



Local Development Plan 2032

Counter Representation Form

Please complete this counter representation form and email to LDP@lisburncastlereagh.gov.uk or alternatively print and post a hardcopy to:-

Local Development Plan Team
Lisburn & Castlereagh City Council
Lagan Valley Island
Lisburn
BT27 4RL

All counter representations must be received no later than 5pm on Friday 17 April 2020.

SECTION A: DATA PROTECTION

In accordance with the Data Protection Act 2018, Lisburn & Castlereagh City Council has a duty to protect any information we hold on you. The personal information you provide on this form will only be used for the purpose of Plan Preparation and will not be shared with any third party unless law or regulation compels such a disclosure.

It should also be noted that in accordance with Regulation 19 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015, the Council must make a copy of any counter representation available for inspection. The Council is also required to submit the counter representations to the Department for Infrastructure (DfI) as they will be considered as part of the Independent Examination (IE) process. For further guidance on how we hold your information please visit the privacy section at www.lisburncastlereagh.gov.uk/information/privacy.

Counter representations will be treated in accordance with the **LDP privacy notice** which is available to view at www.lisburncastlereagh.gov.uk/LDP or is available on request by emailing LDP@lisburncastlereagh.gov.uk.

By proceeding and signing this representation you confirm that you have read and understand the privacy notice above and give your consent for Lisburn & Castlereagh City Council to hold your personal data for the purposes outlined.

Please note that when you make a counter representation to the Local Development Plan your personal information (with the exception of personal telephone numbers, signatures, email addresses or sensitive personal data) will be made publicly available on the Council's website. Copies of all counter representations will also be provided to DfI and an Independent Examiner (a third party) as part of the submission of the Local Development Plan for IE. A Programme Officer will also have access to this information during the IE stages of the Plan preparation. DfI, the Programme Officer and the Independent Examiner will, upon receipt, be responsible for the processing of your data in line with prevailing legislation. If you wish to contact the council's Data Protection Officer, please write to:

Data Protection Officer
Lisburn & Castlereagh City Council,
Civic Headquarters,
Lagan Valley Island,
Lisburn,
BT27 4RL

or send an email to: data.protection@lisburncastlereagh.gov.uk or telephone: 028 9244 7300.

SECTION B: YOUR DETAILS

Please tick one of the following:-

- Individual Planning Consultant / Agent Public Sector / Body
 Voluntary / Community Group Other

First Name

Last Name

Details of Organisation / Body

Address

Postcode

Email Address

Phone Number

Consent to Publish Response

Under planning legislation we are required to publish counter representations received in response to the Plan Strategy, however you may opt to have your response published anonymously should you wish.

Even if you opt for your counter representation to be published anonymously, we still have a legal duty to share your contact details with the Department for Infrastructure and the Independent Examiner appointed to oversee the examination in public into the soundness of the Plan Strategy. This will be done in accordance with the privacy notice detailed in Section A.

- Please publish *without* my identifying information
 Please publish with only my Organisation
 Please publish with my Name and Organisation

SECTION C:

Have you submitted a representation to the Council regarding this development plan document?

Yes No

If yes, please provide your Reference Number

SECTION D: YOUR COUNTER REPRESENTATION

In accordance with Regulation 18 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015, any person may make a counter representation in relation to a representation seeking change to a Development Plan Document (DPD). The purpose of a counter representation is to provide an opportunity to respond to proposed changes to the DPD as a result of representations submitted under Regulation 16 of The Planning (Local Development Plan) Regulations (Northern Ireland) 2015.

A counter representation must not propose any further changes to a DPD.

Please provide the reference number of the site-specific representation to which your counter representation relates. If you wish to make a counter representation to more than one representation, please complete a separate sheet for each counter representation you wish to make.

DPS 063 -

Your counter representation must relate to a site-specific representation made to the Lisburn & Castlereagh City Council draft Plan Strategy.

Please give reasons for your counter representation having particular regard to the soundness test(s) identified in the Department for Infrastructure's Development Plan Practice Note 06 Soundness.

Please note your counter representation must not propose any new changes to the draft Plan Strategy. It should be submitted in full and cover succinctly all the information, evidence, and any supporting information necessary to support/justify your submission.

See attached Sheet

If submitting a hardcopy & additional space is required, please continue on a separate sheet)

Signature

[Redacted Signature]

Date

6th April 2020

Thank you for your comments



Re: Counter Objection to Representation Reference 063 to Draft Plan Strategy for Lisburn & Castlereagh Council area

This counter objection is to the representation DPS 063. That objection covered:

1. The Local Character of Feumore;
2. Assertions relating to further lands being which would have serious irreversible consequences to a settlement already under significant threat; and
3. The request to dezone lands to rear of 14 and 14E Feumore Road from the settlement development limit (SDL) of Feumore.

Our client, Mr Armstrong, considers the requested change as it relates to lands at Feumore Road fails the tests of soundness, having regard to the necessary tests referenced in DPPN 6 and rebuts the assertions within DPS 063 that the plan is unsound as the inclusion of these lands within the SDL of Feumore are unsustainable.

The Character of Feumore

The author of DPS 063 refers to the character of Feumore within his representation and claims it is 'under serious threat'. He provides background via a previous POP submission and refers to the Councils acknowledgement of that submission at Page 123 of the Public Consultation Paper which accompanied the DPS.

The author referenced the plan objectives, which set out the need for protection of the environment and environmental attributes however, the representation fails to properly acknowledge that this objective requires balance with the other objectives of The Plan Vision A – A Quality Place (Page 34 of Part 1- Plan Strategy) including:

- *2. Encouraging the creation of accessible and connected places to sustain communities with good access to jobs, housing, public transport, education, community and recreation facilities;*
- *4. Support towns, villages and small settlements in the Council area as vibrant and attractive centers providing homes and services appropriate to their role in the settlement hierarchy whilst protecting their identity from excessive development;*
- *5. Provide appropriate opportunities for housing in settlements with a range of types and tenures, including affordable housing; and*
- *7. Support the provision of adequate infrastructure (including water, sewage and transport) for sustainable residential development.*

The SPPS sets out the purpose of the planning system at Para 2.1, as one which should positively and proactively facilitate development (underlining my emphasis) that contributes to a more socially economically and environmentally sustainable Northern Ireland and refers to sustainable development being at the heart of that system at Para 3.1.

The sustainable delivery of that development within settlements was considered within the Countryside Assessment (Technical Supplement 6). It indicates Feumore is within the landscape classification area 062 – East Lough Neagh (LCT – Lough Fringe Farmland). The key characteristics of the landscape include:

- Undulating, relatively small-scale farmland landscape on the fringes of Lough Neagh.
- Linear development along straight roads.
- Overgrown hedges and hedgerows dividing small to medium sized fields.
- Rushes, partially abandoned pastures and marshy areas on the shoreline.
- Sand and gravel extraction activity on or near the Lough shore.

There is no reference to the landscape being ‘under serious threat’, instead the Landscape Assessment Review refers to appropriate control over single houses and sets out how the Management and Planning Guidelines¹ should control the impact of single houses beyond defined settlements limits as set out at Figure 1 – Landscape Management Guidelines for East Lough Neagh Character Area below:

Landscape Management and Planning Guidelines

Landscape Management and Planning bodies should aim to control the impact of single rural housing development to prevent suburbanisation of the rural landscape beyond defined settlement limits. Sand and gravel extraction sites on the shores of Lough Neagh should be managed so as to limit their impact upon one of the most sensitive landscapes of Lisburn and Castlereagh.

Figure1: Landscape Management Guidelines for East Lough Neagh Character Area

The control is required outside the SDL, not within it and it refers to the extant environmental designations which all contribute towards this objective, with the Area of High Scenic Value providing the necessary tier of landscape protection adjacent to the Lough shore.

The Settlement Appraisal within the Countryside Assessment also considers the settlement against the RDS settlement evaluation matrix at Pages 157-160, describing the SDL as:

‘designated tightly along a 1.5km strip either side of the road junction of Feumore Road/Shore Road to facilitate a compact linear form in a sensitive landscape area’.

The SDL already takes into account the sensitivity of the proximity to the Lough and protects this through the maintenance of the settlements compact linear form: this compact SDL includes the site to the rear of 14 Feumore Road which the objector seeks is removed.

In terms of the resource test within the settlement appraisal, it is noted as the most remote settlement in the Lisburn area, with no shops or services in the settlement. It notes that

¹ Page 21 Ironside Farrar Landscape Character Assessment Review - Countryside Assessment TS 6 -

the WWTW is reaching capacity hence the low score. In terms of development opportunities it refers to the scope for development along the two roads and notes the protection tiers in place for the area including the Ramsar, ASSI, and AOHSV and the four LLPAs.

It notes the recent permissions for single houses on the gap sites within the development limit and the transport test refers to the Ulsterbus service 53 that passes through linking Lurgan, Aghagallon, Aghalee, Ballinderry Lower and Gawleys Gate. It also refers to how 'Due to the nature of Feumore being very rural, the nearest commercial use can only be found 4km East/North-East, at Glenavy/Moira Road'.

The Site Behind 14 & 14E Feumore Road

All of the above cumulates in the plan strategy which pursues a policy of maintenance of the status quo rather than further growth for Feumore. No changes are proposed to the extant plan SDL. Against this DPS strategy of limited growth the objector seeks to go further and remove land to the rear of No 14 Feumore Road from the existing SDL, as delineated by the blue arrow in Figure 2 – Extract from Countryside Assessment.

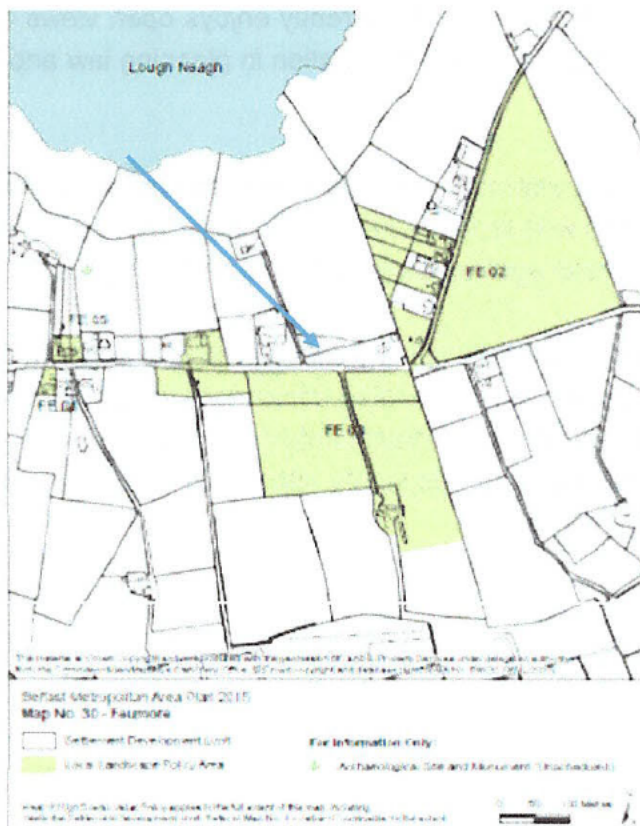


Figure 2: Context of site in context of SDL and showing LLPAs around the Feumore

This site is set back from the road, limiting views and extremely small. It remains ideally placed to provide flexibility for further limited development by the local community without the need to avail of opportunities within the open countryside. It is the logical area for a potential property given its scale, set back from the road and lack of potential to add to urban sprawl. It should continue to accommodate a small area of land for the future growth of this small settlement in that;

- The lands are immediately within the limit, offering a logical position and rounding off/consolidation of the settlement along a central position on the main road;
- There is a suitable means of access;
- The site is relatively flat with no adverse critical views; and
- It maintains a sensitive edge of the settlement, set well back from the Lough.

The author of DPS 063 alleges the site is land locked and cannot be accessed independently, that it would add to ribbon development (along with sprawl and rural character this is not an applicable test in SDL's), and that its shape, location on the Lough Shore side all justify its exclusion.

The context of its triangular shape and location to the northern side of the roadside is puzzling given it would have equally applied to the triangular shaped roadside field where the bungalow has recently been constructed and which currently enjoys open views over the Lough. Views from a property are not a material consideration in planning law and the SPPS is clear that:

'The planning system operates in the public interest of local communities and the region as a whole and encompasses the present as well as future needs of society. It does not exist to protect the private interests of one person against the activities of another' (para 2.2).

As per the photos of the access at Figure 3 and 4 below, the site shares its access with the WWTW and also provides for added flexibility as it is located adjacent to the development opportunity at the old school site. It sits within a settlement context, with buildings fronting both side and the assertions by the objector that this single site would lead to the over development of the settlement are unsupported.



Figure 3: Access to site referred to in DPS 063 for removal



Figure 4: Site access in context of adjacent site with development potential

The Objectives of the DPS

The SPPS requires that LDP set out long term strategies, with the DPN confirming that plans should:

Provide a 15 year 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.

To plan for sustainable growth, the DPS sets out the housing allocation of 11,550 units² within its section on 'Meeting Future Housing Need'³ at Page 64, Chapter 4, Table 3 – Strategic Housing Allocation. It showed the distribution across the settlement tiers. All the existing villages and small settlements were allocated a combined 11.7% of the housing allocation and 6.9% for housing in the open countryside.

The Housing Output Study, Technical Supplement 1, shows that the corresponding proportion of the Councils population in 2015 sits at 15%⁴ (compared to 11.7% of the allocation). The dps is already seeking to set in place (through the tightening of its countryside housing policies and its housing allocation) a more sustainable growth pattern by redirecting its population towards its City and Towns and away from the rural area.

The RDS at SPG 13 seeks to sustain rural communities living in smaller settlements recognising their distinctive settlement pattern is unique within these islands and aims to sustain the overall strength of the rural community living in small rural settlements. The DPS follows this direction and acknowledges that the rural area is of equal importance as approximately a third of the population resides in the Councils rural hinterland and that the villages and small settlements have a unique part to play in sustaining vibrancy, creating a sense of place and providing local services (Page 52).

The Housing Monitor 2016-2017 shows a further potential within Feumore of just 4 units. Against this background, the representation DPS 063, which seeks to further reduce the allowance within the small settlement tier would encourage more people to live within the least sustainable tier in the hierarchy, i.e. The Open Countryside and is unsound as it is contrary to the direction of the RDS and the SPPS.

Table 9.1 Housing Land Supply as at 31st March 2017⁵, shows that the rural settlement tier, when combined with the allocation for the countryside has a supply of land for just 16.4% years, below the average plan supply of 18.6 years and significantly less than the towns of Moira and Carryduff (82.3 years).

² Technical Supplement 1 - Housing Growth Study Para 9.12. At Para 4.8 it details how it updated the 2012 based HGI through the use of 2016-based household projections and adjustments set out within the 2012 HGI methodology. It identified a new baseline future growth of 10,380 households over the Plan period (692 dwellings per annum). This was rounded up to 700 dwellings per annum equating to 10,500 dwellings for the plan period. A 10% oversupply allowance was added for potential that might not come forward bringing the total to 11,550

³ Part 1 Plan Strategy Chapter 4 Page 62

⁴ Para 4.15 Table 5: Settlement Hierarchy and Population 2015 Housing Output Study – TS 1

⁵ Lisburn & Castlereagh: Housing Growth Study Chapter 9 Meeting Future Housing Need Page 45



To further reduce this supply by the removal of lands from the SDL (as requested by the representation 063) is unsound as it fails to provide local rural residents with a sustainable choice to live locally. This position is supported by the Housing Output Study (TS1) which states at Para 9.16:

Development is needed across a range of settlements to ensure local needs are met and the market provides housing choice and diversity for a range of different households.

The strategic objective A (4⁶) is to:

'Support towns, villages and small settlements in the Council area as vibrant and attractive centers providing homes and services appropriate to their role in the settlement hierarchy whilst protecting their identity from excessive development'.

This would be compromised by removal of land from the SDL and allowing disproportionate growth in the countryside, the focus should remain in the settlements.

On this basis, our client submits the limit for Feumore should remain as per the extant boundary and the DPS 063 is unsound because:

C1 – Compliance with RDS and C3 – Guidance issued by the Department

The RDS at SPG 13 requires that rural communities living in small settlements are sustained and under RG 8 recognizes the need to manage housing growth to achieve sustainable patterns of residential development. The Housing Evaluation Framework provides the guidelines for the most appropriate location of development including setting out six key tests for the appraisal of the sustainability of settlements.

The SPPS requires that the DPS provides a 15 year framework for development and that a minimum 5 year housing supply is maintained, following from The RDS which stated that the role of the LDP is to "identify and consolidate the role and function of settlements' and refers to housing as a key driver of physical, economic and social change.

As such the promotion of living in settlements rather than the open countryside should continue to be reflected in the DPS over the full plan period and the requested change to remove lands from the existing SDL would run contrary to this objective as it makes no provision to sustain Feumore as a rural settlement.

⁶ Part 1 Chapter 3 – Plan Vision and Objectives Page 34

CE2 – The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on robust evidence

The Author alleges that the Settlement of Feumore is under serious threat. There is no evidence in the supporting reports of excessive development pressure, sprawl or any marring of the distinction between the settlement and surrounding countryside. The author refers to tests for single dwellings in the open countryside which are not relevant in this development plan context which seeks to provide for appropriate growth within the overall settlement hierarchy. The removal of this site would be disproportionate to the population demographics and is not supported by the evidence base within the Technical Supplements 1, 2 and 6 which support the plan objectives in delivering a sustainable supply of housing land across the settlements including the small settlement tier.

CE3 There are clear mechanisms for implementation and monitoring and CE4 there is reasonable flexibility to deal with changing circumstances

The housing monitor is the appropriate route for monitoring housing delivery within the small settlements, the 2017 monitor shows potential remaining for 4 units. Given the SPPS requires the maintenance of a 5 year supply and panning for long term growth, the removal of this small site from the current SDL removes the option of flexibility in the delivery of an adequate supply of units. The sites continued inclusion ensures a consolidated settlement form and provides for flexibility within the SDL to adapt as necessary in terms of housing delivery.

The environmental designations provide the appropriate mechanism to protect the setting of Feumore and the Lough and the quality of each was assessed as appropriate to show that they should be maintained around the settlement limit as set under previous plans.

There is no material planning reason to remove this site from the SDL and I would ask that the above matters are taken as a counter representation to the DPS 063 and the lands remain with the SDL of Feumore.

Yours Faithfully



Director