

Submitted to **Belfast LDP 2035 - Plan Strategy**  
Submitted on **2018-11-13 16:25:37**

## 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:**

Dr

**Full Name:**

Tony Quinn

**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::**

Not available

### 5. Agents

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

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

Belfast Royal Academy

**Title:**

Ms

**First Name:**

Elisabeth

**Last Name:**

Hull

**Address Line 1:**

Head of Finance & Corporate Services

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**City:**

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**Postcode:**

BT14 6JL

**Telephone number:**

[REDACTED]

**Email address:**

[REDACTED]

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

Both

**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::**

Strategy on Open Space

**Policy (if relevant):**

OS2 New Open Space within Settlements

**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:**

CE2 - The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base,  
CE4 - It is reasonably flexible to enable it to deal with changing circumstances

**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:**

The open space strategy and policy OS 1 are not realistic and appropriate and are not currently founded on a robust evidence base. As required by the SPSS the LDP does not identify the different needs that public and private open space in Belfast serve.

Explaining the need for open space would help substantiate the case for its retention, modification or non-retention. In the absence of doing this, we are essentially confronted with a situation where certain parcels of land are subject to restrictive open space planning policy even though they may no longer have a "recreational, amenity or environmental value", as stipulated in PPS 8, or have a "public value", as stated in the SPSS.

Having regard to the foregoing it is entirely unreasonable and irrational for the LDP to insist on the retention of playing pitches as open space if they are no longer formally used by a school. The de facto designation of little used playing pitches as open space compromises the ability to redevelop and improve educational facilities.

Related to the above the LDP Open Space Strategy also does not accord with the coherence and effectiveness test CE4, in that it is not reasonably flexible to enable it to deal with changing circumstances that are relevant to the application of Policy OS1. This is due to the fact that the current strategy has regard to a generalised, all-encompassing definition of public open space which effectively results in land being rigidly designated as open space for the life of the LDP even though there may be no need for it and even though it may no longer have a public value.

In addition, the provision of outdoor play space in the LDP should amount to more than the statistical calculation of 2.4 ha of open space per 1,000 population. It

also relates to the qualitative need for it and the availability of other forms of recreation such as gyms.

Finally, the LDP draft Strategy includes maps for certain environmental designations, one of which relates to the Belfast Hills. The operational area of the Belfast Hills extends into part of the Ben Madigan Preparatory School site on the Antrim Road (see Figure 1 in attached submission). Belfast Royal Academy objects to this designation on the basis that access to the Hills is not possible from within the school. This objection is also premised on grounds that the school does not form part of the Cavehill Country Park, which is subsumed within the Belfast Hills (Figure 2 in attached submission), and the Cavehill/Collinward Site of Local Nature Conservation Importance (SLNCI – Figure 3 in attached submission).

**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?:**

- The role of designated and undesignated open space needs to be clearly explained and justified in the LDP. It is perhaps unrealistic and impractical for this to apply to all open space but it could pertain to plots of open space sized 2 ha or more, which is a threshold size cited in Policy OS1. This would apply to large sites such as BRA's informal playing pitches at Ben Madigan, 690 Antrim Road, which are unfairly restricted by open space designation. This information could be documented in the Open Space Technical Supplement.

- Viewed in the context of the latter point, it is recommended that one of the Policy aims in the LDP (section 10.1.5) should include the following qualification:

"Appropriate protection of open spaces of all types which have a recreational, amenity or environmental value, including (but not limited to) areas specifically identified in the LDP;"

This amendment is necessary in order to prevent the protection of open space where it is not warranted.

- There needs to be a specific stipulation in the LDP that the contribution of open space will be monitored and reviewed to reflect changing circumstances. This is in order to avoid situations emerging in which open space, such as playing fields, is no longer required by educational bodies yet has to be retained as such for the minimum 15 year shelf-life of the LDP.

- Finally, land that does not provide access to the Belfast Hills should not be designated as part of the Belfast Hills.

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

Sub to Draft Strategy by Belfast Royal Academy.pdf was uploaded

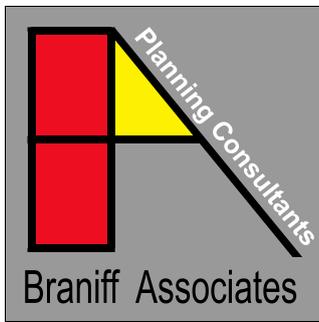
**Q18a. Would you like to highlight another part of the draft Plan Strategy that you consider to be unsound?**

No

**9. Type of Procedure**

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

Oral hearing



**Braniff Associates**  
**Chartered Town Planning Consultants**  
**5 Windsor Avenue North**  
**Malone Road**  
**Belfast BT9 6EL**

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Belfast  
BT2 8BP

13 Nov 2018

Dear Sir/Ms,

**Draft Plan Strategy - Belfast Local Development Plan 2035 (LDP)**  
**Consultation submission on behalf of Belfast Royal Academy**

**1.0 Introduction**

Please accept this submission as a consultation response to the Draft Strategy for the Belfast Local Development Plan 2035 (LDP) on behalf of Belfast Royal Academy, C/O Elisabeth Hull, Head of Finance and Corporate Services, 3-17 Cliftonville Road, Belfast, BT14 6JL. While it is acknowledged that the preparation of the LDP is at the strategic level it is still considered necessary to make a number of points at this stage because of the implications of the strategy for school property. These are outlined below in respect of the draft strategy on Open Space.

**2.0 Comments on Draft Strategy on Open Space**

- a) The Draft LDP Strategy on Open Space has chosen to borrow the definition of open space from Planning Policy Statement (PPS 8) on Open Space, Sport and Outdoor Recreation, which is recalled below.

*“For the purposes of the LDP, ‘open space’ means all open space and ancillary facilities of recreational, amenity or environmental value, including land and water bodies, irrespective of ownership or access. This includes a wide range of types of open space, such as public parks and gardens, outdoor sports facilities, play areas, amenity open space, greenways, community pathways and rights of way, river corridors, ponds and reservoirs, natural and semi-natural spaces, woodlands, allotments and community gardens, cemeteries, designed landscapes and civic spaces. Where there is built development that is ancillary to the use of the open space, this is also included in the LDP definition of open space. This includes, for example, access pathways, car parks, changing facilities, shelters, pavilions and other associated structures.” P238, Belfast LDP 2035*

Based on the above definition, all open space, whether designated or not, is associated with a presumption against development save for exceptional circumstances, such as where community benefits outweigh its loss. While a robust policy for protecting open space is commendable in principle from a planning perspective, surely the preparation of the LDP presents an opportune time to assess the specific need for and contribution of significant parcels of open space in the City. This is especially so given that the Council is also preparing a Green and Blue Infrastructure Plan and Open Space Strategy. Identification of the need for the open space would also be in keeping with advice given in the Strategic Planning Policy Statement 2015 (SPPS) - see quote below.

*“The LDP should be informed by a survey/assessment of existing open space provision and future needs. This should include both public and private open space, and identify the different needs they serve.”* Para 6.204, SPPS

Explaining the need for the open space would help substantiate its retention, modification or non-retention. In the absence of doing this, we are essentially confronted with a situation where certain parcels of land are subject to restrictive open space planning policy even though they may no longer have a “*recreational, amenity or environmental value*”, as stipulated in PPS 8, or have a “*public value*”, as stated in the SPPS. The current blanket approach to the protection of open space therefore runs counter to the requirement in the SPPS that plan formulation should be evidence-based (see quote below).

*“LDPs should set out a long-term spatial strategy and provide robust operational policies that provide certainty and transparency for all users of the planning system. Plans should be evidence-based and informed by meaningful participation with all relevant stakeholders.”* Paragraph 5.7, SPPS

By providing evidential justification for the designation of significant parcels of open space the related Open Space policy for the protection of open space, namely OS 1, will have stronger foundations for its application.

- b) Having regard to the foregoing it is entirely unreasonable and irrational for the LDP to insist on the retention of playing pitches as open space if they are no longer formally used by a school. In the case of the Belfast Royal Academy Ben Madigan site at 690 Antrim Road the use of its playing fields has markedly declined in recent years with the opening of its new school playing pitches at Roughfort. The fields at the Ben Madigan site continue to be used for limited, informal recreation because their restrictive zoning as open space leaves the school with little option but to do so.

- c) Mindful of the above point, educational facilities such as schools are categorised as part of the Community Infrastructure under the LDP. Policy CI1 states that *“Planning permission will be granted for the provision of new and improved community infrastructure at appropriate and accessible locations within the urban area.”* In the case of the Ben Madigan site the ability to provide new and improved educational facilities is compromised by the unwarranted designation of little used playing fields as open space.
- d) Technical Supplement 8 on Open Space, Sport and Outdoor Recreation refers to the 2.4ha per 1,000 population standard for outdoor play space and also provides the Preliminary Results of the Audit of Open Space in Belfast, which includes the Ben Madigan Preparatory School. It is worth remembering that the aforementioned standard dates from 2001 and since then there has been a marked change in recreational trends, notably an increase in the establishment of gyms/fitness venues. The impact of these changing patterns of recreational activity should be taken into account when assessing the future quantitative need for outdoor play space.

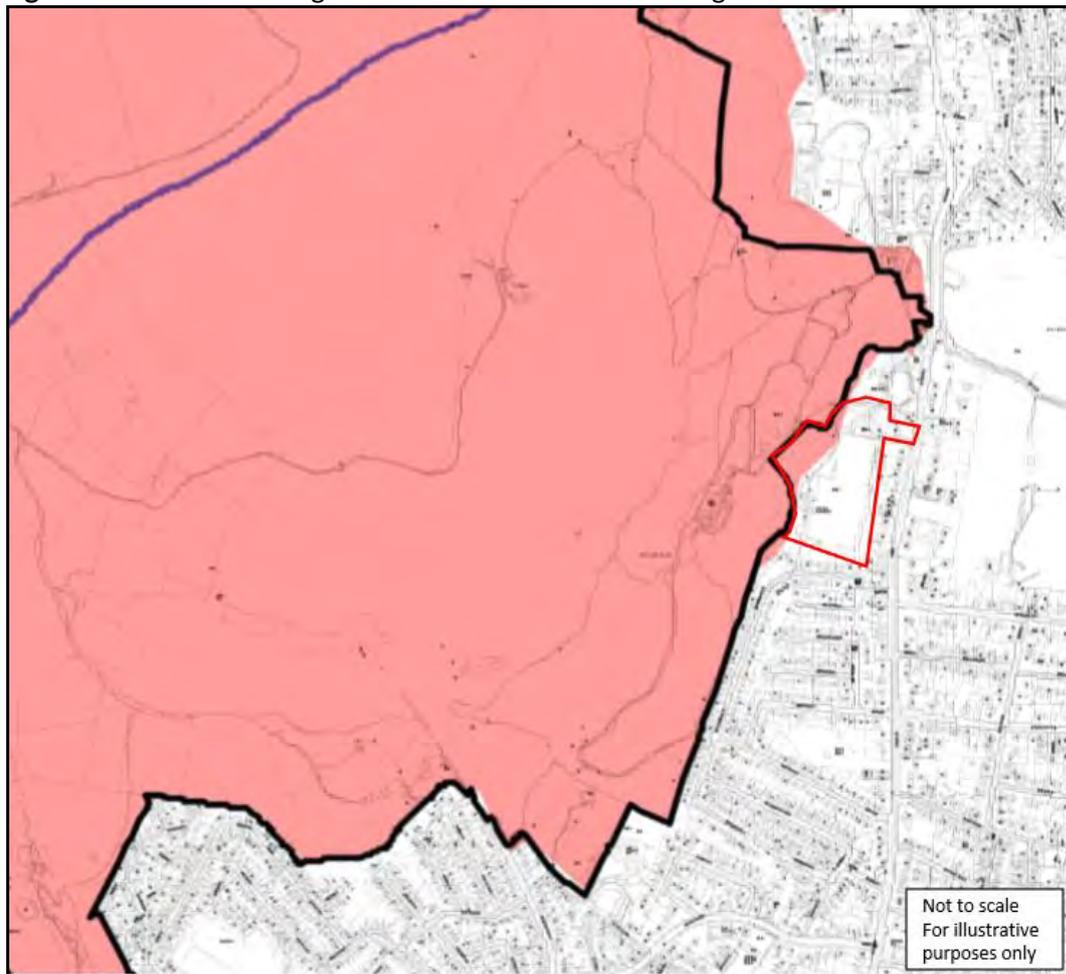
Furthermore, when quantifying future open space requirements the proximity of Belfast Hills as a major public open space asset should also be factored into the needs assessment. So too, the potential of Giant’s Park at the north foreshore to provide recreational and amenity space under its regeneration plan equally needs to be considered. It intends to provide a leisure and sports-innovation hub, an adventure hub and a theme-park hub.

Having regard to the above, the provision of outdoor play space should amount to more than the statistical calculation of 2.4 ha of open space per 1,000 population – it relates also to the need for it and the availability of other forms of recreation. This approach is in keeping with guidance in the SPPS: *“Councils should generally focus on open spaces within or adjoining urban areas, but may also consider outdoor recreational facilities in the countryside..... Councils should also take account of the provision and role of other forms of open space, such as children’s play areas, and the availability of indoor sports facilities.”* Para 6.204, SPPS

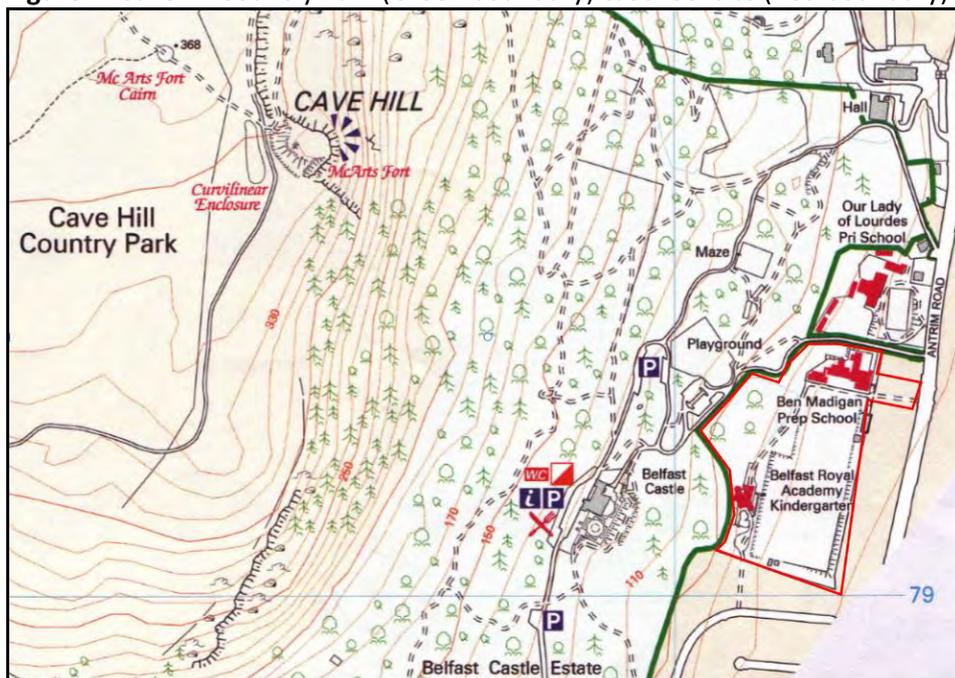
- e) Finally, the LDP draft Strategy includes maps for certain environmental designations, one of which relates to the Belfast Hills. Paragraph 10.4.19 of the LDP states that *“For the purposes of the LDP, the extent of the Belfast Hills corresponds with the operational area of the Belfast Hills partnership within the Belfast city district area.”* The operational area of the Belfast Hills extends into part of the Ben Madigan Preparatory School site on the Antrim Road (Figure 1 overleaf). Belfast Royal Academy objects to this designation on the basis that access to the Hills is not possible from within the school. This objection is also premised on grounds that the school does not form part of the

Cavehill Country Park, which is subsumed within the Belfast Hills (Figure 2), and the Cavehill/Collinward Site of Local Nature Conservation Importance (SLNCI – Figure 3).

**Figure 1:** Belfast Hills designation in LDP and BRA Ben Madigan school site

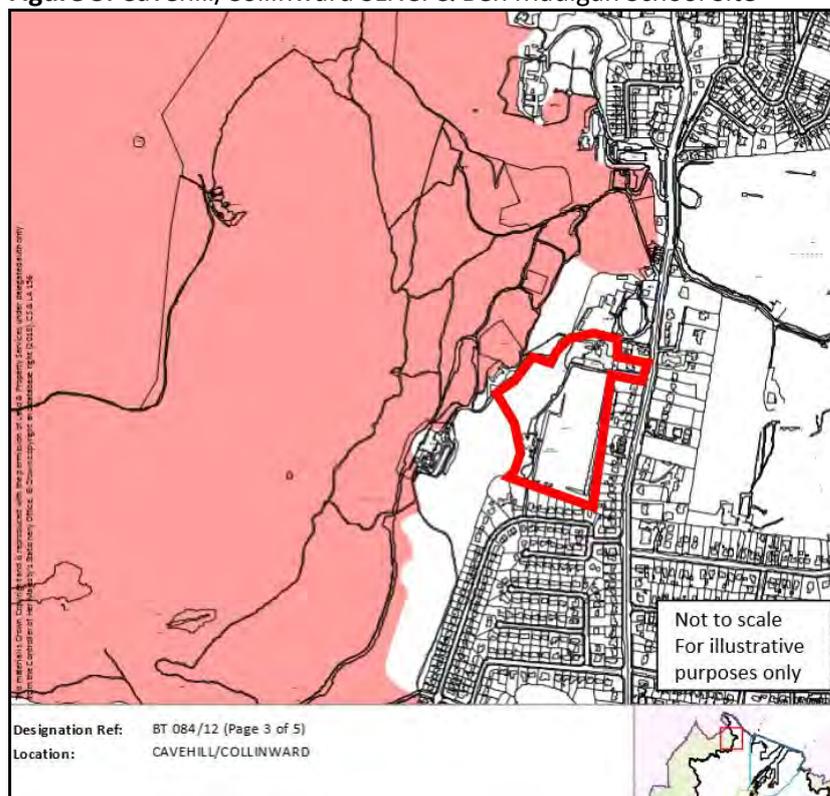


**Figure 2:** Cavehill Country Park (Green boundary) & School site (Red boundary)



Source: Belfast Hills Partnership, Discover the Belfast Hill Map

**Figure 3:** Cavehill/Collinward SLNCI & Ben Madigan School Site



Within the context of the above points it is asserted that the LDP Open Space Strategy does not accord with several of the soundness tests outlined in the Development Plan Practice Note 6, May 2017.

This includes the coherence and effectiveness test CE2, wherein the open space strategy and policy OS 1 are not realistic and appropriate and are not currently founded on a robust evidence base.

The LDP Open Space Strategy also does not accord with the coherence and effectiveness test CE4, in that it is not reasonably flexible to enable it to deal with changing circumstances that are relevant to the application of Policy OS1. This is due to the fact that the current strategy has regard to a generalised, all-encompassing definition of public open space which effectively results in land being rigidly designated as open space for the life of the LDP even though there may be no need for it and even though it may no longer have a public value.

### 3.0 Recommendations for the Local Development Plan

In light of the above the following recommendations are made to improve the soundness of the LDP.

- The role of designated and undesignated open space needs to be clearly explained and justified in the LDP. It is perhaps unrealistic and impractical for this to apply to all open space but it could pertain to plots of open space sized 2 ha or more, which is a threshold size cited in Policy OS1. This

would apply to large sites such as Ben Madigan, which are unfairly restricted by open space designation. This information could be documented in the Open Space Technical Supplement.

- Viewed in the context of the latter point, it is recommended that one of the Policy aims in the LDP (section 10.1.5) should include the following qualification (highlighted in bold below)

*“Appropriate protection of open spaces of all types **which have a recreational, amenity or environmental value**, including (but not limited to) areas specifically identified in the LDP;”*

This amendment is necessary in order to prevent the protection of open space where it is not warranted.

- There needs to be a specific stipulation in the LDP that the contribution of open space will be monitored and reviewed to reflect changing circumstances. This is in order to avoid situations emerging in which open space, such as playing fields, is no longer required by educational bodies yet has to be retained as such for the minimum 15 year shelf-life of the LDP.
- Finally, land that does not provide access to the Belfast Hills should not be designated as part of the Belfast Hills.

Within the context of the above the school would be grateful for the opportunity to participate at the independent hearing into the LDP Plan strategy. In the meantime, please do not hesitate to contact the undersigned if you require any clarification in respect of the contents of this submission.

Yours sincerely,



Dr Tony Quinn  
Braniff Associates

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*Dr A M Quinn BA (Hons), Dip TP, PhD, MRTPI, MIPI*

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