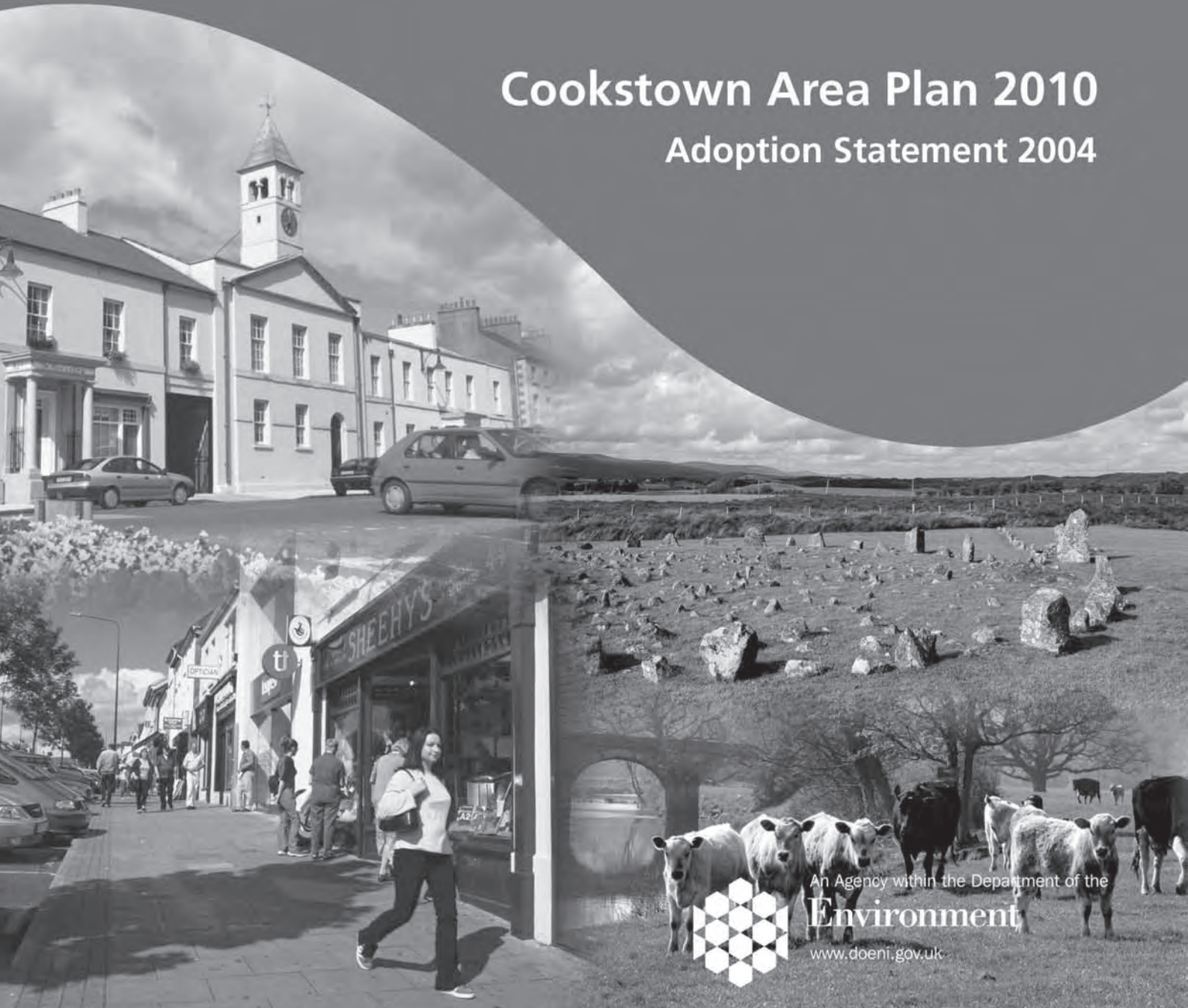




Cookstown Area Plan 2010

Adoption Statement 2004



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DEPARTMENT OF THE ENVIRONMENT

Cookstown Area Plan 2010

Adoption Statement 2004

1.0 Introduction

- 1.1 The Cookstown Area Plan 2010 has been prepared by the Department of the Environment for Northern Ireland (hereinafter referred to as "the Department") under the provisions of Part III of the Planning (Northern Ireland) Order 1991. It provides a broad land use and policy framework for the development of Cookstown District Council Area to the year 2010. Following consultation with the District Council and advertisement in the press, an exhibition of the proposals was held in Cookstown, Ardboe and Pomeroy from 5 November to 10 November 1999. The period for receipt of objections ended on 17 December 1999, by which date 135 objections and letters of support had been received to the Draft Area Plan proposals. The objections and the Department's rebuttal statements were available for inspection from 14 April 2000 and 27 June 2000 respectively until the Public Inquiry.
- 1.2 To assist the Department in the consideration of these objections, a Public Local Inquiry was held before Mr GRB Farrington, Professional Commissioner (hereinafter referred to as "the Commissioner"), in the Glenavon Hotel, Cookstown, between 3 – 6 October 2000 and thereafter in the Chamber of Cookstown District Council. Pre-inquiry meetings were held in the Glenavon Hotel on the evening of 27 June and 22 August 2000. The Inquiry opened on 3 October and closed on 13 December 2000.
- 1.3 The Commissioner's report of the Inquiry and the recommendations of the Planning Appeals Commission (herein after referred to as "the Commission") are published today. The Department has decided to adopt the land use policies and proposals contained within the Cookstown Area Plan subject to certain amendments made in response to the findings and recommendations of the Commission. This Adoption Statement sets out the Department's decisions in response to the recommendations of the Commission and details the amendments proposed.

2.0 Presentation of the recommendations of the Planning Appeals Commission, the Commissioner's Report and the Decisions of the Department.

- 2.1 The number of objections to the Draft Plan and the range of issues raised by those objections is extensive and complex. The Commission's Report of Inquiry, which is published today, contains the details of the evidence presented by all parties to each objection, the Commission's recommendations to the Department on those objections and their implications for the Adopted Plan.
- 2.2 As a result of the consideration of a number of objections to the Draft Plan, the Department in its rebuttal evidence proposed a number of changes to the document. These changes were discussed at the Public Inquiry and were accepted in principle by all parties.

- 2.3 In order to bring these changes into effect, including related additional changes recommended by the Planning Appeals Commission, it was necessary to formally modify the Draft Plan and submit the modifications to further consultation. This was in accordance with Article 8 (1) of the Planning (NI) Order 1991 and Regulation 13 of the Planning (Development Plans) Regulations 1991 (as amended). The modifications were published in May 2002 and in response to this process, a total of 7 submissions were received within the 6 weeks statutory period. Of the 7 submissions, only 4 could be classified as objections. After careful consideration by the Department, it was concluded that there was no need for a further public inquiry to be held and that the proposed modifications should remain as proposed. The modifications will be incorporated into the final Plan and further detail is contained in Schedule 2 of Appendix 2.
- 2.4 The proposed modifications relate to:
- reduction in the extent of the Cookstown Greenbelt;
 - removal of Recreation and Open Space Zoning R 2;
 - reduction of the Community Woodland designation R 4;
 - designation of Gortacladdy as a village;
 - designation of The Grange as a village incorporating a Local Landscape Policy Area; and
 - delineation of an enlarged village envelope for The Rock incorporating an area of Existing Recreation and Open Space.
- 2.5 The appendices to this statement summarise in tabular format the Commission's recommendations and the Department's decisions on those recommendations. Where a decision of the Department diverges from the Commission's recommendation, the reasons for doing so are given. The summary schedules and tables set out the implications of the Department's decisions for the final Plan
- 2.6 **Appendix 1** lists the Draft Plan policies and proposals which in the final Plan have been deleted, amended or added to as a consequence of the Department's decision in respect of recommendations made by the Commission. Minor amendments are not listed.
- 2.7 **Appendix 2** contains an Index to objections and to the Schedules and Tables in which those objections are considered. The information is structured as set out below to offer ease of access to the Commission's recommendations and the Department's decision on each objection.
- 2.8 The Index lists each objection in numerical order. The numbers listed in column 1 are the reference numbers attached to each objection by Planning Service. A reference number was provided to each objector in the letter acknowledging the objection. Against each number is listed the Adoption Statement Schedule and Table references, followed by the appropriate Commissioner's Report paragraph numbers.

- 2.9 Some objections were withdrawn and have not been considered by the commission, but in some cases the same issues have been raised in objections made by other parties and have been considered in that context.
- 2.10 Some numbers refer to letters of support for various aspects of the Draft Plan.
- 2.11 Schedule 1: lists all those objections in respect of which the Commission recommends that no change should be made to the Plan and the Department has decided to accept that recommendation;
- 2.12 Schedule 2: lists all those objections which were conceded by the Department;
- 2.13 Schedule 3: lists all those objections in respect of which the Commission recommends changing the Plan and the Department has decided that changes are required;
- 2.14 Schedule 4: lists those objections in respect of which the Department has made a decision which differs from the Commission's recommendation.
- 2.15 For a number of objections the Department accepts the Commission's recommendation in part only. Such objections are listed in each of the appropriate tables and a cross reference is provided in each table.

Schedules 1-4 each contain a maximum of 7 tables (A-G) dealing respectively with;

- A Objections of a General Nature;
- B Objections relating to Rural Policy Areas;
- C Objections relating to Cookstown;
- D Objections relating to Industry and Mixed Business Use;
- E Objections relating to Recreation, Open Space and LLPA's;
- F Objections relating to Roads, Footpaths and Cycleways;
- G Objections relating to Villages.

- 2.16 **Appendix 3** contains the Adoption Order.

3.0 The Adopted Written Statement and Maps

- 3.1 The Department is also publishing today the Cookstown Area Plan 2010 containing the amendments referred to in this Adoption Statement.
- 3.2 Amendments to the content of the Draft Written Statement and Proposal Maps have been made as a direct consequence of the Department's decision in respect of the recommendations of the Commission. Such

amendments include additions to, and deletions from the text and maps of the Draft Plan.

- 3.3 Amendments have been made to update the Draft Plan, which do not constitute changes to the statutory provisions of the Plan. This takes account of the new information available from the Northern Ireland Census 2001. However, it is considered that the new census information does not necessitate any change in the overall Plan Strategy, Policies or Proposals.
- 3.4 Since the publication of the Draft Cookstown Area Plan 2010 in November 1999, the regional planning context has changed substantially with the publication of the Regional Development Strategy. Several Planning Policy Statements and guidance documents have also been published, either in final form or as Consultation Drafts. In order to ensure that the Adopted Plan is as complete a document as possible, the content of the Written Statement of the Plan has been updated to reflect these changes.
- 3.5 The adopted Plan has also been updated to include maps as Appendices to the Written Statement, and to indicate on the Plan Strategy and Settlement Maps, the most recent information available on formal designations of nature conservation importance.
- 3.6 The Department does not consider that the incorporation of updated factual information, and amendments that resulted from objections dealt with at the Public Inquiry merit a formal modification to the Plan.

4.0 Adoption of the Cookstown Area Plan 2010

- 4.1 The Department now adopts the Cookstown Area Plan 2010 as amended in this Adoption Statement as a Development Plan under Article 8 of the Planning (NI) Order 1991.
- 4.2 The Department has made the necessary Order adopting the Area Plan. This Order is contained in Appendix 3 of this Statement.

5.0 Conclusion

- 5.1 The Department wishes to thank the elected representatives and all those members of the public who contributed to the making of the Area Plan at all stages. In particular, the Department would like to thank Commissioner G R B Farrington who conducted the Public Local Inquiry. The comprehensive and clear reporting of the evidence presented with each objection has greatly assisted the Department in its consideration of the objections.

APPENDIX 1

The table below lists those Draft Plan Policies contained in Part 2 of the Plan which have been added, deleted or amended. Minor amendments are not listed.

Draft Plan reference number	Nature of change
SETT 1	Amended
SETT 2	Amended
HOUS 2	Deleted
HOUS 3	Deleted
ROS 2	Deleted
CON 8	Added

Listed below are those settlements where the content of policies or proposals in the Draft Plan have been amended in the final Plan following the Public Inquiry and the Report of the Planning Appeals Commission.

- Ardboe
- Ballinderry
- Ballylifford
- Ballyronan
- Broughderg and Davagh Upper (Dispersed Rural Community-DRC)
- Coagh
- Cookstown
- Gortacladdy
- Grange
- Moneymore
- The Rock

It should be noted that changes made in the final Plan to policies and proposals in the Draft Plan which involve only minor amendments of limited substance are not included. Similarly, changes to the Plan text, made for the purposes of up-dating information, are not referred to above.

APPENDIX 2

Index, Schedules and Tables to the Planning Appeals Commission's recommendations on Objections to the Draft Plan and to the Department's decisions on those recommendations.

INDEX TO OBJECTIONS.

Objection Numbers	Adoption Statement Schedule detailing: Table reference and commission Report Paragraph Number			
	Schedule 1	Schedule 2	Schedule 3	Schedule 4
1.	1A 3.02; 1C 5.07			
2.	Letter of Support			
3.	1A 3.06			
4.	1A 3.02, 1C 5.07			
5.	1G 6.29			
6.	1C 5.11			
7.	1G 6.29			
8.	1F 5.25	2F 5.25		
9.		2C 5.18		
10.	1D 5.16			4A 5.16
11.		2C 5.18		
12.	Withdrawn			
13.	1C 5.01			
14.	1C 5.11			
15.	1G 6.18			
16.	1A 3.01, 3.04, 1B 4.2			
17.	Withdrawn			
18.			3G 6.27	
19. A	1G 6.09			
19. B	1G 6.10			
20.	1A 3.01, 3.02, 3.04 1B 4.02; 1G 6.01			
21.	1D 5.17			
22.	1B 4.3	2B 4.3		
23.	1B 4.1, 4.2; 1G 6.01			
24.	1B 4.1, 1B 4.2; 1G 6.01			
25.		2E 5.23		
26.	1F 5.25	2F 5.25		
27.	1B 4.01, 4.02; 1G 6.01; 1G 6.22		3G 6.22	
28.	1B 4.01, 4.02; 1G 6.01			
29.		2G 6.26		
30.	1C 5.04			
31.	Withdrawn			
32.	1A 3.02			
33.		2G 6.23		
34.	1G 6.32			

35.	1A 3.03, 3.04; 1B 4.01, 4.02		3A 3.03	
36.	1A 3.01; 1G 6.01; 1G 6.33			
37.	1B 4.01, 4.02; 1G 6.01			
38.	1B 4.01; 1B 4.02; 1G 6.01			
39.	Letter of Support			
40.			3G 6.27	
41.	Letter of Support			
42.			3D 5.14	
43.	1A 3.02; 1C 5.13			
44.	1E 5.22		3E 5.22	
45.	1A 3.01; 1C 5.11			
46.	1A 3.01; 1C 5.03			
47.	1D 5.19			
48.	1D 5.19			
49.		2G 6.25		
50.	1A 3.03, 3.04; 1B 4.01, 4.02		3A 3.03	
51.		2G 6.34		
52.		2G 6.03		
53.		2G 6.03		
54.		2G 6.03		
55.		2G 6.04	3G 6.04	
56.	1G 6.06			
57.	1G 6.13			
58.	1G 6.07	2G 6.07		
59.	1G 6.12			
60.	1G 6.32			
61.	Withdrawn			
62.	1B 4.01, 4.02; 1G 6.01			
63.	1B4.01, 4.02; 1G 6.01			
64.	Letter of Support			
65.	Letter of Support			
66.	1D 5.19			
67.	1B 4.01, 4.02; 1G 6.01			
68.	1B 4.01, 4.02; 1G 6.01			
69.	1B 4.01, 4.02; 1G 6.01			
70.	1B 4.01, 4.02; 1G 6.01			
71.	1B 4.01, 4.02; 1G 6.01			
72.	1B 4.01, 4.02; 1G 6.01			
73.	1B 4.01, 4.02; 1G 6.01			
74.	1B 4.01, 4.02; 1G 6.01			
75.	1B 4.01, 4.02; 1G 6.01			
76.	1B 4.01, 4.02; 1G			

	6.01			
77.	1B 4.01, 4.02; 1G 6.01			
78.	1B 4.01,4.02; 1G 6.01			
79.	1B 4.01, 4.02; 1G 6.01			
80.	1B 4.01, 4.02; 1G 6.01			
81.	Withdrawn			
82.		2G 6.14	3G 6.14	
83.			3E 5.24	
84.			3F 5.26	
85.	1D 5.15			
86.	Withdrawn			
87.	1G 6.24			
88.	1G 6.32			
89.	1F 5.25	2F 5.25		
90.	1G 6.08			
91.	1G 6.01; 1G 6.15			
92.	1G 6.01	2G 6.20		
93.	1G 6.32			
94.	1G 6.01; 1G 6.30; 1G 6.32			
95.	1A 3.01; 1G 6.01; 1G 6.16			
96.	1A 3.01; 1G 6.01		3G 6.17	
97.	1A 3.01; 1G 6.01, 6.19			
98.	1A 3.01; 3.02; 3.04; 1B 4.02			
99.	1A 3.01, 3.02, 3.04, 3.07; 1B 4.2; 1G 6.01, 6.02, 6.15, 6.30, 6.32	2G 6.02, 6.34		
100.	1G 6.32			
101.	1B 4.02; 1G 6.01, 6.02, 6.11	2G 6.02		
102.		2E 5.21	3E 5.21	
103.	1A 3.0; 1C 5.02			
104.	1A 3.04, 3.03, 3.08; 1B 4.01, 4.02; 1G 6.02, 6.30, 6.32	2A 3.08; 2G 6.02; 2G 6.26;	3A 3.03; 3B 4.04	
105.	Withdrawn			
106.	1A 3.09			
107.	1A 3.01	2A 3.05		
108.	Withdrawn			
109.	Withdrawn			
110.	1F 5.27	2F 5.27	3F 5.27	
111.	1B 4.02			
112.	1B 4.02			
113.	1B 4.02; 1G 6.09			
114.	1B 4.02; 1G 6.09			
115.	1B 4.02; 1G 6.09			
116.	1G 6.05	2G 6.05		
117.	1G 6.05	2G 6.05		

118.	1G 6.21			
119.	1G 6.07;	2G 6.03; 2G 6.04; 2G 6.07	3G 6.04	
120.	1A 3.02, 3.04; 1B 4.01, 4.02; 1G 6.02	2G 6.02;	3A 3.03	
121.	1A 3.02; 1C 5.05			
122.	1G 6.01; 1G 6.28; 1G 6.31			
123.	1G 6.01			
124.			3C 5.06	
125.	1A 3.02			
126.	1F 5.25	2F 5.25		
127.	1C 5.07			
128.	Withdrawn			
129.	1C 5.10			
130.		2E 5.21	3E 5.21	
131.	1A 3.02;		3C 5.09	
132.	1A 3.02; 1C 5.08	2C 5.08		
133.			3B 4.04	
134.	1C 5.12			
135.	1B 4.02; 1G 6.01; 1G 6.22		3G 6.22	

SCHEDULE 1 **NO CHANGE**

For the following matters of objection the Planning Appeals Commission has recommended that no change to the Plan is required and the Department accepts this recommendation.

Table 1A Objections of a General Nature

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Comment
3.01	16, 20, 36, 45, 46, 95, 96, 97, 98, 99, 103, 107	Objections alleging non-compliance with the Draft Regional Strategic Framework (DRSF) rural housing "targets" and inadequacy of the proposed release of housing land.	CR 5-13	
3.02	1, 4, 20, 32, 43, 46, 98, 99, 121, 125, 131, 132	Objections to the phasing of housing allocations and their distribution in the context of the religious geography of Cookstown.	CR 13-21	
3.03	35, 50, 104, 120.	Various general objections relating to: 1) Reliance of the Plan on A Planning Strategy for Rural Northern Ireland (PSRNI). 2) Failure of the Plan to complement the Draft	CR 21-24	Parts 1 and 2 of the objection are not sustained.

Schedule 1: No Change

Tale 1A Objections of a General Nature

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commissioner's letter page number (CL)	Comment
3.04	16, 20, 35, 50, 98, 99, 104, 120	<p>Regional Strategic Framework (DRSF) by failing to reflect SPG 8, 9, 18 and 19 encouraging economic development and diversification in the rural community.</p> <p>3) Failure of the Plan to adequately reflect the Rural Development Programme (RDP) 1994 – 1999 or the overall aim of the RDP 2000-2006.</p>	CR 24-26	See Table 3A for the Commission's recommendation and the Department's decision on part 3 of the objection.
3.06	3	<p>The Government's failure to release funds for the Eastern Distributor Road is blighting the eastern sector of Cookstown</p>	CR 28-29	

Schedule 1: No Change

Table 1A Objections of a General Nature

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Comment
3.07	99	General issues relating to opportunity sites and secondary shopping frontages and local shops in Cookstown.	CR 29	
3.08	104	<p>General issues raised in Objection 104 by Cookstown and Western Shores Area Network (CWSAN) relating to:</p> <ol style="list-style-type: none"> 1) Failure of the Plan to include a policy to encourage the provision of a range of house types. 2) Objection to the omission of a policy to control sand dredging in Lough Neagh. 3) Omission of a policy on trees, woodland and hedgerows. 	CR 30-31	<p>Parts land 2 of the objection are not sustained.</p> <p>Part 3, see Table 2A for the Department's concession regarding the omission of a policy on trees, and hedges.</p>

Schedule 1: No Change

Table 1A Objections of a General Nature

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Comment
3.09	106	Objection by the General Aviation Awareness Council to the omission of a plan policy providing guidelines for small landing strips.	CR 31-32	

Schedule 1: No Change

Table 1B Objections relating to Rural Policy Areas

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Comment
4.1	23, 24, 27, 28, 35, 37, 38, 50, 62, 63, 67-80, 104, 120.	Requests for a Lough Shore Study.	CR 33-34	
4.2	16, 20, 23, 24, 27, 28, 35, 37, 38, 50, 62, 63, 67-80, 98, 99, 101, 104, 111-115, 120, 135	Objections to the designation of the Lough Shore Countryside Policy Area.	CR 34-45	
4.3	22	Objection to the extension of Cookstown Green Belt some 3kms to the east of the town at Killybear Road/Drumgarrel Road, Cookstown.	CR 46	<p>The proposed Greenbelt south of Killybear Road is confirmed.</p> <p>See Table 2B for the portion of the objection site conceded by the Department and the Commission's recommendation that the realignment of the Green Belt boundary be processed as a <i>modification</i> to the Plan, as it amounts to a departure from the proposed Plan outside the scope of the objection.</p>

Schedule 1: No Change

Table 1C Objections relating to Cookstown

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Comment
5.01	13	Objection to the exclusion of land, fronting Sandholes and Dungannon Roads, from the settlement limit of Cookstown.	CR 52-54	
5.02	103	Objection to the exclusion of land, south of Drum Road, (A505) from the settlement limit of Cookstown.	CR 55-56	
5.03	46	Objection to the exclusion of land, at Black Hill north of Drum Road (A505), from the settlement limit of Cookstown.	CR 56-59	
5.04	30	Objection to the exclusion of land, to the south of Tullagh Road, from the settlement limit of Cookstown.	CR 59-61	
5.05	121	Objection to the exclusion of land, north of Tullagh Road, from the settlement limit of Cookstown.	CR 61-62	

Schedule 1: No Change

Table 1C Objections relating to Cookstown

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Comment
5.07	1, 4, 127	Objections seeking the transfer, from Phase 2 to Phase 1, of lands south of Orritor Road, Cookstown.	CL 3 CR 64-65	The Commission rejects the Commissioner's advice and the lands subject to the objection remain as Phase 2 housing.
5.08	132	Objection to the exclusion of part of H 28 from Phase 1 Housing.	CR 66	The Phase 2 zoning of the area of the objection site outside the East Tyrone Area Plan settlement limit is confirmed. See Table 2C for the Department's concession on the portion of land that is re-zoned Phase 1 Housing.
5.10	129	Objection to the exclusion of lands, between Lissan Road and Coolreaghs Road, from the settlement limit and to the fact that the land is not designated either within Phase 1 or Phase 2 housing land.	CR 68-69	
5.11	6, 14, 45	Objections to the exclusion of lands, from the settlement limit, at Moneymore Road, Cookstown.	CR 69-71	

Schedule 1: No Change

Table 1C Objections relating to Cookstown

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Comment
5.12	134	Objection to the exclusion of lands, north and south of Cloghog Road, from the settlement limits of Cookstown.	CR 72-73	
5.13	43	Objection to the exclusion of part of zoning H 23, south of Fountain Road, from Housing Phase 1.	CR 73-74	

Schedule 1: No Change

Table 1D Objections relating to Industry and Mixed Business Use

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Comment
5.15	85	Objection to the Industry, Mixed Use zonings I 1 and I 2	CR 78-80	
5.16	10	Objection to proposed industrial zonings, I 3 and I 4, on lands off Coagh Road and Old Coagh Road.	CR 80-83	The I 4 zoning is confirmed. See Table 4D for the Commission's recommendation and the Department's decision on I 3.
5.17	21	Objection to the exclusion of lands, south of Coagh Road, from the settlement limits of Cookstown.	CR 83-84	
5.19	47, 48, 66	Objections to land being zoned for industry at Cloghog Road, Cookstown.	CL 3 CR 85-87	The Commission rejects the Commissioner's advice and the Industry, Mixed Business Use zoning on I 5 is confirmed.

Schedule 1: No Change

Table 1E Objections relating to Recreation, Open Space and LLPA's

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Comment
5.22	44	Objection to the inclusion, within R 2 and LLPA 1, of land at Sweep Road, Cookstown.	CR 91-92	The LLPA 1 designation is confirmed within the objection site. See table 3E for the Commission's recommendation and the Department's decision on the portion of land to be removed from R 2.

Schedule 1: No Change

Table 1F Objections relating to Roads, Footpaths and Cycleways

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commissioner's letter page number (CL)	Comment
5.25	8, 26, 89, 126	Objections to the designation of the Sustrans Cycle Route and the walkways and cycle routes on the eastern side of Cookstown.	CR 94-95	The proposed delineation of the proposed walkway and cycle route is confirmed. See Table 2F for the Department's concession on the Sustrans cycle route.
5.27	110	<p>Objection to the proposed alignments of the Eastern Distributor Road (EDR) and the Walkway/Cycle Route through I 4 and I 5 and issues related to the development of H 23, I 5 and I 6, summarised as follows:</p> <ol style="list-style-type: none"> 1) The development briefs for H 23, I 5 and I 6 should be amended to include extensive landscaping, thereby providing a buffer with Unipork. 2) The walkway/cycle route could constrain future expansion. 3) The proposed EDR 	CR 96-102	<ol style="list-style-type: none"> 1) See Table 2F for the Department's concession. 2) See Table 3F for the Commissioner's recommendation and the Department's decision. 3) The alignment of the EDR is confirmed.

Schedule 1: No Change

Table 1F Objections relating to Roads, Footpaths and Cycleways

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Comment
		protection line has an unacceptable impact on the operation of the Unipork factory and its future expansion.		

Schedule 1: No Change

Table 1G Objections relating to Villages

Objection Issue Reference Number	Objection Numbers	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Comment
6.01	20, 23, 24, 27, 28, 36, 37, 38, 62, 63, 67, 68, 69, 70, 71, 072, 73, 74, 75, 76, 77, 78, 79, 80, 91, 92, 94, 95, 96, 97, 99, 101, 122, 123, 135.	<p>General Objection 99 to the settlement limits proposed for Ardboe, Ardrea, Ballinderry, Ballylifford, Coagh, Moneymore, Moortown, Stewartstown and The Rock.</p> <p>Objections by community groups and individuals to the settlement limits proposed for Ballinderry, Ballylifford, Moortown, Pomeroy, Stewartstown, The Loup and The Rock.</p>	CR 103-105	
6.02	99, 101, 104, 120	<p>General objections relating to Ardboe: The overall limit of development is too tight, fails to recognise the local settlement pattern of indigenous ribbons and in a number of places it is not logical.</p>	CR 105-107	<p>The Department accepts the recommendation of the commission that the assertion by these objectors that the limit of development for Ardboe is too tight and rigid for the developing community has not been sustained. However, the Department is prepared to concede the specific lands hatched on PAC Map 6.02C See Table 2G.</p>

Schedule 1: No Change

Table 1G Objections relating to Villages

Objection Issue Reference Number	Objection Numbers	Nature of Objection	Commissioner's Report Page number (CR) & Commissioner's letter page number (CL)	Comment
6.05	116, 117	Objections to the exclusion of lands, east of the junction of Mullinahoe Road and Kilmascally Road, from the Settlement limit of Ardboe.	CR 108-109	Objection 116 and the western portion of 117 was conceded by the Department, see Table 2G The balance of 117 remains excluded from the settlement limit.
6.06	56	Objection to the exclusion of land, east of Mullinahoe Road, from the settlement limit of Ardboe.	CR 109-110	
6.07	58, 119	Objections to the exclusion of lands, west of Mullinahoe Road, from the settlement limit of Ardboe.	CR 110-111	Area E of objection 119 and the equivalent part of objection 58 was conceded by the Department, see table 2G. The balance of objection sites 58 and 119 remain excluded from the settlement limit.
6.08	90	Objection to the exclusion of land, west of Mullinahoe Road, from the settlement limit of Ardboe.	CR 111-112	

Schedule 1: No Change

Table 1G Objections relating to Villages

Objection Issue Reference Number	Objection Numbers	Nature of Objection	Commissioner's Report Page number (CR) & Commissioner's letter page number (CL)	Comment
6.09	19A, 113, 114, 115	Objections against the designation of the Loughshore Countryside Policy Area, in so far as it forecloses future development at Mullinahoe Road and the Diamond, and the exclusion of their lands from the settlement limit of Ardboe.	CR 112-114	
6.10	19B	Objection to the exclusion of lands, fronting Kilmascally Road, from the settlement limit of Ardboe.	CR 114-115	
6.11	101	Objection to the exclusion of parochial lands, to the rear of St. Patrick's Primary School, from the settlement limit of Ardboe.	CR 115-116	
6.12	59	Objection to the proposed designation of land for industrial or mixed business use north of Kilmascally Road, Ardboe.	CR 116-118	
6.13	57	Objection to the failure to zone land for industrial or mixed use beyond the proposed settlement	CL 4 CR 118-120	The Commission rejects the Commissioner's advice and the development limit at

Schedule 1: No Change

Table 1G Objections relating to Villages

Objection Issue Reference Number	Objection Numbers	Nature of Objection	Commissioner's Report Page number (CR) & Commissioner's letter page number (CL)	Comment
		limit for Ardboe.		Kinrush, Ardboe is confirmed.
6.15	91, 99	Objections to the exclusion of lands, at Ballinderry Bridge Road, from the settlement limit of Ballinderry and, to their inclusion within the Lough Shore Countryside Policy Area.	CR 122-123	
6.16	95	Objection to the exclusion of land, at Ballinderry Bridge, from the settlement limit of Ballinderry.	CR 123-124	
6.18	15	Objection to the exclusion of land, at Moss Road, from the settlement limit of Ballinderry.	CR 126-127	
6.19	97	Objection to the exclusion of land, at Ballinderry Bridge Road, from the settlement limit of Ballinderry.	CL 4 - 5 CR 127-128	The Commission rejects the Commissioner's advice and the lands, to the south of the Ballinderry Road, are not included within the Settlement limit.
6.21	118	Objection to the exclusion of land from the settlement limit of Ballylifford.	CR 129-130	

Schedule 1: No Change

Table 1G Objections relating to Villages

Objection Issue Reference Number	Objection Numbers	Nature of Objection	Commissioner's Report Page number (CR) & Commissioner's letter page number (CL)	Comment
6.22	27, 135	Objections to the exclusion of lands from the settlement limit of Ballyronan.	CR 130-133	The proposed settlement limit west of Shore Road, south of Ballyronan is confirmed. See Table 3G for the Commission's recommendation and the Department's decision on the portion of the objection to be included within the settlement limit for Ballyronan.
6.24	87	Objection to the exclusion of land, north of number 74 Moneyhaw Road, from the Settlement limit of Drummullan.	CR 133-135	
6.28	122	Objection to the exclusion of lands, either side of Limehill Road, from the settlement limit of Pomeroy.	CR 139-141	
6.29	5, 7	Objections to the exclusion of land, at Tullyard Road, from the settlement limit of Sandholes.	CR 141-142	
6.30	94, 99, 104	General Objections by Stewartstown Development Association and Sinn Fein.	CR 143-144	

Schedule 1: No Change

Table 1G Objections relating to Villages

Objection Issue Reference Number	Objection Numbers	Nature of Objection	Commissioner's Report Page number (CR) & Commissioner's letter page number (CL)	Comment
6.31	122	Objection to the exclusion of land, south of Castlefarm Road, from the settlement limit of Stewartstown.	CR 144-147	
6.32	34, 60, 88, 93, 94, 99, 100, 104	Objections seeking the designation of a Business Park at Gortatray near Cookstown.	CR 147-150	
6.33	36	Objection to the exclusion of land from the settlement limit of The Loup.	CR 150-151	

SCHEDULE 2 CONCESSIONS

The following matters of objection were conceded by the Department and the appropriate changes to the Written Statement and the Plan Maps have been made, taking into account any comments from the Planning Appeals Commission.

Table 2A Objections of a General Nature

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
3.05	107	Objection to various Plan policies by Brennen Associates: 1) Policy SETT 2; 2) Policy HOUS 1; 3) Policies HOUS 2 and HOUS 3; 4) Policy RSO 5 Local shops within housing zonings; 5) Policy TRAN 2; 6) Policy TRAN 4; 7) Policy ROS 1.	CR 26-28	The commission made no need specific recommendation to these objections. However, in relation to matters unresolved the Commission pointed out that PPS 7, PPS 8 and Creating Places will provide overarching regional planning policy and guidance on the provision and funding of open space and linkages in new housing developments.	The Department notes these comments. The Plan is amended as follows: 1) Plan Policy SETT 2 (Pg21) The second sentence is amended to read: " <i>Planning Permission <u>may</u> be refused...</i> " instead of " <i>Planning Permission will be refused...</i> " 2) Plan Policy HOUS 1 <i>The Department points out that the housing land allocated overall in Cookstown is significantly overzoned and sufficiently generous to accommodate any revised RSF target. Over 30% of new housing development can be met within the built-up edge of Cookstown, which includes a green field component.</i>	

Schedule 2: Concessions

Table 2A Objections of a General Nature

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
					<p>3) Plan Policy HOUS 2 and HOUS 3 The Department has deleted both of these policies from the final Plan as they are superseded by Planning Policy Statement 7: Quality Residential Environments and PPS 8: Open Space, Sport and Outdoor Recreation. However all reference in the key site requirements (as a criterion to be met under Plan Policy SETT 1) to the provision of right turning facilities will be expressed using the words "may be required" rather than "will be required".</p> <p>4) Plan Policy RSO 5 (Pg 40) Bullet point three is amended to read: "<i>Adequate parking and servicing arrangements are available</i>", rather than are provided.</p>	

Schedule 2: Concessions

Table 2A Objections of a General Nature

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
					<p>5) Plan Policy TRAN 2 (Pg 49) The final sentence of the amplification to TRAN 2 is amended to include: <i>In accordance with prevailing regional planning policy, to read as follows:</i></p> <p><i>The Department for Regional Development intends to develop the Cookstown Eastern Distributor Road in stages over the plan period subject to the availability of finance. However, it is acknowledged that satisfactory access to certain zoned sites will be dependant upon the provision of the road (these are identified in Part 3 of the Plan) and as a consequence these lands may not be available for development until the appropriate stage of the road is completed. In advance of DRD providing the road and subject to phasing and other Plan policies, favourable consideration may be given to proposals where developers are willing to provide an appropriate section of the road to the Department for Regional</i></p>	

Schedule 2: Concessions

Table 2A Objections of a General Nature

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
					<p><i>Development's required standards and in accordance with prevailing regional planning policy.</i></p> <p>6) Plan Policy TRAN 4 The Department points to the thrust of PPS 1, PPS 8, Creating Places Achieving Quality in Residential Developments and other prevailing regional planning policy. Roads Service will fund designated Safer Routes to Schools. Sustrans Routes are provided by Sustrans. The District Council will fund the strategic footways. In all other cases developers will be expected to provide and fund footways and cycle ways within allocated housing areas in accordance with the requirements of the Quality Initiative.</p> <p>7) Plan Policy ROS 1 Provision of new open space in housing will be dealt with in accordance with PPS1, PPS 8, PPS 7 and Creating Places-Achieving Quality in Residential Developments.</p>	

Schedule 2: Concessions

Table 2A Objections of a General Nature

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
3.08	104	<p>General Issues raised in Objection 104, by Cookstown and Western Shores Area Network (CWSAN), are as follows:</p> <ol style="list-style-type: none"> 1) Failure of the Plan to include a policy to encourage the provision of a range of house types. 2) Objection to the omission of a policy to control sand dredging in Lough Neagh. 3) Omission of policy on trees, woodlands and hedgerows. 	CR 31	3) The Commission notes the addition of Policy CON 8 relating to the protection of trees.	<p>3) The Department has reviewed the issue and has included Plan Policy CON 8. The Plan is amended as follows on Page 76:</p> <p><i>The Department will assess the need for a tree condition survey as part of all development proposals. Planning permission will normally only be granted to development proposals where it can be demonstrated that:</i></p> <ul style="list-style-type: none"> - <i>trees identified for retention will be protected and appropriately integrated into the design and layout of the development;</i> - <i>development will not significantly damage the root system and drainage of both trees being retained and new planting; and</i> - <i>adequate separation distance is provided between buildings and</i> 	See Table 1A for Parts 1 and 2 of the objection.

Schedule 2: Concessions

Table 2A Objections of a General Nature

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
					<p><i>existing and proposed trees to ensure no significant adverse effect on amenity.</i></p> <p><i>Trees are of immense importance, both as habitats and by providing a strong visual element which helps create a varied, interesting and attractive landscape. The Department considers it important to protect trees, groups of trees, and woodland areas of particular importance because of their nature conservation value or their contribution to the amenity of a particular locality.</i></p>	

Schedule 2: Concessions

Table 2A Objections of a General Nature

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
4.3	22	Objection to the extension of Cookstown Green Belt some 3kms to the east of the town at Killybearn Road/Drumgarrel Road, Cookstown.	CR 46	The proposed realignment of the Green Belt boundary, excluding lands delineated in the East Tyrone and Draft Cookstown Area Plans north of Killybearn Road, should be processed as a modification of the Plan under Article 8 (1) of the Order and Regulation 13 of the Planning (Development Plans) Regulations 1991 (as amended).	The Department conceded that it is logical to retain the Green Belt boundary along Drumrot Road and continue along Drumgarrel Road to its junction with Killybearn Road, then eastwards along Killybearn Road to connect with the limit south of the road as published in the Draft Plan.	See Table 1B for the portion of the Green Belt boundary to remain. <i>The Department has amended the Plan in respect of the proposed realignment of the Green Belt boundary, excluding lands north of Killybearn Road, corresponding to the change recommended as a modification to the Plan by the Commission.</i>

Schedule 2: Concessions

Table 2C Objections relating to Cookstown

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
5.08	132	Objection to the exclusion of part of H 28 from Phase 1 Housing.	CR 66	The area of the objection site within the East Tyrone Area Plan settlement limit, and subject to planning permission I/95/0343 (edged red on PAC Map 5.08B), should be re-zoned Phase I Housing.	<p>The Department conceded the area of land subject to planning permission I/95/0343 (within H 28) and the site is re-zoned Phase 1, H 20 Housing. The plan is amended accordingly on Page 143.</p> <p>H 20 Land south of Lissan Road and north of Woodglen Crescent</p> <p><i>This 0.98 hectare site is located north of Windsor Crescent and Woodglen Crescent residential developments on the northwestern edge of Cookstown. There is an existing area of open space to the southeast of the site at Woodglen Crescent.</i></p> <p><i>Key site requirements:</i></p> <ul style="list-style-type: none"> ▪ <i>access to the site should be via Woodglen Crescent;</i> ▪ <i>pedestrian/cycle access should be made available to link the site to the open space at Windsor Crescent and the neighbouring housing site</i> 	As a consequence of the addition of H 20 to Phase 1 housing the Phase 2 housing zonings are renumbered.

Schedule 2: Concessions

Table 2C Objections relating to Cookstown

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
5.18	9, 11	Objections to the exclusion of lands north of Cloghog Road from the settlement limits of Cookstown.	CR 85	The Commission notes the concession and makes no comment.	<p><i>H 29;</i></p> <ul style="list-style-type: none"> ▪ <i>a range of house types should be provided.</i> <p>The Department notes the Commission's recommendation and the Plan is amended to include the objection site as white land within the settlement limit of Cookstown.</p>	

Schedule 2: Concessions

Table 2E Objections relating to Recreation, Open Space, and LLPA's

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
5.21	102, 130	<p>Objections by Messers, McAleer and Rush and Mr Wylie to the inclusion of lands on either side of Dungannon Road within various amenity designations is summarised as follows:</p> <p>The objection relates to four sites:</p> <ul style="list-style-type: none"> - in Area 1 the objection is to the LLPA 1 and R 2 designations; - in Area 2 the objection is to LLPA 1; - in Area 3 the objection is to the Community Woodland R 4 proposal; and - in Area 4 the objection is to the LLPA 1. 	CR 88-91	<p>The Department has conceded that R 2 be removed from Area 1 and R 4 be removed from Area 3, these objections therefore need not engage the attention of the commission.</p>	<p>The Department conceded that the Recreation and Open Space R 2 zoning should be removed from Area 1 and R 4 be removed from Area 3.</p> <p>The amplification of Local Landscape Policy Area 1 for Area 2 is clarified on page 152 as follows:</p> <p><i>Within this area, there will be a presumption against new development apart from changes of use to outdoor leisure and recreational uses or development that is ancillary to the enjoyment of the open space.</i></p> <p><i>An exception to the above is the possible redevelopment, including suitable alternative landuses, of areas containing existing development. Proposals may be acceptable provided that they do not detract from the intrinsic value of the designated area.</i></p>	<p>See Table 3E for the Commission's recommendation and the Department's decision for Area 4.</p> <p>Discussions with the council established they are not opposed to the removal of the entire R 2 zoning, subject to the retention of the proposed riverside walkway. The council advised that the R 4 community woodland is confined to south of the river, this however effects</p>

Schedule 2: Concessions

Table 2E Objections relating to Recreation, Open Space, and LLPA's

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
						<p>a larger area than the objection in Area 3.</p> <p><i>Further reduction of R 4 and the removal of the balance of R 2 was dealt with by way of a modification to the plan.</i></p> <p>As a consequence of the removal of the entire R 2 zoning, R 3 and R 4 have been re-numbered.</p>

Schedule 2: Concessions

Table 2E Objections relating to Recreation, Open Space, and LLPA's

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
5.23	25	Objection to the proposed Recreation and Open Space zoning R 1 west of Westbury Drive.	CR 92	This objection has been conceded and need not engage the attention of the Commission.	The Department agreed that a small area of land could be removed at the southern tip of the R 1 zoning (indicated on PAC map 5.23A) but still remains designated within LLPA 1. The Plan is amended accordingly.	

Schedule 2: Concessions

Table 2F Objections relating to Roads, Footpaths and Cycleways

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
5.25	8, 26, 89, 126	Objections to the designation of the Sustrans Cycle Route and the walkways and cycle routes on the eastern side of Cookstown.	CR 94-95	The PAC states that the concession relocating delineation of the Sustrans Cycle Route, along the public roads east of Cookstown, addresses the short term concerns of the objector.	The Department agreed a new route for Sustrans on the eastern side of Cookstown. The new Sustrans route is shown on the final version of the Plan along the public roads to the east of Cookstown.	See table 1F for the Department's decision on the walkways and cycle routes.
5.26	84	Objection concerning access to Opportunity Site OS 2	CR 95-96	The Department is willing to consider alternative ways of accessing OS 2 on their merits within the development control process. The inference is that the statement in OS 2 regarding access from the north will be deleted. Therefore, this objection need not engage the attention of the Commission.	The Department notes the comments of the Commission and confirms that the reference in the Plan to accessing Opportunity Site OS 2 via Milburn Park is deleted. The plan is amended as follows: OS 02 Land off Factory Lane (Pg 123) <i>"This 2.74 hectare site is located to the west of Oldtown Street and consists of a number of narrow fields. The site is suitable for a mixture of housing, light industrial or business uses, provided the development does not generate excessive traffic to the detriment of the residential amenities of the adjacent housing. A comprehensive</i>	

Schedule 2: Concessions

Table 2F Objections relating to Roads, Footpaths and Cycleways

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
5.27	110	<p>Objection to the proposed alignments of the Eastern Distributor Road and the Walkway/Cycle Route through I 4 and I 5 and issues related to the development of H 23, I 5 and I 6 is summarised as follows:</p> <ol style="list-style-type: none"> 1) The development brief for H 23, I 5 and I 6 should be amended to include extensive landscaping, thereby providing a buffer with Unipork; 2) the walkway/cycle route could constrain future expansion; and 3) The proposed EDR protection line has an unacceptable impact on the operation of the Unipork 	CR 96-102	<p>In relation to (1) the PAC notes that the Department has stated it would be prepared to amend the site development requirements for H 23, I 5 and I 6 to include a reference to the Unipork Factory. However, when considering details of landscaping it could only insist on a reasonable level of provision.</p>	<p>1) As regards the development of H 23, I 5 and I 6 the Department has amended the key site requirements to include a reference to the Unipork factory. When considering details of landscaping it could only insist on a reasonable level of provision. The Plan is amended as follows:</p> <ul style="list-style-type: none"> ▪ H 24 Land south of Fountain Road Adjacent to the proposed Eastern Distributor Road (Pg145): <i>A reasonable level of landscaping and buffer planting should be provided where the site abuts the Unipork Factory.</i> ▪ I 6 Land east of Unipork Factory Molesworth Road (Pg 	<p>2) See table 3F for the Commission's recommendation and the Department's decision. 3) See table 1F. As a consequence of the new I 3 Industry and mixed business zoning, the existing industrial zonings have been renumbered.</p>
					<p><i>design scheme will be required which takes into account the following key site requirements:</i></p>	

Schedule 2: Concessions

Table 2F Objections relating to Roads, Footpaths and Cycleways

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
		factory and its future expansion.			<p>129)</p> <p><i>A reasonable level of landscaping and buffer planting should be provided where the site abuts the Unipork Factory.</i></p> <ul style="list-style-type: none"> ▪ <i>17 Land opposite Unipork Factory, Molesworth Road (Pg 130):</i> <p><i>A reasonable level of landscaping and buffer planting should be provided where the site abuts the Unipork Factory.</i></p>	

Schedule 2: Concessions

Table 2G Objections relating to Villages

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
6.02	99, 101, 104, 120,	General objections relating to Ardboe - The overall limit of development is too tight, fails to recognise the local settlement pattern of indigenous ribbons and in a number of places it is not logical.	CR 103-105	The objection that the limit of development for Ardboe is too tight and rigid for the developing community has not been sustained however, the concessions made by the Department addressed the concerns to some extent.	The Department conceded the lands hatched on PAC Map 6.02 C, these are included within the settlement limit for Ardboe. The Plan is amended accordingly.	See Table 1G.
6.03	52, 53, 54, 119	Objections to the exclusion of lands, north of Lakeview Cottages, Mullinahoe Road, from the Settlement limit of Ardboe.	CR 107	The objection has been conceded and need not engage the attention of the Commission.	The Department accepted that the lands forming these objections should be included in the settlement limit for Ardboe. The Plan is amended accordingly.	
6.04	55, 119	Objections to the exclusion of land, east of Lakeview Cottages, Mullinahoe, Road from the settlement limit of Ardboe. Objections 55 and 119 refer to Area D. However, objection 55 divides Area D into Area X and Area Y.	CR 107-108	The entirety of Objection sites 55 and 119 (Area D) be included within the settlement limit.	The Department conceded Area X within Area D. The Plan is amended accordingly.	See Table 3G for the Commission's recommendation and the Department's decision on Area Y, within Area D.

Schedule 2: Concessions

Table 2G Objections relating to Villages

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
6.05	116, 117	Objections to the exclusion of lands, east of the junction of Mullinahoe Road and Kilmascally Road, from the Settlement limit of Ardboe.	CR 108-109	The issue of the conceded lands need not engage the attention of the Commission.	The Department conceded that lands forming objection 116 and the western portion of objection 117 should be brought within the settlement limit for Ardboe. The Plan is amended accordingly.	See Table 1G for the balance of objection site 117.
6.07	58, 119	Objections to the exclusion of lands, west of Mullinahoe Road, from the settlement limit of Ardboe.	CR 110-111	The issue of the exclusion of the conceded Area E need not engage the attention of the Commission.	The Department conceded that Area E of Objection 119 and the equivalent part of objection 58 could be brought within the settlement limit for Ardboe. The Plan is amended accordingly.	See Table 1G for the portion of land to be excluded from the settlement limit.
6.14	82	Objection to the proposed zoning of land, for Recreation and Open Space, south of Kilmascally Road, Ardboe.	CR 121-122	The entire existing Recreation and Open space zonings should be removed from the objection site 82 at Cave Hill, Kilmascally Road Ardboe.	The Department conceded the Recreation and Open space zoning on site B therefore the site is left as whiteland. The Plan is amended accordingly.	See Table 3G for the Department's decision and the Commission's recommendation on site A.
6.20	92	Objection to the exclusion of land from the settlement limit of Ballyliford.	CR 129	The Department's concession need not engage the attention of the Commission.	The Department conceded objection 92. The Plan is amended accordingly.	

Schedule 2: Concessions

Table 2G Objections relating to Villages

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
6.23	33	Objection to the designation of land as an area constrained by sewage infrastructure on the settlement map for Coagh.	CR 133	This concession need not engage the attention of the Commission.	The Department accepted that this designation should be deleted. The Plan is amended accordingly with the deletion of the zoning and the deletion of the last sentence of the 3 rd paragraph, on page 162 of the Plan.	
6.25	49	Objection to designate Gortacladdy a village and the exclusion of lands from the settlement limit.	CR 135-136	In view of the concession this objection need not engage the attention of the Commission.	The Department conceded that Gortacladdy should be designated a village and the Plan is amended as follows on page 167 <i>Gortacladdy is located approximately eleven kilometres west of Cookstown. (See Map No. 50 on page 197)</i> <i>The village is small in scale and has a limited range of services and facilities. The village is characterised by individual dwellings fronting onto Loughdoo Road and the Gortacladdy Cottages, a terrace of single storey public sector cottages. A Gaelic sports ground, training pitch and clubrooms lie to the</i>	<i>Designation of a village and delineation of a village envelope was dealt with by way of plan modification.</i>

Schedule 2: Concessions

Table 2G Objections relating to Villages

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
					<p><i>east of the village accessed off Loughdoo Road.</i></p> <p><i>It is not anticipated that there will be a high demand for housing or other development in the village. Large-scale development would, in any case, be out of character with the village. New development will normally be restricted to single dwelling units of an appropriate design on suitable sites provided the proposal does not prejudice the comprehensive development of adjacent land. Comprehensive development may be permitted provided the scale, layout and detailed design of the development are compatible with the scale and character of the settlement. Accordingly, residential developments in excess of five units will not normally be permitted. A modest terrace similar to the Gortacladdy Cottages may also be acceptable.</i></p> <p><i>A small sewage treatment works</i></p>	

Schedule 2: Concessions

Table 2G Objections relating to Villages

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
6.26	29, 104	Objections to the failure to designate Grange a Village and the inclusion of the settlement limit in the Cookstown Green Belt.	CR 136	In view of the concession and the intention to process a proposed delineation of the settlement limit as a modification of the Plan this objection need not engage the attention of the Commission.	<p>The Department conceded that Grange should be designated a village and the Plan is amended as follows on page 168:</p> <p><i>Grange is located approximately three kilometres southeast of Cookstown (See Map No. 51 on page 198).</i></p> <p><i>The village is small in scale and has a limited range of services and facilities. Individual dwellings front onto Grange Road at the eastern and northwestern ends of the village with a number of derelict dwellings and agricultural buildings on the</i></p>	<p><i>currently exists serving Gortacladdy Cottages. This small works could be upgraded to serve additional development if necessary. Due to the topography it may be necessary for a pumping station to be constructed to pump sewage to the works. This would be constructed at the developer's expense.</i></p> <p><i>Designation of a village and delineation of a village envelope was dealt with by way of a plan modification.</i></p>

Schedule 2: Concessions

Table 2G Objections relating to Villages

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
					<p><i>northern side of Grange Road.</i></p> <p><i>It is not anticipated that there will be a high demand for housing or other development in the village. Large scale development would, in any case, be out of character with the village. New development will normally be restricted to single dwelling units of an appropriate design on suitable sites. A feature of the settlement is the significant level of tree cover, therefore, applications for development should pay careful consideration to both existing and proposed planting.</i></p> <p><i>Two Local Landscape Policy Areas (LLPA's) are designated:</i></p> <p><i>The Old Graveyard:</i> <i>to protect the graveyard and the mature landscaping within a walled setting; and</i></p> <p><i>The Railway Line:</i> <i>To protect an</i></p>	

Schedule 2: Concessions

Table 2G Objections relating to Villages

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
6.34	51, 99	Objections to the exclusion of lands from the settlement of The Rock.	CR 152	<p>1) Objection site 51 should be included within the settlement limit of The Rock.</p> <p>2) The balance of the amended settlement proposals, as tabled at the inquiry, is to be processed as a proposed modification of the plan and</p>	<p>1) The Department conceded that objection site 51 should be included within the settlement limit for The Rock. The Plan is amended accordingly.</p> <p>2) The Department accepts the recommendation of the Commission. The Plan is amended accordingly.</p>	<p><i>Delineation of an enlarged village envelope incorporating the objection lands was dealt with by way of a plan modification.</i></p>
					<p><i>area of local amenity and nature conservation interest thus contributing to the setting of the village. The old line has steep inclines and has been left to grow wild, suggesting it is impractical for farming purposes. The old railway bridge is a feature with local heritage value. The bridge and the adjacent line of the railway should, therefore, be retained for their heritage and nature conservation interests.</i></p> <p><i>There are two sets of scheduled monuments (standing stones) to the north and south of the village.</i></p>	

Schedule 2: Concessions

Table 2G Objections relating to Villages

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
				need not engage the attention of the Commission.		

Schedule 3: Changes accepted by the Department

SCHEDULE 3

For the following matters of objection the Planning Appeals Commission has recommended amendments to the Plan. The Department accepts these recommendations and has made the appropriate changes to the Written Statement and the Plan Maps.

Table 3A Objections of a General Nature

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
3.03	35, 50, 104, 120	<p>Various general objections relating to:</p> <ol style="list-style-type: none"> 1) Reliance of the Plan on A Planning Strategy for Rural Northern Ireland (PSRNI). 2) Failure of the Plan to complement the Draft Regional Strategic Framework (DRSF). 3) Failure of the Plan to adequately reflect the Rural Development Programme 1994-1999 or the overall aim of the Rural Development Programme 2000-2006. 	CR 21-24	<p>3) The fostering of sustainable rural regeneration should be included as a Plan Objective and as a Plan Strategy and the text on Page 81 should highlight the need for regeneration of the most disadvantaged rural areas in the District.</p>	<p>3) The Department accepts the recommendation of the Commission that the fostering of sustainable rural regeneration should be included as a Plan Objective and as a part of the Plan Strategy on pages 13 and 14 respectively. In addition, the Department considers it important to further reflect these issues with amendments to the Countryside Section on Page 81. The Plan is amended as follows:</p> <p>Plan Objective Pg 13:</p> <ul style="list-style-type: none"> ▪ <i>The fostering of sustainable rural regeneration in appropriate locations.</i> 	<p>For (1) and (2) See Table 1A.</p>

Schedule 3: Changes accepted by the Department

Table 3A Objections of a General Nature

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
					<p>Plan Strategy Pg 14:</p> <ul style="list-style-type: none"> ▪ Facilitate development in rural locations in line with prevailing regional planning policy. <p>Countryside Pg 81: <i>The rural area of Cookstown District comprises a number of rich and diverse landscapes that have been moulded and modified by thousands of years of man's presence and a long established agricultural heritage.</i></p> <p><i>The local rural economy remains heavily dependant on agriculture and component industries. This economic base faces major challenges arising from trade liberalisation, market globalisation, technological change and changes in EU policy through CAP reform and Agenda 2000.</i></p> <p><i>These external pressures for change, inter alia, can be accommodated positively through agricultural diversification and the</i></p>	

Table 3A Objections of a General Nature

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
					<p><i>development of small scale rural enterprises. This response is even more critical in disadvantaged areas experiencing lower economic activity rates and higher rates of long term unemployment.</i></p> <p><i>In the context of regional planning policy, the Plan enables the rural community to adjust to these changes by facilitating rural regeneration through the development of sustainable enterprises in appropriate locations.</i></p> <p><i>Whilst it is acknowledged that the countryside will continue to change over time, the Department also considers that it is necessary to operate strict planning controls within certain countryside areas where they are vulnerable to development pressure or are environmentally sensitive.</i></p>	

Schedule 3: Changes accepted by the Department

Table 3B Objections Relating to Rural Policy Areas

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
4.04	104, 133	Objections by the Broughderg Area Development Association and Cookstown and Western Shores Area Network (CWSAN) to the exclusion of an area of land north and northwest of the Beaghmore Stone Circles from the proposed Broughderg Dispersed Rural Community (DRC).	CR 47-51	<p>1) The lands identified by Broughderg Development Association should be included within the proposed Broughderg Dispersed Rural Community and excluded from the Sperrin Countryside Policy Area and the Sperrin Tourism Conservation Zone.</p> <p>2) Attention should be drawn to PPS 6 Policy BHI in the text on page 181 of the Plan.</p>	<p>1) The Department accepts the recommendation of the Commission that the lands identified by the Broughderg Development Association are included within the proposed Dispersed Rural Community and excluded from the Sperrin Countryside Policy Area and the Sperrin Tourism Conservation Zone. The Plan is amended accordingly.</p> <p>2) The Department accepts that attention should be drawn to PPS 6 Policy BHI, the Plan is amended as follows (Pg 181 Third paragraph):</p> <p><i>“Housing within the DRC will be regulated in accordance with prevailing regional planning policy and in the light of the guidance given below. In the vicinity of the Beaghmore Stones Circles, these policies will be reinforced by the application of Policy BHI-The Preservation of</i></p>	

Schedule 3: Changes accepted by the Department

Table 3B Objections Relating to Rural Policy Areas

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
					<i>Archaeological Remains of Regional Importance and their Settings, in Planning Policy Statement 6 (PPS 6): Planning, Archaeology and the Built Heritage."</i>	

Schedule 3: Changes accepted by the Department

Table 3C Objections relating to Cookstown

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
5.06	124	Objection to the improved infrastructure required to facilitate the development of housing site H 17.	CR 62-63	<p>1. The Department should review the programming of the improvements required for the Westland Road/Tullagh Road junction with a view to securing their implementation consistent with the development of Phase 1 Housing in this area.</p> <p>2. The developer of Housing Site H 17 should only be held responsible for footpath provision along the frontage of the site.</p>	<p>The Department accepts both recommendations of the Commission.</p> <p>1. Roads Service has included a scheme for the improvement of Westland Road, which would also improve the junction with Tullagh Road, in the list of proposed minor works schemes for 2004.</p> <p>2. The Plan is amended as follows:</p> <p>H17 Land to the north of Tullagh Road (Pg142) <i>Key site requirements (amended to read):</i></p> <ul style="list-style-type: none"> - <i>0.5 hectares of public open space should be provided on a single site, incorporating children's play provision, preferably to link with open space required for the neighbouring development, H 26;</i> 	

Schedule 3: Changes accepted by the Department

Table 3C Objections relating to Cookstown

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
					<ul style="list-style-type: none"> - <i>a full tree survey will be required and where appropriate existing trees and hedgerows should be retained and augmented, with special attention given to the western boundary;</i> - <i>the developer will be responsible for providing a footway along the northern side of Tullagh Road over the frontage of the site; and,</i> - <i>access including public transport and pedestrian/cycle movement should be made available to link Tullagh Road through H 17 and H 26 to Orritor Road.</i> 	

Schedule 3: Changes accepted by the Department

Table 3D Objections relating to Industry and Mixed Business Use

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
5.14	42	Objection by Blue Circle Industries seeking the inclusion and zoning for industry of lands at Ballyreagh	CR 75-78	The settlement limit at Ballyreagh should be extended to incorporate objection site 42 and that the land be allocated for industry and mixed business use.	<p>The Department accepts the recommendation and the Plan is amended as follows (Pg 127):</p> <p><i>1.3 Land Southeast of Sandholes Road, Ballyreagh</i></p> <p><i>This 6.6 hectare site is located adjacent to the Blue Circle Cement Works and Quarry and is made up of the work's Social Club building, car park, tennis courts and playing fields. To the south, the site is bounded by quarry spoil heaps that have been landscaped.</i></p> <p><i>A comprehensive design scheme for this site will be required which takes into account the following key site requirements:</i></p> <ul style="list-style-type: none"> - <i>the existing Social Club on the site should be demolished to allow for a comprehensive redevelopment;</i> 	As a consequence of the addition of I 3 the existing Industry, Mixed Business zonings are all re-numbered

Schedule 3: Changes accepted by the Department

Table 3D Objections relating to Industry and Mixed Business Use

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
					<ul style="list-style-type: none"> - <i>access to the site should be limited to two entrances – one at the northern frontage with Sandholes Road and the other at the southern frontage with Sandholes Road;</i> - <i>a footway/cycleway should be provided along Sandholes Road to link the access to the existing footway/cycleway network;</i> - <i>a tree survey will be required and, where appropriate, existing mature trees and hedgerows should be retained and augmented;</i> - <i>landscaping and buffer planting of indigenous trees and shrubs should be provided along Sandholes Road and the northern site boundary adjoining Ballyreagh House;</i> 	

Schedule 3: Changes accepted by the Department

Table 3D Objections relating to Industry and Mixed Business Use

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
					<ul style="list-style-type: none"> - a cycleway should be provided to link with an existing scheme on Sandholes Road; and - a pedestrian/cycle link with the Ballyreagh Industrial Estate should be provided. 	

Schedule 3: Changes accepted by the Department

Table 3E Objections relating to Recreation, Open Space and LLPAs

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
5.21	102, 130	<p>Objections by Messers McAleer and Rush and Mr Wylie to the inclusion of lands, on either side of Dunganon Road, within various amenity designations</p> <p>The objection relates to four sites included within LLPA 1, Recreation and Open Space Zoning R 2 and Community Woodland proposals R 4:</p> <ul style="list-style-type: none"> - in Area 1 the objection is to the LLPA 1 and R 2 designations, - in Area 2 the objection is to LLPA 1; - in Area 3 the objection is to the Community Woodland R 4 proposal ; and - in Area 4 the objection is to the LLPA 1. 	CR 88-91	Area 4 should be excluded from LLPA 1.	The Department accepts the recommendation of the Commission that Area 4 be excluded from LLPA 1. The Plan is amended accordingly	See Table 2E for the Department's concession for Areas 1, 2 and 3.

Schedule 3: Changes accepted by the Department

Table 3E Objections relating to Recreation, Open Space and LLPAs

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
5.22	44	Objection to the inclusion within R 2 and LLPA 1 of land at Sweep Road, Cookstown.	CR 91-92	The R 2 designation should be removed from objection site 44.	The Department accepts the recommendation of the Commission that the Recreation and Open Space R 2 designation should be removed from objection site 44. The Plan is amended accordingly.	See Table 1E for the decision on the portion of land within the designated LLPA 1. <i>The removal of the balance of the R2 designation was dealt with by way of a plan modification.</i> As a consequence of the deletion of the R 2 zoning the Recreation and Open Space zonings are re-numbered.

Schedule 3: Changes accepted by the Department

Table 3E Objections relating to Recreation, Open Space and LLPAs

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
5.24	83	Objection by James Street residents to the inclusion of their gardens within Local Landscape Policy Area 3.	CL 4 CR 92-93	The Commission recommends that LLPA 3 be deleted.	The Department accepts the recommendation of the Commission that LLPA 3 be deleted from the Plan. The Plan is amended accordingly.	The Commission rejected the Commissioner's advice that LLPA 3 be confirmed. As a consequence of the deletion of LLPA 3 the remaining LLPAs are renumbered.

Schedule 3: Changes accepted by the Department

Table 3F Objections relating to Roads, Footpaths and Cycleways

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
5.27	110	<p>Objection to the proposed alignments of the Eastern Distributor Road and the Walkway/Cycle Route through I 4 and I 5 and issues related to the development of H 23, I 5 and I 6 is summarised as follows:</p> <ol style="list-style-type: none"> 1) The development brief for H23, I5 and I6 should be amended to include extensive landscaping, thereby providing a buffer with Unipork. 2) The walkway/cycle route could constrain future expansion. 3) The proposed EDR protection line has an unacceptable impact on the operation of the Unipork factory and its future expansion. 	CR 96-102	2) The route of the Walkway/Cycle Route, north of Cloghog Road, should be reviewed by the Department in consultation with the District Council.	The Department accepts the recommendation of the Commission regarding the review of the Walkway/Cycle Route, north of Cloghog Road, through the objection lands. The route is, consequently, deleted from the plan.	<ol style="list-style-type: none"> 1) See Table 2F for the Commission's recommendation and the Department's decision. 3) See Table 1F.

Schedule 3: Changes accepted by the Department

Table 3G Objections relating to Villages

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
6.04	55, 119	Objection to the exclusion of land, east of Lakeview Cottages, Mullinahoe Road from, the settlement limit of Ardboe. Objections 55 and 119 refer to Area D. However, objection 55 divides Area D into Area X and Area Y.	CR 107-108	The entirety of Objection site 55 and Objection 119 (Area D) be included within the settlement limit.	The Department accepts the recommendation of the Commission that the entirety of Objection site 55 and Objection 119, (Area D) be included within the settlement limit for Ardboe. The Plan is amended accordingly.	See Table 2G for area X within area D which was conceded by the Department.
6.14	82	Objection to the proposed and zoning of land for Recreation and Open Space south of Kilmascally Road, Ardboe.	CR 121-122	The entire existing Recreation and Open Space zonings should be removed from the objection site 82 at Cave Hill, Kilmascally Road Ardboe.	The Department accepts the recommendation of the commission that the entire Recreation and Open Space zoning should be removed from objection site 82 therefore, site A is left as whiteland. The plan is amended accordingly.	See Table 2G for site B conceded by the Department.
6.17	96	Objection to the exclusion of land at Mullan Road from the settlement limit of Ballinderry.	CR 125-126	The objection site should be included within the settlement limit at Mullan Road, Ballinderry.	The Department accepts the recommendation of the Commission that the objection site be included within the settlement limit for Ballinderry. The Plan is amended accordingly.	

Schedule 3: Changes accepted by the Department

Table 3G Objections relating to Villages

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
6.22	27, 135	Objection to the exclusion of lands from the settlement limit of Ballyronan.	CR 130-133	The proposed settlement limit east of Shore Road, Ballyronan should be extended to include sites 1, 2, 3 and 4 and the existing dwelling immediately to the south of site 4.	The Department accepts the recommendation of the Commission. The Plan is amended accordingly.	See Table 1G for the portion of the site excluded from the settlement limit.
6.27	18	Objection to the exclusion of lands from the settlement limit of Moneymore.	CR 137-139	Objection sites 18 and 40 south of Farlea Heights should be included within the settlement limit of Moneymore.	The Department accepts the recommendation of the Commission. The Plan is amended accordingly.	

SCHEDULE 4

For the following matters of objection the Planning Appeals Commission has recommended amendments to the Plan which the Department does not accept.

Table 4C Objections relating to Cookstown

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
5.09	131	Objection to the exclusion of part of H 20 from Phase 1 Housing.	CR 67-68	<ol style="list-style-type: none"> 1) The objection site be advanced to Phase 1 Housing allocation. 2) Subject to the modification procedure, consideration be given to also advancing the balance of H20 housing zoning to Phase 1. 	<ol style="list-style-type: none"> 1) The Department considers that there is sufficient land already zoned within Phase 1 Housing to accommodate housing need over the Plan period. Given the Commission's view in relation to the generosity of the plans over zoning of residential land in both phase 1 and 2 and there is more than adequate allocated land to cope with any contingency, the Department fails to understand the Commission's reasoning behind advancing additional lands to Phase 1 Housing. 2) For the same reasons set out above the Department also rejects the Commission's advice that, subject to modification the balance of H20 be advanced to Phase 1 Housing. 	

Schedule 4: Changes not accepted by the Department

Table 4D Objections relating to Industry

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
5.16	10	Objection to proposed industrial zonings I 3 and I 4 on lands off Coagh Road and Old Coagh Road.	CR 80-83	<p>1) The I 3 zoning for industry and mixed business use should be deleted and land redesignated for Phase 2 Housing.</p> <p>2) The I 4 zoning for industry and mixed business use should be confirmed.</p>	<p>1)The Department considers there is ample Phase 2 Housing zoned in the Plan and it is already acknowledged by the Commission, in its report, that the plan has sufficient overzoning. Furthermore, the Commission expressed concerns that the plan would not provide for a generous and continuous supply of land for employment uses, as stated in Policy SPG15 of the Draft Regional Strategic Framework, and recommends that the Department review the plan at an appropriate time to zone additional lands for industrial and mixed business to address the shortfall. The Department, therefore, fails to understand the commission's reasoning to delete 17.85ha (I 3) of industrial land and add it to the proposed Phase 2 housing allocation of 78.6 hectares. The deletion of I 3 would also result in an imbalance in the spatial distribution of industrial land with a larger concentration of industrial zonings located to the south of the town where there is only one significant area zoned housing H 24. By comparison, I 3 is accessible to</p>	<p>2) See table ID for the decision on I 4.</p>

Schedule 4: Changes not accepted by the Department

Table 4D Objections relating to Industry

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
					<p>the eastern and northern part of the town where, in the latter case, there is a concentration of both Phase 1 and Phase 2 housing zonings. Site I 3 therefore, can facilitate employment with shorter journeys to work for those living in the north and east of the town. The Department also does not accept the Commissions view that the dependence of I 3 on linkage to a non-industrial Eastern Distributor Road (EDR) Stage 2 and the unsuitability of the topography are significant factors likely to defer inward investment. Under Plan Policy TRAN 2, it should be noted that, in advance of the Department providing the road and subject to phasing and other Plan policies, favourable consideration may be given to proposals where developers are willing to provide an appropriate section of the road to the Department's required standards. Problems about unsuitable topography can be overcome by appropriate engineering works.</p>	

Schedule 4: Changes not accepted by the Department

Table 4D Objections relating to Industry

Objection Issue Reference Number	Objection Number	Nature of Objection	Commissioner's Report Page number (CR) & Commission's letter page number (CL)	Recommendation of the Commission	Decision of Department	Comment
					<p>The Department therefore rejects the Commission's advice that the I 3 land should be included as Phase 2 housing and that the proposed Industry and Mixed business use zoning of I 3 is confirmed accordingly.</p>	

APPENDIX 3

THE PLANNING (NORTHERN IRELAND) ORDER 1991

COOKSTOWN AREA PLAN 2010 (ADOPTION) ORDER (NORTHERN IRELAND) 2004

Made 25 June 2004

WHEREAS the Department of the Environment (hereinafter referred to as "the Department") in accordance with Part III of the Planning (Northern Ireland) Order 1991 (hereinafter referred to as "the Order") has consulted with Cookstown District Council and prepared a Development Plan for the said Council area.

AND WHEREAS the Department has complied with Article 5 of the Order;

AND WHEREAS objections having been duly made within the time stated for making objections, the Department caused a Public Local Inquiry to be held in accordance with Article 7 of the Order by the Planning Appeals Commission on various dates from October 2000 until December 2000 for the purpose of considering such objections;

AND WHEREAS the Department has considered the said objections and the Report of the Planning Appeals Commission on the said Inquiry;

NOW THEREFORE the Department in exercise of the powers conferred by Article 8 of the Order and all other powers enabling it in that behalf hereby orders as follows:

1. This Order may be cited as the Cookstown Area Plan 2010 (Adoption) Order (Northern Ireland) 2004;
2. (i) The Plan is hereby adopted as a Development Plan to the extent approved and endorsed by the Department in the Statement entitled "Cookstown Area Plan 2010 Adoption Statement 2004";
(ii) The Plan together with the said Statement shall be known as the Cookstown Area Plan 2010 which shall become operative on 25 June 2004;
(iii) For the said Council area the following development plans are hereby replaced;
 - (a) the East Tyrone Area Plan adopted by the Department in May 1980.

Sealed with the Official Seal of the Department of the Environment on 25 June 2004.

P. QUINN

Senior Officer of the Department of the Environment