

Director of Local Planning Division

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Your Ref:
Our Ref:
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Dear Mr Purvis

Re: Draft Northern Area Plan Independent Examination

Following the publication of a number of Planning Policy Statements, and having regard to the current situation and established custom and practice, I would like to advise that the Department intends to withdraw several policies from the Plan and, therefore, no longer wishes for them to be considered at the Examination. The policies to be withdrawn, together with a brief explanation, are identified below:

(i) *Policy HOU2: Phasing*

The purpose of the policy is to prioritize the redevelopment of previously developed land. In the main this has now been achieved and planning permission has now been granted for some of the Phase 2 zonings in line with the criteria contained in the policy. Accordingly, this policy is no longer necessary.

(ii) *Policy HOU4: Maintaining the Residential Stock*

The Department's Housing Update Paper (March 2011) has clearly demonstrated that there is no shortage of housing land in the District. Accordingly, the Department no longer considers that there is a need to protect existing housing stock over and above the provisions made by existing planning policy and subject to the normal environmental and amenity considerations.

(iii) *Policy RSO1: Developments Attracting Large Numbers of People*
Policy RSO2: Facilities and Service at Local Centres
Policy RSO3: Protection of Existing Commercial Facilities

Regional retail planning policy is currently under review and Draft PPS5 Retailing, Town Centres and Commercial Leisure Developments (July 2006) has signalled the Department's intention for such development to be controlled, in the main, under the provisions of regional policy. Once regional policy is finalised, the

Department will consider whether there is a need for additional bespoke policies to address local circumstances in the Plan Area, and, if necessary, bring forward proposals under the provisions of Article 6 of the Planning Order 1991.

(iv) Policy RS04: Shopfronts

Having had regard to the objections to this policy the Department now considers this policy to be unnecessary, as shopfronts are covered under the provisions are made under DES2 of "A Planning Strategy for Rural Northern Ireland". In addition, there is a statutory duty to have special regard to shop fronts within conservation areas in relation to the preservation and enhancement. Additional consideration may also be given to new shop fronts in Areas of Townscape/Village Character. The Department may consider bringing forward non-statutory planning guidance to provide additional advice to applicants in areas where there would be particular benefits and subject to available resources.

*(v) Policy TOU 1 Tourist Facilities and Attractions
Policy TOU 2 Tourist Accommodation within Settlements
Policy TOU 3 Tourist Accommodation in the Countryside
Policy TOU 4 Camping and Caravans*

The above policies were formulated when much of the Plan Area, particularly the Causeway coast, was constrained by Countryside Policy Areas. These were withdrawn as a consequence of PPS21: Sustainable Development. With the publication of Draft PPS 16: Tourism and Draft PPS5: Retailing, Town Centres and Commercial Leisure Developments (July 2006) the Department has signalled its intention for such developments to be controlled, in the main, under the provisions of regional policy. Once regional policy is finalised the Department will review whether there is a need for additional bespoke policies to address local circumstances in the Plan Area and, if necessary, and subject to resources will bring forward proposals under the provisions of Article 6 of the Planning Order 1991.

(vi) Policy TOU6: Amusement Arcades

Having given further consideration to the above policy the Department does not consider that a strategic policy for the whole plan area is necessary. In the main developers have been given adequate advice and guidance in DCAN1 Amusement Centres. However, where there are specific local issues (i.e. Portstewart and Portrush), these have been dealt with in volume 2 of the Plan and the Department respectfully requests that any objections to these be considered by the Planning Appeal Commission in the second stage of the Examination

(vii) Policy ECU2: Protection of Community Facilities

The Department has given further consideration to the above policies in light of the objections and is mindful that the policies could discourage future landowners providing land and buildings for community use or opening up their land to public access.

(viii) Policy ENV1 Biodiversity

Biodiversity is a key theme of existing regional policy and the publication of Draft PPS2 (Revised): Natural Heritage signals the Department's intention to provide a more explicit suite of policies. Accordingly, the Department intends to remove this policy and retain the supporting text (paras 6.3.2 - 6.3.3) for information purposes.

*(ix) Policy PSU1: Watercourse Management
Policy PSU2: Ground and Surface Water Resources*

PPS15: Planning and Flood Risk (June 2006) has introduced regional policy and guidance on water course management and drainage resulting in these policies no longer being necessary. The need for a maintenance strip to waterways and the impact of development on the water environment are normal planning considerations dealt through the development management process.

(x) Policy COU14: The supportive Landscape setting of the Giant's Causeway World Heritage Site

Planning Policy Statement 21: Sustainable Development in the Countryside(June 2010) states that the policy provisions of the Policy take precedence over a number of provisions of the Planning Strategy for Rural Northern Ireland, including Policy GB/CPA 1(Designation of Green Belts and Countryside Policy Areas). As a consequence the provisions of PPS21 also takes precedence over the policy provisions for Green Belts and Countryside policy Areas in existing statutory and published draft development plans. This includes the Draft Northern Area Plan 2016.and, as a consequence, Designation COU 5 of the Plan (Causeway Coast Countryside Policy Area) has become unnecessary.

It should be noted that Designation COU 13 is retained in order to define the setting of the Giant's Causeway World Heritage Site, to which Policy BH5 of Planning Policy Statement PPS6: Planning, Archaeology and the Built Environment applies. However, the Department no longer considers Policy COU14 to be necessary, taking into account the provisions of PPS21 and the withdrawal of Policy TOU1 of the Plan.

(xi) Designation COU16: Areas of Constraint on Mineral Development

The Department recognises that there is a need to balance the economic benefits of mineral extraction with protection of the environment. The Department recognises that there is an information deficit on mineral reserves in the Plan area and, therefore, it proposes to withdraw this policy. Until such time as the Department has undertaken further research and new policy proposals are brought forward under Part IV of the Planning (NI) Order 1991 applications will be assessed under the provisions of the prevailing regional policy.

In addition to the withdrawal of the above policies the Department also intends to correct two policies which have been drafted with misleading errors in the text.

(a) Policy ECU1: Education, Health, Community and Cultural Facilities

This policy is designed to give greater flexibility for such uses in settlements than is automatically provided by zonings and supporting regional policy. In order to clarify this it is proposed to add the words, "In settlements" to the beginning of the policy.

(b) Policy Min 2 Natural Mineral Reserves – Hydrocarbon Extraction

The Commission is asked to note that this policy has been incorrectly drafted as its scope is intended to be limited to exploration only. The Department, therefore, suggests that the wording be amended accordingly. Policy for the extraction of oil and gas will continue to be dealt with under the policy provisions of MIN 4 a "Planning Strategy for Rural Northern Ireland".

The Department is writing to the objectors and counter objectors who have expressed a view on the above policies informing them of the withdrawal of the policies and providing them with a copy of this letter. I trust that these actions will help to simplify and focus the discussion on to the remaining issues of concern for all those intending to make representations to the Examination.

Yours sincerely



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Director of Local Planning