

Submitted to **Belfast LDP 2035 - Plan Strategy**

Submitted on **2018-11-14 17:41:44**

## Overview

### 1. Data Protection

**Q1. Please tick to confirm that you have read and understood the privacy notice above.**

I confirm that I have read and understood the privacy notice above and give my consent for Belfast City Council to hold my personal data for the purposes outlined.

**Q2. Do you consent for us to publish your response?**

Yes, with my name and/or organisation

### 2. Your details

**Q3. Are you responding as an individual, as an organisation, or as an agent acting on behalf of an individual, group or organisation?**

**Individual, Organisation or Agent:**

I'm an Agent

**Q4. What is your name?**

**Title:**

Mrs

**Full Name:**

Carrie McDonagh

**Q5. What is your telephone number?**

**Telephone number:**

██████████

**Q6. What is your email address?**

**Email:**

████████████████████

**Q7. Did you respond to the previous Preferred Options Paper consultation phase?**

Yes

If yes, and you have your previous response ID (beginning ANON) please enter it here::

### 5. Agents

**Q10. Please provide details of the organisation or individual you are representing:**

**The name of the organisation or individual you are representing::**

Hughes McMichael

**Title:**

Mr

**First Name:**

Gerry

**Last Name:**

Hughes

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[REDACTED]

**Q11. Would you like us to contact you, your client or both in relation to this response or future consultations on the LDP?**

Agent

## **6. Before you submit your comments**

### **7. Is the plan sound?**

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

**Q12. Do you consider the Plan Strategy to be sound or unsound?**

I believe it to be unsound

### **8b. Unsound**

**Q14a. To which part of the Plan Strategy does your representation relate?**

**Relevant Section or Paragraph::**

page 162 para 8.2.18

**Policy (if relevant):**

RET3 District Centre, Local Centre and City Corridors

**Q15a. If you consider the Plan Strategy to be unsound, please identify which test(s) of soundness your representation relates, having regard to Development Plan Practice Note 6:**

C3 - Did the council take account of policy and guidance issued by the Department?, 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, CE3 - There are clear mechanisms for implementation and monitoring

**Q16a. Please give details of why you consider the Plan Strategy to be unsound having regard to the test(s) you have identified above. Please be as precise as possible.**

**Please give your reasons:**

C3

The SPPS at Para 6.276 it states that 'Planning authorities should retain and consolidate existing district and local centres as a focus for local everyday shopping, and ensure their role is complementary to the role and function of the town centre. In these centres, extensions should only be permitted where the applicant has demonstrated that no adverse impact will result on town centres in the catchment'.

The SPPS also states at 6.277 that LDPs should set out:

- appropriate policies that make clear which uses will be permitted in the hierarchy of centres and other locations, and
- the factors that will be taken into account when decision taking.

While policy RET 1 provides for consideration of district centres within the sequential assessment for proposals, the headline in Policy RET3 suggests it provides the detail policy context for proposals within the district centres. The first line reads:

Beyond the city centre , a district centre first approach will apply to proposals for major retail development and other town centre uses.

The above policy extract represents the full extent of policy for district centres, the rest of the policy relates to local centres.

District centres form part of the retail hierarchy yet the above policy does not fulfill the obligation within the SPPS to provide policy guidance as to how they will be retained or consolidated:

- As a focus for local everyday shopping;
- With a role complementary to the role and function of the town centre; or
- The policy test for extensions.

There is no guidance in the document as to the district centres within neighbouring council areas also overlap as part of the City's retail catchment. Retail catchments overlap and do not stop at Council boundaries but the plan contains no guidance as to how district centres outside of the Belfast City Council boundary are protected or commentary on how the consistency in approach with the adjacent Council areas has been considered or taken under advisement in the drafting of policy. The capacity assessment stops at the Council boundary, health checks are only done for the district centres within the boundary yet proposals within Belfast could still significantly impact on those centres around the edge.

CE1

There is also a requirement for the policy objectives within the plan strategy to be consistent. Policy RET 1 – Establishing a retail hierarchy sets out how the network and hierarchy is to be maintained and directs development to the appropriate level of centre based on size, function and catchment. Policy RET3 confirms this sequential approach by confirming a district centre first approach outside of the City Centre, however it restricts the application inside the District Centres to major retail development. This introduces inconsistency for retail proposals under 1000sqm with RET1 requiring the assessment of district centres and RET 3 omitting this obligation.

CE3

There is no way to monitor if the sequential test alone is assisting the district centres to remain at their level on the hierarchy. There is no consideration of how they compete with other centres or how an improvement in their offer or indeed loss of retailing function will assist with the town centre first approach.

District centres are among the most adaptable locations given their ability to respond quickly to local consumer demands and this inherent flexibility is necessary to provide for adaptable retail provision. There is insufficient recognition of the opportunity they present within the policy.

The implementation section includes supplementary planning guidance as one of the intended measures but no indication is provided as to the role this could provide or how it is meant to supplement this limited policy context for district centres.

**Q17a. If you consider the Plan Strategy to be unsound, please provide details of what change(s) you consider necessary to make the Plan Strategy sound.**

**What would make it sound?:**

It is requested that further guidance is provided on the status of district centres and the scale of development that would be acceptable in them.

The amplification text reads:

Convenience and comparison shopping should be of a scale appropriate to meet local needs, appropriate to the scale of the individual centre and managed through planning conditions... Convenience retailing helps to anchor and elevate the role of centres and development proposals which would lead to the loss of local convenience retailing will be resisted.

Clarification is required as to whether this forms part of the policy or whether it is supporting text for both local and district centres or if it relates only to the local centres.

Para 8.2.20 states 'the future growth of the centres will be in line with the capacity to accommodate growth, the role of the centre and catchment that it serves'. This indicates that different centres are considered to have a different capacity for growth, but it is unclear if this is a policy test or advice as to matters that will be set out in the local policies plan/designation stage. Given Policy RET 2 \_ Out of Centre development restricts the assessment of need to thresholds of over 1000sqm, it is unclear why a need test would be required for proposals in district centres regardless of scale. This could be considered to reduce the advantage of a district centre location.

Policy RET 3 should apply to all retail proposals, not just those major proposals i.e. those over 1000sqm (given it is the more detailed retail policy for district centres) to ensure smaller proposals also have to discount sequentially preferable locations within the district centres.

Given the expansion of leisure within a retailing environment is noted as an important development in traditional retail locations , policy should also promote the district centres as suitable locations for non-retail uses such as restaurants and other functions that support linked trips for the surrounding communities.

The change requested would meet the requirements of the sustainability appraisal and is more appropriate in meeting sustainability objectives. District Centres are important in both social and economic terms for local communities having provided a service for local neighbourhoods for many years. They are located within the core of the communities and a clearer definition of their role, purpose and potential for growth provides for greater certainty in the delivery of future proposals and the economic benefits for the local communities in terms of job creation, redistribution of rates value and competition providing for choice and value.

**Files should be no more than 10MB and in either PDF or Microsoft Word format:**

No file was uploaded

**Q18a. Would you like to highlight another part of the draft Plan Strategy that you consider to be unsound?**

Yes

## **8b. Unsound - Second Submission**

**Q14b. To which part of the Plan Strategy does your representation relate?**

**Relevant Section or Paragraph:**

Page 176 Para 8.4.10

**Policy (if relevant):**

TLC3 Overnight Visitor Accommodation

**Q15b. If you consider the Plan Strategy to be unsound, please identify which test(s) of soundness your representation relates, having regard to Development Plan Practice Note 6:**

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

**Q16b. Please give details of why you consider the Plan Strategy to be unsound having regard to the test(s) you have identified above. Please be as precise as possible.**

**Please give your reasons:**

C1

The RDS recognises tourism as a key element underpinning sustainable economic growth in Northern Ireland and RG 4 seeks to promote a sustainable approach to the provision of tourism infrastructure.

At Page 34 it states:

'All new or extended infrastructure required to support and enhance the tourist industry needs to be appropriately located and sited with proper regard to tourism benefit and the safeguarding of the natural and built environment on which tourism depends. Promote a balanced approach that safeguards tourism infrastructure while benefiting society and the economy. Sufficient choice of the right type of visitor accommodation in the right areas is important; there must also be an adequate supply of things to do.

The regional strategic objectives for tourism include utilising and developing the tourism potential of settlements by facilitating tourism development of an appropriate nature, location and scale .

The RDS identifies Belfast Lough, Lagan Valley Regional Park and the hills around the BMUA as significant environmental assets as well as Belfast as a major Regional City Gateway.

The plan moves away from this guidance and limits the locations for tourism accommodation to the City Centre, ignoring the need for a balanced approach and choice and the identified tourism asset of Lagan Valley Regional Park.

C3

The SPSS states the following at Para 6.258:

'There will be a general presumption in favour of tourism development within settlements, subject to meeting normal planning requirements.

PPS 16 Policy TSM 1 Tourism Development in Settlements again confirms that Planning permission will be granted for a proposal for tourism development (including a tourist amenity or tourist accommodation) within a settlement; provided it is of a nature appropriate to the settlement, respects the site context in terms of scale, size and design, and has regard to the specified provisions of a development plan. The amplification text at Para 7.3 adds that 'Larger settlements, as transport hubs are also readily accessible by tourists'.

Neither the SPSS nor PPS 16 directs tourist accommodation to town or city centres, only to Cities.

CE2

The Technical supplement refers to many reasons for staying in Belfast which do not require a city centre location such as visiting friends and relatives where visitors prefer to stay close to family. It also places significant emphasis of the attraction of the LVRP to tourists. Neither is represented in the policy as drafted.

**Q17b. If you consider the Plan Strategy to be unsound, please provide details of what change(s) you consider necessary to make the Plan Strategy sound.**

**What would make it sound?:**

A key issue is that hotels and overnight accommodation are not just for tourists. The policy provides no consideration of the need for overnight accommodation for other groups including business users, those working on shorter term contracts during the week and for social and family occasions including wedding and funerals.

The Tourism Technical supplement at Figure 2 sets out the main reasons for visiting Belfast. While 44% visited for holiday purposes, over a third at 37% were visiting friends and relatives, followed by business trips at 16%. Many user groups don't require a city centre location, in fact many want a location out of the centre because their trip necessitates the use of their car for work (the price of parking in the City Centre may be prohibitive to this option). Others wish to stay close to the relatives they are visiting or family associated with the occasion they are attending.

The policy should be extended to include for visitor accommodation other than tourists. The locational requirements should extend beyond a tourism cluster of adjacent to a visitor attraction and note district centres as a suitable location for new hotels given their sustainable location in the heart of local communities and close to strategic transport routes. The amendment of policy TL3 to include district centres as a second-choice location for hotel developments after the city centre is equally appropriate in terms of the sustainability appraisal.

The technical supplement also notes under the considerations of Principal Attractions (para 3.12) the importance of the Lagan Valley Regional Park including the towpath as the most popular visitor attraction in 2017. The document repeatedly notes its importance as a tourism asset. This outer areas of the towpath have only the Ramada/Crown Plaza hotel at Shaws Bridge. This provides for the up market accommodation offer, with the area having lost 3 star provision such as the Drumkeen hotel due to the troubles during the mid 1990's. Policy TL3 should be amended to specifically include the LVRP as one of the City's visitor attractions

and provide the opportunity for a specific locational requirement in the areas surrounding the LVRP.

**Files should be no more than 10MB and in either PDF or Microsoft Word format:**

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**Q18b. Would you like to highlight another part of the draft Plan Strategy that you consider to be unsound?**

Yes

## **8b. Unsound - Third Submission**

**Q14c. To which part of the Plan Strategy does your representation relate?**

**Relevant Section or Paragraph::**

**Policy (if relevant):**

EC6 Office Development

**Q15c. If you consider the Plan Strategy to be unsound, please identify which test(s) of soundness your representation relates, having regard to Development Plan Practice Note 6:**

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

**Q16c. Please give details of why you consider the Plan Strategy to be unsound having regard to the test(s) you have identified above. Please be as precise as possible.**

**Please give your reasons:**

CE2

Policy states that 'Planning permission will be granted for office development within the city centre. Outside the city centre, and within district and local centres, planning permission will be granted for office development that has a gross floorspace of not more than 400 sq. m.

Outside of designated areas the policy states: Development proposals for B1(a) general offices outside the above specified areas must comply with the sequential approach with those in excess of 1,000sq.m gross floor space accompanied with an impact assessment and an assessment of need as set out in policy RET2'.

The office study prepared in July 2018 in support of the plan (page 36) concluded that a portfolio of offices locations should be created- which should include district and local centres with consideration of the threshold or not more than 400 sq. metres This would ensure the primacy of the city centre as the main office location within the city is maintain whilst at the same time allows for choice and flexibility across the city.

It then stated that 'Outside of city centre, district centres and local centres, a limit of 200 sq. metres should be considered along arterial routes. However, this should be subject to meeting normal planning considerations such as protecting residential amenity and compatibility with adjacent land use'.

There is a lack of explanation as to whe reports recommended floorspace cap of 400sqm is applied to district centres within Policy EC6 yet the recommended floorspace cap of 200sqm is not is applied to out of centre locations given the more sustainable location within the district centres.

The only requirement of this policy is that proposals less than 1000sqm on locations outside of designated centres and office nodes have to go through a sequential test, arguably a more significant quantum of office development could take place in these locations than within more sustainable district centres.

**Q17c. If you consider the Plan Strategy to be unsound, please provide details of what change(s) you consider necessary to make the Plan Strategy sound.**

**What would make it sound?:**

The policy includes district centres as the preferential location outside of city centres, for offices up to 400sqm but it should include the flexibility that is within the policy for out of centre office provision for a quantum above 400sqm but below 1000sqm i.e. subject to the sequential test.

District centres are a more sustainable location with good transport connections, the opportunity for linked trips and shared parking and their consolidation and expansion will assist in delivering the preferred option of creating a vibrant economy, as office uses have the potential to generate local jobs, rates and income in their local communities in line with the sustainability objectives of the plan.

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No file was uploaded

**Q18c. Would you like to highlight another part of the draft Plan Strategy that you consider to be unsound?**

No

## **9. Type of Procedure**

**Q18. Please indicate if you would like your representation to be dealt with by:**

Oral hearing