

LDP-PS-REP-116

(S) LDP-PS-REP-55

From: [REDACTED]
Sent: 06 November 2020 12:43
To: Local Development Plan
Cc: [REDACTED]
Subject: DCSDC dPS Re-consultation - Rep obo [REDACTED]
Attachments: DCSDC LDP Re-Consultation Form - [REDACTED] Letter to DCSDC dPS
Reconsultation obo [REDACTED] Strategic Site
Promotion Document (low res).pdf

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam.

I am writing with respect to the Council's re-consultation of its Local Development Plan 2032 - Draft Plan Strategy.

On behalf of our client, [REDACTED] please find attached a letter which confirms reliance on our original submission (i.e. Ref. No. LDP-PS-REP-55), as requested, and which reiterates soundness issues raised with respect to the LDP timetable, Plan Period and the Urban Capacity Study noting that this re-consultation period has resulted in a delay to the plan making process of almost one year.

We also attach a strategic site promotion document as mentioned in our original submission and an updated re-consultation form noting that this document represents new information.

We would be grateful if you could acknowledge receipt of this representation by return of email.

Kind regards

[REDACTED]
Senior Planner

Turley

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From: [Redacted]
Sent: 27 January 2020 16:47
Subject: DCSDC dPS - Rep obo [Redacted]

Dear Sir/Madam

On behalf of our client, [Redacted] please find attached representations to the Draft Plan Strategy. We enclose:

- Completed form;
- Letter prepared by Turley; and
- Accompanying report prepared by Turley.

We would be grateful if you could acknowledge receipt of the representation by return of email.

Kind regards



Senior Planner

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37 Clarendon Street
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06 November 2020
Delivered by email

[REDACTED]
Principal Planning Officer
Local Development Plan Team
Council Offices
98 Strand Road
BT48 7NN

Dear [REDACTED]

**RESPONSE TO RE-CONSULTATION ON DERRY CITY & STRABANE DISTRICT COUNCIL'S DRAFT PLAN STRATEGY –
[REDACTED] LDP-PS-REP-55**

I am writing on behalf of [REDACTED] with respect to the Council's re-consultation of its Local Development Plan 2032 - Draft Plan Strategy.

Noting that the re-consultation process is due to 'a procedural error' and not as a result of any material changes to the content of the Draft Plan Strategy, we can confirm reliance on the original submission on behalf of [REDACTED] i.e. LDP-PS-REP-55.

We would also like to re-emphasise the points made in our initial submission to the DPS, particularly with respect to the following:

Strategic Opportunity

As mentioned in our original representation, we attach a site promotion document for our client's lands which demonstrates the strategic and unique opportunity that exists to deliver an attractive, connected, accessible and sustainable community that can provide for the existing / growing housing need as well as housing opportunities for our increasingly ageing population.

This document responds to a gap identified in the DPS, i.e. that there is not enough land available in Maydown to deliver the houses required to address the need over the plan period. It also identifies a clear demographic trend where people are living longer which creates an additional need to deliver housing opportunities that are fit for purpose and able to cater for the specific needs of those over the age of 55.

The promotion document identifies the unique locational context of these deliverable lands adjacent to, established residential properties in, and the 'development limit' of, Maydown. It sets out the site specific merits of these available and suitable lands and the benefits of including them within the 'development limit' as a 'Mixed Residential' zoning.

The enclosed land use plan illustrates the general location and relationship of the proposed mixed 'general housing' and 'later living' development and it is based upon development principles that will guide future detailed plans and create opportunities for community and local stakeholder engagement moving forward.

Indeed, the land use plan demonstrates that the promotion lands can accommodate a mixed 'general housing' and 'later living' development adjacent Maydown's 'development limit' whilst also providing sufficient physical and visual separation to Enagh Lough so as to maintain and protect this sensitive and tranquil setting.

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(72-999-29-901)

Turley

The Fulton family's lands are contiguous to Maydown's western & south western 'development limit' and represent a 'rounding off' infill / natural extension of Maydown's 'development limit'. Noting the layout of the road system around and within Maydown and the location of industrial zoned lands, the subject lands represent the most logical and sensible area for the extension of the 'development limit'.

LDP timetable

The Council's Local Development Plan (LDP) Timetable, as approved and published on their website is dated July 2019. This timetable identifies that the Publication of draft Plan Strategy (dPS) (which includes Statutory Public Consultation, 8 weeks for Representations and 8 weeks for Counter representations) was to occur between Q3 & Q4 of 2019/2020 and that the subsequent Independent Examination (IE) was to then be held between 3rd & 4th Quarter of 2020 – 21.

The '*procedural error*' associated with the original dPS consultation and the unforeseen consequences of Coronavirus pandemic have unfortunately resulted in a delay of almost one year to the LDP timetable. In light of this, it appears that the dPS has not been prepared in accordance with Council's Local Development Plan (LDP) Timetable. In order to assist those participating in the local plan process and to ensure a 'soundness' issue does not arise (test P1), we would respectfully encourage Council to review the LDP Timetable.

Plan Period

Our original submission raised concerns with respect to the duration of the plan once adopted (i.e. up to 2032) and realism of LDP timetable in terms of whether steps should be taken now to ensure this plan will have a sufficient lifetime to deliver change and influence growth.

Based on the current programme, and noting this delay of almost one year, the Local Development Plan is unlikely to be fully adopted until the fourth quarter of 2024/2025 at the very earliest. Thus, once adopted, the LDP will be out of date 6 years later in 2032 and with its associated aged evidence base. Realistically and taking a view on the workload involved, and assuming there are no further unforeseen delays, the LDP is highly unlikely to be adopted until 2026/2027 which means that there will be only 5/6 years remaining in the life of the plan.

Development Plan Practice Note 01 states that the LDP should '*...provide a 15-year plan framework to support the economic and social needs of a council's district in line with regional strategies and policies, while providing for the delivery of sustainable development*';'. As it stands, the duration of the LDP could not comply with the requirements of DPPN 01.

The issue, therefore, is that the ability of this plan to meaningfully influence growth is significantly curtailed which will detrimentally affect the LDP's ability to support/achieve the stated objectives of the plan and raises significant soundness issues under tests P1, CE1 and CE2.

To ensure a sound plan and to comply with the requirements of DPPN 01, Council should consider extending the lifetime of the plan so that it will genuinely provide a '*...15-year plan framework to support the economic and social needs of a council's district*'.

Urban Capacity Study

It is disappointing that Council did not take the opportunity afforded by the additional time taken to resolve the 'procedural error' and the associated re-consultation period to publish its Urban Capacity Study.

As outlined in our original submission, the Urban Capacity Assessments are only summarised and despite a request for access to the data during the initial dPS consultation, we were advised that it is not available. This information is the starting point to any assessment of current land availability and hence informs any new allocation.

It is impossible, therefore, to meaningfully comment on this aspect of the Housing Growth and Spatial Strategies and we must reserve our position until the information becomes available. It is considered that the statutory requirements of Regulation 15 have not been met. Furthermore, the Council's decision not to publish the full 'Draft Plan Strategy – Urban Capacity and Windfall Study' means that the dPS fails 'soundness tests' C3, CE1, CE2 and CE4.

Until all interested parties are provided with the opportunity to review the full 'Draft Plan Strategy – Urban Capacity and Windfall Study', we are not in a position to confirm or make comments on the following:

- Did the Council take account of policy and guidance issued by the Department?
- Does the dPS set out a coherent strategy from which its policies and allocations logically flow?
- Are the strategy, policies and allocations realistic and appropriate having considered the relevant alternatives and founded on a robust evidence base?
- Is the dPS reasonably flexible to enable it to deal with changing circumstances?

Our client looks forward to engaging with the Council to secure the viable future of the identified lands and to working in partnership with the Council to help achieve the long term vision for the social, environmental and economic wellbeing of the district.

Please do not hesitate to contact us for any further information or clarification.

Yours sincerely



Director





Maydown

Sustainable Housing & Later Living Opportunity
Local Development Plan - Land Promotion

September 2020

Turley

Contents

- 1 Introduction
 - 2 Site and Surrounding Context
 - 3 Policy Context
 - 4 Merits of the Subject Land
 - 5 Development Need
 - 6 Strategic Vision and Design Principles
 - 7 Zoning Opportunity and Benefits
 - 8 Summary
- Appendix 1 Annotated Google Earth Image of Surrounding Area
- Appendix 2 Annotated Google Earth Image of Wider Area
- Appendix 3 Planning History

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*“...creation of an attractive, connected,
accessible and sustainable housing and
'later living' community...”*



01 - Introduction

This document has been prepared by Turley, on behalf of the [REDACTED] in relation to lands to the east of Temple Road and north of Henderson Park in Maydown.

The purpose of this document is to demonstrate the opportunity that exists to deliver a **mixed residential community, comprising standard and 'later living' housing**, on these lands during the next plan period (i.e. up to 2032)

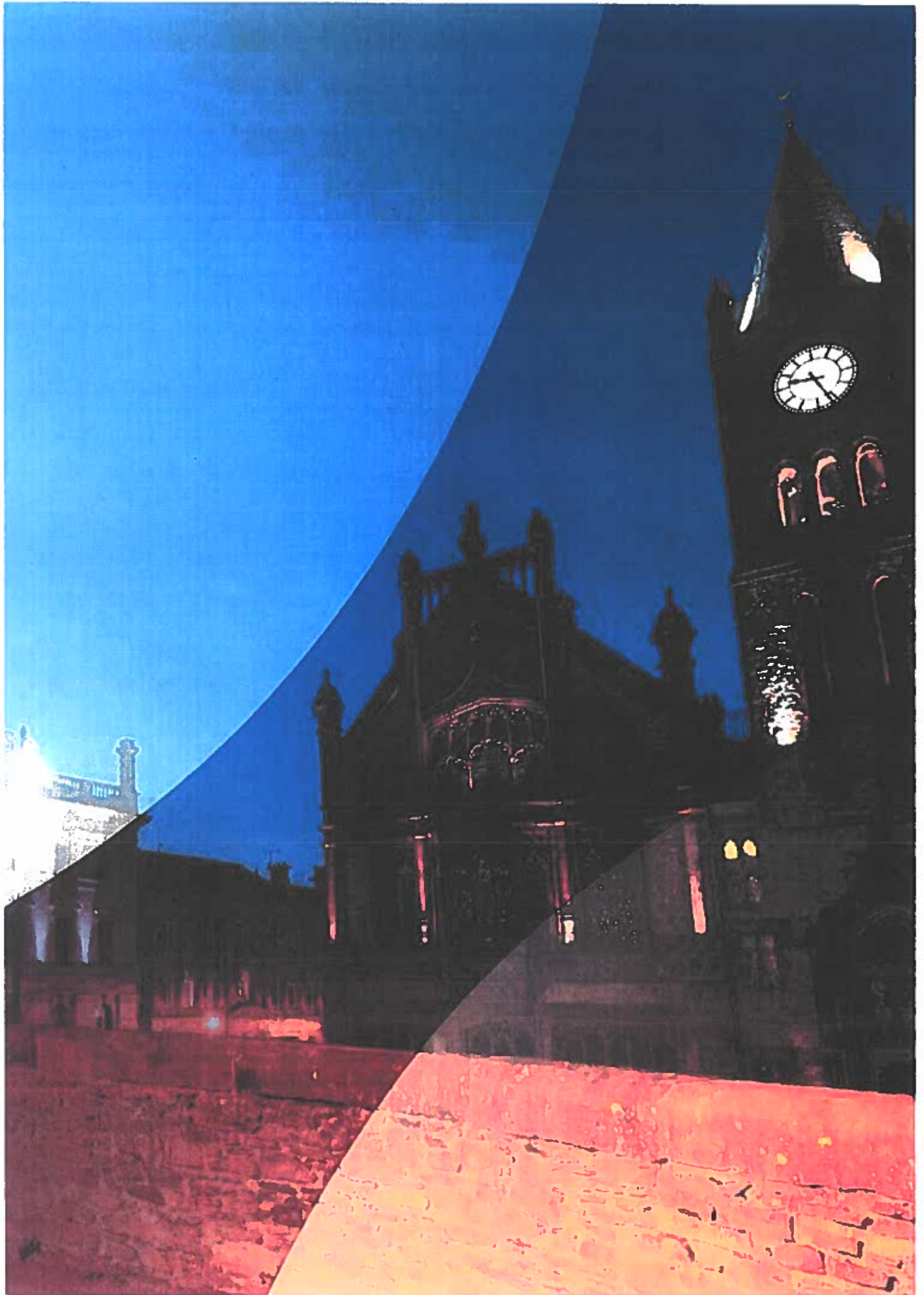
Our client is aiming to respond to a growing need by allowing their lands to be zoned for this specific purpose.

To enable and secure the delivery of such a proposal, our client respectfully requests Derry City and Strabane District Council, in its emerging Local Development Plan, to extend the 'development limit' of Maydown to include the subject lands and zone these lands as 'Mixed Residential'.

Indeed, our client intends to make a formal submission to the emerging Local Development Plan (LDP) for the district and this document is prepared to support and inform a submission to the LDP process, particularly the Local Policies Plan (LPP) stage.

To ensure that this document is underpinned by a robust evidence base, the following work has been undertaken:

- a review of the planning history for the subject land;
- a review of the relevant planning history for the surrounding area and Maydown;
- a site visit of the subject lands and surrounding area;
- consultations with the landowner;
- consultations with O'Connor Kennedy Turtle Commercial Property Consultants;
- preparation of a high level land use plan showing the location and extent of the proposed uses;
- a review of the relevant prevailing regional and local planning policy;
- a review of the Derry Area Plan 2011;
- a review of DCSDC's Preferred Options Paper, draft Plan Strategy and accompanying supporting papers;
- a review of the Derry Community Plan entitled 'Derry City & Strabane District's Inclusive Strategic Growth Plan 2017-2032 Our Community Plan'
- research on 'later' and elderly living models;
- a review of exemplar 'later' and elderly living developments in NI, England and Scotland;
- research on the need to deliver specialist and general residential developments; and
- attendance at the ILCRD's Planning for Change event which included a parallel thematic session on Planning for an Ageing Society.



02 - Site and Surrounding Context

Subject Site

The subject site relates to a compact holding of agricultural land located adjacent the western built envelope of Maydown, being a small settlement located along the A2 dual carriageway approx. 7 kilometres north east of Derry's city centre.

The site is located to the north of Clooney Road (A2) and it covers an area of approximately 13.35ha. The extent of the lands and their location relative to Maydown are identified in **Figure 2.1**.



Figure 2.1 Plan Showing Red Line Boundary of Subject Lands

The site is comprised of a large tract of land located along the eastern side of Temple Road and two smaller parcels of land located along the western side of Temple Road

The large tract of land contains a mix of topography including gently sloping, undulating, raised and low lying areas, while the smaller parcels are relatively flat. The site's boundaries are comprised of a mix of hedgerows, trees, wire fencing and timber posts. It is also noted that the overall landholding is benefitted by a number of existing access points, as demonstrated by **Figure 2.2**.

So far as site constraints are concerned the following is noted

Flooding

The Rivers Agency's mapping website shows that the subject site is not affected by sea or river flooding. However, there is evidence of surface water retention during heavy rainfall in certain parts of the site. Any future development of these lands will need input from a drainage engineer.

Built Environment

The Department for Communities' Historic Environment Map Viewer shows that the main large tract of land is not burdened by any archaeological or heritage designations. However, there are two scheduled monuments located within the small southern portion of land located on the western side of Temple Road, these being a Crannog (LDY014 010) and a Tower House (LDY014:009). Indeed, any future development of the subject lands will require an archaeological survey.

In addition, a review of the Northern Ireland Buildings Database shows that the listed Enagh House (12 Judges Road, BT47 6LN) is located on the south western side of Enagh Lough and that two recorded buildings (these the unoccupied Auld School Centre (Enagh Primary School) and St Canice's RC Church, are located approximately 350m north west from the closest point of the subject lands

Natural Environment

The subject lands are located (at the closest point) approx 150m from the River Faughan and Tributaries Special Area of Conservation (UK0030361) and 1.2km from the Lough Foyle Special Protection Area (UK9020031) and Ramsar site (UK12014). It is noted that both of these designations are also Areas of Special Scientific Interest.

However, the subject lands are separated from these areas by Clooney Road (A2) and existing developments, making it unlikely that development of the subject lands would detrimentally affect these environmental designations



Figure 2 2: Annotated Google Earth showing location of Existing Access Points

Surrounding Context

In terms of immediate surroundings, the large tract of land is mainly bound by Temple Road and Enagh Lough to the south/south west/west, an established area of planted trees and agricultural land to the north/north west and existing residential developments at Lisdale Park and Henderson Park to the north east/east/south east.

So far as the wider context is concerned, **Appendix 1** illustrates that there is an eclectic mix of uses in the wider area, including employment generating uses, such as the Maydown Industrial Estate and the Maydown Works industrial manufacturing area. In addition, the Lisahally Terminal of the Foye Port is located to the north and it too is surrounded by a number of employment generating uses.

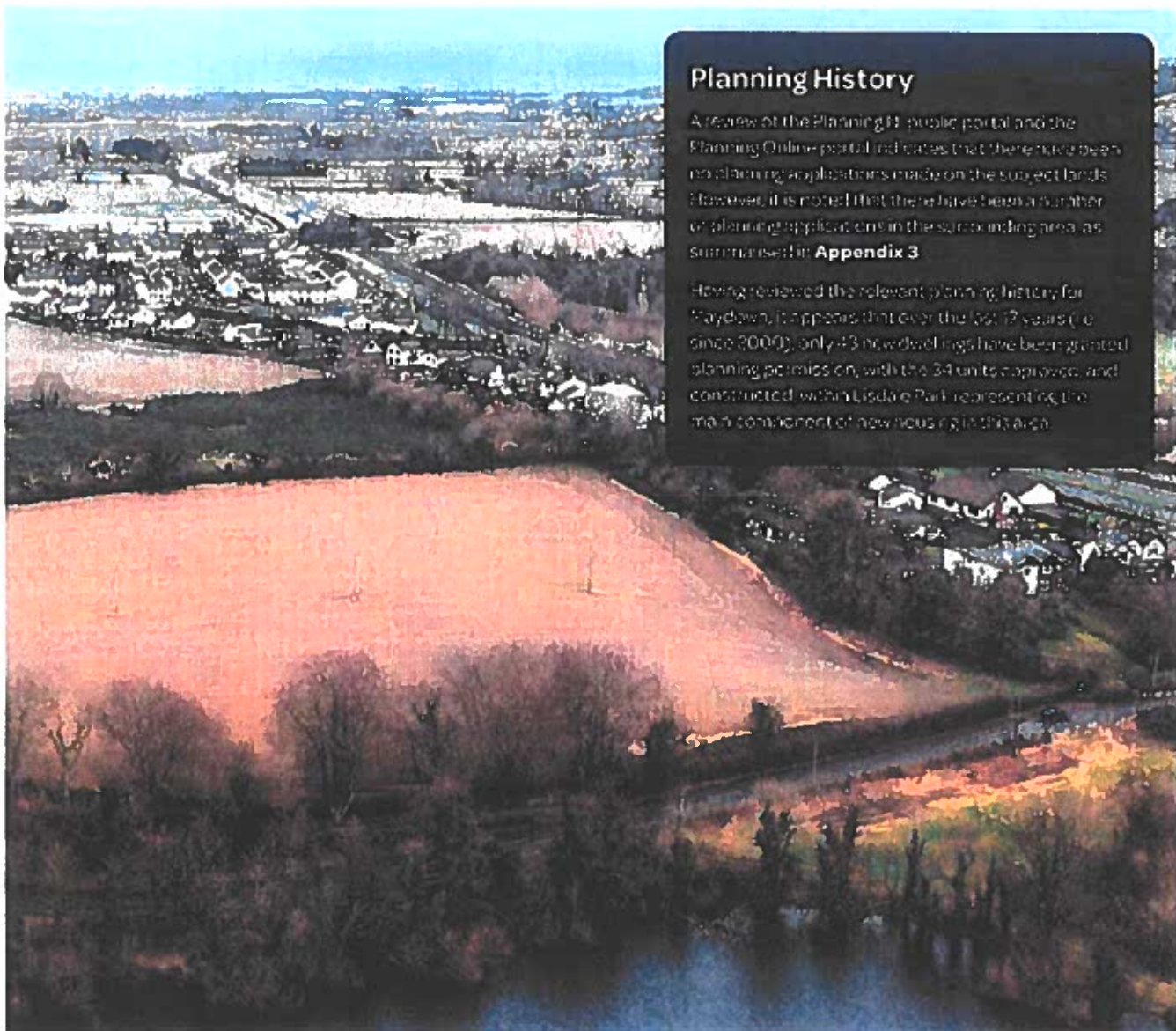
In terms of recreational facilities, Maydown is located in close proximity to Enagh Lough, Oaks Fishery and Faughan Valley Golf Club.

Maydown contains a play park and a primary school. Residents and the surrounding workforce are dependent on Strathfoyle for essential local services, such as a Village Centre (a Spar convenience store, a Boots chemist, a diner and an ATM) and education and library facilities. It is noted that Strathfoyle is a 6 minute drive from Maydown or a 26 minute walk.



Appendix 2 provides an even wider context view of the subject site/Maydown, particularly their location with respect to Derry City Centre, which is approx. a 12 minute drive/15-25 minute bus journey. In addition, **Appendix 2** demonstrates that the subject lands are located in close proximity to other key services, including but not limited to, the following:

- City of Derry Rugby Club – approx. 2 minute drive from the subject lands;
- Waterside Hospital – approx. 4 minute drive from the subject lands;
- Oak Grove Integrated College – approx. 5 minute drive from the subject lands;
- Crescent Link Retail Park – approx. 6 minute drive from the subject lands;
- Pennyburn Industrial Estates – approx. 10 minute drive from the subject lands;
- Brunswick Leisure Park (cinema, bowling, play centre and arcades) – approx. 10 minute drive from subject lands;
- Springtown Industrial Estates – approx. 11 minute drive from the subject lands; and
- Ulster University Magee Campus – approx. 11 minute drive.



Planning History

A review of the Planning11 public portal and the Planning Online portal indicates that there have been no planning applications made on the subject lands. However, it is noted that there have been a number of planning applications in the surrounding area, as summarised in **Appendix 3**.

Having reviewed the relevant planning history for Maydown, it appears that over the last 17 years (i.e. since 2000), only 43 new dwellings have been granted planning permits on, with the 34 units approved and constructed within Lisdoon Park representing the main component of new housing in this area.

03 - Policy Context

Current Local Policy Context

The Derry Area Plan (DAP) 2011, which was adopted in May 2000, represents the relevant Development Plan document for Maydown and the subject lands

Maydown is designated as a 'Small Settlement' in the Derry Area Plan (DAP) 2011. It was originally a public authority housing estate, however, there has been a number of private houses constructed in the settlement since the 1980s.

Maydown is provided with a 'development limit' in the DAP, and at its closest point, the settlement is located approx. 0.7km from Derry City's 'development limit'. Figure 3.1, which is an extract of Map SE 16 - Maydown from the DAP, illustrates the current 'development limit' of Maydown.

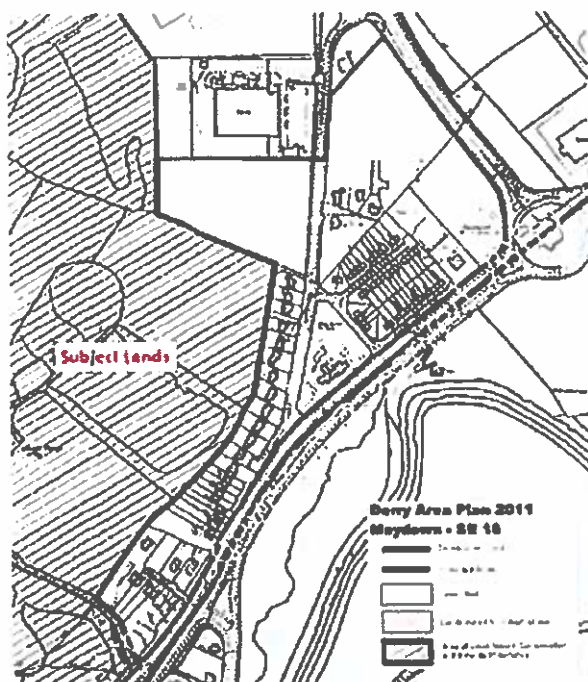


Figure 3.1: Extract of Map SE 16 – Maydown from the DAP 2011

As evident in Figure 3.1, the subject lands are located adjacent to the 'development limit' of Maydown and they represent an opportunity to infill/round off the 'development limit', particularly noting the layout of the settlement, the surrounding road network and the extent of the industrial land zoning.

It is also clear that the subject site is located within the following larger designations:

- Green Belt (GB); and
- Area of Local Nature Conservation and Amenity Importance (AoLNCAI)

It is noted that the existing GB and AoLNCAI zoning designations are restrictive in nature. DCSDC's new local development plan process represents an opportunity to review the extent of the existing designations and to establish key site requirements that will enable the subject lands to be developed in a sensitive and respectful manner whilst ensuring that new housing will be delivered to meet local needs over the plan period.

Indeed, this document is supported by a land use plan which helps to identify the general extent and location of the proposals and which, together with the guiding design principles, demonstrates that the subject site can be developed in a manner that respects the existing character and interests of the area in accordance with Policy ENV 4 of the DAP.

Furthermore, informal recreational activities, creation/enhancement of pedestrian access, tree planting, woodland management and enhancement of the landscape/improving the nature conservation interest are identified as being acceptable in the AoLNCAI designation.

Emerging Local Policy Context

Derry City & Strabane District Council is in the process of preparing a new Local Development Plan (LDP) for the District.

The emerging LDP provides a timely opportunity to review the subject site and to better understand the significance of the contribution that it makes to the existing restrictive GB and AdL/NCAL designations.

Preferred Options Paper & Evidence Baseline

The Council published its Preferred Options Paper (POP) on 31 May 2017.

The POP sets out a series of options for dealing with key planning issues in the District, it provides evidence used to appraise the different issues and options and it identifies the Council's preferred options.

The POP is supported by a number of evidence base papers, and we note that the evidence base paper entitled 'EV3.3 Population and Growth Strategy' states the following:

- The population profile is younger than that for Northern Ireland; however, trends indicate a rising ageing population and by 2039, over 65s are expected to represent almost a quarter of the population.
- An ageing population will place additional demands on health and community services while fluctuations in the under 16s could have implications for service provision such as schools.
- The Northern Ireland trend is that the proportion of people over 65 years of age is growing and is expected to reach 20% of the total population by 2027 (NISRA 2012-based population projections). Our District is likely to follow this trend.

While the POP does not state anything specific, with respect to retirement or elderly living, it acknowledges that *'there is a current and ongoing need to ensure suitable small-unit housing, for individuals, families, for the ageing population and those with disability in particular'*

In addition, the POP also states the following, which we consider lends support to the requested rezoning:

- the positive Vision for the District, i.e. a *'Thriving, prosperous and sustainable City and District with equality of opportunity for all'*;

- the recognition that building levels have been very low over the last decade which opens up an argument for latent demand and need for specialist residential development, and
- the Council's preference for Growth Option 2 which will see a growth of the district's population by 11,000 people (from 149,500 to 160,000) over the next 15 years, a need for up to 12,000 new homes and the generation of up to 15,000 new jobs.

Draft Plan Strategy

The Council published its Draft Plan Strategy (dPS) on 2 December 2019, and the invited representations to the dPS over an 8 week period to the 27th January 2020.

The dPS sets out the Council's vision, objectives and strategic Planning policies in relation to the development and use of land in the City and District to 2032.

Appendix 5 of the dPS identifies a specific need for 27 new dwellings in Maydown over the plan period and that there is currently only capacity for 4 additional dwellings within the development limit of Maydown. In light of this, the Council will be required to extend the development limit of Maydown to incorporate new land that will provide capacity to deliver the residual 23 dwellings.

In addition, the dPS also acknowledges the need for specialist residential accommodation through proposed policy 'HOU 15 - Specialist Residential Accommodation'. HOU 15 supports new specialist residential development and advises that planning permission will be granted provided proposals will provide access to relevant local services and facilities, such as public transport.

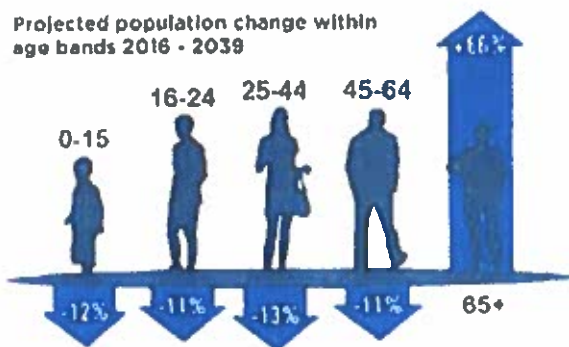
This proposed policy is welcomed, particularly noting that the dPS advises that:

- *'There will be an increase in the percentage of 65+ from 14.3% to 21% in 2032'*;
- *'Those aged 16 - 25 will fall by 0.6% and those aged 26 - 35 will fall by 2.5%'*;
- *'This shows a change to an increasingly ageing population demographic'; and*
- *'An ageing population will place additional demands on health and community services'*

DCSDC's Inclusive Strategic Growth Plan 2017-2032 Our Community Plan (Nov 2017)

The Community Plan (CP) advises that 'Over the next 20 years the City and District will experience a significant shift in the age profile of the population. By the end of this period, our region is projected to have nearly 4,000 fewer children aged under 16 with an increase in those of retirement age of around 14,000'.

Projected population change within
age bands 2016 - 2039



The CP contains an Outcomes and Actions section for Health and Wellbeing with the following outcomes identified:

- We live long, healthy and fulfilling lives
- We age actively and more independently
- Health inequalities are reduced
- We are more physically active
- We have improved physical and mental health

To achieve these outcomes, the CP identifies a number of actions and the following are of note with respect to specialist residential development:

- Deliver programmes which enable all of our citizens to age well, for example Compassionate Communities
- Develop an age friendly City and Region through an integrated programme of action, based on a rights based approach and on the eight World Health Organisation's key themes
- Promotion of positive mental health and well-being; supporting independence and inclusion of older people; and citizenship for people with disabilities
- Deliver a sports and physical activities programme to promote greater activity by people with a disability, women, girls, older people and those living in areas of high social need

The CP then advises that '...our focus will be on empowering people to lead healthy lives, on preventing physical and mental illness, on intervening in those crucial early years and helping people to age actively'.

Regional Policy Context

The small settlement of Maydown is not specifically referred to in the Regional Development Strategy (RDS) for Northern Ireland. However, it is noted that it is located adjacent to the A2 which is identified as a 'Key Transport Corridor' in the Spatial Framework for Northern Ireland (see Figure 3.2)

Maydown is located in close proximity to the City of Derry, which is identified as the principal city of the North West by the RDS, the City of Derry Airport and Foyle Port.

The RDS sets out 8 aims, and the following are of particular note with respect to the subject site:

- Support our towns, villages and rural communities to maximise their potential
- Promote development which improves the health and well-being of communities

- Improve connectivity to enhance the movement of people, goods, energy and information between places
- Protect and enhance the environment for its own sake
- Take actions to reduce our carbon footprint and facilitate adaptation to climate change

DCAN 9: Residential and Nursing Homes

Section 2.1 states 'it is to be expected that other than in exceptional circumstances, residential and nursing homes will be located in cities, towns and villages where services are readily and conveniently available'.

However, it is noted that DCAN 9 was published in 1987 and updated in 2003. In the intervening period, and as evidenced in the next section, there has been a growing demand for retirement communities/villages in rural areas on the edge of small towns and villages.



Figure 3.2: Extract of Diagram No. 23 from the RDS 2035



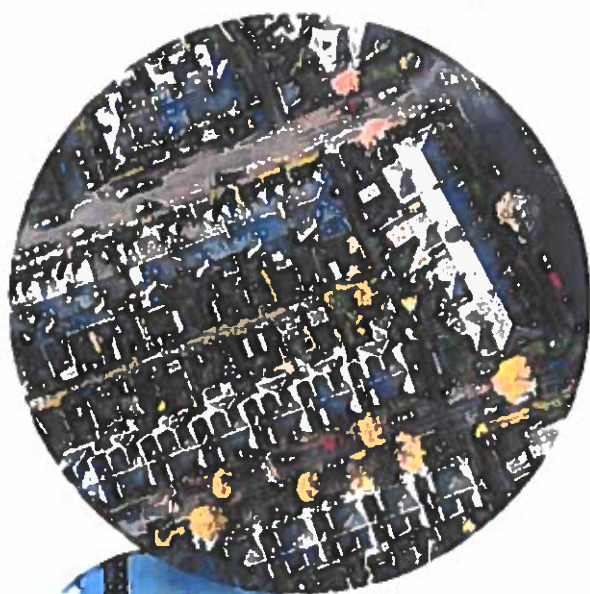
04 - Merits of the Subject Lands

Having reviewed the subject lands and the surrounding area, we set out below the site specific merits of our client's land, which help to substantiate the proposed rezoning

- the subject lands are in single ownership which can ensure their availability and deliverability which is reinforced by our clients' willingness to see the land developed;
- the subject lands are benefitted and well served by a number of existing vehicular access points onto Temple Road and Henderson Park;
- there is no more land available within Maydown for new housing or the delivery of needed services, so the Fulton's Lands are both available and suitable to deliver on both fronts;
- the subject lands will provide additional housing capacity in Maydown to address the current need identified in DCSDC's draft Plan Strategy;
- the subject lands are contiguous to Maydown's western & south western 'development limit';
- the layout of the road system and the location of industrial zoned lands around Maydown indicates that the subject lands are the most logical area for the extension of the 'development limit';
- the subject lands represent a 'rounding off' / 'infill' / 'natural' extension of the 'development limit';
- the eastern portion of the site has a conducive topography for development and it is well separated from the sensitive interface along the south western boundary to Enagh Lough;
- the subject lands are large enough to facilitate the delivery of a scale of development that is sensitive and respectful to the established residential developments along the sensitive interfaces of the site;
- the subject lands are large enough to facilitate the delivery of a scale of development that will ensure development viability and also a diversity in the housing mix/choice;
- the subject lands are large enough to accommodate new planting and buffer areas to ensure that existing residential amenity is protected and to ensure that future development will not create any adverse negative impacts on the setting of the site and Enagh lough;
- the subject lands are well located to essential local facilities and services, such as public transport, as identified in Section 2 and in Appendices 1 and 2, which help to improve its overall sustainability and accessibility credentials;
- the A6 upgrade works, when completed, will also help to improve the accessibility of the subject lands;
- development of the subject lands will provide an opportunity to connect the local community of Maydown to the public bus route along Temple Road, the amenity of Enagh Lough and the wider network of greenway and blueway paths planned by DCSDC;
- improved connections will provide additional recreational and physical/mental health and wellbeing opportunities for the residents of Maydown thus improving their existing quality of life;
- development of the subject lands can provide additional critical mass which can act as a stimulant for the delivery of better local facilities and services to the benefit of existing and future residents, such as more frequent public transport;
- development of the subject lands can open up opportunities for the delivery of much needed local services within the subject site at detailed planning stage;
- development of the subject lands will provide opportunities for those from Maydown to live in Maydown close to their family circle; and
- development of the subject lands in a sensitive and respectful manner incorporating landscape improvements such as planted and buffer areas will ensure that there will be no adverse encroachment into Lough Enagh area.



05 - Development Need



General Housing Need

Appendix 5 of the dPS identifies a specific need for 27 new dwellings in Maydown over the plan period

It dPS also identifies that there is currently only capacity for 4 additional dwellings within the 'development limit' of Maydown. In light of this, the Council will be required to extend the 'development limit' of Maydown to incorporate new land that will provide capacity to deliver the residual 23 dwellings

Our representation to the dPS, on behalf of the Fulton family, provided a detailed interrogation and comments with respect to the proposed growth for the District set out within the dPS. It is considered that the overall quantum of growth for the District should in fact be more than what is proposed

Thus, it is considered that the overall housing need for Maydown, during the plan period, could in fact be more than 27 new dwellings. This will become more apparent through the Local Development Process process as the Council reviews the representations made during this consultation stage.

In any case, there is at least a current need for 23 new dwellings in Maydown.

It is also noted that recent discussions with the Housing Executive have confirmed that there is a growing need for new social housing units in the Maydown/Strathfoyle area.

This document has been prepared to illustrate the availability and suitability of the subject lands to deliver the houses required in Maydown over the plan period (to 2032)

Elderly Housing Need

The preceding policy context section clearly demonstrates that the population of Northern Ireland and the District of Derry is ageing. Indeed, DCSDC's dPS alludes to the NISRA population projections and advises that there will be 'an increase in the percentage of 65+ from 14.3% to 21% in 2032' in the District, which 'shows a change to an increasingly ageing population demographic'.

It is noted that this changing demography is not unique to NI as it is also being experienced throughout the UK and Europe. The Office for National Statistics (ONS) is projecting that by 2050, one in four people in the UK will be aged 65 years and over, which represents an increase from approximately one in five in 2018 and one in six in 1998.

Our increasingly ageing society provides a basis, and establishes a distinct need, for new specialised residential accommodation coupled with support services for the elderly. A number of schemes have been/are being brought forward to address this need throughout Northern Ireland and in the UK. Scotland is seen as being very proactive on this front and a number of exemplar projects have been delivered/are being progressed.

Indeed, DCSDC recently granted outline planning permission for a retirement village development at the former Thornhill College site off Culmore Road. The Planning Committee report acknowledged the growing need for this type of development, which was cited as being a material planning consideration weighing in favour of the application.

ONS attributes our increasingly ageing society as the result of the combination of declining fertility rates and people living longer. It outlines that an increasing number of people living to older ages has implications for the provision of services such as health care, social care, housing and transport. The proportion of people in older ages is important to measure since they are likely to have a greater need for health and social care, pensions, housing adaptations, and public transport.

However, ONS acknowledges that our ageing society also presents opportunities for older people to contribute to the labour market for longer, to form new relationships or to be more involved in their communities through activities such as volunteering. It also enables people to provide long-term care and childcare to family members.



Evolving Elderly Housing Product

With our increasingly ageing society, more and more people are thinking about and planning for their 'elder' years. This is impacting on the decisions that people are making in terms of the homes they purchase and occupy they buy and occupy through their life cycle. The world of elderly and retirement living is radically shifting with occupier expectations, aspirations and needs are evolving.

Indeed, proposed policy 'HOU 15 - Specialist Residential Accommodation' of DCSDC's dPS makes reference to a number of specialist residential accommodation types, these being: sheltered accommodation; residential or nursing care accommodation; retirement villages; and care-related facilities.

However, new concepts like 'active ageing' and 'later living' are coming forward as the market responds to the changing needs of our ageing population. There is a growing demand for traditional and hybrid specialist developments in both urban and rural locations that can cater for the various needs, expectations, preferences and desires of those who are 50-54, 55-59, 60-64 and 65+ as they move into and through the 'elder' stages of their lives.

Noting the evolving nature of this type of accommodation, our representation to DCSDC's dPS, on behalf of the Fulton family seeks to build in flexibility to proposed policy HOU 15 with respect to what qualifies as 'specialist residential accommodation' and also acknowledges that there is demand for both town centre living and living in more scenic, natural and tranquil locations, such as the Auchloch Retirement Village in Scotland and the recently approved Thornhill Retirement Village.

It is important that planning policy acknowledges that the list of specialist residential accommodation in HOU 15 is not prescriptive or exhaustive. Elderly housing can comprise a range of types, combinations and styles of accommodation as it is an evolving area with new and exciting products coming forward.



Elderly Housing Market Demand/ Requirements

For elderly housing developments to be successful they must appeal to and provide for the needs, expectations, preferences of their target occupiers. These must also be able to provide levels of care commensurate with the age category that is being targeted (i.e. 50-54, 55-59, 60-64 and 65+). Obviously, the older the occupier the more care that will be required.

It is important then that accommodation is designed with the occupier in mind so that an attractive alternative housing option is delivered which will encourage our 'elderly' to downsize and vacate their 'family homes'. This will then free-up larger homes for those wishing to start/raise a family.

Having reviewed 'elderly' and 'retirement' projects and research, it is clear that there is market demand for both town centre living and living in more scenic, natural and tranquil locations.

However, there is currently a conflict between this occupier/ market demand and planning advice, such as DCAN 9, which seeks, other than in exceptional circumstances, to locate residential and nursing homes in cities, towns and villages. DCAN 9 lists nursing of the terminal/ill or convalescent cases as examples of an exception that might require a countryside location.

Proposed policy HOU 15, which will replace existing regional policy and DCAN 9, does not go so far as to specifically identify or restrict certain locations. Instead it seeks to locate specialist residential developments in locations that "will deliver convenient access to relevant local services and facilities, including local shops, public transport routes and health facilities".

Our representation to DCSDC's dPS seeks to expand proposed policy HOU 15 so that it also gives weight to proposals that can provide safe and secure living environments as well as access to walking routes, natural amenities, etc as these provide significant physical and mental health and well-being benefits for residents.

Having undertaken desk based research of 'elderly' living developments in Northern Ireland, England, and Scotland, the following factors appear to be key requirements for/ characteristics of a successful development:

- Tranquil and secure location,
- Sensitive neighbours;
- Proximity to local facilities, and
- Sufficient areas for gardens, allotments and communal outdoor facilities.

The subject site represents an ideal location for a successful specialist residential development as it can provide for each of the above requirements.



06 - Strategic Vision and Design Principles

The primary ingredient of good place making is a coherent vision. Thus, the land use plan for the subject site has been shaped by the following vision:

'An holistic approach to the creation of a an attractive, connected, accessible, and sustainable housing & later living community with a scale of development that is respectful of the site's neighbours and sensitive setting and that will enable the delivery of a mix of housing types/choices to cater for general and elderly housing needs'

To achieve this vision, the following guiding design principles have been identified from the outset to inform the land use plan or a future development (Figure 6.1) and to ensure that the rezoning of the subject land will deliver benefits for the entire community:

- understand how the site relates to the growth of Maydown, existing patterns of development and the existing road network;
- respect the site and surrounding context by sympathetically responding to the site's adjoining neighbours, characteristics (natural changes in ground level) and sensitive setting (Enagh Lough);
- create a visually distinct and attractive mixed residential community that has a real sense of place and respects the immediate character and context of the area;
- adopt a comprehensive approach to ensure compatibility between buildings and spaces for the totality of the site;
- support existing and future residents by providing much needed neighbourhood services,



Figure 6.1: Land Use Plan

- provide amenity/public open spaces that satisfy quantitative and qualitative requirements, such as walking paths which celebrate the natural environment and existing wooded areas on site;
- improve the existing levels of accessibility, connectivity and permeability with respect to the physical environment so as to allow residents of Maydown to access the public bus route along Temple Road;
- improve existing levels of accessibility, connectivity and permeability with respect to the environment and Enagh Lough so as to enhance opportunities for activity, recreation and amenity absorption in the interest of mental/physical health and well-being;
- understand and complement the Council's plans for improving connections in the wider area, such as through greenways and blueways;
- provide a range of built forms which can deliver a mixed type, tenure and size of dwellings with a variety of details, material and finishes;
- provide an alternative and unique living option for over 55s that will be designed in a manner to enable active and independent elderly living; and
- ensure that future occupants and residents of Maydown will be benefitted by and able to rely on services offered on site which could include medical doctors/podiatrists, hair salon, communal hub, recreational activities including allotments, bowling green and multi-use games areas, etc.



07 - Zoning Opportunity and Benefits

Requested Zoning

Noting the foregoing sections, which demonstrate the ability of the subject lands to deliver the envisaged proposals, we respectfully request the Council to increase the 'development limit' of Maydown to include these lands and to zone the lands as 'Mixed Residential' in the emerging local development plan.

Indeed, the Fulton family will be putting these lands forward through the local development plan process and this document will be submitted to the Local Policies Plan stage.

Benefits of Zoning the Subject Land

We set out below some of the benefits associated with including the subject lands within the 'development limit' of Maydown and rezoning the lands 'Mixed Residential':

Economic

- development of the subject lands will create jobs during construction;
- development of the subject lands will create direct, indirect, and induced jobs once housing is occupied generating annual wages;
- construction workers will provide additional patronage for existing shops and services in the local economy;
- development of the subject lands will create rates revenues for the Council;
- development of the subject lands will help to support the economic growth strategy and goals set out in DCSDC's draft Plan Strategy.

Environmental

- development of the subject lands in a respectful and sensitive manner will provide opportunities for the environmental elements of site to be celebrated and enjoyed by future residents and existing residents of Maydown;
- development of the subject lands in a respectful and sensitive manner will ensure that there is no detrimental impact to the overall intention of the site's natural and environmental designations;
- development of the subject lands will create opportunities to enable further appreciation of the site and to celebrate and maintain its natural beauty;
- future residents will be provided with a high quality and tranquil environment;
- sensitive and respectful by site requirements will ensure that development of the subject lands will incorporate environmental improvements such as landscape enhancements and strategically planted buffer areas so as to soften the impact of the built form and visually improve the overall appearance of the site.



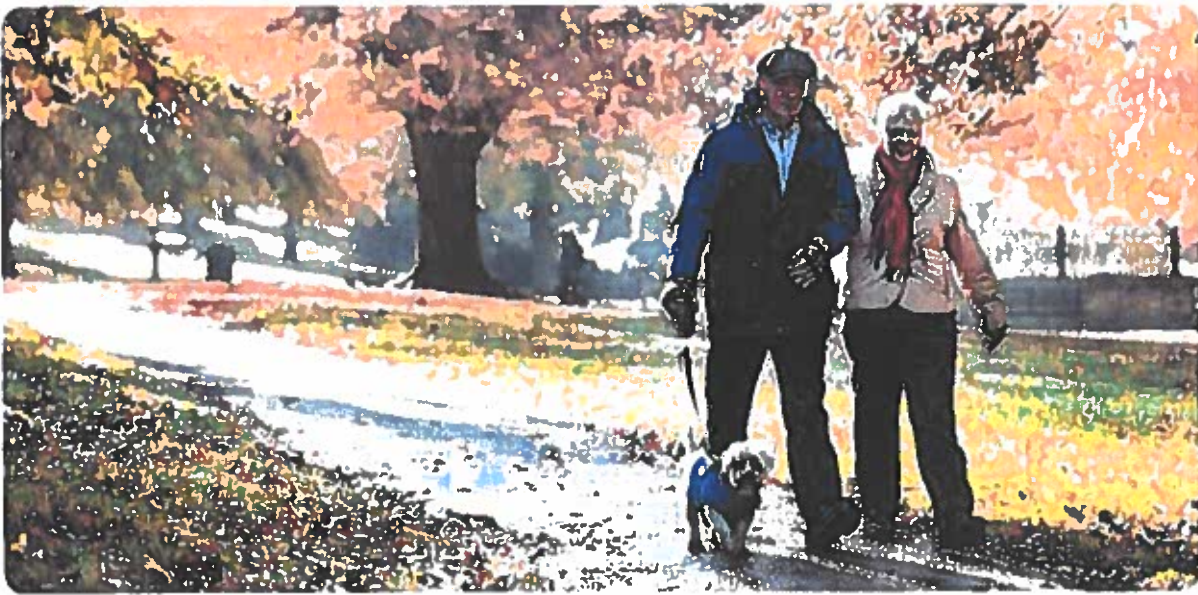
Social

- development of the subject lands will deliver new houses (both general and elderly living) to address the current and growing need identified in DCSDC's draft Plan Strategy;
- development of the subject lands will provide opportunities for delivering much needed local social infrastructure;
- development of the subject lands will help to diversify the housing stock available in Maydown and the District;
- development of the subject lands will help to improve the quality of life for residents of Maydown by creating links through the site to Enagh Lough and wider planned greenways/blueways;
- development of the subject lands will create a safe and convenient link through the site to the public bus route along Temple Road for existing residents of Maydown;
- development of the subject lands will help to deliver on a number of the Community Plan outcomes, such as:
 - *We live long, healthy and fulfilling lives*
 - *We age actively and more independently*
 - *Health inequalities are reduced*
 - *We are more physically active*
 - *We have improved physical and mental health*
- development of the subject lands will provide opportunities to share communal facilities i.e. multi use games areas, gardens, and communal hub with the local community groups and residents of Maydown.

Other

- DCSDC's DPS confirms that there is only capacity for 4 houses within the current 'development limit' of Maydown but 27 new dwellings are required over the plan period;
- the subject lands are both available and suitable to deliver new housing and will provide additional housing capacity in Maydown;
- the subject lands are contiguous to Maydown's western & south western 'development limit';
- the layout of the road system and the location of industrial zoned lands around Maydown indicates that the subject lands are the most logical area for the extension of the 'development limit';
- the subject lands represent a 'rounding off' infill / natural extension of the 'development limit';
- the zoning of the subject lands will increase the efficiency of the housing stock/cycle by providing an attractive proposition for those who are 55+ older and who are looking to downsize which will free up larger homes that are more suitable for families and those looking to start a family;
- an efficient housing market will create a number of economic, social and environmental spin-offs to the benefit the people of Derry, such as improving affordability.

08 – Summary



The subject lands represent a unique opportunity to deliver an attractive, connected, accessible and sustainable community that will deliver on existing and growing housing need as well as providing housing opportunities for our increasingly ageing population.

DCSDC's dPS confirms that there is not enough land available in Maydown to deliver the houses required to address the need over the plan period. It also identifies a clear demographic trend where people are living longer which creates an additional need to deliver housing opportunities that are fit for purpose and able to cater for the specific needs of those over the age of 55.

This representation clearly identifies the unique locational context of these deliverable lands adjacent to established residential properties in, and the 'development limit' of, Maydown. It sets out the site specific merits of these available and suitable lands and the benefits of including them within the 'development limit' and providing them with a 'Mixed Residential' zoning.

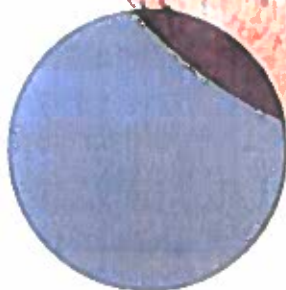
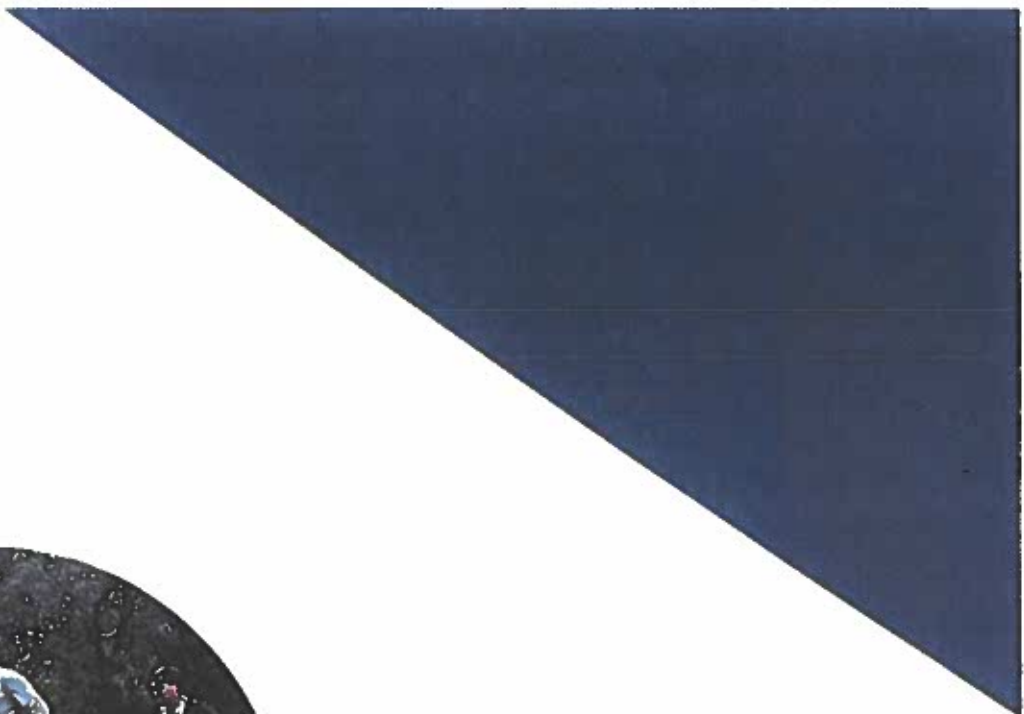
The land use plan illustrates the general location and relationship of the proposed mixed 'general housing' and 'later living' development and it is based upon development principles that will guide future detailed plans.

Indeed, the land use plan shows that the promotion lands can accommodate a mixed 'general housing' and 'later living' development adjacent Maydown's 'development limit' whilst also providing sufficient physical and visual separation to Enagh Lough so as to maintain and protect this sensitive and tranquil setting.

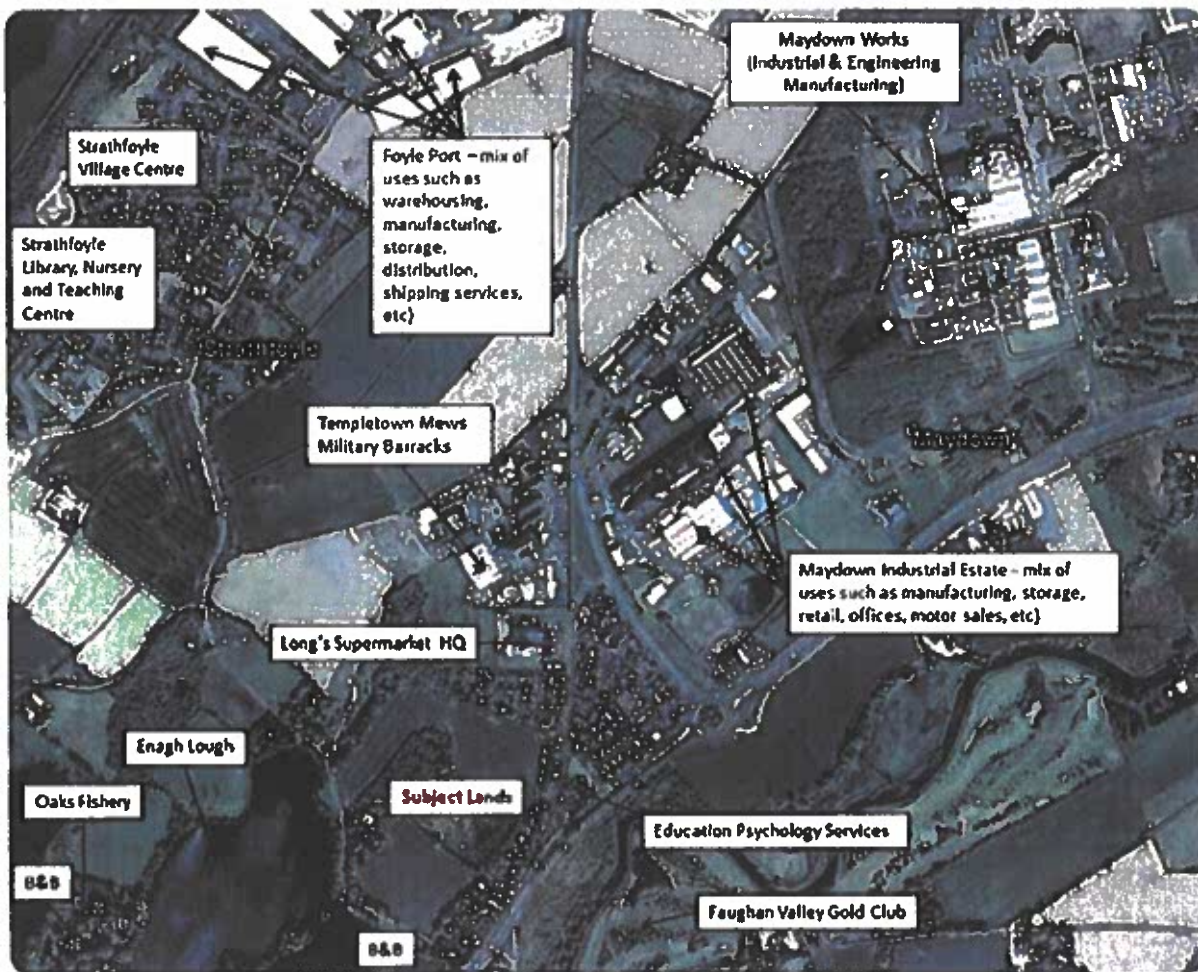
These considerations, when read along with the social, economic and environmental benefits associated with zoning the subject lands 'Mixed Residential', provide a clear rationale for reviewing the extent of the restrictive environmental designations on the site and justification for the proposed zoning.

The Fulton family's lands are contiguous to Maydown's western & south western 'development limit' and represent a 'rounding off' infill / natural extension of Maydown's 'development limit'.

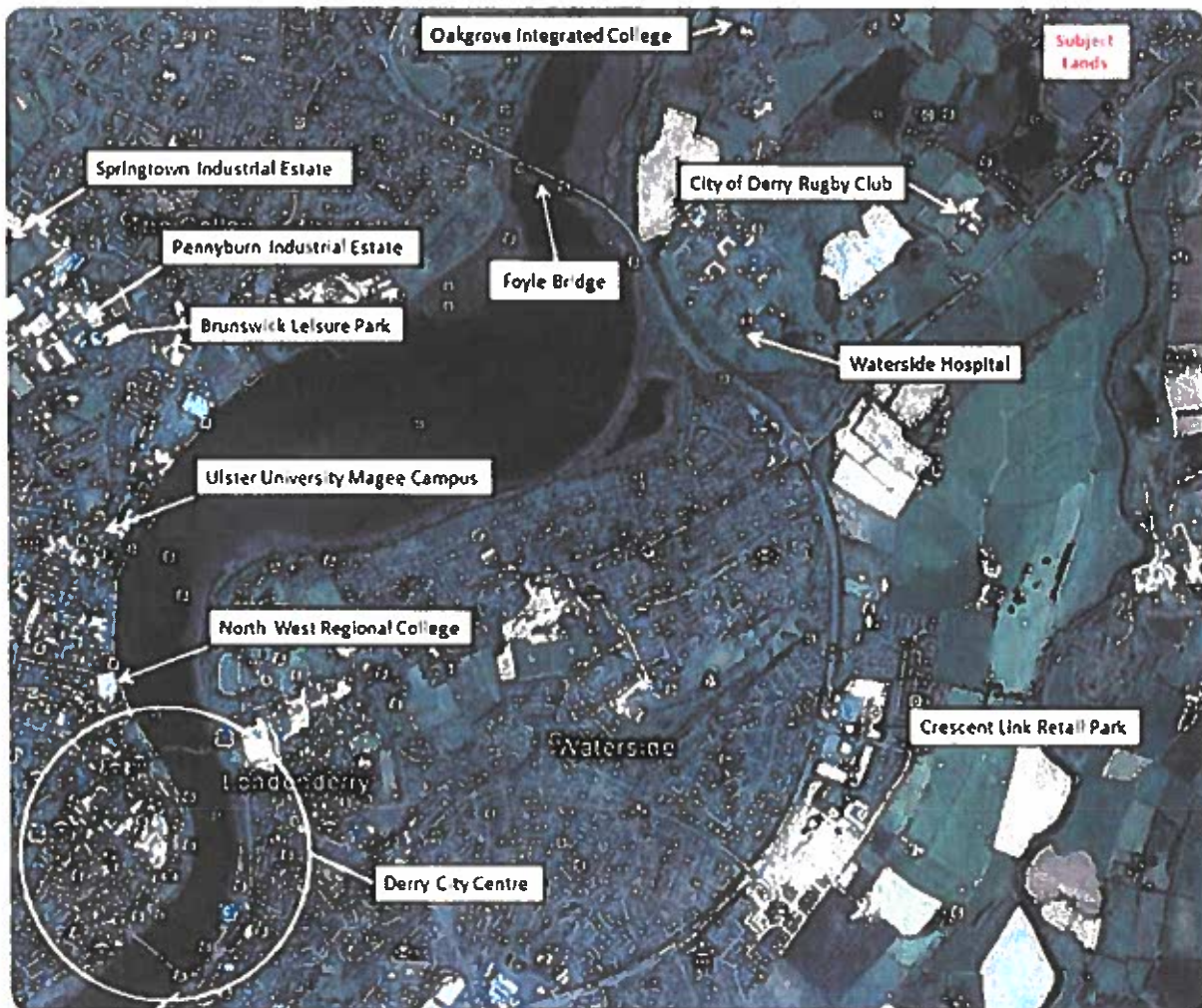
Noting the layout of the road system around and within Maydown and the location of industrial zoned lands, the subject lands represent the most logical and sensible area for the extension of the 'development limit'.



Appendix 1 – Annotated GE Map showing Maydown & its surrounding area



**Appendix 2 – Annotated GE Map showing
Maydown & Wider City Context**



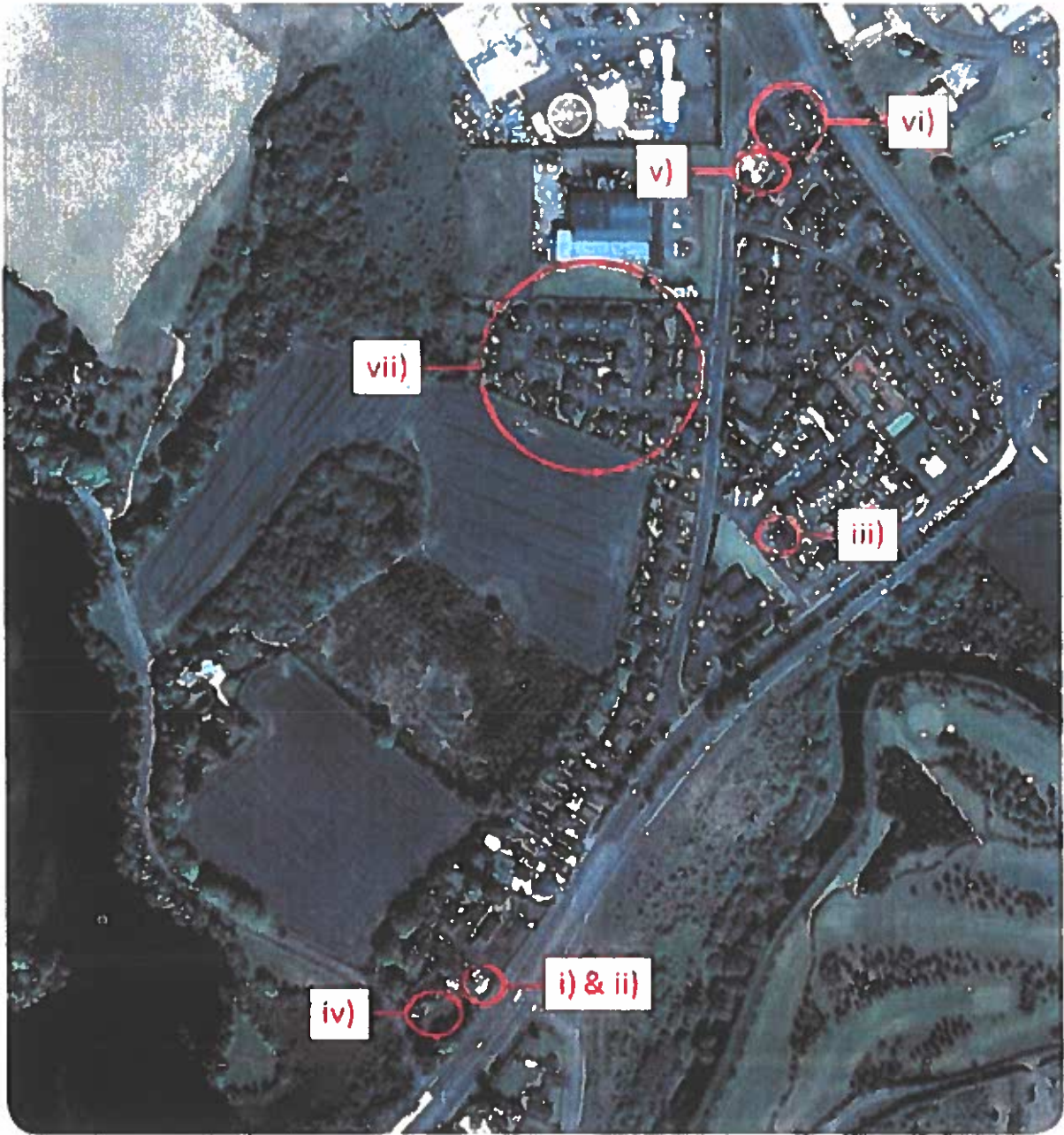
Appendix 3 – Planning History

A review of the Planning NI website and the Planning Online website indicates that there have been no planning applications made on the subject lands.

However, it is noted that there have been a number of planning applications submitted for extensions and alterations to existing dwellings in the surrounding area, indicating a mature neighbourhood. It is also noted that a few planning applications have been submitted for the erection of new dwelling houses in close proximity to the site.

Details of the applicant, description of development and outcome of these applications are provided below, and a map is provided overleaf which identifies the location of these applications with a corresponding Roman numeral, i.e. i), ii), iii), etc:


- I. LA11/2017/0273/F – McGettigan Homes Ltd – Full planning permission for 2 No. detached two storey houses with integral garages – Approved 23/10/2017;
- II. LA11/2016/0064/O – KDY Properties – Outline planning permission for 2no. detached dwellings – Approved 11/08/2016.
- III. A/2011/0353/F – Foyle Property Services – Full planning permission for the erection of 1 no. two storey two bed end terrace dwelling – Approved 24/01/2012;
- IV. A/2010/0746/O – Mrs R Mc Ginley – Construction of 2 no. apartment blocks, 2 ½ storey high each containing 4 no. duplex apartments and 2 no. penthouse apartments. Total 12 no. units – Refused 14/03/2011 – Appeal Dismissed 25/06/2012 (Ref No. 2011/A016);
- V. A/2007/0496/F – Greystone Builders – Full planning permission for the erection of 1no. two storey apartment block containing 2no. apartment units – Refused 16/09/2008;
- VI. A/2002/0748/F – Greystone Builders Ltd – Full planning permission for the erection of 6 no. dwellings – Approved 22/05/2003
- VII. A/2000/0235/F – Black & Adams Homes Ltd – Commencement Of Phase 2 Housing Development - Lisdale Park Maydown Without Compliance Of Condition No.3 On Original Approval Plans Ref No. A/97/0826 – Approved 10/07/2000






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Derry City & Strabane District Council

Local Development Plan

(LDP) 2032

Representations Form for the Re-Consultation of the LDP
Draft Plan Strategy & Associated Appraisal / Assessments



September 2020

<http://www.derrystrabane.com/Subsites/LDP/Local-Development-Plan>

Re-Consultation on LDP Draft Plan Strategy

The Council's LDP draft Plan Strategy was already published in December 2019, followed by a consultation period which ended in January 2020. However, a procedural error has been identified so this further consultation period is now being undertaken. Any additional or revised representations may now be submitted during this re-consultation period.

If you did not make a Representation to the draft Plan Strategy during the previous consultation period and now wish to do so, please use this form to make your Representation. Similarly, you can use this form to provide any additional or revised information to a previously made Representation or to indicate that you do not wish to add any further information to your previously submitted Representation.

What is the Local Development Plan (LDP)?

The new LDP will guide land-use development and set out Planning policies and proposals for the use, development and protection of our settlements and countryside across our District to 2032. Crucially, it will help to deliver the outcomes in the Strategic Growth Plan. Once the LDP is adopted, its Planning policies, zonings and development proposals will be used to determine planning applications across the District. The LDP will comprise of two development plan documents: this LDP Plan Strategy and, in due course, the LDP Local Policies Plan.

What is the LDP Plan Strategy (PS)?

This LDP draft Plan Strategy sets out the Council's strategic Planning objectives, designations and policies for the District in line with regional strategies and policies, but tailored to the local needs of this City and District.

The preparation of the PS has been informed by the Council's LDP Preferred Options Paper (POP – May 2017) which provided the basis for consulting with the public and stakeholders on a series of options for dealing with key issues in the Plan area. It set out the Council's initial proposals and policy direction, therefore aiming to stimulate public comment and help interested parties to become involved in a more meaningful way at the earliest stage of Plan preparation. The published draft LDP PS fully reflects a consideration of all the representations made during the POP consultation period and all engagement with stakeholders, consultees and elected Members of the Council.

How We Are Consulting

Complete this draft Plan Strategy Representations Form and either return by email to LDP@DerryStrabane.com or download a copy and post to:

**Local Development Plan Team,
Council Offices,
98 Strand Road,
Derry,
BT48 7NN**

Hard copies of the form will be available at the above address and our other main office at 47 Derry Road, Strabane, Tyrone, BT82 8DY. Please note that if you are making a representation in any other format, it must include the requested information set out in this form and address the Tests of Soundness.

The draft Plan Strategy is published for formal public consultation for a period of eight weeks beginning on 11th September 2020 and closing on 6th November 2020. Please note that in order for comments to be considered valid, you must include your contact details. We will use these details to confirm receipt of comments and to seek clarification or request further information. Anonymous comments or comments which do not directly relate to the draft Plan Strategy will not be considered as part of the consultation process.

Availability of Documents

The LDP draft Plan Strategy and supporting documents, including the Sustainability Appraisal Report (incorporating the Strategic Environmental Assessment), the Habitats Regulation Assessment, Rural Needs Impact Assessment and the Equality Impact Assessment, are all available to view online www.derrystrabane.com/ldp

From Friday 11th September to 6th November 2020, between the hours of 9am-5pm (Monday to Friday), all documents will also be available for inspection, by appointment only, at the Council's offices at 98 Strand Rd, Derry BT48 7NN, or at 47 Derry Rd, Strabane BT82 8DU. In order to arrange an appointment to view the documents, or if you have any queries on accessing the documentation, the Planning Office can be contacted on 028 71 253 253 or ldp@derrystrabane.com

The dPS document will also be available at the Council Leisure Centres and Public Libraries that are open in the District, due to COVID 19 restrictions, from 11th September 2020.

Please note that, due to the current COVID 19 circumstances, there will be no further public meetings or drop-in sessions with this re-consultation. Instead, during the re-consultation period, an appointment may be made to speak to or meet / virtual meeting with a Planning Officer by contacting us at the email / telephone number above, where you can ask questions in the same manner as you would at a public meeting or drop-in.

Section A: Data Protection

Local Development Plan Privacy Notice

Derry City and Strabane District Council is a registered data controller (ZA119397) with the Information Commissioner's Office and we process your information in accordance with the General Data Protection Regulation and Data Protection Act 2018 (GDPR).

Derry City and Strabane District Council only collects and processes personal information about you in order to fulfil our statutory obligations, to provide you and service users with services and to improve those services. Your personal information will be used to populate the LDP Representations Database.

If you wish to find out more about how the Council processes personal data and protects your privacy, our Corporate Privacy Notice is available at:
<https://www.derrystrabane.com/Footer/Privacy-Policy>

It contains the standards you can expect when we ask for, or hold, your personal information and an explanation of our Information Management Security Policy. All representations received will be published on our website and made available at our Local Planning Office, 98 Strand Road, Derry BT48 7NN, for public inspection and will be forwarded to the Department for Infrastructure (DfI) and hence to the Independent Examiner / PAC.

Why are we processing your personal information?

- To enable the preparation of the Council's Local Development Plan;
- To consult your opinion on the Local Development Plan through the public consultation process;
- To ensure compliance with applicable legislation;
- To update you and/or notify you about changes; and
- To answer your questions.

If you wish to find out more information on how your personal information is being processed, you can contact the Council's Data Protection Officer:

Data Protection Officer
47 Derry Road
Strabane
BT82 8DY
Telephone: **028 71 253 253**
Email: **data.protection@derrystrabane.com**

Section B: Your Details

Q1. Are you responding as an individual, as an organisation or as an agent acting on behalf of individual, group or organisation? (Required)

Please only tick one

- Individual (Please fill in Question 2, then proceed to Section C.)
- Organisation (Please fill in the remaining questions in the section, then proceed to Section D.)
- Agent (Please fill in the remaining questions in the section, then proceed to Section E.)

Q2. What is your name?

Title

FirstName(Required)

Last Name (Required)

Email

Q3. Did you respond to the previous LDP Preferred Options Paper?

- Yes
- No
- Unsure

Q4. Tick whichever is applicable:

- I /we wish to carry forward my previously submitted representation without adding anything further (Insert Rep Number if known)
- I /we do wish to provide additional / revised information to my /our previously submitted Representation (insert Rep Number if known)
- I / we did not submit a representation during the previous consultation period (December 2019 – January 2020) and now wish to submit a Representation during this Re-Consultation period.

Section C: Individuals

Address (Required)

Town (Required)

Post code (Required)

On completion, please proceed to Section F.

Section D: Organisation

If you have selected that you are responding as an organisation, there are a number of details that we are legally required to obtain from you. If you are responding on behalf of a group or organisation, please complete this section, then proceed to Section F.

Organisation / Group Name (Required)

Your Job Title / Position (Required)

Organisation / Group Address (if different from above)

Address (Required)

Town (Required)

Postcode (Required)

On completion, please proceed to Section F

Section E: Agents

If you have selected that you are responding on behalf of another individual, organisation or group there are a number of details that we are legally required to obtain from you. Please provide details of the individual, organisation or group that you are representing.

Client Contact Details

Title / First Name (Required) [REDACTED]

Last Name (Required) [REDACTED]

Organisation / Group Address

Address (Required) [REDACTED]

Town (Required) [REDACTED]

Postcode (Required) [REDACTED]

Email address (Required) [REDACTED]

On completion, please proceed to Section F

Agent Contact Details

Title / First Name (Required)

Last Name (Required)

Organisation / Group Address

Address (Required) Turley

37 Clarendon Street

Town (Required) Derry~Londonderry

Postcode (Required) BT48 7EG

Email address (Required) [REDACTED]

On completion, please proceed to Section F

Q4. Would you like us to contact you, your client or both in relation to this response or future consultations on the LDP? Please only select one

Agent Client Both

Section F: Soundness

The LDP draft Plan Strategy will be examined at Independent Examination (IE) in regard to its 'soundness'. Accordingly, your responses should be based on soundness and directed at specific strategic policies or proposals that you consider to be unsound, along with your reasons. The tests of soundness are set out below in Section J.

Those wishing to make representations seeking to change the draft Plan Strategy should clearly state why they consider the document to be unsound having regard to the soundness tests in Section J. It is very important that when you are submitting your representation that your response reflects the most appropriate soundness test(s) which you believe the draft Plan Strategy fails to meet. There will be no further opportunity to submit information once the consultation period has closed unless the Independent Examiner requests it.

Those who make a representation seeking to change the LDP draft Plan Strategy should also state below whether they wish to be heard orally at the Independent Examination (Please see www.pacnl.gov.uk for further details on the IE procedures.)

Section G: Type of Procedure

Q5. Please indicate if you would like your representation to be dealt with by: (Required)
Please select one item only

- Written (Choose this procedure to have your representation considered in written form only)
- Oral Hearing (Choose this procedure to present your representation orally at the public hearing)

Unless you specifically request a hearing, the Independent Examiner will proceed on the basis that you are content to have your representation considered in written form only.

Please note that the Independent Examiner will be expected to give the same careful consideration to written representations as to those representations dealt with by oral hearing.

Section H: Is the draft Plan Strategy Sound?

Your comments should be set out in full. This will assist the Independent Examiner to understand the issues you raise. You will only be able to submit further additional information if the Independent Examiner invites you to do so.

Sound

If you consider the Plan Strategy to be Sound and wish to support the LDP Plan Strategy, please set out your comments below.

N/A

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

Section I: Unsound

In this section, we will be asking you to specify which part(s) of the draft Plan Strategy you consider to be unsound.

Note: If you wish to inform us that more than one part of the draft Plan Strategy is unsound each part should be listed separately, and Sections J and K filled out for each separate part of the draft Plan Strategy. (i.e. if you believe that multiple parts of the draft Plan Strategy are unsound, please fill out multiple copies of Sections J & K.)

Q6. If you consider that the LDP draft Plan Strategy is unsound and does not meet one or more of the tests of soundness below, you must indicate which test(s) you consider it does not meet, having regard to Development Plan Practice Note 6 available at:

https://www.planningni.gov.uk/index/news/dfi_planning_news/news_releases_2015_onwards/development_plan_practice_note_06_soundness__version_2__may_2017_.pdf

Please note that if you do not identify a test(s), your comments may not be considered by the Independent Examiner. Continued on next page.

Section J: Tests of Soundness (Required)

State which Chapter / Policy / Paragraph / Map that this Section refers to:

Ch5 Spatial Strategy, Ch6 Growth Strategy, Ch11 Transport Strategy, Ch16 Housing, Ch26 Place Making & Design, Ch25 Flooding, Supplementary Planning Guidance and Sustainability Appraisal - See table of Executive Summary of report enclosed with original submission for further details.

Allocation for Maydown and Proposed Policy HOU 15 – please see original representation as well the newly attached letter and strategic site promotion document.

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

Procedural tests

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

Consistency tests

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

Coherence and effectiveness tests

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

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

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

Relevant Chapter number(s)

See original representation as well as attached letter and strategic site promotion document.

(and/ or) Relevant Policy number(s)

See original representation as well as attached letter and strategic site promotion document.

(and/or) Relevant Paragraph number(s)

See original representation as well as attached letter and strategic site promotion document.

(and/or) District Proposals Map

See original representation as well as attached letter and strategic site promotion document.

Please give full details of why you consider this part of the LDP draft Plan Strategy to be unsound, having regard to the tests(s) you have identified above. Please be as clear and concise as possible.

See original representation as well as attached letter and strategic site promotion document.

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

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

See original representation as well as attached letter and strategic site promotion document.

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

Section L: Sustainability Appraisal

If you wish to submit an 'expression of opinion' in relation to the Sustainability Appraisal (SA) of the LDP draft Plan Strategy (incorporating the Strategic Environmental Assessment (SEA)) please state them below or by email to LDP@DerryStrabane.com. If sending by email, please clearly state that your comments are in relation to the SA.

See original representation as well as attached letter and strategic site promotion document.

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

Section M: Draft Habitats Regulation Assessment (HRA or AA)

If you have any comments or opinions in relation to the Draft Habitats Regulation Assessment (HRA) report of the LDP draft Plan Strategy, please submit them below or by email to LDP@DerryStrabane.com. If sending by email, please clearly state that your comments are in relation to the HRA.

N/A

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

Section N: Draft Equality Impact Assessment (EQIA)

If you have any comments or opinions in relation to the Draft Equality Impact Assessment (EQIA) report of the LDP draft Plan Strategy, please submit them below or by email to LDP@DerryStrabane.com. If sending by email, please clearly state that your comments are in relation to the EQIA.

N/A

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

Section O: Draft Rural Needs Impact Assessment (RNIA)

If you have any comments or opinions in relation to the Draft Rural Needs Impact Assessment (RNIA) report of the LDP draft Plan Strategy, please submit them below or by email to LDP@DerryStrabane.com. If sending by email, please clearly state that your comments are in relation to the RNIA.

N/A

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