

Belfast Local Development Plan 2035

Draft Plan Strategy

Counter Representations



Overview

We consulted on the draft Plan Strategy (dPS) as part of an ongoing process for creating the Belfast Local Development Plan 2035. A number of representations, which we have now published, were received during the public statutory consultation process which ended at 5pm on Thursday 15 November 2018.

Hard copies of the representations received on the dPS are available for inspection during normal office hours at:

Belfast Planning Service
Belfast City Council
Cecil Ward Building
4-10 Linenhall Street
Belfast
BT2 8BP

The representations can also be viewed on our website at www.belfastcity.gov.uk/LDP.

Counter Representations

Following publication of the representations received on the dPS, there is now the opportunity for the submission of counter representations. The consultation period for the submission of counter representations runs from **12 noon on Friday 1 March 2019 to 12 noon on Friday 26 April 2019**.

Counter representations may only be made in relation to a site specific policy representation seeking a change to the dPS and should indicate the reasons for doing so in terms of soundness and sustainability of the dPS.

Any person may make a counter representation, but must not propose alternative sites or any further changes to the dPS and are without a right of hearing at Independent Examination (IE). Counter representations of this nature or those supporting a site specific policy representation will not be considered.

A “site specific policy representation” means any representation which seeks to change a development plan document (DPD) (in this case, the dPS) by:

1. adding a site specific policy to the DPD; or
2. altering or deleting any site specific policy in the DPD.

A “site specific policy” means a policy in a DPD which identifies a site for a particular use or development.

The dPS does not include site specific policies as these are dealt with at the next stage of the LDP process, which is the preparation of the Local Policies Plan (LPP). However, a number of representations received in response to the public consultation make reference to specific sites and proposed development or uses. Any counter representation should clearly state the reference number of the representation to which it relates.

Submitting a Counter Representation

Counter representations on site specific policy representations must be received by Belfast Planning Service by 12 noon on Friday 26 April 2019. Any counter representation received after this time will not be considered.

Counter representations can be submitted:

- via the online survey on the Council’s consultation site, yoursay.belfastcity.gov.uk
- by email to localdevelopmentplan@belfastcity.gov.uk; or
- by post, returning the response form to the address above.

Although we have provided a downloadable version of this consultation response form, we would encourage you to respond via the online survey.

Accessibility

The relevant documents are available, on request, in alternative formats - Braille, audio, large print, easy read. The council will also consider requests to produce it in other languages. If you require the documents in these or other formats please contact us:

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4-10 Linenhall Street
Belfast
BT2 8BP

Telephone: 028 9032 0202, ext 2255

Email: planning@belfastcity.gov.uk

1. Data Protection

Belfast City Council is a Data Controller under the Data Protection Act 1998 and the General Data Protection Regulations (GDPR). The council is committed to protecting your privacy and to process any personal data submitted by you in a manner which meets the requirements of the Data Protection legislation. The Privacy Notice below provides more information regarding our commitments to you under privacy and data protection.

Privacy Notice

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It should also 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 representation available for inspection. The Council is also required to submit the representations to the Department for Infrastructure and they will then be considered as part of the independent examination process.

The council accepts that you are providing your personal data on the basis of consent and are positively agreeing for the council to hold and further use it, publish it (without personal information such as address or email address, but may include organisation or name). Belfast City Council must also share it with the Department for Infrastructure and whoever they appoint to undertake the independent examination.

Any personal details that you provide the Council will be handled in accordance with the GDPR and Data Protection Act 2018. As such we will only use your data for the purposes that you have given this information for and will only be shared where necessary to provide the service that you are contacting us about. If you would like further information in regards please see the website belfastcity.gov.uk/about/privacy

The personal data is held and stored by the council in a safe and secure manner and in compliance with Data Protection legislation and in line with the council's Records Retention and Disposal Schedule.

If you wish to contact the council's Data Protection Officer, please write to:

Belfast City Council

City Hall

Belfast

BT1 5GS

or send an email to records@belfastcity.gov.uk

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

(Required)

Please select all that apply

- 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.

Q. Do you consent for us to publish your response?

Under planning legislation we are required to publish responses received in response to the Plan Strategy. On this page we ask for your consent to do so, and you may opt to have your response published anonymously should you wish.

Even if you opt for your comments to be published anonymously, we will still have a legal duty to share your contact details with the Department for Infrastructure and the inspectorate they appoint to oversee the examination in public into the soundness of our plan. This will be done in accordance with the privacy statement above.

(Required)

Please select only one item

- Yes, with my name (individuals) or organisation name
- Yes, but without any identifying information

Note: Under either option, personal information such as email address or telephone number will still be redacted from published documents.

2. Your details

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

(Required)

Please select only one item

- Individual (Complete this Section, then proceed to Section 5)
- Organisation (Complete this Section, then proceed to Section 3)
- Agent (Complete this Section, then proceed to Section 4)

Q. What is your name?

Title

Full Name *(Required)*

Q. What is your address?

Address Line 1

Address Line 2

Address Line 3

City

Postcode

Q. What is your telephone number?

Q. What is your email address?

(Required)

3 Organisation

If you have selected that you are responding as an organisational respondent, there are a number of pieces of information that we are legally required to gather from you.

Q. If you are responding as a representative of a group or organisation, please provide details below:

Organisation	
Your Job Title	

Organisation address (if different from above):

Address Line 1	
Address Line 2	
Address Line 3	
City	
Postcode	

4. Agent

If you have selected that you are responding as an agent on behalf of other people/organisations, there are a number of pieces of information that we are legally required to gather from you.

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

The name of the organisation or individual you are representing:

[Redacted]

Client contact details:

Title	[Redacted]
Full Name	[Redacted]
Address Line 1	[Redacted]
Address Line 2	[Redacted]
Address Line 3	
City	[Redacted]
Postcode	[Redacted]
Telephone Number	[Redacted]
Email Address	[Redacted]

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

Please select only one item

Agent Client Both

5. Representation to draft Plan Strategy Consultation

Q. Did you submit a representation to the Belfast Local Development Plan Draft Plan Strategy 2035?

Note: The formal consultation period for representations to the Belfast Local Development Plan Draft Plan Strategy 2035 commenced on Thursday 20 September 2018, and closed at 5pm on Thursday 15 November 2018.

(Required)

Please select only one item

- Yes (Complete Sections 5b, then Proceed to Section 6)
- No (Proceed to Section 6)

5b. Representation to draft Plan Strategy Consultation

Q. Please provide the reference number assigned to your representation to the Belfast Local Development Plan Draft Plan Strategy 2035.

Note: Your reference number can be found on the letter sent to you, by Belfast City Council on Friday 22 February 2019

(Required)

DPS-B-8X-U

Q. Please provide a summary of the issue(s) raised in your representation to the Belfast Local Development Plan Draft Plan Strategy 2035.

(Required)

Objections to policies RET1, RET2, RET 3 and EC6.

6. Counter Representation

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

A counter representation must not propose any further changes to a DPD.

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

Please provide only one reference number. If you wish to make a counter representation to more than one representation, complete a separate sheet (Section 6 only) for each counter representation you wish to make and append the sheet(s) to your submission.

DPS-B-U5-N

Note: Your counter representation must relate to a representation made to the Belfast Local Development Plan Draft Plan Strategy 2035 during the formal consultation period which commenced on Thursday 20 September 2018 and closed at 5pm on Thursday 15 November 2018. The representations received during this period can be viewed on the Council's website at www.belfastcity.gov.uk/LDP.

Q. Please give reasons for your counter representation having particular regard to the soundness test in the above representation.

Please note that 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.

(Required)

Note: *If you wish to make a counter representation to more than one representation, complete a separate sheet (Section 6 only) for each counter representation you wish to make and append the sheet(s) to your submission.*

Continue on the next page

Counter Objection to Department for Infrastructure (Ref: DPS-B-U5-N)

Response Policy RET 1 comments:-

DfI have provided no guidance on the interpretation of the Strategic Planning Policy Statement. It is surprising that they make comments of interpretation of the SPPS, when there is no retail policy guidance provided over how Council's should interpret the SPPS.

The SPPS has limited application in the metropolitan area of Belfast where catchments are large urban areas which have no town centre. The fact that a LDP policy might seek to direct retail development to the edge of a District Centre might be considered by some to be a practical approach. If it is an incorrect approach, the DfI would be better to set out in clear guidance what the correct interpretation of the SPPS is in areas of Belfast.

Response to Policy RET 2 comments:-

DfI refers to SPPS paragraph 6.279 and the last two sentences. The DfI should have regard to the whole text of paragraph 6.279 which states:-

SPPS 279. "Retailing will be directed to town centres, and the development of inappropriate retail facilities in the countryside must be resisted. However, as a general exception to the overall policy approach some retail facilities which may be considered appropriate outside of settlement limits include farm shops, craft shops and shops serving tourist or recreational facilities. Such retail facilities should be required to be located within existing buildings. All policies and proposals must ensure there will be no unacceptable adverse impact on the vitality and viability of an existing centre within the catchment, and meet the requirements of policy elsewhere in the SPPS".

It appears that SPPS paragraph 279 is a policy that deals with retail development in the countryside. There is no guidance on the application of this paragraph to urban areas of metropolitan Belfast.

DfI are unclear how proposals under 1000 sq m threshold will be assessed. However, the policy is clear that proposals under 1000 sq m must satisfy the sequential test. Only those proposals that are over 1000 sqm must satisfy the impact and need test. We do not consider there to be any confusion in this regard.

7. Equality Monitoring

Belfast City Council is committed to promoting equality of opportunity:

- Between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- Between men and women generally;
- Between persons with disability and persons without.

In addition, without prejudice to our equality obligations above, the Council also has regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

Your answers to these questions will help us assess whether we are fulfilling our equal opportunities and good relations duties in ensuring appropriate representation in responses to the consultation.

Q. What is your gender?

Please select only one item

- Male
- Female
- Transgender
- Prefer not to say

Q. What is your age?

Please select only one item

- Under 16
- 16-25
- 26-65
- 65+
- Prefer not to say

Q. Marital status

Please select only one item

- Single (never married or in a same sex civil partnership)
- Married or registered in a same sex civil partnership
- Living together as if you are married or in a registered same sex civil partnership
- Separated, divorces or formerly in a same sex civil partnership that is not dissolved
- Widowed or surviving partner from a same sex civil partnership
- Other (Please specify)

- Prefer not to say

Q. Under the Disability Discrimination (NI) Act 1995 a disabled person is defined as a person with: "A physical or mental impairment, which has a substantial or long term adverse effect on their ability to carry out a normal days activities." Having read this definition, do you consider yourself to have a disability?

Please select only one item

- Yes
- No
- Prefer not to say

Q. If 'yes' please indicate how this disability affects you

Please select only one item

- Physical disability
- Hearing impairment
- Sight impairment
- Mental health condition
- Learning disability
- Longstanding illness
- Prefer not to say
- Other (Please specify)

Q. Please indicate your community background

Please select only one item

- Protestant
- Roman Catholic
- I am not a member of either the Protestant or Roman Catholic communities

Q. Please state your religious denomination

Please select only one item

- No religion
 - Christian
 - Buddhist
 - Hindu
 - Jewish
 - Muslim
 - Sikh
 - Other (Please specify)
-

Q. What is your ethnic group?

Please select only one item

- White
- Chinese
- Irish Traveller
- Indian
- Pakistani
- Bangladeshi
- Black Caribbean
- Black African
- Black other
- Mixed Ethnic group (Please specify) _____

Q. Do you have dependants or caring responsibilities for family members or other persons?

Please select only one item

- Yes
- No

If yes, please indicate which of the following caring responsibilities you have.

Please select all that apply

- A child or children
- A person with a disability
- An elderly person
- Other (Please specify)

Q. Is your sexual orientation towards someone of...?

Please select only one item

- The same sex
- Different sex
- Both sexes
- Questioning / not sure
- Prefer not to say
- Other (Please specify)

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(Required)

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(Required)

Please select only one item

- Individual (Complete this Section, then proceed to Section 5)
- Organisation (Complete this Section, then proceed to Section 3)
- Agent (Complete this Section, then proceed to Section 4)

Q. What is your name?

Title

Full Name *(Required)*

Q. What is your address?


Address Line 1

Address Line 2

Address Line 3

City

Postcode

Q. What is your telephone number?

Q. What is your email address?

(Required)

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The name of the organisation or individual you are representing:

[Redacted]

Client contact details:

Title	[Redacted]
Full Name	[Redacted]
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Address Line 2	[Redacted]
Address Line 3	[Redacted]
City	[Redacted]
Postcode	[Redacted]
Telephone Number	[Redacted]
Email Address	[Redacted]

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

Please select only one item

Agent Client Both

5. Representation to draft Plan Strategy Consultation

Q. Did you submit a representation to the Belfast Local Development Plan Draft Plan Strategy 2035?

Note: The formal consultation period for representations to the Belfast Local Development Plan Draft Plan Strategy 2035 commenced on Thursday 20 September 2018, and closed at 5pm on Thursday 15 November 2018.

(Required)

Please select only one item

- Yes (Complete Sections 5b, then Proceed to Section 6)
- No (Proceed to Section 6)

5b. Representation to draft Plan Strategy Consultation

Q. Please provide the reference number assigned to your representation to the Belfast Local Development Plan Draft Plan Strategy 2035.

Note: Your reference number can be found on the letter sent to you, by Belfast City Council on Friday 22 February 2019

(Required)

DPS-B-8X-U

Q. Please provide a summary of the issue(s) raised in your representation to the Belfast Local Development Plan Draft Plan Strategy 2035.

(Required)

Objections to policies RET1, RET2, RET 3 and EC6.

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DPS-B-AB-E

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(Required)

Note: *If you wish to make a counter representation to more than one representation, complete a separate sheet (Section 6 only) for each counter representation you wish to make and append the sheet(s) to your submission.*

Continue on the next page

Counter Objection to RetailNI (Ref: DPS-B-AB-E)

Response to Policy RET 3 comments:-

Notwithstanding our comments in respect of policies RET 2 and RET 3, we note the suggestion by RetailNI that a 750sq m threshold should be introduced to proposals inside District Centres where "additional evidence-based assessments must be submitted, so that impacts can be considered". We take this to be a suggestion that proposals inside a District Centre over 750 sq m should provide a Retail Impact Assessment, and we would oppose this suggestion. District Centres have an important role in the retail hierarchy and introduction of tests such as this are an unnecessary barrier to investment in such Centres. There is no policy basis for this proposal, and there is no evidence provided by Retail NI to support either the principle or the detail of the proposal. It is a whimsical suggestion that should be discounted.

7. Equality Monitoring

Belfast City Council is committed to promoting equality of opportunity:

- Between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- Between men and women generally;
- Between persons with disability and persons without.

In addition, without prejudice to our equality obligations above, the Council also has regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

Your answers to these questions will help us assess whether we are fulfilling our equal opportunities and good relations duties in ensuring appropriate representation in responses to the consultation.

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Please select only one item

- Male
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- Transgender
- Prefer not to say

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Please select only one item

- Under 16
- 16-25
- 26-65
- 65+
- Prefer not to say

Q. Marital status

Please select only one item

- Single (never married or in a same sex civil partnership)
- Married or registered in a same sex civil partnership
- Living together as if you are married or in a registered same sex civil partnership
- Separated, divorces or formerly in a same sex civil partnership that is not dissolved
- Widowed or surviving partner from a same sex civil partnership
- Other (Please specify)

- Prefer not to say

Q. Under the Disability Discrimination (NI) Act 1995 a disabled person is defined as a person with: "A physical or mental impairment, which has a substantial or long term adverse effect on their ability to carry out a normal days activities." Having read this definition, do you consider yourself to have a disability?

Please select only one item

- Yes
- No
- Prefer not to say

Q. If 'yes' please indicate how this disability affects you

Please select only one item

- Physical disability
- Hearing impairment
- Sight impairment
- Mental health condition
- Learning disability
- Longstanding illness
- Prefer not to say
- Other (Please specify)

Q. Please indicate your community background

Please select only one item

- Protestant
- Roman Catholic
- I am not a member of either the Protestant or Roman Catholic communities

Q. Please state your religious denomination

Please select only one item

- No religion
 - Christian
 - Buddhist
 - Hindu
 - Jewish
 - Muslim
 - Sikh
 - Other (Please specify)
-

Q. What is your ethnic group?

Please select only one item

- White
- Chinese
- Irish Traveller
- Indian
- Pakistani
- Bangladeshi
- Black Caribbean
- Black African
- Black other
- Mixed Ethnic group (Please specify) _____

Q. Do you have dependants or caring responsibilities for family members or other persons?

Please select only one item

- Yes
- No

If yes, please indicate which of the following caring responsibilities you have.

Please select all that apply

- A child or children
- A person with a disability
- An elderly person
- Other (Please specify)

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- Different sex
- Both sexes
- Questioning / not sure
- Prefer not to say
- Other (Please specify)
