

Strategic Planning Directorate



Department for

Infrastructure

An Roinn

Bonneagair

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Your Reference:
Our Reference:

12 December 2019

Dear Paul

**RE: MID AND EAST ANTRIM BOROUGH COUNCIL – DRAFT PLAN STRATEGY
- CONSULTATION**

I acknowledge your letter of 3 October 2019 in relation to the formal public consultation on Mid and East Antrim Borough Council's draft Plan Strategy.

In accordance with regulation 15 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 the Council consulted with the Department for Infrastructure (DfI) in relation to the draft Plan Strategy.

Please find attached representations to the consultation from the following Business Areas of the Department:-

- DfI Planning (Strategic response and Annex 1);
- DfI TPMU;
- DfI Roads;
- DfI Rivers; and
- DfI Water and Drainage Policy Division.

I acknowledge the efforts of the Council in relation to the constructive engagement

with Department officials to date and look forward to further engaging as the process moves forward.

Yours sincerely



Director

Encls

Mid and East Antrim Comments Strategic response

Introduction

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

Monitoring framework for the plan is also referenced. These aspects have been highlighted by the Department in order to reinforce their importance to achieving an integrated and coordinated approach to higher-level regional planning aims and objectives. These matters also relate to Soundness and so the relevant tests from DPPN 06 are highlighted, as appropriate, for each aspect.

6. Detailed comments in relation to strategic operational policy matters are addressed in Annex 1 to this response.

Strategic Objectives

7. In relation to social objective (c) it is noted that the figure of 7500 is the 2012-based HGI indicator extrapolated to 2030. Paragraph 1.1.3 of the draft Plan Strategy however states the draft Plan Strategy relates to the period 2015 - 2030. The Council may wish to consider updating this objective to accord with the housing figure for the period of the plan.
8. The Department considers that the objective in the plan should be the housing requirement identified in SGS3 which is the housing allocation for the plan period adjusted to take account of housing completed since the base date.

Spatial Growth Strategy

SGS 2 – Settlement Hierarchy

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

9. The Department notes the proposed designation of no.8 new small settlements as a result of the settlement evaluation appraisal along with the de-designation of 12 existing small settlements with the intention that the small settlements will act as a focal point for the rural community.

Strategic Housing Allocation Strategy

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

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

Housing Growth Indicator

10. As noted above the strategic housing allocation is based on the 2012-based Housing Growth Indicator (HGI) that prevailed at the time of preparing the draft Plan Strategy. This projected the new dwelling requirement for 2012 – 2025 as 5,400. The council extrapolated the HGI to 2030 providing a figure of 7477.
11. The Council state that the HGI is based on the best available evidence, largely related to anticipated household formation and find no sound reason for departing from it¹. HGI's are provided as a guide for those preparing local development plans. They represent a baseline or starting point which can subsequently be adjusted in light of Housing Market Analysis². The methodology paper accompanying the 2012-based HGI identifies that they should be used for guidance rather than seen as a cap on housing development in the area or a target to be achieved³.
12. In accordance with the Department's commitment to recalculate and revise the HGI with the latest data, updated HGIs were published on 25 September which take account of the latest 2016-based NISRA household projections. For Mid and East Antrim Borough Council the new indicator is 5400 for the period 2016 – 2030. This aligns more closely with the Council's LDP timeframe.
13. The Department acknowledges that the publication of the Council's draft PS preceded the release of the revised HGI. The Council should however take account of the revised HGI in assessing the continued applicability of the housing allocation in the draft plan. In this regard, the advice set out in the methodology paper and correspondence that accompanied the release of the revised HGI will be relevant⁴. In

¹ Plan Strategy, Paragraph 5.3.5

² RDS 2035, page 102.

³ Background to 2012 HGI <https://www.infrastructure-ni.gov.uk/sites/default/files/publications/infrastructure/2012-based-housing-growth-indicators-hgis-and-methodology-paper.pdf>

⁴ This correspondence is reproduced at Annex XX of this response.

accordance with the advice in the Chief Planners update of November 2019, it will be important that the council should now take account of these revised indicators, alongside all other relevant evidence gathered to date, to justify the housing requirement in its draft plan strategy.

SGS3 – Strategic Allocation of Housing to Settlements

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

14. The Department strongly welcomes the overall approach to the allocation of housing growth set out in SGS3. This allocates Carrickfergus, Ballymena & Larne 1239, 991 & 879 units respectively, representing 67% of the mid and east Antrim total set out in Table 5.4. This supports the RDS objective to grow the population of the Hubs and Clusters of Hubs⁵ and acknowledges the importance of Metropolitan Area centred on Belfast.
15. Similarly the allocation to the Small Towns represents 584 units or approximately 13% of the overall housing allocation. The allocation to villages is 421 units or 9% of the total allocation. 142 units are allocated to the small settlements which represents 3% of the overall allocation. 350-400 units are allowed for in the countryside over the period – representing 8% of the total allocation. The Department overall welcomes the allocation and confirmation that the methodology has been informed by the RDS Housing Evaluation Framework. The detailed information presented in the Housing Technical Supplement 3⁶ is welcomed in this regard. The Council should however consider the implications of the revised HGI for the housing allocation to individual settlements under SGS3.

SGS 4 Protection of Zoned Housing Land

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

⁵ SFG 12 'Grow the Population of the Hubs'

⁶ Table E2 Pages 54 - 55

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

CE4 It is reasonably flexible to enable it to deal with changing circumstances.

16. The Department welcomes SGS4 in relation to protection of zoned housing land. The policy provides for development on non-residential use on zoned land where it is ancillary and integral to major housing development or where it meets an identified community need. Council should consider clarifying if these policy exceptions apply to both Phase 1 and Phase 2 of housing land.

SGS 5 Management of Housing Supply

17. The Department strongly welcomes the Council's acknowledgement of the plan monitor, manage approach set out in the RDS and the need to ensure a minimum 5-year supply of developable land within the SPPS. Also welcomed is acknowledgement of the need for a sequential approach to site identification to support the sustainable development of larger settlements and to promote compact urban forms. Acknowledgement of the RDS 60% regional target in respect of brownfield development is welcomed in this regard.
18. The Council indicate that the existing position in relation to supply shows that current live planning permissions could provide approximately 4000 dwelling units. Additionally the initial urban capacity study and urban fringe assessments indicate significant additional potential from land within these locations across main towns, small towns, villages and small settlements⁷.

Windfall

19. The Department welcomes acknowledgement of the need to have regard to housing supply from windfall sources. It particularly welcomes the approach to the assessment of windfall potential set out in Technical Supplement 3 Appendix I 'Urban Capacity Study' which broadly reflects the advice set out in PPS12 'Housing in Settlements'

⁷ 4087 unit potential in main an small towns (2150 units on sites outside existing zoned housing land); 3427 housing units from undeveloped zoned housing sites in main towns (a proportion of which are accounted for in urban capacity estimates); 3190 from within the 'urban fringe' of main and small towns and 1744 from land within settlement limits of villages and small settlements.

including the identification of character areas. As a result total potential from windfall is estimated at approximately 580 units. This represents a significant reduction on the windfall estimate derived from historic windfall analysis (approximately 3400) on the basis that following the adoption of the LDP there will be a reduction in available white land. The Council's approach to the designation and/or adjustment of settlement development limits in the LPP, particularly in relation to newly identified small settlements, must be consistent with the estimated windfall component of supply in the Plan Strategy.

20. The Council acknowledge that in a number of settlements the existing 'live permissions' are already greater than the remaining housing allocation to specific settlements under the plan^[1]. Consequently there is in most cases a relatively small residual need to provide for. The Department however also welcomes acknowledgement within the plan strategy that not all existing housing commitments may be built^[2]. This may be a factor determining the amount of housing land zoned at LPP stage. Has the council considered the merit of making an allowance to account for this likelihood?

Phasing

21. SGS 5 proposes a phased approach in response to the evidence presented which reflects the high level of existing potential housing supply. This proposes assigning housing land as phase 1 and phase 2 in the three main towns and Greenisland at LPP stage. This approach is welcomed in principle as providing a mechanism to align the release of housing land with evidence on housing need within the council area. It represents a measured response to the issues proposed by existing settlement limits and housing zonings. It also aims to provide the certainty and flexibility required to support more sustainable housing development as part of the plan, monitor and manage approach.
22. In relation to phasing, PPS12 indicates that sites with planning permission will generally be assigned to Phase 1. It also advises that the criteria used to assign sites should reflect the objectives of the RDS, local circumstances and other relevant

^[1] Ballymena, Greenisland, Broughshane, Cullbackey and anticipated in Larne and Carrickfergus

^[2] Plan Strategy Appendices, Page 320

planning considerations⁸. Among the other factors highlighted is application of the sequential approach.

23. SGS5 a) i. states that sites with live residential planning permissions and proposals likely to be approved will be assigned to phase 1. Council should be satisfied that the commitment to assign such sites to phase 1 within the LPP, including those located in the 'urban fringe', is supportive of the sequential approach and compact urban forms. This is particularly relevant in the context of the two-stage plan process and the evidence presented in relation to the significant potential housing capacity in the urban fringe⁹.

Urban capacity sites

24. SGS5 a) ii. states that previously developed and undeveloped land within the urban footprint (i.e. suitable urban capacity sites) will be zoned as phase 1 housing land. The initial urban capacity study identifies significant additional housing land potential in the urban footprint of the three main towns of Ballymena, Carrickfergus and Larne (as set out above). Notwithstanding the level of extant approvals, the commitment to identify suitable previously developed and undeveloped land within the existing urban footprint of the main towns and Greenisland as Phase 1 land is welcomed. This provides additional flexibility in recognition that not all existing commitments will contribute to meeting housing need. It also supports RDS and SPPS sustainability objectives in relation to brownfield land, reduced use of greenfield land for housing, and compact urban forms¹⁰. Council will however be aware that the RDS indicates that there is no presumption that all brownfield land is necessarily suitable for housing development¹¹. The criteria for identifying suitable previously developed/undeveloped land in the urban footprint at LPP stage should be clarified.
25. SGS5 criteria c) and d) govern the approach to allocation of additional land to meet market and affordable housing need at LPP stage in the remaining small towns. The policy sets out a range of considerations that apply to the selection of land in both cases, including accessibility to community services and public transport, availability

⁸ PPS12 'Housing in Settlements' Page 53.

⁹ Council indicate that capacity on urban fringe whiteland and undeveloped housing zonings is 3106 units in Ballymena; 742 units in Carrickfergus; 1368 units in Larne; and 136 units in Greenisland.

¹⁰ RDS 3025 Paragraph 3.17; SPPS Page 70 Bullet 1

¹¹ RDS 2035 paragraph 3.19

of existing infrastructure, avoidance of flood risk and no adverse impact on townscape character of natural or built heritage. Council should also consider the appropriateness of identifying criteria for the identification of 'suitable' urban capacity sites under a) ii.

Assessment of development proposals on phase 1 and phase 2 land

26. The Department appreciates that SGS5 addresses the approach to the identification of phase 1 and phase 2 housing land rather than how residential development proposals on each will be assessed. However, the council may wish to consider the benefits of clarifying in policy how development proposals are considered within phase 1 and phase 2 as this unclear at present. Clarification would be welcomed of this aspect and in particular its consistency with the status of phase 2 housing land as a 'land bank' not to be released for development until review and re-designation as phase 1 (see comments on HOU1 in Annex 1).
27. Whilst acknowledging that phase 2 is intended as a 'land bank' to meet future need, council may nevertheless wish to consider exceptional circumstances when development may be permitted. This is a separate matter to the possible re-designation of phase 2 land as phase 1 following plan review (paragraph 5.3.27). Clarification would be welcomed on whether paragraph 5.3.29 of the Justification and Amplification is in fact policy, providing for the development of phase 2 housing land prior to an LDP amendment (following plan review). Clarification of whether SGS 4 'Protection of Zoned Housing Land' applies to just phase 1 or to phase 1 and 2 housing land would assist in this regard (see previous comments).
28. Finally it is noted from the justification and amplification that land will not be zoned for housing in villages and small settlements. The Department supports this approach and suggests that this aspect is addressed in the policy box of SGS5.
29. Overall however the Department welcomes the Council's approach to phasing, in particular the identification of phase 2 housing land as a long term reserve. The specific approach to phasing responds to local circumstances within the plan area.

Affordable Homes

30. The Department notes the provisions in relation to affordable housing in relation to release of land for affordable housing under SGS5 and the provisions of HOU 5

'Affordable Housing in Settlements'. It welcomes the commitment to make available land to support affordable housing development and to promote the development of balanced communities, diversity and social inclusion. In respect of policy HOU 5 the Department notes that within settlements proposals for 10 dwellings or more or on sites of 0.2 Ha or more will be permitted subject to providing a proportion as affordable units. In the main towns and small towns 20% of units should be provided as affordable while in villages and small settlements the proportion is 10%.

31. The Department welcomes the confirmation that in applying the policy an up-to-date Housing Needs Assessment (HNA) carried out by the NIHE will be a material consideration. While the Department welcomes any policy that maximises opportunities to deliver affordable units and mixed tenure developments, Council should continue to liaise with statutory partners including the Department for Communities and NIHE to ensure that the evidence base underpinning such approaches is robust and that measures are in place to support the practical implementation of the policy, for example guidance.

Economic Development Strategy

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

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

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

32. The Council states that the Economic Development Strategy (EDS) is a key component of the Spatial Growth Strategy. The EDS will identify how much land is needed for economic development and where it should be located. It identifies the Council's top priority for the EDS to grow and diversify the economy in the wake of a decline in the manufacturing sector.
33. The Council has confirmed that the RDS Employment Land Evaluation Framework (ELEF) has provided the context for the Economic Development Strategy and details of the work undertaken for stage 1 and 2 of the ELEF are provided. To inform stage 2 of the ELEF and the plan evidence base the Council commissioned a study to be

undertaken by Ulster University Economic Policy Centre (UUEPC) to provide an overview of employment change and a projection of future employment space based on the Council's employment projections. The report considered that while some aspects of the manufacturing sector are unlikely to require additional space, there is likely to be a need for small business workspace and general office space across the Borough.

34. The UUEPC study presents a number of alternative scenarios in relation to jobs created and employment space requirements and highlights the baseline scenario (which is based on past trends) is most likely. However an upper scenario is also presented which draws upon initiatives such as the Belfast city region deal and the Heathrow hub bid which would make a positive contribution to employment.
35. The Department notes paragraph 5.4.9 of the document which indicates that evidence relating to the uptake of zoned industry and business land suggests that there is a generous supply remaining which would be sufficient to provide the anticipated amount of employment floorspace and jobs over the Plan period.
36. Furthermore the Council acknowledges that there is pressure to utilise land zoned for economic development for alternative non-industrial/business uses such as leisure and recreation facilities, and that such developments can deplete the reserve of economic development land, and could give rise to issues of incompatibility with established industrial enterprises.
37. With regard to implementation of stage 3 of the ELEF, the document states that the LPP will identify a new portfolio of sites.

SGS6: Strategic Allocation of Land for Economic Development

38. The Department broadly welcomes the approach set out in SGS 6 in relation to the Strategic Allocation of land for economic development. It is noted that SGS6 provides 167 hectares of economic development land which will be allocated throughout the Borough's main towns, with 51ha in Ballymena, 73ha in Carrickfergus and 43ha in Larne. Outside of the main towns it is not intended to zone for economic development in the villages and smaller settlements although the Council would give favourable

consideration to small scale proposals which do not compromise the Spatial Growth Strategy.

Retail Strategy

SGS7: Retail Hierarchy

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

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

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

39. The aim of the SPPS is to support and sustain vibrant town centres across Northern Ireland through the promotion of established town centres as the appropriate first choice location of retailing and other complementary functions.
40. The Department acknowledges the policy aims of the Retail Strategy which have generally taken account of the regional strategic policy of the SPPS.
41. SGS 7 sets out a retail hierarchy with reference to the LDP Spatial Growth strategy which recognises that the principal focus for retail growth and other town centre uses will be within Ballymena, Carrickfergus and Larne.
42. The Department notes that Portglenone is included within Tier 2 (Small Town Centres) of the retail hierarchy, whilst identified as a village in the LDP Settlement Hierarchy. The Council justify this on the basis of the Retail Hierarchy Paper, prepared by retail consultants NEXUS. The paper advises although that Portglenone has a smaller population than the other small towns in the settlement hierarchy, it has a larger, more comprehensive array of shops and services¹².

¹² Table 3 indicates that Portglenone possesses the greatest number of units (33) of any other small town centres. In terms of its convenience goods market share (2.1%), this significantly exceeds that of the other small town centres.

43. The proposal to assign Portglenone to the third 'village' tier within the settlement hierarchy, but within the second 'small town centres' tier of the retail hierarchy may lead to confusion as to the status of the settlement. The Department acknowledges that Portglenone possesses a strong retail offer however it is not immediately obvious that consideration has been given the potential misalignment of the settlement hierarchy and retail hierarchy for the settlement.
44. The Department welcomes the Council's decision to remove the 'District Centre' classification/tier as set out in the Councils POP document, and notes the amended role description of 'Local Centre' to reflect centres that provide a limited range of shops, services, businesses and community facilities to serve the immediate local area. In contrast, village centres are considered to provide a limited range of shops such as a grocery store, occasionally a petrol filling station and other small shops of a local nature serving a small village and surrounding rural area. However the presentation of the retail hierarchy elevates the treatment of Local Centres above Village Centres. Whilst village centres are generally associated with settlements within tier 3 of the settlement hierarchy, local centres are not. Instead, local centres are based solely upon the level of services provided as opposed to a specific location/settlement. As local centres are elevated above that of village centres within the retail hierarchy the Department considers that the lack of alignment with the settlement hierarchy could give rise to issues in implementation of the policy.

Tourism Strategy

SGS 8: Tourism Strategy

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

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

C4 Has the plan had regard to other relevant plans, policies and strategies relating to the council's district or to any adjoining council's district?

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

45. This Strategic policy is generally reflective of regional and strategic objectives and policy of the RDS and SPPS. The specific elements of the LDP Tourism Strategy outlined in SGS8 have taken account of the provisions of Paragraph. 6.263 of the SPPS.
46. Paragraphs 5.6.5 and 5.6.6 relate to the emerging Tourism Strategy for the Borough, and confirm that strategic policy SGS8 sets out the proposed Tourism Strategy for the LDP. The Council's Integrated Economic Development Strategy (Amplify) also makes reference to the 'new Tourism Strategy'. The Department understands that while this Strategy has been broadly finalised its publication is pending the conclusion of a NI wide tourism strategy.
47. Paragraph 5.6.7 of the document confirms that one of the aims of the Tourism Strategy is to contribute to the economy of Mid and East Antrim by facilitating tourism growth. The document identifies that the RDS and SPPS recognise benefit that tourism can contribute to the growth of the regional economy (RG4 and Paragraph 6.256 of SPPS) and the potential benefits of the Council's Tourism Strategy may extend beyond the Borough to the wider region.
48. The Justification and & Amplification sets out categories for tourism potential in the Borough under the headings of Vulnerable, Sensitive and Opportunity. Table 5.7 provides greater detail with regard to these categories. Carnfunnock Country Park is listed as an area that offers opportunities for the development of a range of appropriate quality tourism and recreation schemes. However, Historic Parks, Gardens and Demesnes are considered to be sensitive areas, where there might be scope for development but where proposals must be sensitive to the particular characteristics of the surrounding environment. The Council may wish to consider the potential for any tension between the policy approach to this area as Carnfunnock Country Park, and the adjacent Cairndhu are designated as Historic Parks, Gardens and Demesnes.

Transport Strategy

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

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

C4 Has the plan had regard to other relevant plans, policies and strategies relating to the council's district or to any adjoining council's district?

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

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

49. It is noted that there is not a specific Strategic Policy for Transport within Part 1 of the document. However, the Council have referenced the Local Transport Study for the Borough as produced by DfI. Para. 6.1 of Technical Supplement 9: Transportation advises that 'The LDP Transport Strategy within the draft Plan Strategy is essentially the draft Local Transport Study (LTS) carried out by DfI for Mid and East Antrim.' However, there is no specific reference to the Belfast Metropolitan Transport Study and the relationship to the wider Belfast Metropolitan Urban Area.
50. The Council should continue to liaise with DfI transport colleagues to ensure that it takes account of the BMTS and LTS as it moves through the LDP process.

Countryside Strategy

CS1: Sustainable Development in the Countryside

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

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

C4 Has the plan had regard to other relevant plans, policies and strategies relating to the council's district or to any adjoining council's district?

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

51. The Department broadly welcomes the strategic policy in relation to the countryside outside designated settlement limits which reflects the strategic direction to clustering, consolidating and grouping new development and the opportunities identified in the SPPS as supporting sustainable development in the countryside. Please see Annex 1 for additional comment relating to the operational strategic subject policies.
52. The strategic policy set out in Part 1 of the document is to be read in conjunction with the General policy and also the relevant operational strategic subject policies in part 2 of the document.

CS2: Special Countryside Areas

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

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

53. The Department welcomes the strategic policy approach which is in line with paragraph 6.75 of the SPPS. Following publication of PPS21 in 2010 the new policy provisions took precedence over Countryside Policy Areas (CPA) designated in existing statutory Area Plans. However, the Undeveloped Coast CPA as identified in the Larne Area Plan 2010 was retained and this designation was renamed as a Special Countryside Areas (SCA). In addition to the Larne Coast, 3 new SCA's have been designated in the draft Plan Strategy.
54. Within SCAs there will be a presumption against all new development other than in exceptional circumstances which are set out. It is noted that one of the listed exceptions for development in an SCA relates to a council led *or supported* project at an existing tourist/visitor site (criteria (f)). The Council should ensure that any exceptions to the policy approach do not diminish the quality of the resource itself as stated in the Justification & Amplification to the policy. (Paragraph 5.9.16)

CS3: Areas of Constraint on High Structures

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

C4 Has the plan had regard to other relevant plans, policies and strategies relating to the council's district or to any adjoining council's district?

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

55. The document brings forward new spatial designations relating to areas of constraint on high structures and the evidence for this is contained in Landscape Character Assessment Technical Supplement 10.
56. Strategic Policy CS3 will permit development proposals for electricity pylons and telecommunications infrastructure up to 15 metres in height within Areas of Constraint on High Structures. It does not refer to any requirement to demonstrate a need for such development in such cases or for the applicant to demonstrate that they have considered alternative options. These tests are however introduced in TOC1 for all proposals in these areas. The Council should ensure that the policy approach to this type of development set out in CS3 is compatible with the approach set out in TOC1.
57. The Department notes the criteria within the policy in relation to 'other form of renewable energy development irrespective of height'. Such development will not be permitted where it is visually prominent or will otherwise impact on landscape character/environmental integrity. As this criteria relates to renewable energy development regardless of height council should consider the appropriateness of its inclusion in a policy constraining high structures.

CS7: Local Landscape Policy Areas

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

58. BMAP designated 16 Local Landscape Policy Area (LLPAs) within the former Carrickfergus Borough. These are distributed across the settlements of Carrickfergus, Greenisland and Whitehead. It should be noted however that there are no LLPA's designated in the extant Ballymena or Larne Area Plans as these types of designations were introduced after those plans were adopted.

59. The Department notes that the Council have opted to retain existing designations and bring forward new LLPAs as required and this was the preferred option identified at within the Councils POP. The Council may wish to review LLPA designations in order to establish a consistent approach if they are to amend or bring forward any further designations.

CS9: Development at Risk from Land Instability or Coastal Erosion

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

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

60. The SPPS states at paragraph 6.42 that Development will not be permitted in areas of the coast known to be at risk from flooding, coastal erosion or land instability.

61. It is noted that this an evolving subject area where evidence is continuing to emerge with particular reference to Coastal erosion. The Coastal Forum has been established at a Strategic level by DFI, DAERA and Local Government to further consider the wider approach to Coastal Management. A sub-set of this forum, the Coastal Planning Working group, has been established and is considering issues related to planning.

62. Strategic Policy CS2 initially states that there will be a general presumption against development in known areas of land instability and/or coastal erosion and development will not be permitted unless it can be demonstrated that there are no consequential risks to health and safety.

63. The Council intends that this presumption applies to areas of known land instability and will apply to areas of known risk or coastal erosion when these become available.

Applicants are directed to contact GSNi where proposed development is located within designated areas of known land instability.

64. While there is no specific strategic planning policy in relation to land instability which is not located at the coast, any deviation from strategic planning policy should be evidenced.

Infrastructure

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

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

C4 Has the plan had regard to other relevant plans, policies and strategies relating to the council's district or to any adjoining council's district?

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

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

65. In line with the draft Programme for Government (PfG) and the outcomes delivery plan, the Department is focussed on supporting inclusive growth by connecting people and opportunities through infrastructure.
66. The RDS 2035 seeks to support strong, sustainable growth for the benefit of all parts of Northern Ireland. Importantly it identifies the need for a co-ordinated approach to the provision of services, jobs and infrastructure and a focus on co-operation between service providers. In particular, RG1 seeks to 'Ensure adequate supply of land to facilitate sustainable economic growth'; while RG8 strives to 'Manage housing growth to achieve sustainable patterns of residential development' and RG12 'Promotes a more sustainable approach to the provision of water and sewerage services and flood risk management'. These regional guidelines emphasise the importance of the relationship between the location of housing, jobs, facilities and infrastructure. The

availability of necessary infrastructure, including transportation, sustainable water resources and sewerage capacity is therefore vitally important.

67. The Department acknowledges the strategic objectives of the document which are reiterated in Chapter 9.0 Transportation, Infrastructure and Connectivity and which aim to deliver the regional guidelines outlined above.
68. The Council's general policy for all development includes a section relating to Sustainable development. The Department welcomes the inclusion of the criteria within this section which address a range of aspects of sustainable development including the importance of essential infrastructure to facilitate development. The emphasis given to the use of sustainable drainage systems as the preferred drainage solution is also welcomed. The Council may wish to consider the inclusion of the Living with Water programme in relation to waste water issues in Carrickfergus.
69. The Department welcomes the detail provided by the Council in relation to the existing water and wastewater treatment works within the Borough and is encouraged by the Council's commitment to working with its statutory partners to determine the appropriate provision of new and upgraded works.
70. The Council acknowledges there are both WWTW capacity and network capacity constraints in some settlements of the Borough (paragraph 9.5.4) and emphasises the importance of continued engagement with NIW to ensure zoning identified at LPP stage are appropriate.

Cross Boundary working

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

71. Consideration of cross-boundary issues is a key test of soundness as outlined above, and Councils should have regard to other relevant plans, policies and strategies relating to any adjoining District and ensure that their policies and allocations are not in conflict with the DPDs of neighbouring Councils.

72. The RDS provides strong regional and sub-regional guidance through a Spatial Framework for Northern Ireland which divides the Region into 5 components based on functions and geography. Implementation depends upon effective joint working between Councils. This engagement is fundamental to ensuring that the aims and objectives of Council LDPs are integrated and provide a coherent, joined up approach to regional planning issues, including the policy approach to landscape and environmental designations. Such cross boundary working also ensures that LDPs do not conflict with each other and that potential areas of conflict are identified and resolved prior to a Development Plan Document being submitted to the Department to cause an Independent Examination. The Chief Planner's letter dated December 2016 refers.
73. The Council acknowledges that regard should be given to adjoining Councils' plans, policies and strategies and highlights that where cross boundary issues are relevant, it should be established if the LDP conflicts with plans of neighbouring Councils. The Council shares common land boundaries with 3 Councils: Antrim and Newtownabbey Borough Council, Causeway Coast and Glens Borough Council and Mid Ulster District Council. Part of the Council Area is located within the Belfast Metropolitan Urban Area and this should be recognised within the Transport section of Part 1 of the document.
74. Collaborative working with other Councils in relation to the management of Lough Neagh and Lough Beg are welcomed. Furthermore, it is acknowledged that the Council attends the Coastal Planning Working group and Minerals Working Group. The work of these groups demonstrate a recognition of shared resources and environmental assets and the importance of a joined up approach to plan making.

Monitoring

CE3 – There are clear mechanisms for implementation and monitoring.

75. A council may revise its Plan Strategy or Local Policies Plan at any time (after adoption), or by direction by the Department. This requires councils to keep under review the implementation of their plans to ensure that LDP objectives are being achieved.

76. The Department notes the provisions in the draft Plan Strategy on monitoring and welcomes the range of issues identified within the proposed monitoring framework. DPPN 6 states that 'monitoring is essential for the delivery of the DPD and should provide the basis to trigger any requirement to amend the strategy, policies and proposals of the DPD'. The Department welcomes the focus on identifying targets and triggers in respect of the indicators presented. This will assist in measuring policy effectiveness.
77. In relation to the indicators for social objective (c), council should give consideration to a measure in relation to the proportion of residential development approved within the urban footprint of the largest towns. This would assist in evaluating success in achieving the policy aim of SGS5 which is to 'promote sustainable housing development within the urban footprint of our largest towns to achieve a compact urban form and more sustainable development patterns'.
78. The Department notes that not all indicators have a corresponding target or review trigger and appreciates that in some instances this may not be appropriate. In some cases no indicator is proposed against an objective, for example environmental objective (g) 'to contribute to climate change mitigation and adaption'. The Council may wish to consider alternative measures in relation to the total MW of renewable energy development approved within the district. This may help to demonstrate the contribution of the planning system to climate change mitigation.
79. In general whilst the inclusion of targets and trigger points is helpful careful consideration should be given to the wording of trigger points to ensure that they are clear and unambiguous.

Extant planning guidance

80. The Department has clarified its position on the future of extant planning guidance and the Council should consider this in relation to references within the draft Plan Strategy. The Department's website now sets out which guidance has been withdrawn, which will cease to have effect in a council area once the Council adopts its plan strategy and which guidance is retained, unless and until replaced by the Department.

81. In relation to guidance which will cease to have effect when the Council adopts its Plan Strategy, it is considered that this affords councils the opportunity to prepare local guidance on such matters, if so desired.
82. Further detail on each piece of guidance can be found at: <https://www.infrastructure-ni.gov.uk/articles/guidance-update>

Annex 1 – Additional DFI comments

General

The Department welcomes the section within the technical supplements, showing a clear flow of consideration at each stage of the process and how that subsequently feeds into the policies within the document.

Climate Change

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

Policy GP1 General Policy

The Department acknowledges the Council's intention in having a general policy. There should be consistency in referencing the General Policy GP1 throughout all other policies. For example, criteria d) (V) of Policy GP1 refers to flooding, however within Section 9.2 Flood Risk and Drainage there is no cross reference to GP1. In Contrast Policies ECD1, OSL2 and OSL3 both refer to the General Policy.

The Department also notes that criteria b) iii requires new residential development to be sited so as to maintain sufficient separation distance from existing or approved infrastructure development likely to prejudice residential amenity or safety. This is the only criteria within policy GP1 that relates solely to residential development, all others being more general and applicable to all forms of development. Council may wish to consider redrafting this aspect to ensure that the criteria within GP1 are general in nature as is appropriate for a policy that applies to all forms of development.

Sustainable Economic Growth

Economic Development

Policy ECD1 Economic Development in Settlements

The policy refers to 'Industrial Uses', however, it is unclear if this policy encompasses Storage and Distribution Uses (Class B4) and Light Industrial (B2) and General Industrial (B3) whether partially or entirely.

Policy ECD4 Economic Development in the Countryside

a) Expansion of an established economic development use in the countryside

It is noted that an applicant is required to demonstrate that there is no major increase in the site area of the enterprise. This policy may benefit from further clarity on how this may be defined.

c) Major Industrial Development in the Countryside

The SPPS (para. 6.88) requires the demonstration of acceptability in terms of environmental and transport impacts, however this requirement is not accurately/obviously reflected within the Council's policy wording. It is noted however that the justification and amplification refers to the requirement to fully consider all environmental impacts. It is unclear if 'all environmental impacts' encompasses transport impacts.

d) Small Rural Start-up Projects

The Department acknowledges this policy is reflective of the SPPS (paras. 6.82 & 6.87) however notes it notes the requirement for the applicant to demonstrate that certain criteria are met;

- i. there is an unmet need;

It is unclear how a prospective applicant would be required to demonstrate 'an unmet need' regarding the nature and extent of information to be provided as part of the application. The policy may benefit from greater clarification.

f) Agricultural and Forestry Development

It is noted that the policy appears to be reflective of current operational planning policy, and the SPPS (para. 6.73), however to ensure clarity the policy should indicate that applications proposing new buildings will need to meet all the criteria i - iv.

Retailing and Town Centres

Policy RET1: Retail in Town Centres

In the absence of no alternative sequentially preferable sites, para. 7.2.17 of the J&A highlights factors which must be demonstrated when there are no practical alternatives, in terms of availability, suitability and viability. The Council stipulates that

‘suitability’ relates to the appropriateness and market attractiveness for the type, scale and form of development proposed. The Council is guided that suitability may also account for the specific needs of the particular proposal with regard to the site for reasons of, for example, operational requirements, servicing and parking.

Policy RET2: Retail Impact Assessments

The Department notes the reference to small towns, and the requirement that a retail impact assessment will be required in relation to the relevant town centre within its catchment area. It should be noted however all town centres regardless of position in the retail hierarchy and any impact thereon should be considered.

Clarification would be welcome on whether the policy relating to small scale convenience retail proposals outside town centres relates solely to outside town centres within settlements or includes outside settlement limits.

The Council may wish to reflect the factors to be considered in a Retail Impact Assessment as set out in para. 6.290 of the SPPS.

Policy RET3: Retail in Villages, Small Settlements and Local Centres

This policy does not appear to acknowledge the requirement of the SPPS (para 6.276) for the retention and consolidation of local and district centres (Para. 6.276). The Council may wish to consider highlighting this requirement, and the circumstances whereby extensions to local centres may be considered acceptable.

Policy RET4: Rural Shops and Roadside Service Facilities

Whilst this policy reflects the provisions of the SPPS (para. 6.279) in relation to rural shops, it is noted that the policy wording, justification and amplification makes reference to proposals of modest floorspace, and modest size. Clarification would be welcomed on how the Council consider ‘modest’ in retail terms, as this may be open to interpretation.

Technical Supplement 6 – Retailing and Town Centres and Nexus Report - Retail & Commercial Leisure Need and Capacity Study

The Department notes that the NEXUS Report formed part of the Council’s technical supplement, and a number appendices were also included. However, a number of

appendices related to 'identified study area', 'household survey results' and 'other tables' (detailing Quantitative Retail Capacity) were excluded.

Tourism

Policy TOU4 Tourist Amenities in the Countryside

The clarification text at para. 7.3.18 indicates that a tourism benefit statement is required (in the assessment of large scale proposals or those of significance to the Borough or NI) to demonstrate the value of the proposal in terms of tourism revenue and employment opportunity, and also how it will further the aims of any regional or Council's tourism strategy. The Department notes however that the Council has yet to publish their tourism strategy. It would therefore be useful to clarify how this will be considered.

Minerals Development

Policy MIN1 Mineral Development – Extraction and Processing of Hard Rock and Aggregates

The Department recognises and welcomes the alignment with strategic policy however the general nature of this policy could apply to other types of mineral development. By using the term 'hard rock and aggregates' this will omit a number of other minerals that could potentially be extracted, for example copper, graphite and iron to name but a few.

The Department welcomes the cross reference and requirement for all proposals to be in accordance with Policy MIN8 Restoration and Management of Mineral Sites.

Policy MIN2 Valuable Minerals

All proposals within MIN2 are required to comply with MIN1 – however as MIN1 is restricted to 'hard rock and aggregates' this omits many valuable minerals e.g. gold. The Department acknowledges the Council's policy to reflect the SPPS, however considers the exception regarding 'Valuable Minerals in SCA's' may benefit from including some of the text from the J&A at 7.4.19 to highlight the exception.

Policy MIN4 Areas of Constraint on Mineral Development

The Council have identified ACMD in their proposals map in line with the SPPS (para 6.155). The Department notes that ACMD and Mineral Reserve Areas from extant plans have been brought forward and further designations will not be made until the conclusion of the ongoing work of the regional minerals forum. Clarity provided earlier in the document at 7.4.8 & 7.4.9 is welcomed. The Department also acknowledges the Council have amended one of the ACMD at Munie Road, Glenarm since the original designation.

The SPPS (para 6.164) stipulates there is a general presumption against extraction within ACMD, however exceptions apply if it is 'limited to short term extraction and the environmental / amenity impacts are not significant'. The Department notes the Council have omitted any reference to 'short term extraction' and consider that it would be appropriate to be included in the drafting of this policy.

Policy MIN5 Area of Salt Reserve, Carrickfergus

The Department welcomes the inclusion of this policy. Furthermore it is recognised that the policy does allow for exceptions, in that there are occasions when surface development will be allowed.

Policy MIN6 Development at Risk of Subsidence due to past or present underground mineral extraction

The Department welcomes the policy direction to consult with GSNI on all applications where proposed development is located within designated areas of known land instability.

Policy MIN7 Peat Extraction

Whilst the Department notes the Council have reflected the SPPS (para 6.158), the Council should consider how 'reasonably' would be defined.

Housing

Policy HOU 1 Quality in New Residential Development in Settlements.

The Department welcomes the provisions of the policy however suggests clarification of the relationship to SGS 5 which states that in main towns and Greenisland, land will be designated as 'phase 2 housing land' where the strategic allocation would be met by live planning permissions, urban capacity sites and windfall potential. Such land is held in reserve and only released for development following plan review. Where designated, such zonings will nevertheless still be located within the settlement limits and therefore policy HOU1 'New Residential Development in Settlements' would seem to apply.

Clarification of how Council anticipate HOU1 being applied following adoption of a LPP would therefore be welcomed. In particular would references to land 'zoned for housing' relate to phase 1 housing land or to both phase 1 and 2 land ('phase 2 housing land' is referenced in SGS5). If it is the intention that phase 2 land is a housing zoning for the purposes of the policy then the Department would seek clarification of how the policy supports a phased approach. If it is not to be regarded as housing land for the purposes of the policy the indication elsewhere that a concept master plan will be required on *any other site* (outside land zoned for housing) indicates that proposals may nevertheless come forward on other sites, land designated as phase 2 land.

The Department notes the statement that all proposals for residential development will be expected to meet the General Policy and accord with the other provisions of the LDP. This however does not address the apparent conflict in respect of SGS5. The Council should, as far as possible aim to ensure consistency in terminology between this policy and the General Policy. Overall clarification of the relationship of HOU1 to SGS5 would be welcomed. The Department welcome reference to Departmental guidance including Creating Places and the Living Places Urban Stewardship and Design Guide.

Policy HOU 6 Housing Mix (Unit Types and Sizes)

The Council may consider whether there is merit in cross-referring here to the policy approach in HOU1 in relation to established resident areas and the minimum sizes set out in Appendix F. The emphasis within this policy on the need for smaller homes may

encourage higher density developments that could, depending upon circumstances, adversely impact on character of established residential areas.

Policy HOU 7 Adaptable and Accessible Homes

Council may wish to consider revising the first sentence of the policy to clarify that it applies to all residential development rather than ‘a new dwelling’. This would align with the statement at paragraph 8.1.46 of the Justification and Amplification that the policy applies to ‘*all proposals for new dwellings, flats and apartments*’.

Policy HOU 8 Travellers Accommodation

The Council should note that that current operational policy, PPS 12 Policy HS3 (Amended) Travellers Accommodation retained under transitional arrangements states that ‘Exceptionally, and without a requirement to demonstrate need, a single family traveller transit site or serviced site may be permitted in the countryside. Such proposals will be assessed on their merits’. Therefore the Council should be satisfied that the plan evidence supports the approach set out and that Housing Needs Assessment prepared by the NIHE will, as appropriate, indicate need for single family transit sites.

Policy HOU10 Dwelling on a Farm Business

The Department welcomes clarification within Justification and Amplification in relation to the definition of a farm business for the purposes of the applying the policy.

Policy HOU13 Ribbon / Infill Development

The Department notes the proposal to permit development of a small gap site sufficient to accommodate one dwelling within an otherwise substantial and continuously built up frontage. The Department welcomes the approach which seeks to apply SPPS policy to local circumstances.

Policy HOU16 Affordable Housing in the Countryside

The Department notes that the policy proposes no more than 14 dwellings adjacent to a village and no more than 8 dwellings adjacent to a small settlement. This gives local expression to the policy approach set out in the SPPS by setting different thresholds for the number of affordable dwellings according to whether the development is proposed adjacent to a village or small settlements. The Department notes the

approach which should be supported by local evidence, for example in relation to the characteristics of settlements within the local plan area.

Open Space, Sport and Leisure

Policy OSL3 New Open Space Provision

The Department welcomes this small / succinct policy provision, and notes that it applies to the development and extension of open space not specifically covered by other open space policies in the LDP e.g. parks, public gardens, civic spaces, kick about areas and children's play parks outside residential developments.

Policy OSL4 Public Open Space in New Residential Development

It is noted that whilst the Council have reflected existing operational planning policy they have also tailored this to reflect local circumstances of the borough, regarding thresholds for residential development of 300 units or more, or for development sites of 15 hectares or more, a normal expectation will be around 15% of the total site area.

Policy OSL5 Sport and Outdoor Recreation Facilities

Sport and Outdoor Recreation in the Countryside

The Department would highlight bullet 3 of para 6.201 (SPPS) regarding 'facilitate appropriate outdoor recreational activities in the countryside that do not negatively impact on the amenity of existing residents.' Whilst it is noted Policy GP1 and other provisions within the LDP may cover this, the Department consider it should be replicated here to ensure the consistency. The other criterion referenced could appear it be elevated above that regarding amenity of existing residents by its absence from the policy.

Transportation, Infrastructure and Connectivity

Transportation

Policy TR7 Provision of Car Parks

The Council's Local Transport Strategy has been formed on the basis of the Local Transport Study prepared by DfI, and within the J&A (para 9.1.41) there is reference to a requirement 'to meet a need identified in the Local Transport Plan, which will incorporate a Car Parking Strategy'. Earlier within the document under the Transport

Strategy section (para. 5.7.4) it stipulates that greater detail and specific schemes will be contained within the Local Transport Plan, also prepared by DfL – alongside the LPP when land use zonings are identified.

Flood Risk and Drainage

Policy FRD4 Sustainable Drainage (SuDS)

The Department welcomes the policy approach, and appreciate there is no requirement for Councils to include a policy on SuDS.

Renewable Energy

Policy RE1 Renewable Energy Development

The SPPS (para 6.224) refers to ‘local natural resources, such as....’ The Department notes that this reference has been omitted from the policy, therefore the Council may wish to include this reference in their policy.

Whilst it is noted that within the J&A (9.3.8), Council make reference to siting, scale, design and layout Council may wish to include this within the Wind Energy Development section of the policy and include reference to number and size in line with existing operational policy.

Telecommunications and Overhead Cables

Policy TOC1 Telecommunications and Overhead Cables

The policy reflects TEL 1 of PPS10 ‘Telecommunications’ and the provisions of regional strategic policy in respect of telecommunications and utilities set out in the SPPS, including the requirement for operators to demonstrate need as appropriate.

At paragraph 1 the policy states that outside SCA’s telecommunications development or overhead cables will be permitted subject to the provisions of the plan and the other criteria identified. Council should give consideration to also referring to ‘Areas of Constraint on High Structures’ since it is clear that within these areas this form of development is also subject to specific restrictions.

Paragraph 4 cross-refers to policy CS3 and requires that applicants for telecommunications or overhead cable development proposed within Areas of Constraint on High Structures must demonstrate that ‘other alternative options have

been investigated but considered inappropriate or not feasible'. Council may wish to consider whether the introduction of this test is appropriate within this policy or if it may be more appropriate within CS3 itself. At present, despite also relating to electricity pylons and telecommunications masts and equipment within areas of constraint on high structures, CS3 contains no such requirement.

Paragraph 5 of the policy states that in exceptional circumstances where a proposal is to serve a recognised telecommunications 'not spot' or is otherwise essential for electricity transmission or supply a 25 metre height restriction will be applied. Clarification would be welcomed of how this test is distinct from the need test set out at a) and which applies to all proposals for this form of development outside SCA's. Unless this is a separate test all proposals for such development will already have been required to demonstrate need by reason of criteria a).

Paragraph 6 sets out the circumstances when telecommunications / overhead cables that exceed 25 metres in height will be approved within Areas of Constraint on High Structures. This partially reflects the criteria set out for structures over 25 metres in CS3. Unlike CS3 however it does not refer to the need for appropriate mitigation measures to minimise the impact of the proposed development on the designated area. Notwithstanding the requirement for the policies to be read together, the decision to partially reproduce the wording from CS3 within TOC1 may result in confusion in relation to which policy test applies, and in what circumstances; particularly as both policies address the same development type. Council may wish to give consideration to simply cross-referring to the policy CS3.

Stewardship of our Built Environment and Creating Places

Historic Environment

Policy HE6 Conservation Areas

New Build and Replacement Buildings

Council should ensure that the policy test is consistent throughout in particular with regards to preservation and enhancement.

Alteration, Extension and Change of Use

Council may wish to consider repeating criteria a) of New Build and Replacement Buildings, to avoid confusion.

The policy stipulates '*...unless the applicant can demonstrate why they are inappropriate with regard to the character and appearance of the Conservation Area*'. This may have potential to weaken the intent of the policy with the introduction of the exception.

Place-Making

Policy SFA1 Strategic Focus Areas

While the Department welcomes in principle the approach to identifying 'Strategic Focus Areas' clarification would be welcomed within the Plan Strategy of the criteria that will inform their designation within an LPP. It is stated that these areas will form a spatial framework for key / strategically important urban areas.

Without knowing the number or extent of 'Strategic Focus Areas' it is difficult to offer any comment on the effectiveness of the policy approach in supporting place-making objectives. Furthermore the policy is not capable of being implemented upon adoption of the Plan Strategy because it relies on the subsequent identification, at LPP stage, of SFA and objectives that are specific to each.

The Department welcomes the reference to 'Living Places' design guide and the 'Ten Qualities' of urban design and stewardship. Council may, however, wish to give consideration to referencing the need to take account of this design guidance within the policy box of SFA 1.

Safeguarding our Natural Environment

Natural Heritage

NAT3 Sites of Nature Conservation Importance – National

Clarification on what the Council considers to be 'associated public benefits' may aid the application of this policy.

TPMU Comments on Mid & East Antrim Draft Plan Strategy

Section 5.7 Transport Strategy (pages 82 – 83)

It is noted that this section is not presented in a format compatible with the other elements of the Strategic Growth Strategy. However this may be due to the Transport Strategy remaining unconfirmed and ultimately the responsibility of the Department for Infrastructure.

Whilst the wording is generally repeated from the Local Transport Study verbatim, it is suggested that the first two sentences in para 5.7.3. are replaced with:

“The LTS has considered a range of options in order to meet the seven objectives. Following a qualitative assessment process, the LTS has concluded that the following nine transport measures should assist in the future development of Mid & East Antrim to 2030:”

Section 6.0 General Policy for all Development (pages 112 - 119)

It is noted that all development proposals will be assessed against Policy GP1: The General Policy for all Development which includes 4 specific criteria relating to Access, Movement and Car Parking.

It is suggested however that these criteria do not properly relate to the particular transport policy aim listed at para 9.1.9: “to deliver sustainable patterns of development which reduce the need for private car and promote the use of public transport and active travel modes”. Rather this aim appears to have been subsumed and translated as part of criteria ii “A movement pattern is provided that, insofar as possible, supports active travel (walking and cycling), meets the needs of people with disabilities or whose mobility is impaired, respects public rights of way and provides adequate and convenient access to public transport and local community facilities;”

It is suggested that the Criteria relating to Access / Movement / Car Parking needs to be re-written to highlight reference to sustainable patterns of development – ie to include assessments of the travel time accessibility of the development location to key services, the scale of the transport demand generated by the development, and the measures needed to maximise the use of public transport, walking and cycling. For significant developments, these would be undertaken as part of the Transport Assessment prepared by the developer.

It is also suggested that the Criteria c) iv relating to car parking should refer to the Local Car Parking Strategy to be developed (as per SPPS).

It is noted that para 6.1.9 includes specific reference to Transport Assessments. However it is suggested that this should appear at the beginning of the section headed **Access / Movement / Car Parking** and contain expansion of the need for any development to

TPMU Comments on Mid & East Antrim Draft Plan Strategy

maximise the use of public transport, walking and cycling. This section should also expand on travel time accessibility, and Local Car Parking Strategy.

Section 9.1 Transportation (pages 212 – 223)

It is noted that page 211, reconfirms the strategic objective “to focus significant new development in accessible locations particularly for public transport services and to promote integration between transportation and new development so as to reduce the need for travel and to reduce dependency upon travel by private car generally.” However whilst this is reflected in the first policy aim at para 9.1.9 “to deliver sustainable patterns of development which reduce the need for private car and promote the use of public transport and active travel modes”, it is suggested that the Transport Policies, as presented, do little to support this objective.

It is suggested that the first Transport Policy should refer to the need for all developments to include an assessment of the transport implications of the development to include a travel time accessibility assessment. For developments which generate significant transport demand this will require the preparation of a formal Transport Assessment. Additional description of Transport Assessments, reflecting its focus on maximising the use of public transport, walking and cycling should be included in the Justification and Amplification section.

It is suggested that the use of Transport Assessments should be stated in Policies TR5, TR6 and TR7.

DfI Roads Comments on Mid & East Antrim Draft Plan Strategy

In overall terms DfI Roads is satisfied with the Draft Plan Strategy and therefore deem it to be on the whole 'sound'.

There are however a number of comments that we would like to offer;

1. Transport Assessments (TAs) on pages 114-117

Commentary is provided upon the need for Transport Assessments under 'Justification and Amplification' within paragraph 6.1.9 on page 117. While this commentary is good, it is suggested that this requirement should be strengthened by inclusion and reference within the Policy GP1 as a criteria under subsection c).

2. Advertisements 10.2 on 286 – 287

Policy AD1 The Control of Advertisements. The assessment criteria listed as a) to f) under All Advertisements should apply to the two following sub-sections; i.e. 'Advertisements and Heritage Assets' and 'Digital Advertising Screens'.

The Department understands that this is the intention but it is felt that this can be presented in a clearer presentation manner within the policy.

3. Extant Planning Guidance

In consideration of the clarification issued by the Chief Planner regarding extant planning guidance, the DPS document should be reviewed e.g. paragraph 6.1.8 page 117.

DfI Roads will require the Council to consider the points made and to address each in turn. DfI Roads have discussed these issues with Council Planning and will be happy to liaise further with Council Officials on them.

Comments prepared 29 November 2019

MID AND EAST ANTRIM BOROUGH COUNCIL DRAFT PLAN STRATEGY

Comments provided by Department for Infrastructure, Rivers.

November 2019

The Department for Infrastructure, Rivers has reviewed the contents of the Mid and East Antrim Borough Council Draft Plan Strategy and comment as follows.

5.9 Countryside Strategy

Department for Infrastructure, Rivers notes the comments in Policy CS6 Developed Coast (Belfast Lough Shore) in relation to coastal flood defences, and Policy CS8 Protection of Main Watercourse Corridors in relation to biodiversity strips.

9.2 Flood Risk and Drainage

Department for Infrastructure, Rivers considers the Draft Plan Strategy to be sound, the policies proposed, FRD1 Development within Floodplains, FRD2 Protection of Flood Defence and Drainage Infrastructure, FRD3 Management of Development in Regard to Surface Water Flood Risk and FRD5 Artificial Modification of Watercourses align well with Policies FLD 1 to FLD 5 of Revised Planning Policy Statement 15 “Planning and Flood Risk” and the Flood Risk section of the Strategic Planning Policy Statement for Northern Ireland. The proposed Policy FRD6 Development in Proximity of Controlled Reservoirs, reflects Department for Infrastructure current thinking on this matter.

It is noted the document quotes there are 22 controlled reservoirs within the council area, this figure includes a number of service reservoirs which until their capacities have been confirmed by NI Water are not included in the current Department for Infrastructure, Rivers Controlled Reservoirs Database.

Paragraph 9.2.50 should state “... *dam flooding which may ensue (not ensure) if the structure fails...*”

9.3 Renewable Energy

Department for Infrastructure, Rivers notes the useful comments in paragraph 9.3.16 which highlights the affect a hydroelectric scheme can have within the catchment of a gauged watercourse.

Comments prepared 26th November 2019

Department for Infrastructure, Rivers. Planning Advisory and Modelling Unit.

MID AND EAST ANTRIM COUNCIL DRAFT PLAN STRATEGY

Comments provided by the Department for Infrastructure's

Water and Drainage Policy Division

November 2019

The Department for Infrastructure's (the Department) Water & Drainage Policy Division (WDPD) has reviewed the contents of the Mid and East Antrim Council Draft Plan Strategy and has a number of comments to make on it.

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

Comments: The Department has previously met with relevant Council officials and presented current policy and legislation on Sustainable Drainage Systems (SuDS), development in proximity to reservoirs and Wastewater Treatment Works (WwTW) capacity constraints. In addition to this, the Department also provided comments on these issues through Council's consultation on the Local Development Plan Preferred Options Paper. **There are however a number of issues, highlighted below, which the Council will wish to consider.**

Soundness Test: CE4 It is reasonably flexible to enable it to deal with changing circumstances.

Comments: The Department would encourage the Council to request, and keep abreast of, the most up-to-date information from Northern Ireland Water in respect of all the sewerage networks and wastewater treatment works within its Borough.

9.5 Water and Wastewater (Sewerage) Infrastructure (pages 248-249)

The information on the water and wastewater network in this Plan is welcomed as it sets out the level of available water and wastewater capacity, which is an important aspect to consider when planning for future growth. The Plan highlights that there are 53 wastewater treatment works in the council area and that three of these will be upgraded in NI Water's Capital Works Programme (2015-21).

In the Plan, the Council refers to working closely with NI Water, to identify locations where new/upgraded WwTWs may be needed to ensure that housing and economic growth is not unduly restricted e.g. Larne WwTW. The Department welcomes this approach and encourages the Council to continue with this close working relationship, to help manage future development.

The Department understands that NI Water will also continue to help manage this issue by working closely with the Council, to help facilitate development, where possible.

The Department also welcomes:

- (i) the Council's recognition that LDPs should be informed by current water and wastewater infrastructure investment programmes; and

- (ii) the Council's strategic approach to water and wastewater infrastructure which states "to ensure new development is adequately served by water and wastewater infrastructure so as to avoid creating or adding to a pollution problem or to threaten environmental quality".

Going forward, it will be important that there is good two-way communication between the Council and NI Water, to ensure both parties are aware of the latest position regarding growth and available wastewater capacity, to help facilitate development. This approach will also help to inform NI Water's business planning, which aims to address future water and wastewater needs.

Sustainable Drainage (SuDS)

SuDS is referred to in the draft plan and where it does not feature specifically, the overarching statement regarding 'General Policy' for all development is set out in Chapter 6 to avoid repetition throughout the strategic subject policies in Part 2 and the spatial proposals in Part 1. The General policy e) iii states that "development shall utilise sustainable drainage systems as the preferred drainage solution, where feasible and practicable, to ensure that surface water is managed in a sustainable way". The Department welcomes this positive statement.

FRD4 Sustainable Drainage (SuDS)

The section of the plan details how SuDS will be promoted and how management and maintenance arrangements will be put in place. The detail of this section is to be welcomed, however, the following statement needs to be amended;

9.2.39 The integration of a variety of different techniques usually provides the best solution, however it is acknowledged that in most cases 'hard SuDS' will be the preferred drainage solution for developers as these are currently adopted by NI Water. Examples of 'hard' SuDS are solutions such as attenuation tanks, permeable paving, and oversized pipes for storm water that are separated from the wastewater system.

NI Water does not adopt permeable paving. Subject to all conditions being agreed and met within an Article 161 agreement, NI Water will adopt a sewer or drain which is intended to communicate with a public sewer, e.g. oversized pipes, cellular storage/attenuation tanks and storm tanks.

Living with Water Programme

The Plan does not currently mention the Living With Water Programme (LWWP). Given that the programme will help to address issues at Carrickfergus wastewater treatment works, it would be prudent for the Council to highlight this programme in the Draft Plan Strategy. The Council may, therefore, wish to include a reference to the programme along the following lines:-

“The Living With Water Programme (LWWP) has been established to progress a Strategic Drainage Infrastructure Plan in order to provide a holistic and integrated approach to drainage. Work has been ongoing to identify and prioritise infrastructure issues which need addressed. Through the LWWP, issues have been identified with the Carrickfergus sewerage network system and wastewater treatment works particularly with regard to discharges in Belfast Lough. These issues have the potential to impact on capacity for new connections and may lead to new connections being refused.

Coastal Erosion

Coastal Local Councils, government departments and other key stakeholders should collaborate through the Coastal Forum, to consider issues and manage risks relating to coastal erosion.

The Baseline Study and Gap Analysis of Coastal Erosion Risk Management NI was published on 8th January 2019. The Report is an important first step in identifying areas that may be vulnerable to coastal erosion. The study has identified a number of key issues for consideration that will be useful in determining the way forward, subject to appropriate policy/legislative cover and availability of resources. There are limits to what can be done without Ministers in place. However, DfI and DAERA convened a meeting of the Coastal Forum on 2 May 2019. At this meeting, it was agreed that the Coastal Forum would be the mechanism through which coastal management issues would be progressed collaboratively by central and local government and the National Trust. As such, any new or emerging policies or strategies should be incorporated into LDPs.

It was also agreed that the Coastal Forum would progress the development of best practice guidance to assist Local Councils in helping to inform local development plans.