

Sinn Féin Response to Belfast City Council's Draft Local Development Plan

November 2018

Sinn Féin acknowledge the work undertaken by Belfast City Council in bringing forward a draft strategy that will guide the city's development. It is vital that all citizens share in Belfast's social and economic growth.

This is a hugely important document. When adopted this Local Development Plan (LDP) will become the framework that determines all planning applications in the Belfast Council Area for 15 years. It will replace the Belfast Urban Area Plan, the draft Belfast Metropolitan Area Plan (BMAP) and the Houses in Multiple Occupation Subject Plan. The LDP will help Belfast City Council deliver on its community plan, The Belfast Agenda. The plan will also take into consideration the Strategic Planning Policy Statement (2015) which emphasises the five core planning principles of Improving health and wellbeing; Creating and enhancing shared space; Supporting sustainable economic growth; Supporting good design and positive place making; and Preserving and improving the built and natural heritage environment.

We understand this is one of a number of stages in the process of developing the plan and that following the consultation it will move on to a Soundness based independent examination.

Sinn Féin Position

Shaping a liveable place

Housing

The definition of social housing

Sinn Fein welcomes recognition in paragraph 7.1.2 that there is a significant demand for affordable forms of housing in Belfast city and the inclusion of social rented housing within the definition of affordable in paragraph 7.1.28. However it is important that social housing is not simply subsumed within the broader concept of affordable housing. Social housing is an important category in its own right which meets a distinct need and this should be reflected in the LDP.

Land

To achieve the Council's ambition to increase the number of people living in the city, the supply of land and its allocation to meet local demand for housing is paramount. We recognise there is a requirement to go beyond existing land zoning to include in the LDP new land zoning opportunities which have been referred to as 'windfall sites' and we welcome commitments to protect existing

residential accommodation, avoid cramming and ensure any new housing development includes community infrastructure and local amenities.

Developer Contributions

Development Management practice note 21. DFI January 2017, p.10, para 7.3 states a planning agreement 'may be used to secure a proportion of affordable housing or social housing in a new development or a mix of tenure in a housing development,' based on a need being established or a key site requirement of a LDP.

Policy HOU5, makes provision for 20% affordable housing, including social housing, on sites of 5 or more dwellings or greater than 0.1 hectares to be delivered by way of section 76 planning agreement. Sinn Fein strongly supports HOU5 and its aim of providing 20% social housing in developments.

We acknowledge that Council officials have taken into consideration our previous comment that private housing developments should include a percentage of social and affordable housing in a way that is tenure blind and inclusive.

In other jurisdictions developer contributions had some success prior to 2008, however the introduction of a new policy framework and guidance in 2012 resulted in a dramatic drop in delivery. A report published in 2017 by Shelter 'Slipping through the loophole' identified a key change in the definition of viability used in England against which agreed developer contributions can be waived. Since 2012 the National Planning Policy Framework has defined viability in terms of 'competitive returns' which the industry and the planning system in England have interpreted to mean the guarantee of at least a 20% profit margin. According to Shelter, this definition has resulting in a 70% reduction in the delivery of affordable housing in England.

Sinn Fein is concerned that similar language has been adopted by the Council, as was outlined in the consultation Draft Developer Contributions Framework document (DDCFD). In the DDCFD, a scheme's viability is defined as one which "provides a competitive return to the developer to ensure that the development takes place and generates a land value sufficient to persuade a land owner to sell the land for the development proposed." The document provides some assurance that for development proposals deemed unviable it "will not automatically follow that developer contributions will be reduced or even waived". But we remain concerned that pressure from developers will result in policy drift and the notion of a 'competitive return' will be successfully used in viability reassessments to avoid agreed commitments.

In light of this concern we are suggesting the concept of a "Positive Return" could capture both the need for a developer to make a reasonable return while at the same time recognising the social value of contributions that advance the wellbeing of our society.

Sinn Féin support the protection of existing residential accommodation (Policy HOU3) which should include recognition of the communities and neighbourhoods that have resided within the city for generations. Any additional developments should therefore be mindful of these local neighbourhoods and incorporate them into any regeneration opportunities. For instance, parking permits, entrances and exits and local amenities.

In relation to the density of residential development (HOU4), we repeat our concern in relation to the potential for cramming and overshadowing existing communities and neighbourhoods.

Affordable Housing

As cited in previous sections of our response, we would like the LDP consultation to look at all aspects of affordability including developer contributions, Equity Loans, Affordable rent, Discount market sale housing and Intermediate housing (rent to own). The whole area of affordability has many spheres and each should be further developed and guidance produced for each when implementing the outcomes of the LDP's and subsequent recommendations arising from Public Inquiries for same.

Housing Mix

Sinn Féin appreciate that planning applications for any development, are done so on a case by case basis using supplementary planning guidance to assist making decisions on applications. However, without a clearer definition of what housing mix entails and particularly for guidance on how housing mix can be achieved, there will be challenges and contention.

Up to date analysis of housing need must include Housing Stress/Homelessness as well as the housing need for private dwellings. The location and size of any housing mix is critical particularly around the inclusion of existing communities and neighbourhoods and also any potential for overshadowing. It is paramount that any new development will create and add to sustainable communities.

Adaptable, accessible and specialist accommodation

Sinn Féin agree that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life. Existing dwellings should be adapted to support residents to live their lives as independently as possible.

The definition of Specialist accommodation would require specific supplementary planning guidance. Although the draft LDP has references to older people and people with limited mobility, there are

other needs within this category that need to be considered, including emergency accommodation for people fleeing their homes as a result of violence, people in crisis, people receiving floating support, and people supported living programmes which include those living with addiction.

Traveller accommodation

Sinn Féin welcome the need to provide appropriate traveller accommodation with the LDP. The examples of providing guidance on Group housing schemes, Serviced sites and Transit sites are commendable but there is still a distinct lack of recognition that key reports such as the Human Rights Commissions Report 'Out of Sight, Out of Mind' have been incorporated when writing this section and we hope this will change following the consultation exercise.

Housing Management areas

HMOs in terms of Belfast are mostly confined to South Belfast however a city wide approach for HMO's and HMA's is needed. Some time ago the areas in which HMOs could be developed was widened to take in other areas. This form of housing is predominately in the control of the private sector in communities like the Ormeau Rd and the Holy lands. Since then, those communities have lost their residential nature because of cramming and the impact of private rented accommodation and student housing.

In other parts of the city, the same can be said of the private rented sector which has in many areas tipped the balance from a residential community or one which has lost its residential nature due to family homes being put on to the private rental market.

Sinn Féin believes the LDP needs to reflect on this experience. The provision of HMOs and HMA's across the city must take into consideration both elements of the private rented sector and the impact this is having on the residential nature of the community.

Regional planning policy encourages increased density within existing urban areas. The policy needs to recognise and address the growing needs of people in housing stress, the private rented sector being used by the statutory bodies to deliver housing alternatives and the creation of HMO's in areas of high demand.

The same concerns have been articulated regarding the HOU2 policy – Large scale purpose built managed student accommodation (PBMSA). Unless there are careful planning considerations when processing an application for planning that may impact on exiting communities and neighbourhoods, the potential for making decisions on what and how developments/regeneration occurs needs to be carefully considered.

Equality and Human rights

The Equality Commission's audit of housing inequalities identified access to social housing as a key inequality. The Human Rights Commission in its annual statement reiterated similar concerns. In addition the British government is a signatory of the International Convention on Economic, Social and Cultural Rights (ICESCR) which obliges public bodies to mobilise the maximum available resources in realising human rights and equality. The United Nations Special Rapporteur on housing and the ICESCR monitoring committee has repeatedly raised unequal access to social housing as a serious concern. As public bodies, councils have equality and human rights obligations both in relation to Section 75 of the Good Friday Agreement, their Equality Scheme and international conventions.

Building a smart connected and resilient place

Listed Buildings

Sinn Fein are in favour of allowing planning permission to be granted for the change of use of listed buildings as long as the character of the buildings remains and there isn't a drastic re-structuring of the development. This can be a positive step as it brings something different to the area along with a large investment. An example would be the plans of the Crumlin road courthouse to be redeveloped into a hotel. With the character of the old building remaining and the upkeep being maintained, this would lead to an increase in tourism and investment in the area. The culture and heritage of the area/development will remain but a different dynamic will be created.

In relation to Waste Management Facilities the draft LDP states "where there are significant risks of damage to the environment, its protection will generally be paramount, unless there are imperative reasons of overriding public interest". It is unclear what "imperative reasons" could reasonably trump something that is causing "significant damage to the environment". Where significant damage to the environment or health is expected then we would be opposed to this.

Landfills

Sinn Féin wish to see the reduction of landfills due to the health and environmental risks. The Council should explore alternative means of dealing with and disposing of waste.

Minerals

Environmental reports should be required for all cases. Sinn Féin are opposed to the use of cyanide for mineral extraction and therefore we suggest the LDP should not allow mineral extraction by way of using cyanide on the basis of environmental and health risks. The EU passed a motion in 2010 and

further strengthened it in 2017 in regards to the complete ban of cyanide in mineral extraction. This should be the council's policy. There are other suitable alternatives to cyanide that could be used.

Transportation

Active Travel

Sinn Féin welcome the inclusion of walkers and cyclists into the consideration process for major developments. There is a recognition in the LDP that our city centres are becoming increasingly congested with traffic. The best way to tackle this is through Public Transport and Active Travel. This can be achieved through smart planning and ensuring that new developments have adequate cycling facilities, meeting accessibility standards and in-building facilities such as showers and changing rooms for major developments particularly in the City Centre.

Transport Assessment

Transport Assessments should be used for all Developments where it is likely they will impact on current modes and flows of transport, particularly large housing developments. Whilst it is not Council's responsibility to build Park and Rides, as an example, a Transport Assessment will highlight where the development of one would help mitigate against the impact the development will have on existing transport movements.

Travel Plan

The Travel plan for major developments such as Schools and Hospitals with a clear set of targets is a positive for not only trying to convince people to use more sustainable forms of transport over the private car but it will also allow those plans to be assessed. The plans should also allow Council and DfI to use them as a tool to map out wider Active Travel routes and how they can be linked up to the Belfast Bicycle Network.

Car parking and Servicing arrangements:

We should be doing all we can to limit the amount of car parking in the city centre. To allow for additional car parking means we are encouraging people to continue to use the private car rather than public and active transport.