

Response ID ANON-K2UE-R8KE-H

Submitted to **Belfast Local Development Plan (LDP) 2035 - Draft Plan Strategy - Counter Representations**

Submitted on **2019-04-24 15:18:24**

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 (individuals) or organisation name

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:

Organisation

Q4. What is your name?

Title:

Mr

Full Name:

Peter Carr

Q5. What is your address?

Address Line 1:

████████████████████

Line 2:

Line 3:

City:

██████

Postcode:

██████

Q6. What is your telephone number?

Telephone number:

██████

Q7. What is your email address?

Email:

████████████████████

4 Organisation Counter Representation

Q10. Have you, on behalf of the organisation you are currently representing, already submitted a counter representation to the Belfast Local Development Plan Draft Plan Strategy 2035?

No

4c. Organisation

Q16. If you are responding as a representative of a group or organisation, please provide details below:

Organisation:

Belfast Metropolitan Residents Group

Your Job Title:

Chair

Address Line 1:

Line 2:

Line 3:

City:

Postcode:

6. Representation to draft Plan Strategy Consultation

Q19. Did you submit a representation to the Belfast Local Development Plan Draft Plan Strategy 2035?

No

7. Counter Representation

Q22. Please provide the reference number of the representation to which your counter representation relates.

Representation Reference Number:

Adam Armstrong (DPS-B-81-M)

Q23. Please give reasons for your counter representation having particular regard to the soundness test in the above representation.

dPS Counter Representation Reasons:

Please see attached file

File upload:

BMRG Belfast DPS counter representation.docx was uploaded

8. Equality Monitoring Consent

Q24. Would you be willing to complete our equality monitoring questions?

Equality monitoring consent:

No

Response ID ANON-K2UE-R8KS-Y

Submitted to **Belfast Local Development Plan (LDP) 2035 - Draft Plan Strategy - Counter Representations**

Submitted on **2019-04-24 15:22:22**

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Q10. Have you, on behalf of the organisation you are currently representing, already submitted a counter representation to the Belfast Local Development Plan Draft Plan Strategy 2035?

Yes

4b. Organisation Counter Representation

Q11. Please provide the response ID assigned to the first counter representation you submitted on behalf of the organisation you are currently representing.

Organisation 1st counter representation reference:

ANON-K2UE-R8KE-H

Q12. Please provide the name of the organisation on behalf of which you are responding.

Organisation name (4b):

Belfast Metropolitan Residents Group

7. Counter Representation

Q22. Please provide the reference number of the representation to which your counter representation relates.

Representation Reference Number:

Braidwater Homes (DPS-B-UD-4)

Q23. Please give reasons for your counter representation having particular regard to the soundness test in the above representation.

dPS Counter Representation Reasons:

Please see attached document

File upload:

BMRG Belfast DPS counter representation.docx was uploaded

8. Equality Monitoring Consent

Q24. Would you be willing to complete our equality monitoring questions?

Equality monitoring consent:

No

Response ID ANON-K2UE-R8K6-2

Submitted to **Belfast Local Development Plan (LDP) 2035 - Draft Plan Strategy - Counter Representations**

Submitted on **2019-04-24 15:27:30**

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Full Name:

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Yes

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Organisation 1st counter representation reference:

ANON-K2UE-R8KE-H

Q12. Please provide the name of the organisation on behalf of which you are responding.

Organisation name (4b):

Belfast Metropolitan Residents Group

7. Counter Representation

Q22. Please provide the reference number of the representation to which your counter representation relates.

Representation Reference Number:

Construction Employers Federation (DPS-A-1F-2)

Q23. Please give reasons for your counter representation having particular regard to the soundness test in the above representation.

dPS Counter Representation Reasons:

Please see attached document

File upload:

BMRG Belfast DPS counter representation.docx was uploaded

8. Equality Monitoring Consent

Q24. Would you be willing to complete our equality monitoring questions?

Equality monitoring consent:

No

Response ID ANON-K2UE-R8KP-V

Submitted to **Belfast Local Development Plan (LDP) 2035 - Draft Plan Strategy - Counter Representations**

Submitted on **2019-04-24 15:31:49**

1. Data Protection

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Yes

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Organisation 1st counter representation reference:

ANON-K2UE-R8KE-H

Q12. Please provide the name of the organisation on behalf of which you are responding.

Organisation name (4b):

Belfast Metropolitan Residents Group

7. Counter Representation

Q22. Please provide the reference number of the representation to which your counter representation relates.

Representation Reference Number:

Kilmona Holdings Limited (DPS-B-UN-E)

Q23. Please give reasons for your counter representation having particular regard to the soundness test in the above representation.

dPS Counter Representation Reasons:

Please see attached document

File upload:

BMRG Belfast DPS counter representation.docx was uploaded

8. Equality Monitoring Consent

Q24. Would you be willing to complete our equality monitoring questions?

Equality monitoring consent:

No

Response ID ANON-K2UE-R8KJ-P

Submitted to **Belfast Local Development Plan (LDP) 2035 - Draft Plan Strategy - Counter Representations**

Submitted on **2019-04-24 15:35:14**

1. Data Protection

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Q10. Have you, on behalf of the organisation you are currently representing, already submitted a counter representation to the Belfast Local Development Plan Draft Plan Strategy 2035?

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ANON-K2UE-R8KE-H

Q12. Please provide the name of the organisation on behalf of which you are responding.

Organisation name (4b):

Belfast Metropolitan Residents Group

7. Counter Representation

Q22. Please provide the reference number of the representation to which your counter representation relates.

Representation Reference Number:

Lagan Homes (DPS-B-AX-4)

Q23. Please give reasons for your counter representation having particular regard to the soundness test in the above representation.

dPS Counter Representation Reasons:

Please see attached document

File upload:

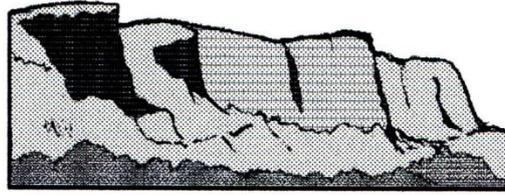
BMRG Belfast DPS counter representation.docx was uploaded

8. Equality Monitoring Consent

Q24. Would you be willing to complete our equality monitoring questions?

Equality monitoring consent:

No



BELFAST METROPOLITAN RESIDENTS GROUP

Hon. Sec.: [REDACTED]

Phone: [REDACTED]

Email: [REDACTED]

Belfast Draft Local Development Plan Strategy

Belfast Metropolitan Residents Group

Counter representation

This counter representation deals with soundness under tests C1, C3, C4 and CE1, CE2, CE3, CE4.

1. The BMRG

1.1 The Belfast Metropolitan Residents Group (BMRG) is an umbrella group for some two dozen community groups in the greater Belfast area. It was founded in 1999 to make a community input into strategic planning. Over the past nineteen years, it has made a major contribution to policy formation, and to the debate on urban renewal in Northern Ireland.

2. Representations relating to cross council liaison

2.1 The BMRG takes the view that the greater Belfast urban area needs to be planned for as a whole in a unified fashion. It cannot be properly planned for in council-based silos. The Belfast Urban Area Plan three council framework, the Belfast City Region Plan, with its putative 30 mile maximum commuting radius from the city centre, and the BMAP six council model (though unwieldy), offer the sort of level of integration and comprehensiveness

required, and our view is that some form of overarching framework needs to be re-established in order to properly address the urban area's planning needs.

3. Representations relating to plan numbers

3.1 The BMRG's view has long been that the prime objective of any Belfast area plan should be to build population density / critical mass. While noting the mixed success of previous plans in growing the city's population, we wholly welcome the Draft Plan's objective of substantially raising the city council area's population.

3.2 We feel this Plan is perhaps better equipped to, and more closely focussed on delivering this objective than its predecessors. However we do have concerns. An increase of 66,000 is anticipated. This will involve building an additional 31,600 dwellings over the plan period. This is exactly twice the figure set out in the HGI,¹ a departure which gives the figure the feel of a target.

3.3 'Targets' are a concept that planning here has tended to avoid. While they can be helpful in setting tone or direction, they cannot dictate build, as the Plan appears to imply (7.1.10).

3.4 Build figures are showing welcome signs of increasing. However the gap between the current annual build of 714 units,² and the build necessary to deliver 31,600 dwellings over the plan period, 1200pa (2020-25), rising to 2,800pa (2030-35)³ is a formidable one, and raises the concern that Plan numbers may be unrealistic.

3.5 This concern is not alleviated when the basis of the dwelling forecast is examined. The UU report envisages job growth within the city driving population and housing growth. The most recent decade for which actual figures (as opposed to projections) are available is 2001-11. Between 2001-11 an increase of over 25,000 jobs was accompanied by a population increase of 3,571.⁴ In other words, an employment increase of 1.1 % *per annum* was paralleled by a population increase of 1.3% *per decade*.⁵ Or, to use the UU 'jobs as driver' model, every 7 extra jobs produced 1 extra person.

¹ BLDP, p.34, 31,600 dwellings. 2012 based Housing Growth Indicators (HGIs), Appendix 3, Belfast 2012-25: 13,700 dwellings ÷ 13 x 15 = 15,800 dwellings, when adjusted for 15 year plan period.

² BLDP, Technical Supplement 2, Housing, Figure 5, 2017 'delivery' figure.

³ BLDP, Figure 7.2, p.62.

⁴ BLDP Technical Supplement 1, 3.5

⁵ Housing Growth Options Report (October 2016), 4.6.

- 3.6 The Plan anticipates an additional 46,000 jobs arising over the period 2014-35. It sees this as generating an additional 66,000 residents. This models each new job as generating almost 1.5 people, ten times the 2001-11 figure. The ratios Plan numbers are based on, then, are conspicuously at odds with the actual recent experience of the relationship between job growth and population.
- 3.7 This suggests the plan numbers are not based on a sound statistical and sociological understanding of the relationship between jobs, population and housing.
- 3.8 To what extent will job growth numbers be supplied from the existing population; and by residents perhaps taking on two or three ‘jobs?’ What percentage of these new positions will be filled by non-residents?
- 3.9 Key factors such as this are not analysed in the Housing Growth Options Report, which excuses itself by stating (4.7) that, ‘the limited availability of historic data for the new Belfast LGD restricts a further analysis of these factors’. This overstates the case, for there is no analysis of these factors.
- 3.10 Where analysis is offered, we do not always find it persuasive, for example in 4.8. This links reduced out-migration to improved job growth from 2009 on the second lowest out-migration occurred in the year 2007-08. The post-2008 increase in the affordability of Belfast property is in our view a more likely determinant of the reduction.
- 3.11 Belfast’s jobs total (over 220,000) and the size of its external commuting population (92,000) should be noted.⁶ Belfast jobs are held by people who live in Dundonald, Lisburn, Newtownards, Carrickfergus, Antrim, Craigavon, Newry, Coleraine, etc. Does this point to some 40% of the new jobs being filled by non-residents? If so, then the HGI is likely to offer a sounder basis for planning than the cited 31,600.
- 3.12 Even assuming the new jobs figure is accurate, the extent to which the plan realises its goals will depend on how the homes associated with the new jobs are distributed, and particularly how they are distributed between Belfast and the other boroughs which manage parts of the urban area, all of which will be competing to house this putative population. Put simply, if Belfast is to meet its population goal it must significantly increase its market share.

⁶ BLDP 2.2, p.14. Gaffikin & Sterrett (2014) cite 140,000 daily commuters, a total that may include people travelling from within the BCC boundary.

- 3.13 The Housing Growth Options Report goes on to discuss the UU jobs growth report (4.9, etc.), a document that is itself speculative. As set out above, in the absence of an understanding of the relationship between jobs, population and housing we feel this discussion is largely meaningless.
- 3.14 We also struggle to understand the steadily rising curve of projected build figures (Figure 7.2). This does not reflect housebuilding activity in the real world and further contributes to the sense of fantasy surrounding plan numbers. Housebuilding is cyclical and involves peaks and troughs related to macro-economic, political and social activity and trends. The modelling should reflect this.
- 3.15 The Plan's housing numbers, then, appear to us to be speculative and unfounded in a sociological understanding of how the city region works.
- 3.16 66,000 may be a two plan project.
- 3.17 In our view the Plan should not add 6442 units to the 26,430 units deemed needed between 2020-35. The 2014 -20 shortfall is instructive in that it suggests that the forecast is wrong. It is surely not good practice to add compensatory amounts to the total when actual build falls short of the forecast. It is good practice to adjust the forecast.
- 3.18 As the plan numbers are speculative, we feel the focus of the first Five Year Review should be not site availability but the plan 'target'. Site availability needs looked at in the context of realisable goals. If this consultation exercise does not produce a leavening of plan numbers, then the first review should have the power to doing so. To review site availability in the context of an unrealistic objective would be to come at things from the wrong end.

4. Representations dealing with building housing on brownfield sites

- 4.1 Section 4.11 of the Housing Technical Supplement states that *'it is considered appropriate to adopt the stance in favour of all new housing being delivered on previously developed / brownfield land, i.e. in line with sequential approach set out in the SPPS.'*⁷

⁷ The exception (alluded to in 4.11) is greenfield sites for which planning permission has already been granted. These are unlikely to be stoppable, unless, in line with the SPPS search sequence, they are placed in a Phase II or reserve. As the Draft Plan has issued, we would anticipate new applications for zoned greenfield land to be refused on grounds of prematurity.

4.2 This is perhaps the most important sentence in the plan, if followed through operationally, and should be copied into the Plan Strategy, perhaps in 7.1.12, or 7.1.5. Policy Aims, where it could complement or replace bullet point 2. It could also be firmed slightly to read, ‘New housing will only be permitted on previously developed / brownfield land.’⁸

4.3 It also, to a large extent, renders the discussion about plan numbers academic. Particularly in the context of high levels of site availability. If all new build occurs within the urban footprint (retaining public open space, etc.), all new build will be in principle sustainable. In this context, and in as far as facilitating infrastructure is available, all numbers will in principle be good numbers as they will add critical mass and support the concept of the compact city. This should allow the focus of the housing debate to move from the basic issue of achieving the delivery of housing on sustainable sites, to questions relating to how we maximise the sustainability of the sites which are available to be developed. We would see this as a positive step.

4.4 The issue then becomes the relationship or ‘tension’ between city sites and greenfield suburban sites within the urban area which lie in neighbouring boroughs, and the extent to which such sites will divert demand from city council area locations. High greenfield availability in neighbouring boroughs, is likely to endanger Belfast’s renewal. The urban area is a single entity. The renewal project could be compromised if these less sustainable options are not contained.

5. Representations relating to repopulating the city centre

5.1 We strongly support the Plan’s emphasis on repopulating the city’s core and share the view, based on the experiences of other cities, that it can accommodate the numbers envisaged. Central to this ambition must be the re-populating of the city centre through ‘living over the shop’ initiatives and (very topically today) living where redundant shops use to be.

6. Representations on density guidelines

6.1 We support the density proposals, and acknowledge the contribution they will make to building critical mass. The flexibility offered by the band widths will allow for meaningful densities and, where circumstances require it, the tailoring of development proposals to their specific situations.

⁸ In the interest of clarity, the above caveat relating to zoned greenfield sites with existing planning permission should also be footnoted.

6.2 The market is likely to work against land being under-utilised via sub-optimal proposals, but where it does not, the planning system (either through this Plan's provisions or development management) should have the means of ensuring that land is not under-utilised.

7. Representations relating to protection of established residential areas

7.1 As an umbrella group for community associations, we support the protections suggested for safeguarding the character of existing residential areas.

8. Representations on capacity study issues

8.1 The SPPS advises that an LDP's Urban Capacity Study should, *'assess the potential for future housing growth within the urban footprint and the capacity for different types and densities of housing. The urban capacity study should take account of housing development opportunities arising from previously developed land, infill sites, conversion of existing buildings, and possible changes of land use. Consideration needs to be given to the type of housing and density appropriate to each site in order to assess the number of housing units likely to be generated.'*⁹

8.2 The Belfast Capacity Study does not appear to include an allowance for conversion of upper floors of existing buildings (LOTS). It classifies these as Type 3 (3), and notes its study method did not allow it to assess this source. An assessment is required under the SPPS and should be supplied.¹⁰

8.3 The SPPS requires plan makers to make a 'full allowance' for windfalls when deciding the number of sites to identify for development in an area plan, and states that, 'The methodology used should be robust and care should be taken to avoid the under-estimation of windfalls.'¹¹

8.4 This places a clear responsibility on plan makers to produce full and robust windfall allowances. A windfall allowance is a predictive allowance which involves quantifying the unforeseen, so its assessment is no easy matter.

⁹ SPPS 6.139, bullet point 4 (p.71)

¹⁰ In the *Review of the Living over the Shops Scheme: Analysis of Need and Demand – Final Appendices Report* (PACEC, 2016), p.40, BCC identified 266 properties suitable for LOTS conversion, suggesting a potential yield of c.400 units. These are often markers for regeneration and should be in current figures, not left over to be included if there is 'Insufficient supply' (Capacity Study, 3.4.1.3).

¹¹ SPPS 6.139, bullet point 5 (p.72)

- 8.5 To produce a sound windfall allowance certain principles must be recognised and acted upon. Firstly, that a windfall allowance is a longitudinal allowance. Its timeframe is the entire plan period.
- 8.6 Secondly, windfalls are not a sub class within existing availability. They do not belong within the ‘snapshot of availability’ category of the Capacity Study. They belong within its second category: currently unidentifiable future availability.
- 8.7 Thirdly, they must be assessed in a comprehensive and inclusive fashion, without maximal or minimal cut off points.¹²
- 8.8 Fourthly, there is a relationship between brownfield site flow (and therefore windfall generation) and planning policy. A sustainable plan needs a planning policy context that is conducive to brownfield development to incentivise developers to seek out new sites.
- 8.9 The Capacity Study includes no estimate for windfall for sites yielding 5 or more units.¹³ It ducks the business of assessing the numbers likely to flow from what has historically been the main source of windfall sites.
- 8.10 What we have instead is a black hole. The hole is filled with a very modest number. The Draft Strategy (4.08, 4.16) suggests that this class of site will yield c.600 dwellings over the plan period, a figure that has no visible research basis.
- 8.11 The figure is modest because the Plan proposes to zone land within the development boundary which was not zoned in BMAP. The Capacity Study notes that this land (which is somewhat confusingly described as ‘whiteland’) produced 20,065 dwellings between 2000-15,¹⁴ and states, *‘Whilst it is too early to draw robust conclusions on the how emerging policy context will impact on future windfall, both of the factors above [i.e. ‘internal’ zoning & housing numbers well beyond the HGI] suggest that the high level of windfall*

¹² Though the Capacity Study acknowledges that, ‘Windfall sites can be of any size.’ (3.3.2), it does not follow through with a suitably comprehensive range of numbers. 5.2 states that, ‘It should be noted that larger windfall sites (i.e. unexpectedly available sites with the capacity to deliver more than five dwellings) have not been included in this calculation. It is possible that such sites may contribute to housing land over the Plan period. However, as these sites are less likely to provide an ‘available supply’ across each year of the Plan period, they have not been considered as part of the evidence for the justification for any windfall allowance.’ This reason makes no sense!

¹³ Urban Capacity Study, Ove Arup & Partners Ltd (March 2018), Section 6 (4), p.42, ‘The Urban Capacity Study has not included an estimate of windfall for larger sites yielding 5 or more units.’

¹⁴ Urban Capacity Study, Ove Arup & Partners Ltd (March 2018), p.4.

*sites of 5 or more units is unlikely to continue under the new policy approach. The approach taken to the zoning of sites will therefore be critical.*¹⁵

- 8.12 We would agree, however it is highly unlikely that the difference will be as great as the 20,065 figure suggests. Nor would we describe the 20,065 figure as windfalls. BMAP had the ENTEC Capacity Study available to it. This identified known available sites (sites with extant planning permissions, etc.) and in identifying them moved them from the windfall category into the ‘snapshot of availability’ category, for they were sites that plan makers were aware of at the time of the creation of the plan. These sites do not belong in the windfall total.
- 8.13 We would like to see the impact of reclassification examined. The rationale for reclassification (7.1.8) is not set out in the Draft Strategy, which simply states a preference for ‘a planned approach’. What is meant by zoned land is currently unclear. We would be concerned, as hopefully would plan makers, if this inhibited site flow, or otherwise compromised the ‘organic’ processes of urban renewal. The maxim, ‘If it isn’t broke, don’t fix it’ comes to mind.
- 8.14 We are conscious too that if the high plan numbers are to be delivered, the capacity of the brownfield housebuilding industry must be grown and all sections of that industry engaged. The plan structures should offer as much encouragement to the small builder seeking to intensify use by turning a 30s bungalow on a suitable corner site into four flats, as it is to middle-sized and large developers.
- 8.15 Assuming reclassification does not significantly impair windfall generation, windfalls will continue to come forward in numbers on ‘zoned’ sites within the development limit. Changes in ownership, building on currently unidentified sites, redesigns, and re-applications are likely to ensure in many cases that actual build will exceed density estimates, creating windfalls.¹⁶
- 8.16 The city’s building history suggests the figure is not robust and that this class of site will produce many times the number of windfalls indicated in the Draft Plan. The figure should be revised.

¹⁵ Ibid, p.3 (18,662 + 1,403 = 20,065)

¹⁶ The 25 per hectare density assumption the Housing Monitor applies to zoned sites in BMAP which do not have a planning permission is a case in point. Urban Capacity Study, Ove Arup & Partners Ltd (March 2018), Type 3 (4), p.16.

8.17 There is a parallel between the Draft Plan's 600 figure and BMAP's 178 uncommitted windfalls. 6,522 of ENTEC's estimated 6,700 windfalls had come forward by the time of the 2007 Public Inquiry, leading the plan team to argue that there were only 178 windfalls left within the BMA to come forward between 2006-15, a position the PAC rejected, requiring the Department to re-examine the issue, an exercise that produced a huge increase in windfall numbers. (The PAC's reasoning is reproduced in Appendix 1.)

8.18 We note that availability will also be boosted by a 'windfall' of 55 hectares of unneeded employment land, some portion of which is likely to be used for housing.

8.19 The 1410 'sites yielding under 5 units' derives from a build of c.20,000 dwellings 2000-15. To project the same relationship with the Plan's build figure of 31,600 would however require an allowance of c.2,100 units. The Plan figure should be adjusted accordingly.

8.20 The 1,331 units identified within the Housing Monitor but excluded from the capacity figures as their sites yielded less than 5 units should be included in the Plan windfall estimate.¹⁷

8.21 We recognise that there is a lot of good work in the Capacity Study. But we believe that the deficiencies set out above will need to be rectified before it can be considered robust.

9. Representations relating to green infrastructure

10.1 The BMRG sees the capacity for the planting of a million more trees in Belfast over the period of the Plan.

10. Representations relating to phasing

11.1 The BMRG queries submitted phasing representations.

11. Representations relating to monitoring and review

12.1 The BMRG queries submitted monitoring and review representations.

¹⁷ Ibid, section 5.3, p.33.

Appendix 1

The Planning Appeals Commission on BMA windfalls

Extract from the Planning Appeals Commission's *Belfast Metropolitan Area Plan: Report on the Strategic Plan Framework* of March 2011.

'3.2.28 There were widely differing views among objectors about the approach to estimating windfall development. Some considered that windfall estimates were too optimistic and would not be delivered, others that supply was declining or exhausted and no further allowance should be made. Some objectors felt that windfall offered potential for significant additional housing supply which would reduce the need for greenfield sites and provide added flexibility in housing supply. The view was also expressed that further significant windfall development should be counterbalanced by greenfield extensions. The figures provided by the Department indicate that committed windfall development to 2006 had almost reached the windfall estimate for the Plan period as a whole. This is partly accounted for by the net increase in output on urban footprint sites above anticipated levels. Despite the reference to the Glossary in paragraph 64 of PPS 12, it does not contain a definition of 'windfall' and, although the methodology in PPS 12 does not provide for inclusion of these figures in windfall calculations, we see no reason not to include them in order to ensure that increased output on zoned land is not overlooked as a source of housing provision. On the basis of the Department's figures, BMRG estimated that the windfall figure over the Plan period could be as high as 25,000 resulting in a need for fewer greenfield sites.

3.2.29 Assessment of windfall is part and parcel of the urban capacity study exercise and a requirement of PPS 12. Paragraph 64 of PPS 12 requires that an allowance be made for windfall through the development plan process in order to prevent the excessive allocation of housing land. Appendix 1 sets out a detailed approach to urban capacity studies in which it states that windfall is **crucial** (our emphasis) to allowances made within the plan for the provision of housing not specifically identified through zoning. It recognises that a failure to make an allowance for windfall might prejudice compliance with the RDS. The methodology for calculating windfall is reproduced in Volume 2 of the Population and Housing Technical Supplement. The approach in the ENTEC study is thorough but the increased level of windfall supports the URBED analysis that capacity is intrinsically fluid and influenced by the market and policy context. The inescapable conclusion is that the windfall allowance in the draft Plan represents a gross under estimate of the potential supply from this source.

3.2.30 It is surprising that the Department was content to view further windfall as a 'bonus' to provide added flexibility, particularly in view of the high level of such development approved to date and their acknowledgement that continuation of the current rate of windfall could result in the HGI being exceeded by as much as 8% in the MUA. We note the Department's reservation about the difficulty of predicting the actual level of windfall but this is a point acknowledged by PPS 12 and is not a justification for failing to revisit the issue, particularly in view of the performance of this element of housing contribution to date. Their concern about the 'anticipatory' nature of

windfall in the MUA is inconsistent both with their approach to date and the requirement of PPS 12.

3.2.31 In current market conditions we consider it unlikely that the rate of windfall will continue as predicted by BMRG but accept the general point that the level of windfall has been under-estimated. It would not be appropriate to ignore it on the basis that provision is made in the RDS for overzoning as such provision is only permitted as a contingency measure where a potential land supply difficulty is likely to arise. We consider specific objections about problems of supply in part 2 of this report and accept that in circumstances where land supply difficulties have been identified, an estimated increase in windfall may avoid the need to identify further lands to a greater or lesser extent.

3.2.32 We fail to see how the Department's proposed solution of 'making adjustments' following monitoring can address the issue in the absence of any management mechanism for the release of land - it would be a purely paper exercise. Accordingly we consider this aspect of their approach to be flawed and find the residual figure of 178 uncommitted windfall sites in the MUA to be a gross underestimate of the potential windfall contribution. Evidence of the potential at the 6.57ha DOS at Belfast's Sirocco Works alone significantly undermines this assumption. Irrespective of whether the regional target is met for the BMAP area for 60% of additional dwellings to be provided within urban footprints, the RDS seeks to maximise the use of urban land and the contribution made by windfall development cannot be ignored. We therefore consider that the Department should reassess its windfall estimates in order to provide a more robust analysis of the land needed to meet both the increased HGI and the STLR. In this respect we note that PPS 12 allows for past levels of windfall as a factor in making assumptions about future levels. We consider that any adjustments as a result of the Department's exercise should be taken into account in the final analysis of objection sites to be included within the Plan. We do not agree with objectors that an increase in the windfall allowance should result in a compensating increase in greenfield allocation for reasons set out paragraph 3.2.23.

Recommendations

We recommend that:

- The Department undertake a further windfall exercise to assist in providing a robust analysis of the additional land required to meet the housing growth indicator and short term land reserve;
- Any required adjustments should be taken into account in determining the final level of land required to meet the housing needs of the Plan.'