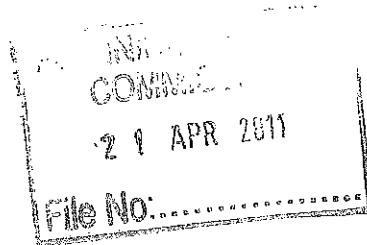


Your Ref:

Our Ref:



Divisional Planning Office

Mr Ciaran Purvis
Chief Administrative Officer
Planning Appeals Commission
Park House
87/91 Great Victoria Street
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Marlborough House
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BT64 1AD

19 April 2011

Dear Mr Purvis

**THE PLANNING (NORTHERN IRELAND ORDER) 1991
PUBLIC EXAMINATION OF THE DRAFT NORTHERN AREA PLAN 2016**

I refer to your letter to Anne Garvey dated 15 April 2011.

The Department agrees that given the substantial period of time that has elapsed since the draft Plan was published in May 2005, it may be helpful to the Independent Examination process to set out, in advance, changes to the regional planning policy context in the interim period.

The Department has therefore prepared a paper for the attention of the Commission setting out those policies and designations in the draft Plan that it considers to have been superseded by regional planning policy. Furthermore, it is the Department's view that it is therefore not necessary for the Independent Examination to consider any objections that relate to those superseded policies and designations.

I can also assure the Commission that as stated in the Department's letter dated 23 September 2010, all objectors to Green Belt and Countryside Policy Area designations were written to on 17 August 2010. They were informed that, as these designations have been superseded by PPS 21, all objections and counter objections lodged to them are in effect redundant and therefore no longer fall to be considered.


The Department is also preparing a separate Housing Analysis Paper that will provide details of how it intends to address the issue of adjustments to the Housing Growth Indicators and their implications for objections to the Plan. This Paper will also provide updated information in relation to total housing provision in each of the Plan Area settlements as a result of additional housing completions and commitments in the intervening period.



I enclose a copy of the Department's Paper titled "Review of Regional Policy and Implications for Draft Northern Area Plan 2016".

It is the Department's intention that the Housing Analysis Paper referred to above will be sent to the Commission by 31 May 2011.

Yours Sincerely



TONY DONNELLY
Principal Planning Officer
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BT 51 3HS

As of the 1st April 2011 the Planning Service ceased to exist as an agency of the Department. Therefore any references to Planning Service in this document should be read as a reference to the Department of the Environment.

Review of Regional Policy and Implications for Draft Northern Area Plan 2016

1.0 Introduction

- 1.1 The draft Northern Plan 2016 (dNAP) was published in May 2005 and representations, including objections, were invited. The Department received almost 5,000 letters of objection and in September 2010 requested that the Planning Appeals Commission (PAC) hold an Independent Examination for the purpose of considering the objections received.
- 1.2 The draft Plan was prepared within the context of prevailing regional policy and the Department for Regional Development (DRD) has determined, in accordance with Article 28(3) of the Planning (Amendment) (Northern Ireland) Order 2003, that it is in general conformity with the Regional Development Strategy for Northern Ireland 2025 (RDS).
- 1.3 However, given the time period that has elapsed since publication of the draft Plan, the Department considers that it may be helpful to the Independent Examination process to set out, in advance, changes to the regional policy context over the past 6 years.
- 1.4 **The main purpose of this paper is to identify those policies in the draft Plan which the Department considers to have been subsequently superseded by regional planning policy.** The Department is also providing early notification to the PAC and objectors/counter objectors that there may be other implications arising from changes to the regional policy context that will need to be taken into consideration during the Independent Examination process.

2.0 Regional Development Strategy

- 2.1 A 5 year Review of the RDS was carried out and the adjustments set out in "Shaping Our Future: Adjustments to the RDS 2025" published by DRD in June 2008. This document made adjustments to some of the Objectives, Strategic Planning Guidelines (SPGs), and the Supporting Actions of the SPGs. It also set out how the revised regional housing need of 208,000 dwellings for the period 1998 to 2015 is distributed by council district. Diagram 8, page 40, of that document sets out the revised Housing Growth Indicators (HGIs) for the Plan districts.
- 2.2 A consultation document on the 10 Year Review of the RDS was published in January 2011. It is intended that, when published in final form, the 10 Year Review will replace the current RDS. Whilst the consultation draft retains much from the original RDS, including its vision, it has introduced a new way of dealing with a number of concepts including: sub-regional centres, clusters and a new approach to housing growth indicators.

3.0 Regional Transportation Strategy

- 3.1 The Regional Transportation Strategy (RTS), published in July 2002, covers a 10 year period from 2002-2012. It is currently under review and the consultation period on the revised RTS runs until 28 June 2011.
- 3.2 Implementation of the RTS in the Plan Area is through the Regional Strategic Transport Network Transport Plan (RSTNTP) published in March 2005 and the Sub Regional Transport Plan (SRTP) published in June 2007.
- 3.3 The Investment Delivery Plan (IDP) for Roads, published in 2008, identifies Roads Service's capital investment priorities between 2008 and 2018.

4.0 Planning Policy Statements

- 4.1 Planning Policy Statements (PPSs) set out regional planning policies on particular aspects of land use planning and apply to the whole of Northern Ireland. The Department has a rolling programme for the preparation of new PPSs and the review of existing PPSs. Paragraph 2.5 on pages 8 & 9 of Volume 1 the draft Plan states "**Subsequent new and revised PPSs will supersede the corresponding policies contained in this Plan.**"
- 4.2 Since the beginning of 2005 the following PPSs and draft PPSs have been published:

Published

- PPS 3 Access, Movement and Parking
- PPS 3 (Clarification) Access, Movement and Parking
- PPS 4 Planning and Economic Development
- PPS 6 (Addendum) Areas of Townscape Character
- PPS 6 Revised Annex C: Criteria for Listing
- PPS 7 (Addendum) Residential Extensions and Alterations
- PPS 7 (Addendum) Safeguarding the Character of Established Residential Areas
- PPS 12 Housing in Settlements
- PPS 13 Transportation and Land Use
- PPS 15 Planning and Flood Risk
- PPS 17 Control of Outdoor Advertisements
- PPS 18 Renewable Energy
- PPS 21 Sustainable Development in the Countryside

Issued for Consultation

- PPS 2 (Revised) Natural Heritage

- PPS 5 (Revised) Retailing, Town Centres and Commercial Leisure Developments
- PPS 16 Tourism
- PPS 23 Enabling Development
- PPS 24 Economic Considerations

5.0 Implications for the Draft Northern Area Plan 2016

5.1 The Department has carried out an assessment of how changes in the regional policy context since publication of the draft Plan impact on the policies, proposals and designations contained in Volume 1: Part 2: Strategic Plan Framework and Part 3: Countryside and Coast, of the Draft Northern Area Plan 2016.

5.2 **This paper sets out those draft Plan policies that the Department consider to have been superseded by regional planning policy. It is the Department's view that it is therefore not necessary for the Independent Examination to consider any objections that relate to those superseded policies.**

5.3 The Department considers that a PPS only supersedes a draft Plan policy where it has been published in final form. Where a current draft PPS is published in final form before the Independent Examination hearing on that topic, the Department will update the PAC as to its implications in its Stage 1 evidence.

6.0 Housing

6.1 The Department is preparing a separate Housing Analysis paper dealing with this topic which it intends to publish prior to the Independent Examination exchange of Stage 1 Written Statements.

6.2 This paper will address the implications on the draft Plan of the 5 year Review of the RDS and the measures contained in PPS12: Housing in Settlements. It will also provide updated information in relation to total housing provision in each of the Plan Area settlements as a result of additional housing completions and commitments in the intervening period.

7.0 Retail, Services and Offices

7.1 Draft (Revised) PPS 5: Retailing, Town Centres and Commercial Leisure Developments was published in July 2006. As its policies may be revised when the document is published in final form, the Department consider that the policies contained in the draft Plan remain appropriate at this time.

8.0 Tourism

8.1 The 5 year Review of the RDS made adjustments to SPG ECON 8 to reflect the change in direction in relation to tourism since the original

RDS was published in 2001. In particular the RDS Review introduced the concept of Signature Projects. The Causeway Coastal Route Signature Project lies within the Plan Area.

8.2 A new Tourism Strategy for Northern Ireland is intended to provide a vision and strategic direction for the development of Northern Ireland's tourism industry to 2020. Whilst a consultation draft was published in February 2010, it has not yet been published in final form.

8.3 Draft PPS 16: Tourism was published in November 2010. As its policies may be revised when the document is published in final form, the Department consider that the policies contained in the draft Plan remain appropriate at this time.

9.0 Environment and Conservation

9.1 Policy ENV 6: Areas of Townscape/ Village Character

The Addendum to PPS 6: Areas of Townscape Character (ATC), published in August 2005, contains regional policy for the control of development in ATCs. It introduces three policies as follows:

- ATC 1 Demolition in an ATC – this introduces a presumption in favour of retaining any building which makes a positive contribution to the character of an ATC. This is a significant addition to Plan Policy ENV 6.
- ATC 2 New Development in an ATC – this covers the first bullet point in Plan Policy ENV 6 and provides the policy to control new development in ATCs.
- Policy ATC 3 The Control of Advertisements in an ATC – this covers the final paragraph in Plan Policy ENV 6. Advertising policy is also covered in PPS 17: The Control of Outdoor Advertisements.

9.2 Policy EXT 1 in PPS 7 Addendum: Residential Extensions and Alterations – this covers the second bullet point in Plan Policy ENV 6 in relation to alterations and extensions to residential properties within ATCs. Policy QD 1 of PPS 7 Quality Residential Environments also makes specific reference to ATCs.

9.3 Furthermore, paragraph 2.8 of the Addendum to PPS 6 states that "In assessing the acceptability of proposals, the Department will have regard to the same broad criteria outlined for Conservation Areas in paragraphs 7.6 - 7.10 of PPS 6."

9.4 The Department considers that the wording of paragraph 3 of Plan Policy ENV 6 does not add anything of significance to regional policy. The key features to be taken into account when assessing development proposals are set out in the four ATC designations in Volume 2: District Proposals of the draft Plan.

9.5 The Department considers that PPS 6 Addendum Policies ATC 1, ATC 2 and ATC 3 together with PPS 7 Addendum Policy EXT 1 and the broad criteria for Conservation Areas set out in PPS 6, adequately provides the policy context relating to ATCs. The ATC designations in the draft Plan set out the specific key features to be taken into account when applying these policies. The Department requests that the PAC make a recommendation that **dNAP Policy ENV 6 be withdrawn from the adopted Plan.**

10.0 Transportation

10.1 PPS 3 Access, Movement and Parking sets out the Department's planning policies for vehicular and pedestrian access, transport assessments; the protection of transport routes and parking. Although published in February 2005, the preparation of the draft Plan was too advanced at that stage for it to be taken into account.

10.2 The Department, in conjunction with DRD Roads Service, has reviewed the dNAP policies relating to Transportation and considers that the following have been superseded by regional policy.

10.3 Policy TRA 1: Rural Route Protection

The Department considers that PPS 3 Policy AMP4 adequately protects the schemes listed under dNAP Proposal TRA 2. It therefore requests that the PAC make a recommendation that **dNAP Policy TRA 1 be withdrawn from the adopted Plan.**

10.4 Policy TRA 3: Rural Road Improvement Schemes

The Department considers that PPS 3 Policy AMP4 adequately protects the schemes listed under dNAP Proposal TRA 4. It therefore requests that the PAC make a recommendation that **dNAP Policy TRA 3 be withdrawn from the adopted Plan.**

10.5 Policy TRA 5: Roads Schemes and Development

The submission of a Transport Assessment under PPS 3 Policy AMP6 allows the provision and timing of road and transport infrastructure to be agreed as part of the planning process. It therefore requests that the PAC make a recommendation that **dNAP Policy TRA 5 be withdrawn from the adopted Plan.**

10.6 Policy TRA 6: Public Transport, Walking and Cycling

The Department considers that PPS 3 Policies AMP 6 and AMP 8 and PPS 7 Policy QD1 adequately protect the needs of pedestrians, cyclists, and public transport users. It therefore requests that the PAC make a recommendation that **dNAP Policy TRA 6 be withdrawn from the adopted Plan.**

10.7 Policy TRA 7: Protection of the A26 Junction with A44 (Cloghmills) Park and Ride/Park and Share Site

The Department considers that PPS 3 Policy AMP 4 protects new transport schemes such as the Park & Ride/Share provision. It therefore requests that the PAC make a recommendation that **dNAP Policy TRA 7 be withdrawn from the adopted Plan.**

11.0 Strategic Countryside and the Coast

11.1 With the publication of PPS 21 Sustainable Development in the Countryside in June 2010, the policies and provisions contained within it now take precedence over the policy provisions for all Green Belts and Countryside Policy Areas in existing statutory and published draft Plans, with a limited number of exceptions.

11.2 The Department in its letter to the Commission, dated 23 September 2010, stated that due to the publication of PPS 21 **it is not taking objections to Green Belt and Countryside Policy Area designations through the Independent Examination process.** It therefore requests that the PAC make a recommendation that the following **dNAP designations be withdrawn from the adopted Plan:**

- **COU 1: Limavady Green Belt**
- **COU 2: Dungiven Green Belt**
- **COU 3: Coleraine/Ballymoney Green Belt**
- **COU 4: Antrim Coast and Glens Countryside Policy Area**
- **COU 5: Causeway Coast Countryside Policy Area**
- **COU 6 North Derry Countryside Policy Area**
- **COU 7: The Sperrins Countryside Policy Area**
- **COU 8: The River Bann Corridor Countryside Policy Area**

12.0 Conclusion

12.1 In this paper, the Department sets out its reasoning in relation to those policies contained in the draft Plan which have subsequently been superseded by regional policy.

12.2 The Department is of the view that it is therefore **not necessary for the Independent Examination to consider objections to those superseded policies.** Furthermore it requests that the PAC make a recommendation that the following draft plan policies contained in the draft Northern Area Plan 2016 **be withdrawn from the adopted Plan:**

- **Policy ENV 6 Areas of Townscape/Village Character**
- **Policy TRA 1 Rural Route Protection**
- **Policy TRA 3 Rural Road Improvement Schemes**
- **Policy TRA 5 Road Schemes and Development**
- **Policy TRA 6 Public Transport, Walking and Cycling**
- **Policy TRA 7 Protection of the A26 junction with A44 (Cloghmills) Park and Ride/Park and Share**

12.3 The Department also requests that the PAC make a recommendation that the following draft plan designations contained in the draft Northern Area Plan 2016 **be withdrawn from the adopted Plan:**

- **Designation COU 1 Limavady Green Belt**
- **Designation COU 2 Dungiven Green Belt**
- **Designation COU 3 Coleraine/Ballymoney Green Belt**
- **Designation COU 4 Antrim Coast and Glens Countryside Policy Area**
- **Designation COU 5 Causeway Coast Countryside Policy Area**
- **Designation COU 6 North Derry Countryside Policy Area**
- **Designation COU 7 The Sperrins Countryside Policy Area**
- **Designation COU 8 The River Bann Corridor Countryside Policy Area**

12.4 The Department is of the view that whilst there are regional policy changes that impact on a number of other dNAP policies, it is more appropriate that these be addressed in its Written Statements on the relevant topics, due to the less clear cut nature of the extent to which they have been superseded. The **Department in its Housing Analysis Paper and its Stage 1 evidence to the Independent Examination will address these and other issues, which may impact on the remaining individual policies, proposals or designations in dNAP.**