

Data Protection Officer
Mid and East Antrim Borough Council
The Braid
1-29 Bridge Street
Ballymena
BT43 5EJ



Section B. Your Details

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

Please only tick one

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

Q2. What is your name?

Title

[Redacted Title Field]

First Name (Required)

[Redacted First Name Field]

Last Name (Required)

[Redacted Last Name Field]

Email

[Redacted Email Field]

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

- Yes
- No
- Unsure

Section C. Individuals

Address Line 1 (Required)

[Redacted Address Line 1 Field]

Line 2

[Redacted Address Line 2 Field]

Line 3

Town **(Required)**

Postcode **(Required)**

Section D. Organisation

If you have selected that you are responding as an organisation, there are a number of details that we are legally required to obtain from you.

If you are responding on behalf of a group or organisation, please complete this section, then proceed to Section F.

Organisation / Group Name **(Required)**

Your Job Title / Position **(Required)**

Organisation / Group Address (if different from above)

Address Line 1 **(Required)**

Line 2

Line 3

Town **(Required)**

Postcode **(Required)**

Section E. Agents

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

Please provide details of the individual, organisation or group that you are representing.

Client Contact Details

Title

First Name **(Required)**

Last Name **(Required)**

Address Line 1 **(Required)**

Line 2

Line 3

Town **(Required)**

Postcode **(Required)**

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

Please only select one.

Agent

Client

Both

Section F. Soundness

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

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

Those who make a representation seeking to change the draft Plan Strategy should also state whether they wish to be heard orally.

Section J. Type of Procedure

Q5. Please indicate if you would like your representation to be dealt with by:

(Required)

Please select one item only

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

Unless you specifically request a hearing, the Independent Examiner will proceed on the basis that you are content to have your representation considered in written form only. Please note that the Independent Examiner will be expected to give the same careful consideration to written representations as to those representations dealt with by oral hearing.

Section K. Is the draft Plan Strategy Sound?

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

Sound

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

(Required)

Section L. Unsound

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

Note: If you wish to inform us that more than one part of the draft Plan Strategy is unsound each part should be listed separately. Complete this page in relation to one part of the draft Plan Strategy only.

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

https://www.planningni.gov.uk/index/news/dfi_planning_news/news_releases_2015_onwards/development_plan_practice_note_06_soundness_version_2_may_2017.pdf

Please note if you do not identify a test(s) your comments may not be considered by the Independent Examiner.

Continued on next page.

Section M. Tests of Soundness (Required)

Procedural tests

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

Consistency tests

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

Coherence and effectiveness tests

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

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

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

Relevant Policy number(s)

STRATEGIC HOUSING ALLOCATION STRATEGY

(and/or)

Relevant Paragraph number(s)

S.3.4/S.3.15/S.9.4/S.9.6/S.9.9/CS1/CS2/HOU9/HOU10

(and/or)

District Proposals Map

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

- 5.3.4 - This paragraph is not restrictive enough and could allow manipulation of projected totals particularly in countryside areas.
- 5.3.15 - Insufficient strategy for the clawback of the over-approval rate.
- 5.9.4 - Under this clause countryside protection will be open to exploitation, as has happened over the last number of years.
- 5.9.6 - Rural / seascape have the need for a more restrictive policy as this, like the present policy, is open to manipulation.
- 5.9.9 - What constitutes an unnecessary or inappropriate development?
- CS1/CS2 - The principles of these policies are generally in line with existing policy, and in the past have been ignored. Therefore a more restrictive clause should be added.
- HOV 9 - This policy should be more closely linked with policy 10 as farmers are using small buildings to obtain planning permission and then are selling them on to the non-farming community. This circumvents each of the policy aims.

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

The following examples show what could be considered inconsistent approvals based on PPS 21. Some of these are partially addressed, but are still wide open to different interpretations.

1. Small, and in some cases unused and derelict weekend buildings on Islandmagee are being replaced by much larger buildings. Due to the number of such buildings this must be factored in (and clearly defined) in any new policy.
2. If, as recently happened, a farmer bought an adjacent farm which has a number of small weekend buildings, applied for planning, and once obtained, sold them on; the planners then look at each case individually and not as a collective on a farm. This leads to over-development but the policy document does not address this.
3. The Larne Area Plan was drawn up with the concerns of the local community in mind, but has been totally ignored by this Planning Department and Planning Committee who deferred to PPS 21 only. So why should this proposal be any different - unless of course the policy addresses this obvious and ongoing flaw.
4. The M+EA Borough Council Planning Committee have deferred their obligations to their Planning Department and therefore objectors have little or no power or opportunity to change or influence planning decisions.

GENERAL COMMENT

For a layman this process is extremely difficult to respond to along the times set out under the test process.

My experience with current planning policy and the M+EA B.C. Planning Department is a very negative one. My perception is that they can (and do) interpret the rules to suit their desire to approve totally inappropriate buildings and applications. Primarily this is with regard to the type of building being replaced (weekend cottages - usually unoccupied and derelict / semi-derelict) and the size uplift of the new building.

If clauses HOU 9 and HOU 10 had been applied then the over-development of Port Road, Islandmagee would not have happened.

Tighter restrictions should be applied to any and all future applications.