*Design in Area of Outstanding Natural Beauty*” and NE5 “*Development within or affecting the setting of the Sperrin AONB*”.

Part G - Specialised Requirements, Etc.

37. Other Specialist Requirements

Airport Safeguarding

The Department welcomes that despite there being no declared public safety zones at City of Derry airport, the public safety impacts of new development upon aviation interests are nevertheless an important planning consideration and that the council will consult with bodies, including the CAA. In relation to wind energy development, policy RED 1 specifically requires no unacceptable impact on aviation safety arising from turbine development. The section however references ‘other high structures’ as being required to demonstrate no adverse impact on aviation safety. The only other reference to ‘high structures’ is within policy UT3 ‘Telecoms and connectivity’ which does not reference height limits or public safety in relation to airports. Council may therefore wish to consider whether the requirement for high structures to not exceed specified limits is policy rather than Justification and Amplification.

Comments on ‘Review of the population forecasts for Derry City and Strabane District Council 2017 – 2032’ (UUEPC)

In the UUEPC paper no data is sourced which makes assessing and understanding more time consuming that it should be. There are references to the text included but tables presented have no indication of where the data has come from. While it can mostly be assumed that Census data and mid-year estimates are being used, good practice would be to source every table appropriately.

Page 8-9 - In relation to Natural change, more up to date data is available: https://www.nisra.gov.uk/sites/nisra.gov.uk/files/publications/MYE18_CoC.xlsx but the general trends as discussed in the paper remain valid.

Page 10, para 13 Net Migration - While on average change may have been positive negative total net flows also occurred in years since 2001 in Antrim and

Newtownabbey, CC&G, Fermanagh and Omagh, LCCC, M&EA and NM&D.

https://www.nisra.gov.uk/sites/nisra.gov.uk/files/publications/MYE18_CoC.xlsx

Page 21, paragraphs 11 and 12 - More detail on how the jobs figure translate to 4,400 additional population would be welcomed. This is then added to the additional 2,000 mentioned in paragraph 10 which similarly is informed by jobs creation. This suggests that two models of job creation have been employed to arrive at the overall 6,400 figure in paragraph 12 and causes concern that there may be an element of double-counting across the two models

Students and cities: case studies

In respect of the case studies from Lincoln, Waterford or Galway it would have been valuable to understand what percentage of the student population is from outside the cities, how many are resident in the city and how many are resident in student accommodation (eg. halls) and not in private rented or similar. This would be useful in terms of the housing impact required / experienced in these cities.

Page 31, para 32 & footnote 41 - Mid-year estimate population figures are available and could have been used for this calculation instead a 2011 Census denominator. Furthermore other examples and case studies are university-based, this calculation has included NWRC and as such is not like for like when comparing to other city proportions quoted.

Comments on 'Comments on Housing Growth Indicators 2016-based' (DCSDC Senior Economist)

Page 3, bullet point 8 and Page 10 bullet points 1 – 3 - The HGI is based on a population and stock model while the NIHE projections take account of other information including data from the Common Selection Scheme waiting list. The HGI is also focused on providing an indication of future housing need – i.e those new dwellings which are required to accommodate net new households (determined largely by projecting past trends in population/household formation).

Commentary, page 5, bullet point 5 - Increases through natural change in DCSDC have been higher than net outward migration in each of the past 17 years (as far back as data is available). The reason population increases year on year is that increases

through natural increase are greater than the decreases from net outward migration year on year. That is what drives overall population increase. Where this LGD sits in terms of its 'league table' placing is not relevant in terms of the situation within the LGD and what the primary factors are in terms of its own population.

https://www.nisra.gov.uk/sites/nisra.gov.uk/files/publications/MYE18_CoC.xlsx

Commentary, page 6, bullet point 1 - The case studies are noted however they do not necessarily support what would likely happen in DCSDC. They instead outline what happened in other cities without making connections to the specific circumstances of DCSDC or suggesting how similarities between those cities and DCSDC might result in similar circumstances developing.

Page 8, bullet point 1 - In relation to the impacts of Brexit it is stated that without knowing the exact nature of the Brexit that will occur it is impossible to be entirely sure of the magnitude of any change in living patterns but that it is unlikely to be neutral and more likely to see positive in-migration from RoI. Given the accepted uncertainty around this issue clarification would be welcomed of the basis for concluding that the impact will result in positive in-migration from RoI