



Local Development Plan 2030

# draft Plan Strategy Response Form

September 2019

[www.midandeantrim.gov.uk/planning](http://www.midandeantrim.gov.uk/planning)



**Mid & East  
Antrim**  
Borough Council

## Mid and East Antrim draft Plan Strategy 2030

### Overview

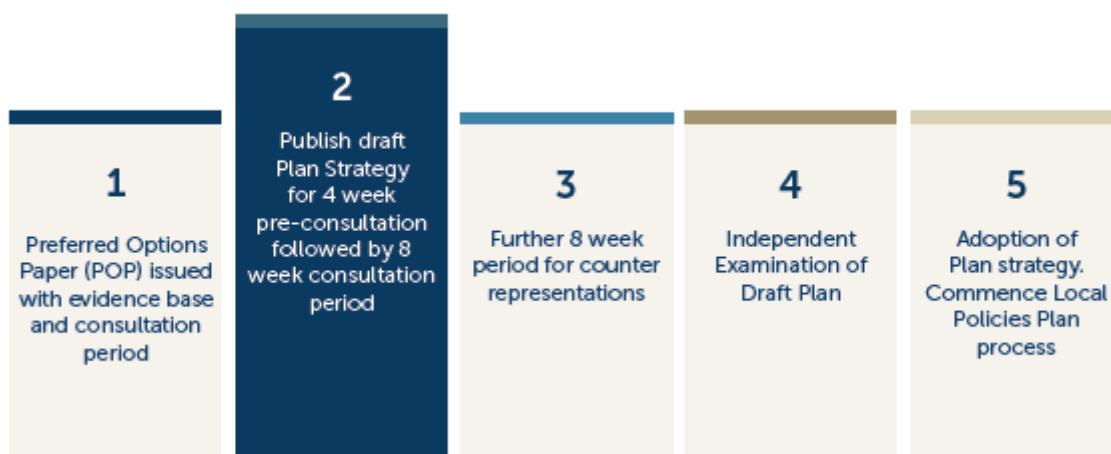
The Local Development Plan is primarily about delivering sustainable development and improving the quality of life and wellbeing of communities in Mid and East Antrim. It sets out a Spatial Growth Strategy underpinned by other strategic policies and proposals as a means of ensuring that development is high quality, meets local needs and is located in the appropriate places convenient to jobs and public services.

The Local Development Plan will also balance competing demands ensuring that new development respects our quality landscapes and our precious natural and historic environment, all of which expresses the unique identity of our Borough and underpins our growing tourism sector. Through guiding future development and use of land in our towns, villages and rural areas, the Local Development Plan will provide certainty as, under the new Plan-led system, it will be the first thing to be taken into account by Council when taking planning decisions. The Local Development Plan is a powerful tool for place-shaping and will assist in the delivery of our Community Plan 'Putting People First'.

The draft Plan Strategy sets out how our Borough will grow and change up to the year 2030. It puts forward our Plan vision and strategic objectives for the future. It also contains a Spatial Growth Strategy and supporting Strategic Spatial Proposals indicating where growth should be directed in the Borough. It also sets out a range of Strategic Subject Policies under the five key themes of Sustainable Economic Growth; Building Sustainable Communities; Transportation, Infrastructure and Connectivity; Stewardship of our Built Environment and Creating Places and Safeguarding our Natural Environment, which together will support the Spatial Growth Strategy and inform future planning decisions.

### How we got here

The draft Plan Strategy is the first of two documents, which comprise the Local Development Plan. Once adopted, it will be followed by the Local Policies Plan which will set out our detailed site-specific proposals such as land use zonings and local designations such as settlement limits and town centre boundaries. The draft Plan Strategy has been developed following extensive engagement with the public, stakeholders and our elected Members and follows on from the publication of our Preferred Options Paper in June 2017. The key stages in this phase of the plan making process are shown below



## How We Are Consulting

The easiest and quickest way to comment is by completing our online response form:  
[consult.midandeastantrim.gov.uk](https://consult.midandeastantrim.gov.uk)

Alternatively, complete this draft Plan Strategy Response Form and either return by email to [planning@midandeastantrim.gov.uk](mailto:planning@midandeastantrim.gov.uk) or download a copy and post to:

Local Development Plan  
Team, County Hall, 182  
Galgorm Road,  
Ballymena,  
BT42 1QF.

The draft Plan Strategy is published for formal public consultation for a period of eight weeks beginning on **Wednesday 16 October and closing at 5pm on Wednesday 11 December 2019**. Please note that in order for comments to be considered valid you must include your contact details. We will use these details to confirm receipt of comments and to seek clarification or request further information. Anonymous comments or comments which do not directly relate to the draft Plan Strategy will not be considered as part of the consultation process. For further details of how we handle representations, please refer to our Policies Notice which can be accessed here [https://www.midandeastantrim.gov.uk/downloads/privacy\\_notice\\_ldp.pdf](https://www.midandeastantrim.gov.uk/downloads/privacy_notice_ldp.pdf).

## Section A. Data Protection

### Local Development Plan Privacy Notice

Mid and East Antrim Borough Council is a registered data controller (ZA076984) with the Information Commissioner's Office and we process your information in accordance with the General Data Protection Regulation and Data Protection Act 2018.

Mid and East Antrim Borough Council collects and processes personal information about you in order to fulfil our statutory obligations, to provide you and service users with services and to improve those services.

Our Privacy Notice relates to the personal information processed to develop the Council's Local Development Plan (LDP) and can be viewed at [https://www.midandeastantrim.gov.uk/downloads/privacy\\_notice\\_ldp.pdf](https://www.midandeastantrim.gov.uk/downloads/privacy_notice_ldp.pdf). It contains the standards you can expect when we ask for, or hold, your personal information and an explanation of our information management security policy. All representations received will be published on our website and made available at our Local Planning Office, County Hall, 182 Galgorm Road, Ballymena, for public inspection and will be forwarded to the Department of Infrastructure in advance of Independent Examination.

If you wish to find out more about how the Council processes personal data and protect your privacy, our corporate privacy notice is available at [www.midandeastantrim.gov.uk/privacy-notice](https://www.midandeastantrim.gov.uk/privacy-notice).

### Why are we processing your personal information?

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

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

Data Protection Officer  
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

Mrs

First Name **(Required)**

Sara

Last Name **(Required)**

Tinsley

Email

sara.tinsley@turley.co.uk

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

- ☐ Yes    ☒ No    ☐ Unsure

Section C. Individuals

Address Line 1 **(Required)**

Line 2



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.

Clear Channel Northern Ireland

Client Contact Details

Title

First Name (Required)

Last Name (Required)

Address Line 1 (Required)

Unit 2, Ashbank, Channel Commercial Park

Line 2

Queens Road

Line 3

Town (Required)

Belfast

Postcode (Required)

BT3 9DT

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](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)

Policy AD1 - The Control of Advertisements

(and/or)

### Relevant Paragraph number(s)

refer to attached detailed submission

(and/or)

### District Proposals Map

refer to attached detailed submission

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.

refer to attached detailed submission

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.

refer to attached detailed submission



**Mid & East  
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[www.midandeantrim.gov.uk/planning](http://www.midandeantrim.gov.uk/planning)

# Representations to Mid and East Antrim Borough Council Draft Plan Strategy

On behalf of Clear Channel NI Ltd

December 2019

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## Executive Summary

1. This representation is submitted behalf of Clear Channel Northern Ireland Ltd in response to consultation on the Mid and East Antrim Borough Council Local Development Plan 2030 draft Plan Strategy (dPS).
2. The dPS is unsound as the legal compliance tests have not been met.
3. The following table summarises the draft policies which are unsound, for the reasons specified:

### Schedule of key draft Policy Comments

Policy	Comment	Cross ref.
Draft Policy AD1	This draft policy seeks to introduce more control over the development of advertisements  This policy fails soundness test CE1, CE2, CE3 and C3	Section 3

# 1. Introduction

- 1.1 This representation is submitted on behalf of Clear Channel Northern Ireland ('Clear Channel NI') in response to the consultation on the Mid and East Antrim Borough Council draft Plan Strategy (dPS).

## **About Clear Channel NI**

- 1.2 Clear Channel NI enables brands to meet and engage with audiences as they are out and about. Their expertise, gained over more than 25 years, means they understand how to showcase powerful and effective campaigns through investment in the highest quality sites, new technologies and the latest planning tools.
- 1.3 Clear Channel NI has a national network of advertising solutions that reaches people in public social spaces, drives footfall and generates word of mouth.
- 1.4 Clear Channel NI is part of Clear Channel International (CCI) which works with advertisers to create inspiring out-of-home advertising campaigns in 30 countries across Europe and the Asia-Pacific region. The company has a growing portfolio, which is currently made up of over 0.5 million displays, which span traditional and digital formats on roadside billboards, street furniture and in retail, point of sale, airport, transit and lifestyle environments.
- 1.5 Clear Channel NI boosts brands by inspiring and motivating people with powerful out-of-home campaigns, founded in a uniquely flexible approach to creativity and planning.
- 1.6 They have distinctive and energising values that allow creative and innovative thinking to thrive and enable us to deliver on our promises to our clients and partners.
- 1.7 They embrace the entrepreneurial spirit of our people, our clients and our partners. Ideas that benefit clients and partners are allowed to flourish. They hold an annual Ideas Seminar to encourage ideas generation and sharing.
- 1.8 Every campaign is bespoke, every location is hand-picked to be relevant and targeted, and creative work can be changed frequently.
- 1.9 Clear Channel NI invests in the future and in its advertisers' campaigns by building the highest quality sites and adopting the latest technologies, incorporating digital screens, interactivity and LED lighting. Our long-term investment in consumer research is second to none and has helped the industry to understand the effectiveness of outdoor advertising and the emotional power of great creative work.
- 1.10 Clear Channel NI is proud of its reputation for trustworthiness and reliability in both products and services. Clear Channel NI works hard to make sure clients and partners are delighted with their campaigns and the service. They also provide a valuable platform for charities within Northern Ireland and have created long term partnerships through large donations of media space.

- 1.11 This representation focuses on the interests of Clear Channel NI within Mid and East Antrim Borough Council and the comments apply to the relevant policies across the District.
- 1.12 The structure of the submission is as follows:
- Section 2: Provides an assessment of how the draft Plan Strategy addresses the legislative compliance tests; and
  - Section 3: Details representations to Signage Policies.

## 2. Legislative Compliance

- 2.1 In preparing their draft Plan Strategy (dPS), Mid and East Antrim Borough Council ('the Council') is required to adhere to the provisions of the Planning Act (Northern Ireland) 2011 ('Act') and the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 ('Regulations').
- 2.2 This section identifies issues in the compliance of the dPS with the Act and the Regulations.

### **Planning Act (Northern Ireland) 2011**

- 2.3 Part 2 of the Act stipulates that the Plan Strategy should be prepared in accordance with the Council's timetable, as approved by the Department for Infrastructure ('DfI') and in accordance with the Council's Statement of Community Involvement.
- 2.4 The Council's Timetable, as approved and published on the Council's website is dated 2019. We note that the Council did publish the dPS within the third Quarter of 2019 as indicated in the approved timetable as it is made public on 17 September 2019. However, we would highlight that the timetable shows that this timeframe will include:
- An 8 week statutory public consultation period; and
  - An 8 week statutory consultation on counter representations.
- 2.5 We note that the formal consultation period on the dPS did not commence until the 16 October 2019 and therefore falls outside of the broad timeframe set out in the timetable. This also means that the counter-representation stage falls outwith the agreed timeframe and could result in further conflict with the timetable.
- 2.6 In preparing a Plan Strategy, the Council must take account of:
- the Regional Development Strategy;
  - The Council's current Community Plan;
  - Any policy or advice contained in guidance issued by the Department;
  - Such other matters as the Department may prescribe or, in a particular case, direct, and may have regard to such other information and considerations as appear to the council to be relevant.
- 2.7 This representation identifies specific instances where, in particular, policy issued by the Department has not been adequately assessed.

### 3. Signage Policies

#### Draft Policy AD1 – The Control of Advertisements

- 3.1 Draft Policy AD1 proposes that advertising consent will not be granted in a number of circumstances; 6 criteria relate to all advertisements; 5 criteria relate to heritage assets and 5 criteria are specific to digital signage.
- 3.2 Of particular concern is the criteria listed in respect of digital signage. The Council's proposed policy outlines a list of circumstances where consent for digital advertisement screens will not be granted.
- 3.3 These are:
  - l) When they are positioned above ground level;*
  - m) When they are located within or adjacent to a CA, ATC, or on a listed building or within the setting of a listed building;*
  - n) When they are located within primary residential areas;*
  - o) When they are located within the open countryside, or within parks and public open spaces; or*
  - p) When the display contains moving images.*
- 3.4 Neither the policy nor Justification and Amplification text offers a definition of what is classed as a 'digital advertisement screen'. In effect, they will only be permitted in undesignated urban areas, if they are at ground level and do not contain moving images. This is overly prescriptive and is more restrictive than the considerations under 'advertisements and heritage assets which the Council 'will have regard to'.
- 3.5 There is no requirement for the Council to introduce a blanket presumption against digital signs. The policy provisions across all advertisements and heritage assets provide ample protection of sensitive areas and assets.
- 3.6 It is important to consider this potential restriction in the context of the future shift of the advertising industry to outdoor advertising and a global drive towards digital delivery. Clear Channel NI have experience in the delivery of high quality digital signs responding to sensitive sites adopting the latest technologies, incorporating digital screens, interactivity and LED lighting.
- 3.7 Digital signage also provides benefit to the local economy, the Bus Shelter Advertisement network is solely dependent on the revenue generated by the integral advertisements and any further restrictions may have a detrimental impact on the transport network. The policy does not consider this potential economic impact.
- 3.8 In the Justification and Amplification the Council note:

- 3.9 Para 10.2.6: *Poorly sited or badly designed advertisements and signs, including projecting signs, and illumination, particularly flashing illumination, can have a detrimental effect on the character and appearance of areas and may raise issues of public safety.*
- 3.10 Para 10.2.14: *Proposals for electronic or digital screens can seriously harm the character and appearance of our heritage assets. The proposed introduction of an electronic or digital screen on or within the setting of a listed building, within or adjacent to a conservation area or ATC will be refused consent. Projecting signs can often adversely affect the appearance and character of listed buildings or the appearance of a conservation area or ATC and will therefore require very careful consideration.*
- 3.11 Additional guidance for the display of advertisements in particular conservation areas is set out in the relevant Design Guides and Appendix K 'Advertisements' of the dPS. It is set out that Appendix K, is not intended to be overly prescriptive. There are several conflicts between Policy AD1 and Appendix K.
- 3.12 For example Appendix K notes how:
- 'on heritage assets illuminated signs will only be permitted where their design is well related to the building and causes no visual or physical harm, consent will not be granted for internally illuminated advertisements within the historic environment.'*
- 3.13 This conflicts with Policy AD1 which states that consent will not be granted in any historic area as a status quo.
- 3.14 Again Appendix K, notes that proposals above ground level will be resisted as a 'general rule', not a definitive refusal.
- 3.15 Regarding digital advertising screens, Appendix K notes the twofold issues of brightness and the associated impact and the appearance of the light fittings and associated cables. It states that 'overly bright' signage will be resisted if it harms amenity or safety. There is no test or benchmark for this. Indeed it accepts that digital advertisements are 'highly controllable' and it is "therefore possible to provide recommendations to manage the level of distraction by control of type, brightness, form of change and interval between advertisements, as well as giving detailed consideration to appropriate locations and positioning".
- 3.16 The SPPS requires that the consent for the display of an advertisement in or close to a Conservation Area should only be granted where it would not adversely affect the overall character, appearance or setting of the area.
- 3.17 Policy BH13 of PPS6 requires that any consent for the display of advertisements in or close to a conservation area does not adversely affect the character, appearance or setting of the area or be detrimental to public safety.
- 3.18 Policy ATC 3 of Addendum to PPS6 sets out provisions for The Control of Advertisements in an Area of Townscape Character States that consent will only be granted for the display of an advertisement in an Area of Townscape Character where:



(a) it maintains the overall character and appearance of the area; and (b) it does not prejudice public safety.

- 3.19 It is unclear why the dPS is not reflective of the content of the existing policy contained within the SPPS, PPS6 and PPS6 Add. As such it is considered that the policy is unsound as it fails against soundness test C3.
- 3.20 The Council's Technical Supplement 13 - Built Environment and Creating Places provides the further information on the introduction of the restrictions for advertisement within sensitive locations and is not based on sound evidence. The draft policy therefore fails soundness test CE3.
- 3.21 Furthermore Council does not ample justification in respect of digital signs and simply indicates further restriction in respect of this type of development. The Council has therefore failed to provide any justification for the arbitrary restriction and therefore the policy fails soundness test CE1 and CE2.

**Recommendation**

- 3.22 It is recommended that the policy is revised to remove the specific criteria for digital signs.

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3 Joy Street  
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