

**SECTION A**

**1. Personal Details**

**2. Agent Details (if applicable)**

Title	<input type="text"/>	<input type="text"/>
First Name	<input type="text"/>	<input type="text"/>
Last Name Job Title (Where relevant)	<input type="text" value="Managing Director"/>	<input type="text"/>
Organisation	<input type="text" value="Francis Dinsmore Ltd"/>	<input type="text"/>
Address Line 1	<input type="text" value="25 Greenfield Rd"/>	<input type="text"/>
Line 2	<input type="text" value="Kells&lt;br/&gt;Ballymena&lt;br/&gt;Co Antrim"/>	<input type="text"/>
Line 3		
Line 4		
Post Code	<input type="text" value="BT42 3JL"/>	<input type="text"/>
Telephone Number	<input type="text" value="02825891203"/>	<input type="text"/>
E-mail Address	<input type="text"/>	

**SECTION B**

3(a). Have you submitted a representation to the Council regarding the draft Plan Strategy?

Yes  No

3(b). If yes, please provide the reference and summary of issue raised in your representation.

## Counter Representation

Any person may make a counter representation in relation to a representation seeking a change to the Draft Plan Strategy. The purpose of a counter representation is to provide an opportunity to respond to proposed changes to the Draft Plan Strategy as a result of representations submitted under Regulation 15 and 16 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015.

**A counter representation must not propose any further changes to the Draft Plan Strategy.**

4. Please provide the reference number of the representation to which your counter representation relates to.

MEA-DPS-025

5. Please give reasons for your counter representation having particular regard to the soundness test identified in the above representation. Please note that your counter representation must not propose any new changes of the draft Plan Strategy.

Please note your counter representation should be submitted in full and cover succinctly all the information, evidence, and any supporting information necessary to support/justify your submission. **There will not be a subsequent opportunity to make any further submissions based on your original counter representation.** After this stage, further submissions will only be at the request of the independent examiner, based on the matters and issues he/she identifies at independent examination.

This counter representation is made in respect of a submission to the LDP dPS which threatens the ongoing operations of our existing business at Francis Dinsmore Ltd in Kells. The submission refers to draft LDP policies and to a specific piece of land referred to as 'north of Greenfield Road Kells/Connor'. The subject site forms an integral and essential component of the operational area of our Francis Dinsmore Ltd factory site in Kells. The site in question comprises the principal access, operational yard, car park, washroom facilities and warehousing for our factory and we are entirely dependent on it for our ongoing operations.

The Francis Dinsmore Ltd operation in Kells has a long and important history as the main employer in the village and surrounding area, sustaining a 200+ year history of dyeing and finishing operations on the site. The factory makes a unique and significant contribution to intrinsic historic fabric and identity of the village, operating out of a number of original stone buildings, with the brick chimney still in use and continuing the historic tradition of utilising the water from Kells River which flows around the site. The continued operation of the 200year old dyeing and finishing factory in Kells will be central to fulfilling the aim of the LDP (dPS para 4.1.4) 'to maintain the individual identities of our towns, villages and smaller settlements'.

On a daily basis the factory sustains the local economy through its 42 employees the vast majority of whom live locally and play an important role in supporting the local businesses and services in the village. In this regard the continuance and protection of our existing economic development operation is wholly consistent with the Spatial Growth Strategy in particular the strategy to 'Sustain rural communities living in and around villages and small settlements'. We support the commitment to sustaining local businesses such as Francis Dinsmore Ltd through the growth strategy which states at 5.1.22 'our villages will be sustained, consolidated and revitalised and they will continue to perform a role as local service centres to meet the daily needs of the rural area and accommodate rural businesses and appropriately scaled residential development'.

We are extremely concerned that Council will be misdirected by the submission which is misleading. The introductory section makes no mention of the nature of the current 'industrial use' of the subject site, as providing access, operational yard, car park, washroom facilities and warehousing essential for the existing industrial operations of Francis Dinsmore Ltd. Furthermore, the submission ignores the presence of the wider industrial site with long established factory buildings and associated industrial activities adjoining and in close proximity to the subject site.

We note that the submission points towards the potential redevelopment of the site for non-industrial uses and representations are made in the submission to a number of housing policies (HOU5 and HOU7)

which could suggest consideration of future residential use on the site. We strongly object to this suggestion of re-use, as the site is critical to the viability of our ongoing industrial operations at Francis Dinsmore Ltd. The loss of this existing economic development for alternative uses directly conflicts with the Economic Development Policy Aims which we note as being

- To facilitate the economic development needs of the Borough in ways consistent with protection of the environment and the principles of sustainable development;
- To safeguard land required for economic development use;
- To support the re-use of previously developed industrial/business sites and buildings for economic development use; and
- To protect established /approved economic development uses from incompatible development’.

Furthermore, in considering the future use of the site for non-industrial, mixed use or housing use, whilst ignoring the presence of the wider industrial operations on the adjoining lands, the suggestions in the submission are in direct conflict with draft Policy ECD3 which seeks to protect existing economic development uses such as Francis Dinsmore Ltd from incompatible uses which ‘would prejudice the current or future operations of that economic development use’.

Notwithstanding the above, we note that the submission also makes specific reference to draft policy ECD2 and suggests a reduction in the time (one year) suggested by Council to determine the market interest in a site through active marketing. The submission states that ‘if there is no interest in the site/land/buildings within 6 months of going to market, it is a fairly clear indicator that the site is unsuitable for industrial/employment use’. We refute this statement which is not backed up by any evidence and refer instead to the response of Invest NI (ref MEA-DPS-039) which suggests that a period of 3 years may be more appropriate.

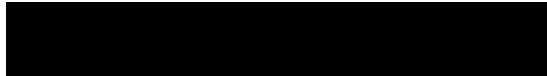
### SECTION 3. Data Protection

In accordance with the Data Protection Act 2018, Mid and East Antrim Borough Council has a duty to protect any information we hold on you. The personal information you provide on this form will only be used for the purpose of plan preparation and will not be shared with any third party unless law or regulation compels such a disclosure. It should be noted that in accordance with Regulation 19 of the Planning Local Development Plan Regulations Northern Ireland 2015, the council must make a copy of any counter representation available for inspection.

The Council is also required to submit the counter representations to the Department for Infrastructure and they will then be considered as part of the Independent Examination process. For further guidance on how we hold your information please visit the Privacy section at;

[https://www.midandeantrim.gov.uk/downloads/PRIVACY\\_NOTICE\\_LDP.pdf](https://www.midandeantrim.gov.uk/downloads/PRIVACY_NOTICE_LDP.pdf)

Signature



Date

27/03/2020