PLANNING APPEALS COMMISSION

The Planning (Northern Ireland) Order 1991

Article 7

EXAMINATION IN PUBLIC INTO OBJECTIONS TO THE DRAFT NORTHERN AREA PLAN 2016

SECTION 4

REPORT ON LIMAVADY BOROUGH COUNCIL AREA

Report by

Commissioners G Scott, R Daly and D O’Neill

Examination Dates: 19 September – 6 October 2011
23 January – 22 March 2012

Date of Report: 4 June 2014
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4.1 LIMAVADY

HOUSING

Provision for Housing and the Settlement Development Limit

4.1.1 Limavady town is the District Town within Limavady Borough and the RDS 2035 identifies it as a main hub. Designation LY01 proposes a Settlement Development Limit (SDL) and this is identified on Map No.4/01a.

Plan Provision for Housing

4.1.2 Taking account of the 2008 revised HGI for Limavady District the draft plan makes provision for 2094 housing units in Limavady town. Between January 1999 and August 2010, 794 housing units were completed. The Department’s housing update paper (March 2011) estimated that approximately 2069 housing units could be accommodated within the settlement over the plan period; this is a notional deficit of 25 units (-1.2%) below the Plan allocation. There is however an over provision throughout the District of 26.2% and an additional 500 houses windfall site at Ballykelly. There is also the potential for Housing Zoning LYH 21 to deliver approximately an extra 200 units as discussed at the Examination.

Social Housing

4.1.3 The Department’s Housing Update Paper (March 2011) states that the social housing need within Limavady town is 20 units over the next 7 years (2010-2017). Given the relatively modest level of need identified, we are satisfied that there is no need for additional land to be identified within the SDL to meet social housing needs.

Phasing

4.1.4 Section one of this report has already addressed the issue of phasing; as a result, phase 1 and phase 2 housing zonings have equal status. We therefore recommend that all references to phasing be removed from the Plan.

Settlement Development Limit (SDL)

4.1.5 In section one of this report, we concluded that there is no strategic need to allocate further housing land within Limavady town. As a result, we do not accept the objectors’ arguments that the proposed settlement is too restrictive to accommodate the town's housing requirements over the duration of the Plan period. We therefore do not support the objections seeking the expansion of the settlement development limit or the reinstatement of land that was previously included within the SDL of Limavady Area Plan 1984-1999. Any extension of the SDL will only be recommended where we are satisfied that there are urban form arguments or other factors that would justify an exception being made. It is on this basis, therefore, that we will assess the site specific objections which are seeking the expansion of the SDL of Limavady town.
Sites Outside the Settlement Development Limit

Sites Unconnected to the Settlement Development Limit

4.1.6 A number of objections were received requesting the inclusion of sites unconnected to the settlement development limit. Objection 368 requested the inclusion of land south of Lisnakilly farm (No.16 Seacoast Road). The location of the town’s by-pass and a major roundabout within this site poses a major problem for accessing this land safely. Being located on the other side of the River Roe which contains the settlement of Limavady on its western boundary, the site is removed from the proposed settlement limit; to include this land would therefore create an illogical urban form resulting in the sprawling of development in a north-westerly direction.

4.1.7 Objection 371 sought the inclusion of land in the vicinity of the junction of Moys Road and Glenhead Road. This land is located in the countryside, is removed from any settlement limit and is therefore unsuitable for inclusion.

4.1.8 Objection 373 requested the inclusion of land including and east of Nos. 26-30 Dunlade Road. This land is located in the countryside, removed from any settlement limit and is therefore unsuitable for inclusion.

4.1.9 Objection 374 sought the inclusion of lands at Highlands Road. The site is located within the open countryside and is removed from any settlement limit.

4.1.10 Objection 375 requested the inclusion of land at No.160 Baranailt Road. The site is located within the open countryside and is removed from any settlement limit.

4.1.11 Objection 376 sought the inclusion of land in the vicinity of No.127 Glenhead Road. The site is located within the open countryside and is removed from any settlement limit.

Sites in Proximity to the Settlement Development Limit

4.1.12 A number of objections were received requesting that various parcels of land be included within the proposed Settlement Development Limit. These will be considered on a clockwise basis, commencing with objections in South-West Limavady.

4.1.13 Objection 328 requested the inclusion of a number of parcels of land on the periphery of the settlement however these objections were unsubstantiated with supporting evidence and at any rate, there is no strategic need for additional housing land.

4.1.14 Objection 4653 requested the retention of land opposite Roemill Court and Woodland Walk, Roemill Road for development purposes. No persuasive evidence was presented by the objector to justify the inclusion of this land and there is no strategic need for the inclusion of additional land for residential purposes.
4.1.15 Objection 4874 requested the inclusion of land **north of Roemill Recreational Grounds, Roemill Road**. Whilst it is appreciated that the objector may want flexibility to develop the land for recreational/leisure use, no persuasive evidence was demonstrated and given the site’s location within the floodplain it is not appropriate to include the land within the settlement limit.

4.1.16 Objection 4893 sought the inclusion of land **between the River Roe and the Ballykelly Road, Rathbrady Beg** for sport and recreational purposes. Although the site is located along the new bypass, it does not mean that direct access should be provided off it. Rather than extending as far as the River Roe boundary, development in Limavady should not breach the bypass in order to contain its urban form. Arguments that such a recreational use would act as a buffer between the urban area and the countryside are not persuasive in this instance. No substantive need was demonstrated for such facilities and there is no shortage of open space within the settlement limit boundary at present. The various arguments presented by the objector in relation to the benefits of including this land do not overcome the objection to its inclusion.

4.1.17 Objection 5223 identified an expansive area of land (**Drenagh Estate**) which they wished to have considered for development purposes. The suggestions in relation to how various components of the estate could be developed and the claim that the proposed development limit will prevent the sustainable management, maintenance and development of the Estate were unsupported with persuasive evidence. It is beyond the remit of the development plan to devise a framework for the future development of the Estate. Any suggestions in relation to enabling development are best being assessed by the Development Management process when arguments in relation to how the Estate could sustain itself and the impact that development may have on the listed buildings, historic setting of the Estate and the town could be addressed. In relation to the ‘front field’ at Broad Road, rather than the woodland acting as a new boundary, the presence of the road acts as a natural barrier to control the development of the town and this is logical in terms of urban form. The various arguments presented by the objector do not justify the inclusion of the land within the limit, direct access on to the by-pass or the removal of the area from the HPG. No changes are recommended to the Plan as a result of this objection.

4.1.18 Objection 5006 requested the inclusion of land at **Broad Road**. We concur with the Department’s recommendation that the reduced area of the objection site presented at the Public Examination should now be included within the settlement limit given the presence of a Tescos supermarket, petrol station and car park on the site. Given that the site is already in commercial use, it is appropriate that it is included as whiteland.

4.1.19 Objections 4871 and 5223 requested the inclusion of lands on the **western side of Drumsurn Road**. Despite the level of integration of the land and its accessibility to the town, to include these lands would result in the sprawling of the settlement’s urban form in an easterly direction. In relation to the Drenagh Sawmill site, the fact that it was previously developed and was said to be suitable for ‘appropriate redevelopment’, does not overcome the lack of need for the site for housing purposes. Irrespective of its brownfield status, the
location of the majority of the Drenagh Sawmill site within the floodplain may also hinder the development of the site for housing purposes given the increased risk that it poses to residents as opposed to a commercial enterprise. A suggestion was made by Objection 5223 that the woodland could be used for recreational purposes however this was unsupported with persuasive evidence.

4.1.20 Objection 4895 requested the inclusion of land east of Bovally housing development, north of Whispering Pines, Rossair Road. The majority of the land is recommended by the Department for inclusion within the settlement limit and to be zoned for housing in line with that allowed on 19th August 2010 under 2009/A0124. We concur with this position however given the environmental sensitivity of the remaining area, the contribution that it makes to the Castle River’s setting and the lack of need for additional housing land, we consider that this should remain outside the settlement limit.

4.1.21 Objection 357 sought the inclusion of land including and north-east of No.20 Edenmore Road. The site is included within Designation LYL 06 due to the contribution that it makes to the setting of the town and the Castle River. Even if the site were reduced away from the treed river corridor, there is no strategic need for any further expansion of the settlement for residential purposes.

4.1.22 Objection 5527 requested the inclusion and zoning for housing of land north-east, east and south of LYH 22 and south of Whitehill Park (Ballyquin Road) and Rose Park (Edenmore Road) including and north, east and south of No.70 Ballyquin Road and including and east of No.42 Edenmore Road. Whilst the objection was unsubstantiated with persuasive evidence, there is no strategic housing need for such an expansive extension of Limavady. To include this land would also result in the sprawling of the settlement in a southerly direction which would be unacceptable in terms of urban form.

4.1.23 Objection 5072 requested the inclusion and zoning for housing of land surrounding Housing Zoning LYH 22, Edenmore Road. Whilst this objection was unsubstantiated with persuasive evidence, there is no strategic housing need for such a substantial expansion of Limavady. To include this land would also result in the sprawling of the settlement in a south-easterly direction.

4.1.24 Objection 5071 sought the inclusion and zoning for housing of land north of No.42 Edenmore Road. Whilst this objection was unaccompanied with substantive evidence, given the level of housing provision that is available, there is no strategic need for additional housing land within Limavady.

4.1.25 Objection 5181 requested the inclusion and zoning for housing of land south of Whitehill Park (Ballyquin Road) and Rose Park (Edenmore Road) including and north, east and south of No.70 Ballyquin Road and south-west of No.42 Edenmore Road. Whilst the objection was unsubstantiated with persuasive evidence, there is no strategic housing need for such an expansive extension of Limavady. To include this land would also result in the sprawling of the settlement in a southerly direction which would be unacceptable in terms of urban form.
4.1.26 Objection 4865 requested the inclusion of land south of Rose Park/Gardens, Edenmore Road. Whilst the Department acknowledged that a modest expansion of the settlement limit at this location would not in itself compromise the objectives of the Plan, there is no strategic housing need for any further expansion of Limavady’s development limit. The numerous arguments presented by the objector in relation to why the land should be included do not overcome the lack of need for any expansion of the settlement limit.

4.1.27 Objection numbers 4579 and 4670 sought the inclusion of land located south of Whitehill Park (accessed via Scroggy Road) and Rose Park (accessed via Edenmore Road). Little substantive evidence was presented by the objector to justify such a substantial expansion of the settlement in a southerly direction. There is no strategic housing need for such an expansion. The exclusion of this land from the SDL is endorsed.

4.1.28 Objection 4942 sought the inclusion of lands at Radisson SAS Roe Park Hotel and Golf Resort and they requested that it be zoned as a resort destination for tourists. It is accepted that this is a significant tourism and business facility for the region and that it has good pedestrian linkages with the Roe Valley Country Park. Whilst it is appreciated that the objector may wish to expand and improve their facility in the future, given the environmental sensitivity of the location illustrated by its inclusion within Designation LYL 02, this could be dealt with through the Development Management process when the details of any scheme could be assessed. We do not support the inclusion of this land within the SDL.

4.1.29 Objection 4951 requested the inclusion of lands at Roemill Road. Despite the fact that the planning permission granted on this site for residential development has lapsed (B/2003/0649/O), the Department stated at the Examination that they wish to honour it and therefore recommend that the footprint of the proposed buildings be included within the settlement limit; we note this concession. In terms of the remaining area, we concur with the Department that given its sloping nature, the contribution that it makes to the setting of the River Roe and hence to Designation LYL 02, that the area, to the west of the footprint of the proposed buildings, should remain excluded from the settlement limit. Despite the numerous arguments presented by the objector in relation to why the whole site should be included within the SDL, these factors do not overcome our concerns in relation to the adverse impact that development located on the slopes would have on this sensitive environment.

**Recommendations**

4.1.30 We recommend that:

- The reduced area of objection 5006 located at Broad Road be included within the proposed settlement limit.

- The land east of Bovalley housing development, north of Whispering Pines, Rossair Road (objection 4895), be included within the proposed settlement limit in line with that allowed under 2009/A0124.
Inclusion of Road within the Settlement Development Limit

4.1.31 Objection 4341 requested that the road east of Nos. 47-63 Ballyquin Road be included within the settlement limit due to what the objector perceived as a difference of approach within PPS 3 in relation to development onto a protected route outside and inside a development limit. Paragraph 2.4 within the Planning Policy Statement 3: Access, Movement and Parking Clarification of Policy AMP 3: Access to Protected Routes acknowledges the importance of ensuring that a new access or the intensification of the use of an existing access on to a Protected Route does not compromise the free and safe movement of traffic and does not significantly add to congestion. The location of this area within the 30mph speed limit, the presence of a number of accesses onto this stretch of road and the 5m grass verge do not necessarily mean that prejudice to road safety would not be caused by allowing a direct access to service House Zoning LYH 21B at this particular location. The fact that other proposed zonings within the plan may permit access onto a protected route does not justify allowing this potential access point into LYH 21B. We are not in a position to make such a judgement about the suitability of the proposed access point in the absence of more detailed information. It is a matter that will have to be addressed through the Development Management System when a detailed proposal is submitted for consideration. We see no need to change the plan as a result of this objection.

Zoning of land for Housing within the Settlement Development Limit

4.1.32 Objection 5615 requested that the Council yard site, Ballyquin Road (opposite Glenmill Park/ Glenview Drive) should be identified for housing purposes. Given this site’s location within the proposed development limit, any such proposal could be dealt with through the Development Management system. There is also no need to zone any additional land within the settlement for residential purposes given the ample supply of housing opportunities.

4.1.33 Objection 5038 requested that No.59A Ballyquin Road be zoned for housing purposes. Despite the fact that the site has an established residential use and has planning approval for housing (B/2010/0238/RM), there is no need to zone this small site for housing given the lack of need for additional housing opportunities within Limavady.

HOUSING ZONINGS

4.1.34 The main issues raised in the objections relate to:
(a) The viability of the zonings
(b) Alternative uses for LYH 8 and 16
(c) The potential subdivision and KSRs for LYH 14
(d) Impact of housing zonings on other designations
(e) Removal/amendments to KSRs

Viability of the Zonings

4.1.35 Objection 328 stated that many of the proposed housing zonings were unworkable. There is little persuasive evidence to support their claim that a
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proper evaluation of the sites was not completed. We have already concluded at a strategic level that it is appropriate for the housing zoning sites to be included as part of the housing provision calculations. In relation to the housing zonings, the argument that there are other sites equally as good if not better than these proposed sites has not been demonstrated adequately. Objection 5072 objected to all the housing zoning however, as their objection was not substantiated with persuasive evidence, it is not supported.

4.1.36 In relation to proposed Housing Zoning LYH 07, given that the Department acknowledge that this site is in commercial use, objections 328 and 4406’s concerns in relation to the need for commercial space and complementary town centre uses have been overcome by events. Rather than amend the zoning to allow other suitable uses other than housing as suggested by objector 4406, it may be prudent for the Department to remove this housing zoning. Given that the potential yield from the site would have been 11 units, this does not affect the housing allocation within the settlement.

4.1.37 In relation to Housing Zoning LYH 09, Objection 328’s concern in relation to the difficulty of developing what they considered to be a piecemeal site is superseded by events as it has already been developed to provide 14 housing units.

4.1.38 In relation to Housing Zoning LYH 10, Objection 17 stated that the buildings are listed and that the Court has intervened in relation to demolition on the site. Objection 328 also questioned how the entire site would be developed given that half of it was located within the ATC. The impact of any proposal on listed buildings or the ATC are matters for the development control process and KSR No.3 acknowledges that the development of the site shall have regard for the character and setting of the adjacent listed buildings and try to incorporate them into any future proposal. Concern in relation to the potential overlooking of properties on Main Street can also be addressed at the development management stage.

4.1.39 Objection 328’s concern that Housing Zoning LYH 11 backs on to a public car park and that the intensive development of the space would be difficult to achieve was unsubstantiated with persuasive evidence. At any rate, given the presence of listed buildings on the site, the Department has not calculated a potential housing yield from the site given the possibility of a variety of uses potentially emerging.

4.1.40 In relation to Objection 328’s concern about the proximity of Housing Zoning LYH 12 to the adjacent graveyard, KSR No.2 requires that an appropriate landscape buffer be put in place along the northern boundary in order to respect the adjacent use. In relation to the application of the protected routes policy, PPS 3 provides clear regional guidance in relation to how it should be assessed within and outside settlement limits and it is this that should be applied.

4.1.41 In relation to Housing Zoning LYH 13, the query raised by Objection 328 in relation to why this zoning was still indicated for housing use despite the fact that it was in commercial use could be resolved by the Department removing the proposed housing designation. Given that the potential yield from the site
was only 5 housing units and the fact that the Department acknowledge in their submission that the site is in commercial use, we do not consider that this adversely affects the credibility of the plan's policies.

4.1.42 Several objections were received in relation to Housing Zoning LYH 15, however, given that planning permission has been granted on the site for residential development (B/2006/0261/F and B/2010/0143/F) and that the Department is satisfied that development has commenced on the site, the objections have been superseded by events and are therefore unsupported. In relation to Housing Zoning LYH 16, given the restricted size of the site, we do not support Objection 328’s claim that this site acts as green lungs for the town; it is unworthy of retention due to its contribution to the amenity of the area. Objection 5186’s objection to this zoning was unsubstantiated with persuasive evidence.

4.1.43 In relation to Housing Zoning LYH 17, the Department acknowledge in their written submission that this site is in commercial use. Given that the Department anticipated that the yield from the site would be 5 units, we do not consider that the lack of development of this site for residential purposes demonstrates that the housing element of the plan is flawed as claimed by Objection 328. Given that Objection 4406 sought flexibility in terms of the uses that would be permitted on site, the use of the site for commercial purposes appears to meet this concern.

4.1.44 Planning permission has been granted for 131 dwellings on Housing Zoning LYH 19 on 20th May 2008 (B/2006/0469/RM); the Department is satisfied that development has commenced. As a plan cannot override the provisions of an extant planning permission, there is no need to comment on the KSRs. These should be removed from the zoning.

4.1.45 As planning permission has also been granted on Housing Zoning LYH 20 (B/2004/0220/F) and the Department are satisfied that development has commenced on site, the objections by objections 328, 4895, 5006 and 5012 to this zoning are unsupported.

4.1.46 Objections 328 and 357 questioned the logic in zoning Housing Zoning LYH 22 in terms of urban form, outlook of residents into the adjacent TA base, visibility of the site and concern in relation to its access. We accept the Department’s argument that the site allows for the potential development of an urban fringe site and that it relates to the TA base in terms of urban form. There is no stipulation that development has to be invisible from view but rather it should integrate into its surroundings. No persuasive evidence was presented that there would be access difficulties when developing this site.

**Alternative Uses**

4.1.47 In relation to Housing Zonings LYH 08 and 16, Objection 5710 requested that these proposals be re-designated for ambulance and fire services or alternatively that one hectare of land located at Thackery Place in Limavady be designated for ambulance/fire service use. Given the lack of persuasive evidence, the objection is unsupported. Little persuasive evidence was
presented by Objection 328 to support their claim that there may be a conflict between Housing zoning LYH 08 and the nearby open space designation.  
The Potential Subdivision and KSRs for LYH 14

4.1.48 Numerous objections were received in relation to proposed Housing Zoning LYH 14 to the rear of Shanreagh Park. Given the acknowledgement by the Department that the proposed zoning comprises of two distinct areas and the fact that Limavady Borough Council, who is the landowner of the Shanreagh Park Green section of the zoning, is now objecting to the inclusion, the Department propose that this area should now be identified as existing open space. Given the value of this open space for the community and the reluctance of the landowner to develop it for housing purposes, we concur with this suggestion.

4.1.49 A number of objections were received in relation to the KSRs for the remaining housing zoning. In relation to KSR No.1, the objectors stated that the proposed density should not exceed 15 dwellings per hectare as they considered that this would be in keeping with the character of Shanreagh Park. Given that it is now proposed to retain the Green as open space, there is a considerable separation distance between Shanreagh Park and the proposed housing site. The Department proposed a density of 15 to 25 dwellings per hectare and we consider this to be appropriate given the central, accessible location of the site. In relation to KSR No.2, given that any development is restricted to a maximum of two-storeys in height, we consider that this is sufficient to protect the residential amenity and character of the area without specifying that apartment development shall not be permitted. Given the central location and context of the site, in the majority of the site, it is unnecessary to restrict the proposed height of development to 1 ½ storey. On the peripheral edges, however, the Department’s suggestion at the Examination that development should be restricted to 6m would be appropriate in order to preserve the residential amenity of residents. In the interests of promoting a balanced community, it would not be appropriate to specify that only private detached dwellings will be permitted on the site. Any inclusion of social housing on the site could be addressed at Development Management stage. Given that the reluctance of the land owner of Shanreagh Park Green to permit access to the site via Shanreagh Park and the fact that the land owner of the remaining area of the housing zoning is said to have purchased a property on Scroggy Road in order to access the site, we agree with the Department that KSR No.3 should be deleted from dNAP; the access arrangements could be resolved as part of the Development Management process. The removal of this KSR facilitates the retention of the mature hedgerow along the north-western boundary of the Green which would be desirable. We therefore agree with the Department’s suggestion that KSR No.9 should relate to the ‘trees and hedgerow’ on the site with the view to ensuring their protection. In relation to the general concern in relation to the adequacy of the sewerage facilities in the area, no persuasive evidence was presented that there was an issue and NI Water state in their evidence that Limavady WWTW has additional capacity. Any site specific issues could be dealt with at Development Management stage.
Impact on other Designations

4.1.50 No persuasive evidence was presented by Objection 328 to support their claim that the development of Housing Zoning LYH 18 would be likely to affect the setting of the River Roe LLPA. At any rate, there is already a structure on site and KSR No.2 seeks to ensure that any development on site is generally not greater than two storeys in height, which would not be much greater than what is already there. Any further issues could be addressed by the Department at the Development Management stage.

Removal/Amendment of KSRs

4.1.51 As Housing Zonings LYH 21A and LYH 21B have outline planning permission (B/2010/0440/O) for the erection of housing and community facilities, Objections 328 and 357 objection to the principle of housing development on the site has been superseded by events. Objection 4924 sought the removal of the key site requirements given the granting of planning permission on the site; since development has not commenced and only outline planning permission has been granted, we are not persuaded that it is appropriate to remove them. Objection 5185 did not substantiate their objection to the proposed KSRs in relation to the housing zoning. At the Examination the Department tabled an amended list of KSRs for Housing Zoning LYH 21, which were relevant to both areas, and additional KSRs for Housing Zonings for LYH 21A and B. Whilst objector 4924 might prefer there not to be a density requirement, given its edge of settlement location, it is appropriate that the density is restricted to the 15-25 dwellings per hectare as suggested by the Department. The objector raised no other objections to the amended KSRs at the Examination. The Department stated that they wish to withdraw zoning LYC/O 01, given the scale of housing proposed on Housing Zoning LYH 21 (up to 600 units), the Department stated that it was logical that community services are located in the north-western corner of the area. Although the Department stated that they cannot impose such a requirement, they felt that the plan could state: ‘the land to the north-east of Gorteen House is a logical location for associated community services such as a crèche or other facilities to meet the daily needs of residents. This land could also be used to provide some of the open space requirements for the adjoining residential zonings”; this could be added to the plan’s text. In relation to Objection 4341’s concern that access to the site could be via 59A Ballyquin Road, the amended KSRs no longer stipulate where the access shall be from and this is a matter which could be resolved at Development Management stage.

Recommendations

4.1.52 We recommend that:

- The housing zonings LHY 07 and LYH 13 should be removed.

- Shanreagh Park Green should be excluded from Housing Zoning LYH 14 and be identified as existing open space. KSR No.3 should be deleted and KSR No.9 should refer to ‘trees and hedgerow’ on the site.
The following should be added to the text of LHY 21: ‘the land to the north-east of Gorteen House is a logical location for associated community services such as a crèche or other facilities to meet the daily needs of residents. This land could also be used to provide some of the open space requirements for the adjoining residential zonings’.

ECONOMIC DEVELOPMENT

Industrial Zonings

4.1.53 Objection 328 raised objections to all the industrial zonings. As Industrial Designations LYI 01-06 are existing industrial sites, these are protected by Policy PED 7: Retention of Zoned Land and Economic Development Uses within PPS 4: Planning and Economic Development (2010). No substantive evidence was presented in relation to what uses would be suitable on LYI 05 and there is no strategic need to change zonings LYI 01-04 for housing purposes. No substantive evidence was provided by Objection 328 to support their claim that there is a need for a large scale industrial site and at any rate Industrial Zoning LYI 07 Aghanloo Industrial Estate allows for further opportunities with an expansion that is more than double the size of the existing Aghanloo Estate. At a strategic level we have already concluded that adequate industrial land has been identified within the Limavady District. Objections 4996 and 5046 did not substantiate their objection to Industrial Zoning LYI 07 nor did they provide persuasive evidence why their land should be included within the zoning.

Inclusion of Land Within Aghanloo Industrial Estate

4.1.54 Objection 4996 sought the inclusion of land adjacent to Aghanloo Industrial Estate within the industrial zoning for Aghanloo (LYI 06). No persuasive evidence was presented and there should be no change to the Plan as a result of this objection.

4.1.55 Objection 5046 requested the inclusion of land north-west of Dowland Park and No.88 Dowland Road within Aghanloo Industrial Estate; they requested that it be zoned for industrial purposes. No need for additional industrial land was however demonstrated and, being located on the opposite side of the road to Aghanloo Industrial Estate, it does not blend in with the industrial estate’s form.

ZONING OF LAND FOR COMMERCIAL, LEISURE AND RECREATIONAL USE

4.1.56 Objection 5012 sought the land between the by-pass, Limavady College of Further and Higher Education and Roeville Terrace to be zoned for commercial, leisure, recreational use or alternatively be included within the proposed limit as whiteland. Given its separation from the town centre, it would not be appropriate to zone this land for commercial purposes. Technical Supplement 6: Open Space, Sport and Outdoor Recreation within dNAP does not identify a need for additional recreational space within the settlement with
there being a 11.99ha surplus in the total outdoor playing space provision. The majority of the objection site is also located within the floodplain and PPS 15 advocates that a precautionary approach should be adopted towards development proposals within such areas. There may also be access difficulties due to the lack of a suitable access; the current access via Roeville Terrace would be inadequate and it is not appropriate to take direct access from the bypass. There should be no change to the Plan as a result of this objection.

COMMUNITY ZONING, FACILITIES AND INFRASTRUCTURE

4.1.57 Given that planning permission has been granted on the site of Community Zoning LYC/O 01 for the erection of housing and community facilities (B/2010/0440/O), that there is no evidence that the zoning must be here and that there is no prospect of the integrated school locating here, the Department stated at the Examination that the rationale for the zoning has gone and therefore that it should revert to whiteland. Given these change in circumstances, we concur with this position. Objections 328 and 4924’s concerns in relation to the zoning therefore seem no longer relevant.

4.1.58 Given the time that has passed since Objection 5746 lodged their objection, it is unclear whether Roe Valley Integrated Primary School have resolved their difficulties finding a suitable permanent location for premises; at any rate, this is a matter that is best resolved as part of the Development Management process. It is however noted that outline planning permission was granted on 25th January 2008 for a new integrated primary school adjacent and including No.153 Roemill Road, Limavady.

4.1.59 Objection 5710 proposed that land at Thackery Place be designated for use as ambulance/fire station area, as an alternative to their proposed de-designation of LYH 08 and 16. No map was supplied to identify the area and such a proposition would be best assessed as part of the Development Management process.

4.1.60 Objection 5615 requested the identification of a public footpath between Scriggan Road and Broad Road, however, again this proposal would be best pursued through the Development Management process.

COMMERCIAL DESIGNATIONS

4.1.61 Objections 328 and 5044 did not substantiate their claims in relation to Commercial Designations LYLC 01 Bovally Local Centre and LYLC 02 Bovally Extension. This Centre provides a range of services for the surrounding residential area and no persuasive evidence was presented to support the claim that it is not needed or that it has an adverse impact on the vitality of the town centre. No specific details were provided by objector 5044 in relation to the existing and proposed commercial developments in the locality. There is no strategic housing need to zone the area of Commercial Designation LYLC 02 for housing. It is also preferable not to leave the land as whiteland; it is best to zone it in order to protect the area for the provision of local facilities when it
is required. There should be no change to the Plan as a result of these objections.

TOWN CENTRE DESIGNATIONS

4.1.62 A town centre is designated by Designation LYT 01 in accordance with PPS 5: Retailing and Town Centres in order to achieve a number of objectives including sustaining and enhancing the vitality and viability of the town centre and to maintain the retail core. We therefore do not support Objection 328’s claim that there is no reason for the designation. Little persuasive evidence was presented by objections 328 and 4406 to support their claim that the town centre boundary is too constrained and suffocating for future development. No persuasive evidence was presented by Objection 328 that the target sites should not be designated. In relation to Objection 328’s concern that Development Opportunity Site Designation LYT 02 would not be developed appears to be in vain as planning permission was granted on the site for a commercial and residential development on 15th October 2007. Given that the Town Hall development opportunity site has been developed (LYT 03) we agree with the Department that there is no need to identify this site; objections 328, 5615 and 5757 which relate to this objection are therefore unsupported.

4.1.63 In relation to Designation LYT 04 Area of Townscape Character Main Street, Limavady, little persuasive evidence was presented to support Objection 328’s claims that the designation is not appropriate and would inhibit development within the town. In relation to Objection 5615, the frontage of the Town Hall and civic square area is included within the ATC; given that this area has already been redeveloped, it is not necessary for all of it to be included within Designation LYT 04 as this provides guidance in relation to future development proposals. Objection 5757 requested the extension of the ATC boundary however no maps were provided in order to support this request. Objection 5757 was concerned that there is a lack of emphasis within the text promoting the re-use of existing buildings however no suggested wording was provided. At any rate, regional policy guidance is contained within PPS 6 and the Addendum to PPS 6: Area of Townscape Character (August 2005).

Recommendation

4.1.64 We recommend that:

- Designation LYT 03: Town Hall development opportunity site be deleted.

OPEN SPACE

4.1.65 A number of objections were received in relation to the open space zonings. At the Examination the Department suggested the amendment of ‘formal playing field provision’ to ‘outdoor recreation’ within the first line of the policy on the LYO 01 Open Space Zoning; we concur with this suggestion. In relation to KSR No. 4 of Open Space Zoning LYO 01 they proposed that this be amended to ‘any recreational activity shall be sited to minimise any adverse impacts on the amenities of neighbouring houses and wildlife interests’; we agree with this
suggestion. They also stated that a footnote to the open space section will be added ‘that the open space can be provided either publicly by the District Council or by developers in association with neighbouring development. The open space can also be operated privately as a commercial outdoor recreational facility’; this therefore may allow potential schemes to come forward as sought by Objection 5223. A map was also supplied by the Department showing an amended area for Open Space Zoning LYO 01 in light of the appeal decision 2009/A0124 which granted planning permission for housing development on part of this site. This reduction in the extent of Open Space Zoning LYO 01 may overcome objections 4895 and 5615’s unpersuasive concerns.

4.1.66 Little persuasive evidence was provided by Objection 5223 to justify the exclusion of the area west of Drumsurn Road from the Open Space zoning LYO 01. Objection 328 did not substantiate their claims in relation to what they perceived as being clashes between the housing (LYH 01 and 05) and Open Space Zoning LYO 01 and the lack of relationship with the Castle River. Objection 328 argued that there is a chronic shortage of open space within Limavady and Objection 4642’s claimed that the Plan fails to have any creative new urban public open space proposals. Technical Supplement 6: Open Space, Sport and Outdoor Recreation however indicates that there is a surplus of 11.99ha of open space within the settlement therefore we do not support the objections. No persuasive evidence was presented why the small area of Objection 5006’s site along Broad Road, included within Open Space Zoning LYO 01, should be excluded from the zoning.

4.1.67 Objection 328 raised concern in relation to the safety of LYO 02 Limavady Peripheral Walkway Extensions however given that it is assumed that they will be properly designed and light, there is no persuasive evidence that they would pose a threat to people’s safety. There should be no change to the Plan as a result of this objection.

Recommendations

4.1.68 We recommend that:

- The first line of Open Space Zoning LYO 01 be amended from ‘formal playing field provision’ to ‘outdoor recreation’.

- KSR No. 4 of Open Space Zoning LYO 01 be amended to ‘any recreational activity shall be sited to minimise any adverse impacts on the amenities of neighbouring houses and wildlife interests’.

- A footnote to the open space section be added stating: ‘the open space can be provided either publicly by the District Council or by developers in association with neighbouring development. The open space can also be operated privately as a commercial outdoor recreational facility’.

- The extent of LYO 01 should be reduced in light to appeal decision 2009/A0124.
AREA OF ARCHAEOLOGICAL INTEREST AND LOCAL LANDSCAPE POLICY AREAS

4.1.69 Objection 328 objected to the Area of Significant Archaeological Interest within Limavady however, as illustrated on Map 4/01b, this is an Area of Archaeological Potential that is shown for information purposes only.

4.1.70 Objections 328 and 5012 objected to all the LLPAs however they did not substantiate their claim that there was no need for the relevant LLPA in each case. Rather than relying on generic law and policy to ensure the protection of each of the areas, by designating LLPAs it is hoped to protect the areas considered to be of greatest amenity value, landscape quality or local significance.

LYL 01

4.1.71 At the Examination, the Department proposed a number of changes to Designation LYL 01: a map indicating a significantly reduced area for LYL 01 was presented; that the reference to Gorteen should be deleted from the title of the Designation; that point 2 of the policy needs to be reworded to acknowledge that the River Roe is now a SAC; they stated that Paragraph 13.2 (page 224) should be deleted from the plan and that Paragraph 13.3 is out of date. The Department proposed a new wording for Paragraph 13.2: ‘in addition to the River Roe Valley Country Park, this LLPA also includes St. Canice’s Graveyard, open space and tree groups which are located within the settlement limit. An access to LYH 21A has been approved from Roemill Road. Within this part of the LLPA the priority will be to maintain this attractive entrance to the Roe Valley Country Park. Outside of the settlement limit the priority will be to protect the country park and the open landscape where a presumption against development other than that essential to the operation of agriculture and for the operation of the Country Park’. The reduction in the extent of Designation LYL 01 should overcome objection 4924’s concern in relation to the appropriateness of the designation on their land. Objection 4942 objected to the inclusion of the Radisson Hotel within Designation LYL 01 however as it would seem that the hotel is located within Designation LYL 02, these will be dealt with later in the report. In relation to Objection 5194’s request that land at No.91 Dogleap Road be removed from Designation LYL 01, whilst the objection was unsubstantiated, the Department stated that as the lower terrace of the garden of Dog Leap House has planning permission for a restaurant and car park (B/2004/0702/O and B/2009/0226/RM), that the policy guidance should recognise the granting of planning permission and that further sensitive development in relation to Dog Leap House may be acceptable. We concur with this proposition.

LYL 02

4.1.72 In relation to Designation LYL 02 Roe Park LLPA, a number of objectors sought the area to be more permissive for development. Objection 4653, however, did not substantiate their request for land to be kept for development purposes. Given the sensitivity of this area, we are not persuaded by Objection 4874’s argument that new recreational/leisure uses should be permitted within this LLPA. We therefore do not agree that amplification text to Designation LYL 02 should be amended. Objection 4942 objected to the inclusion of the land at
Radisson Hotel within the LLPA. In relation to its necessity or appropriateness, the designation of the LLPA ensures added protection for the environment here in order to protect the amenity asset. The objector stated that a detailed tree condition survey was needed however the LLPA has been identified following a detailed survey by the Department. It is beyond the remit of an area plan to provide recommendations for the future management of this area. Any future proposal for the development of the hotel complex could be assessed on its own merits at planning application stage. There should be no change to the Plan as a result of this objection. Given that it is the sloping land within Objection 4951’s land on Roemill Road that contributes to the character of the LLPA and the fact that the Department wish to honour the area previously granted planning permission and include it within the proposed development limit, we concur with the suggestion that the area of planning permission B/2003/0649/O should be excluded from Designation LYL 02.

LYL 03
4.1.73 Objection 4893 did not substantiate their objection to the inclusion of land between the Limavady by-pass and the River Roe within Designation LYL 03. Objection 5615 also objected to the inclusion of this land and requested that it be identified as open space to be used in the future as Council pitches. The inclusion of the land within a LLPA does not necessarily prevent its use as open space however there is no need for additional open space provision within the settlement. Whilst little persuasive evidence was presented by objections 4893 and 5615 to justify why the land should be excluded, this land makes a substantial contribution to the setting of the town and the river; its development would have an adverse impact on both of these components.

LYL 04
4.1.74 Objections 5100 and 5223 objected to the inclusion of lands at Drenagh Estate within Designation LYL 04. Rather than relying on the protection provided by PPS 21 and the other planning policy statements, the designation of the LLPA ensures that added protection is given to this environmental sensitive area which significantly contributes to the setting of the town and to the countryside. There should be no change to the Plan as a result of these objections.

LYL 06
4.1.75 In relation to Designation LYL 06, given the contribution that the lands of Objection 357 make to the setting of the river and to the countryside generally, we do not consider the designation to be too extensive. Only a small portion of Objection 357’s site was previously developed and therefore we do not agree that the site does not merit protection. We consider that there is adequate detail contained within NAP in relation to the features that contribute to the area’s attractiveness. No persuasive evidence was presented by objections 4895 and 5223 in relation to why their respective areas of land should be excluded from Designation LYL 06 or why the designation will inhibit the sustainable management, maintenance and development of the Drenagh Estate lands. Detailed proposals may be best being pursued through the Development Management process where arguments such as those surrounding enabling development may be assessed. It is beyond the remit of an area plan to devise a framework to ensure the future of the Estate. The Department proposed a rewording of the amplification text in relation to Designation LYL 06 in order to
address what they perceived to be an ambiguity: ‘no further development is acceptable other than suitable redevelopment proposals in accordance with regional policy for the Drenagh sawmills site and replacement and extension of existing buildings and ancillary development associated with the open space use’. In relation to Objection 5223’s intention to use the woodland for recreational purposes, the Department suggested a proposed amendment to the policy on LYO 01 outlined earlier within this report.

LYL 09

4.1.76 In relation to Objection 4406’s objection to Designation LYL 09, the Department acknowledge within their evidence that the inclusion of the car park area at Tesco’s was a mapping error and we concur that this area should be removed from the LLPA.

Recommendations

4.1.77 We recommend that:

- In relation to Designation LYL 01, that its extent be reduced as discussed at the EIP and that reference to Gorteen within its title should be deleted. Point 2 should acknowledge that the River Roe is now a SAC. Paragraph 13.3 should be deleted. Paragraph 13.2 should be amended as follows: ‘in addition to the River Roe Valley Country Park, this LLPA also includes St. Canice’s Graveyard, open space and tree groups which are located within the settlement limit. An access to LYH 21A has been approved from Roemill Road. Within this part of the LLPA the priority will be to maintain this attractive entrance to the Roe Valley Country Park. Outside of the settlement limit the priority will be to protect the Country Park and the open landscape where a presumption against development other than that essential to the operation of agriculture and for the operation of the Country Park’. The amplification text for Designation LYL 01 should also recognise that further sensitive development in relation to Dog Leap House may be acceptable.

- The area of planning permission B/2003/0649/O be excluded from Designation LYL 02.

- The amplification text of Designation LYL 06 should be amended to reads: ‘no further development is acceptable other than suitable redevelopment proposals in accordance with regional policy for the Drenagh sawmills site and replacement and extension of existing buildings and ancillary development associated with the open space use’.

- The removal of Objection 4406’s land from Designation LYL 09.
4.2 DUNGIVEN

HOUSING

Provision for Housing and the Settlement Development Limit

4.2.1 The Limavady Area Plan designated Dungiven as a small town however the draft Northern Area Plan designates it as a town in recognition of its role as the local service centre. Designation DG 01 outlines the proposed settlement development limit for Dungiven and this is illustrated within Map No.4/02 in the Plan.

Plan Provision for Housing

4.2.2 Taking account of the 2008 revised HGI for Limavady District the draft plan makes provision for 519 housing units in Dungiven. Between January 1999 and August 2010, 324 housing units were completed. The Department’s Housing Update Paper (March 2011) estimated that approximately 863 housing units could be accommodated within the settlement over the plan period; this is a notional surplus of 344 units (66.3%) above the plan allocation.

Social Housing

4.2.3 The Department’s Housing Update Paper (March 2011) states that the social housing need within Dungiven is 20 units over the next 7 years (2010-2017). As part of their evidence for the Examination, the NIHE indicated that that as of March 2011 there is a need for 15 social housing units within Dungiven for the period 2011-2018. The NIHE did not raise an objection in relation to this need.

Settlement Development Limit (SDL)

4.2.4 In section one of this report, we concluded that there is no strategic need to allocate further housing land within Dungiven. As a result, we do not accept the objectors’ arguments that the proposed settlement is too restrictive to accommodate the town’s housing requirements over the duration of the Plan period. We therefore do not support the objections seeking the expansion of the settlement development limit or the reinstatement of land that was previously included within the SDL of Limavady Area Plan 1984-1999. Any extension of the SDL will only be recommended where we are satisfied that there are urban form arguments or other factors that would justify an exception being made. It is on this basis, therefore, that we will assess the site specific objections which are seeking the expansion of the SDL of Dungiven. That said, the Department however acknowledge the need to rationalise the development limit in order to reflect extant planning permissions which relate to the north of No 55 Garvagh Road (Objections 328, 360 and 4986).

4.2.5 Objection 4323 objected to family members not being granted planning permission for the erection or renovation of a dwelling on their family farm; they requested that the plan be changed in order to facilitate this. They also objected to anyone accessing their land without their consent. Whilst no map was provided, any individual development proposal located outside the
settlement limit of Dungiven will be assessed on its own merits against Planning Policy Statement 21: Sustainable Development in the Countryside as part of the development management process. The issue of people gaining access to the objector's land without prior consent is a civil matter for the objector to pursue and is beyond the remit of this process.

Sites Outside the Settlement Development Limit

4.2.6 Objection 4321 stated a property address at No.35 Turmeel Road, Dungiven. However their request that family members and their heirs be permitted planning permission for any new building or renovation works required are matters best pursued through the development management process; it would not be appropriate for the Plan to zone one off sites in the countryside. Objection 4696 identified an area of land however failed to elaborate as to what was the nature of their objection. There should be no change to the Plan as a result of these objections.

4.2.7 A number of objections were received requesting that various parcels of land be included within the proposed Settlement Development Limit. These will be considered in a clockwise direction starting at the north of Dungiven. Objection 381 requested the inclusion of No 70 Legavallon Road and land adjacent and south-west of No 70 Legavallon Road. Despite various arguments presented by the objector in relation to why this land should be included, it is removed from the proposed development limit. To include this land would therefore necessitate the inclusion of the two fields located to the south of the objection land and the proposed development limit. This would result in a northerly expansion of the settlement thus creating urban sprawl. The land is also located within Designation DGL 01 Ogilby estate LLPA which seeks to protect this area from all development. Any specific personal circumstances proposal for a single dwelling in the countryside should be pursued through the Development Management Process. We do not support the inclusion of this land within the SDL.

4.2.8 Objection 328 requested the inclusion of No. 55 Garvagh Road, the playing field to the north of No. 55 together with the land to the north of the playing field. Objection 360 requested the inclusion of the land to the north and east of the playing field and south and west of No. 54 Garvagh Road. Objection 4986 requested the inclusion of the land to the north of the playing field. The playing field is already within the proposed development limit. The land to the north of the playing field obtained planning permission on 18 February 2010 (B/2008/0093/F) for the erection of 20 residential units. In their evidence, the Department suggested that the development limit be adjusted in order to incorporate this site and we concur with this recommendation. In relation to the rest of Objection 360’s land to the east of the playing field and south-west of No. 54 Garvagh Road, there is no strategic housing need for such an extensive expansion. To include this land would also result in an unacceptable sprawl in a north-easterly direction, thus not promoting a compact urban form.

4.2.9 Objection 387 requested the inclusion of land opposite No 11 Hass Road. To include these lands would result in an unnecessary easterly expansion of the
settlement, creating urban sprawl. The exclusion of this land from the SDL is endorsed.

4.2.10 Objection 385 requested the inclusion of land east of Greenhaven housing development, Curragh Road and east of Abbeyfields, Chapel Road (Housing Zoning DGH 09). Objection 403 also requested the inclusion of the land east of Abbeyfields as well as lands north of No. 860 Glenshane Road and lands including and south-east of No. 45 Curragh Road. These extensive lands appear divorced from the settlement urban form with only their south-western boundary being adjacent to the proposed development limit. We do not support the inclusion of these lands within the SDL.

4.2.11 Objections 4515, 4516 and 5527 sought the inclusion and zoning for housing of land including and east of No. 46 Chapel Road and north and north-east of Magherabuoy Terrace. There is no strategic housing need for any of the substantial lands to be included within the proposed development limit. There may also be difficulties accessing the land given the sub-standard width of Magherabuoy Terrace.

4.2.12 Objections 328 and 4511 sought the inclusion of land south-east of Nos. 6 and 7 Priory Lane, Chapel Road. Objection 328 also requested the inclusion of land south of No. 7 Priory Lane and south-west of No. 5 Priory Lane. These lands are located in an archaeologically rich area within Designation DGL 03 Dungiven Castle LLPA and are visually significant on the southern approach to the settlement and in terms of the setting of the River Roe and tributaries SAC. Their inclusion would also fail to promote a compact urban form. Objection 4511’s concern about the lack of clarification in relation to the impact of Dungiven’s proposed by-pass on these lands are beyond the remit of the development plan process. There should be no change to the Plan as a result of these objections.

4.2.13 Objection 328 sought the inclusion of land south of Nos. 9-19 Chapel Road and south west of Bleach Green. The area to the south-west of Bleach Green is already developed as part of a residential development. The remaining area is visually significant on the main southern approach to the settlement and forms part of the designation DGL 03 Dungiven Castle LLPA which the Plan seeks to be protected from all non-essential development (Paragraph 7.4, page 234, draft Northern Area Plan, Volume 2). There should be no change to the Plan as a result of this objection.

4.2.14 Objection 328 requested the inclusion of the lands including and surrounding Nos. 1 and 3 Main Street, west of No. 2 Main Street (Strangemore) and including part of and north of No. 14 Main Street. Approximately half of these lands are already included within the proposed development limit. The remaining area is part of the River Roe which is a designated SAC and SLNCI and is located within Designation DG L01 Ogilby estate LLPA due to the area’s landscape and visual amenity value. It would therefore be impractical and environmentally destructive to include this area.

4.2.15 Objection 382 requested the inclusion of lands north-west of Castle Environmental Park and south of No. 6 Magheramore Road. This highly
attractive area is located within Designation DGL 01 Dungiven Castle LLPA and helps to create a beautiful landscape setting for Dungiven when approaching the settlement from the south-westerly direction. The trees located on the north-eastern boundary of the objection site create a natural boundary for the development limit. Development located here would appear divorced from the urban form.

**Recommendation**

4.2.16 We recommend that:

- The land north of the playing field, Garvagh Road (in accordance with B/2008/0093/F) be included within the limit.

**Sites Within the Settlement Development Limit**

4.2.17 Objection 5310 requested that land located at No. 145 Main Street, to the east of Dungiven castle, be zoned for housing purposes. Whilst it is noted that planning permission was granted on the site for residential development (B/2005/0573/F) on 21st November 2006, given the extent of over-provision of housing within the settlement, there is no strategic need to zone additional residential land.

**HOUSING ZONINGS**

4.2.18 A number of objections were received in relation to the various proposed housing zonings. Given that the Department is satisfied that development is under construction on Housing Zonings DGH 01, DGH 02, DGH 06, DGH 07, DGH 08 and DGH 09, objections in relation to these zonings are unsupported. Objection 5713 however requested the removal of the field south of Dungiven Parish Church (Church of Ireland) from housing zoning DGH 08 and given the limited potential yield from this area (approximately 19 housing units) and the extent of the over-provision of housing opportunities within the settlement, the Department did not object to its removal. We therefore recommend that this field be removed from housing zoning DGH 08. Given that this existing area of open space would be protected under Regional Planning Policy (PPS 8) and given its informal nature, we do not consider that it is necessary to zone this area as open space and therefore propose that it is left as ‘whiteland’.

4.2.19 Objection 328 objected to housing zoning DGH 03 questioning whether this area would ever be released for development and also whether it was appropriate to zone this area for development given the contribution that the house and gardens make to Dungiven’s townscape character. The identification of this site as a housing zoning appears to be at odds with the Department’s evidence in relation to the positive contribution that this area makes to the town. The site is located within DGL 01 Ogilby Estate LLPA and the Departmental submission acknowledges that the Rectory and Strangemore House, which are located within Housing Zoning DGH 03, are surrounded by mature, mixed deciduous trees with a ‘number of fine yew trees which are of landscape and visual amenity value. The importance of the trees is underpinned by their protection by a Tree Preservation Order (TPO)’.
Strangemore House is rightly also noted to be a sizable, locally significant dwelling located at the north-westerly entrance of Dungiven. Given the significance of this area within the locality and the fact that there is no apparent planning history on the land, we therefore consider that this area should not be identified as a housing zoning, but rather be left as whiteland within the proposed settlement development limit. Given the estimated modest yield of the site (approximately 5-10 units) and the over-supply of housing opportunities within the settlement, the removal of this zoning should not significantly affect the housing provision in Dungiven.

4.2.20 Objection 328 stated that housing zonings DGH 04 and DGH 05 were unsuitable for housing purposes due to the location and site specific characteristics; they were of the opinion that there were many better sites. Given the vagueness of the evidence to support these claims, the objections are unsupported.

**Recommendations**

4.2.21 We recommend:

- The deletion of housing zoning DGH 03 and the identification of the area as whiteland;
- The removal of the field south of Dungiven Parish Church (the Church of Ireland) from housing zoning DGH 08.

**ECONOMIC DEVELOPMENT**

4.2.22 Objection 328 raised a number of concerns in relation to the proposed industrial designations. These objections argue that there are many other sites that are more suitable for housing however it is assumed that these are typing errors by the objector. The argument that Industrial Designation DGI 01 is now vacant, that there is no interest in this site for industrial use and it would be best used for residential purposes is unsupported given the regional policy protection that is afforded to such sites under Policy PED 7 in PPS 4: Planning and Economic Development (November 2010).

4.2.23 Objection 379 argued that a portion of land sandwiched between Feeny Road and the Foreglen Road, in the open countryside to the west of Dungiven, should be designated for commercial/industrial use because of a history of such uses on the site. That argument is, as pointed out by the Department, contradicted by planning enforcement appeal decision E/2006/013. Issued in September 2009, the appeal decision determined that there are no established or ancillary use rights within any part of the objection site. Other supporting arguments were presented in the objector’s written submission to the EIP, but most of those extend beyond the scope of the original objection and stray beyond site specific matters. We cannot consider such arguments. Notwithstanding arguments about the relative proximity of the objection site to the settlement of Dungiven we have already concluded in our strategic report that there is no need for additional industrial land zoning within the plan area. While the thrust of regional policy does not favour commercial/industrial
development in the open countryside PPS 21 and PPS 4 allow for the consideration of individual proposals through the development management system. There is, however, no justification for designating the objection site for commercial/industrial use in the plan.

DUNGIVEN DISTRICT CENTRE

4.2.24 Objections of a general nature were received from Objections 328 and 4406 in relation to the extent of Designation Dungiven District Centre (DGDC 01). Also we are not persuaded that the proposed boundary is too constrictive and would have an adverse impact on businesses and commerce within the town. Objection 5757 requested that the policy should be positively encouraging LOTS (Living Over The Shop). Regional policy contained within Policy HS 1 - Living Over the Shop in PPS 12: Housing and Settlements already provides such policy support and therefore such a request is unnecessary. There should be no change to the Plan as a result of these objections.

OPPORTUNITY SITE

4.2.25 Objection 4373 requested that land west and north-west of Dungiven Church (ruins of) and east of No. 93 Teeavan Road be identified as an opportunity site for commercial and tourist development. This site is located in the open countryside outside of the proposed development limit. Little substantive evidence was presented to support this request. Development opportunity sites have been identified in the main hubs within the plan area; it may be more appropriate for such a proposal to be assessed as part of the development management process.

OPEN SPACE

4.2.26 Objection 5615 sought the identification of two areas of open space (Finvola Park and Fair Green) and they also requested that the inaccuracy of the open space boundary of Mitchell Park be corrected. As the Department has no objections to these requests and provided maps at the Examination to this effect we therefore support this objection.

Recommendation

4.2.27 We recommend that:

- The lands at Finvola Park and Fair Green be identified as open space on the relevant map for the settlement and that the inaccuracy of the boundary of Mitchell Park be corrected as illustrated at the Examination.

AREA OF ARCHAEOLOGICAL POTENTIAL AND LOCAL LANDSCAPE POLICY AREAS

4.2.28 Objections 328 and 4406 objected to the identification of an Area of Archaeological Potential within Dungiven. Objection 5310 sought the removal of their land from the area marked ‘archaeological potential’. Rather than being
unnecessary and unclear as claimed, this designation is shown for information purposes only and highlights to developers the possibility that the area may contain archaeological remains. It advocates that developers liaise with the Department in relation to development proposals within this area. We consider this additional information to be beneficial for potential developers. There should be no change to the Plan as a result of these objections.

4.2.29 Numerous objections were received in relation to the proposed LLPA Designations. Little substantive evidence was presented by Objection 328 to support their claims in relation to the contribution of the environmental assets and features within the LLPAs. Rather than LLPAs preventing development per se and causing confusion as claimed by Objection 328, Paragraph 7.1 (page 233) Volume 2 of the draft Northern Area Plan states that any proposals for development within these areas will be considered within the terms of Policy ENV 2 in Volume 1 so that there is no adverse effect on the environmental quality, integrity or character of the LLPA.

4.2.30 Objection 5073 requested the omission of land from DGL 01 Ogilby Estate LLPA however, as no persuasive evidence was provided, this objection is unsupported. Objection 5712 objected to the inclusion of their property within DGL 01. However, whilst the property may not: border the River Roe; contain a tributary of River Roe or be part of the Pellipar House grounds as illustrated by Map No 4/64, it does not mean that their lands at Derryware do not contribute to this LLPA. These lands are located between the Ballyquin and Legavallon Roads directly opposite the historic park, garden and demesne of Pellipar House and contribute to the character and attractive setting of the town. We are therefore not persuaded that the land should be excluded from the DGL 01 LLPA.

4.2.31 Objection 328 queried the appropriateness of an overlap between Designation DGL 02 St. Canice’s LLPA and zoned housing land. The explanatory text (Paragraph 7.3 page 234, Volume 2, draft Northern Area Plan) in relation to Designation DGL 02 acknowledges that a small area of the designation is included within a housing zoning DGH 08 and the Key Site Requirements in relation to this zoning identify and seek to protect the assets of the site. Given these factors, we do not consider that in this case there is any contradiction or confusion caused by this overlap in designations.

4.2.32 Objection 382’s objection to the lack of need for Designation DGL 03 Dungiven Castle LLPA was unsubstantiated with evidence. Given that the explanatory text within Paragraph 7.4 (page 234, Volume 2, draft Northern Area Plan) states that this LLPA will be protected from non-essential development, we consider that this gives clear direction in relation to the likelihood of the Department permitting development within this area. The request that the objectors land located along Magheramore Road be included within the proposed development limit was previously assessed within this report. Objection 4373 also objected to Designation DGL 03 and its relevant policies however as these concerns were not persuasive, they are not supported.

4.2.33 Objection 4373 objected to the identification and non-identification of a number of sites of archaeological interest. As archaeological sites and monuments are designated under separate legislation (Archaeological Objects (NI) Order 1995),
with information on each available on NIEA’s Historic Sites and Monuments Register, it is beyond the remit of the Plan to identify and provide information in relation to all such sites. Planning Policy Statement 6: Planning, Archaeology, and the Built Heritage (1999) acknowledges in Paragraph 2.5, page 9 that is impractical to depict all currently known archaeological remains on development plan maps; this is especially the case in this instance given that this area is located in the countryside. As the Department’s consultee (NIEA) can also provide information to support the archaeological sites identified within the land outlined by the objector, the objection is unsupported.
4.3 BALLYKELLY

HOUSING

Provision for Housing and the Settlement Development Limit

4.3.1 Ballykelly was designated as a small town within the Limavady Area Plan (LAP). Whilst the draft Northern Area Plan proposed that it be designated as a large village, it was acknowledged at Stage One of the Public Examination that the disposal of substantial lands at the army barracks may benefit its reinstatement as a town. Designation BK 01 outlines the proposed settlement development limit for Ballykelly and this is illustrated within Map No.4/03 in the Plan.

Plan Provision for Housing

4.3.2 Taking account of the 2008 revised HGI for Limavady District the draft plan makes provision for 501 housing units in Ballykelly. Between January 1999 and August 2010, 185 housing units were completed. The Department’s Housing Update Paper (March 2011) however estimated that approximately 489 housing units could be accommodated within the settlement over the plan period; this is a notional deficit of 12 units (-2.4%) below the plan allocation. There are however 510 housing units at Walworth which is in close proximity to Ballykelly and which have now been released to the public to purchase. In light of this development, we therefore accept that there is more than adequate housing land within the settlement to meet its residents’ needs.

Social Housing

4.3.3 The Department’s Housing Update Paper (March 2011) states that the social housing need within Ballykelly is 12 units over the next 7 years (2010-2017). As part of their evidence for the Examination, the NIHE indicated that as of March 2011 there is a need for 7 social housing units within Ballykelly for the period 2011-2018. Given the relatively modest level of need identified, we are satisfied that there is no need for additional land to be identified within the SDL to meet social housing needs.

Settlement Development Limit (SDL)

4.3.4 In section one of this report, we concluded that there is no strategic need to allocate further housing land within Ballykelly. As a result, we do not accept the objectors’ arguments that the proposed settlement is too restrictive to accommodate the town’s housing requirements over the duration of the Plan period. We therefore do not support the objections seeking the expansion of the settlement development limit or the reinstatement of land that was previously included within the SDL of Limavady Area Plan 1984-1999. Any extension of the SDL will only be recommended where we are satisfied that there are urban form arguments or other factors that would justify an exception being made. It is on this basis, therefore, that we will assess the site specific objections which are seeking the expansion of the SDL of Ballykelly.
Sites Outside the Settlement Development Limit

4.3.5 A number of objections were received requesting specific parcels of land be included within the Settlement Development Limit; these will be considered in a clockwise direction from the north of Ballykelly Road. Objection 4933 requested that lands south-east of Tamlaghtfinlagan Parish Church be included within the proposed development limit and be zoned for housing purposes. This highly attractive proposed LLPA area provides a beautiful entrance to Ballykelly when approaching from an easterly direction. These lands permit views across to the Listed Parish Church and its landscaped setting. Given the extent of the land and its location on the edge of the settlement, we do not accept that the inclusion of these lands would result in the rounding off of the proposed development limit.

4.3.6 Objection 4986 sought the inclusion of land to the south of Drummond Park. As only a small area along the south-eastern boundary is located within the flood plain, we do not consider that this would prevent the development of the rest of these lands. This area is however visually prominent from the Glenhead Road and there is no strategic housing need to include such an extensive area within the proposed development limit.

4.3.7 Objection 328 objected to the de-zoning of land south and south-west of Ballykelly Primary School, Glenhead Road. The letter of objection refers to the land being along Plantation Road however the accompanying map clearly indicates lands at Glenhead Road and it is this land which will be assessed. No. 11 Plantation Road and the dwelling to the north of No. 11 Plantation Road are located within the proposed development limit. Whilst no persuasive evidence was provided why the land to the south of Ballykelly Primary School should be included, this area has no definition along its south-eastern boundary and it is part of a large open field. Development here would be very prominent and lack any sense of enclosure. To develop this land would lead to urban sprawl. The exclusion of this land from the SDL is endorsed.

4.3.8 Objection 4933 sought the inclusion of lands between Loughermore and Plantation Roads, south of Drumaconey Heights, and requested that it be zoned for housing purposes. Whilst a small area of this land along the eastern Plantation Road boundary is shown to be within the flood plain, we do not consider that this would prevent the development of the rest of these extensive lands. These lands are, however, very open and prominent in the landscape when travelling in a northerly direction along Loughermore Road. Given the extent of these lands and their location on the edge of Ballykelly, we do not agree that their inclusion would result in the rounding off of the development limit or would constitute backland development.

4.3.9 Objection 328 stated that they objected to the de-zoning of lands at Glasvey Drive and an area to the west of this development and at No. 351 Clooney Road and surrounding land. Apart from a small area of land to the south-west of the objection site, this land is included within the proposed development limit and has already been developed. The small area that is not included within the proposed development limit does not appear to have an obvious means of access and is not needed for residential purposes.
4.3.10 Objection 5320 sought the inclusion of land to the west of housing zoning BKH 12 and requested that it be zoned for housing. No substantive evidence was presented in relation to why this land should be included within the proposed development limit and there is no strategic housing need for the inclusion of additional land within Ballykelly for this purpose.

4.3.11 Objection 5062 requested the inclusion of land north-west of Nos. 18 and 20 Station Road and that they be zoned for housing purposes. Irrespective of the land being located at a lower level than Clooney Road, views of the land are still possible from this road and to include this extensive area would result in a substantial expansion of the settlement in a north-easterly direction, thus creating urban sprawl. We are not persuaded by the argument that the inclusion of this land together with the lands of Objection 5320 would result in a sustainable and well defined development limit. The exact definition of the field boundaries at the northern most corner of housing zoning BKH 12 is not readily apparent to the general public and Key Site Requirement No. 5 for the housing zoning requests that a five metre wide belt of native species trees be planted along the western boundary of the site. We are not persuaded by the argument that the inclusion of this land would help to integrate the Walworth area into the settlement of Ballykelly. The relationship between Ballykelly and Walworth are matters to be considered as part of the proposed local planning process, and at any rate, there would still be a substantial greenfield area located between the western boundary of the objection site and Walworth. The claim that there was a similar gap on the southern side of Clooney Road prior to the Limavady Area Plan is not persuasive especially as Caman Park and Foyle Drive housing developments were evident on Limavady Area Plan Ballykelly settlement map; these would also have been considerations for the Limavady Area Plan preparation process. In terms of accessing housing zoning BKH 12, this is a matter to be resolved as part of development management process; it may not necessitate the use of the properties at Nos. 18 and 20 Station Road. At any rate, considerations in relation to the feasibility of developing housing zoning BKH 12 are matters for the developer to assess. There should be no change to the Plan as a result of this objection.

HOUSING ZONINGS

4.3.12 Given that housing zonings BKH 01, BKH 02, BKH 03, BKH 04, BKH 07, BKH 10, BKH 13, BKH 15 and BKH 16 have either obtained planning permission, have commenced development or have been completed, objections in relation to these zonings are unsupported. In relation to housing zonings BKH 05, BKH 06, BKH 08, BKH 09, BKH 11, BKH 12 and BKH 14, no persuasive evidence was provided by Objector 328 as to why other sites were as good if not better than these zonings. Objection 328’s concern that there was a conflict in policies, as housing zoning BKH 05 was also within an LLPA, is unsupported. The presence of an LLPA does not preclude development per se provided that the proposal does not adversely affect the integrity of the LLPA.

4.3.13 Objection 5615 objected that the access details contained within the Key Site Requirements (KSR) for housing zoning BKH 05 should be more specific. Given the introduction of PPS 3: Access, Movement and Planning Clarification of Policy AMP 3: Access to Protected Routes (October 2006), it is possible for
planning permission to be granted for a development proposal involving direct access to a protected route within a settlement limit in a number of instances. We consider that there is no need for Key Site Requirement (KSR) No. 4 in this instance. The acceptability of the access will be assessed as part of the development management process.

4.3.14 The location of housing zoning BKH 06 to the north-east of Glasvey Special School does not necessarily mean that the school intends to utilise this area as open space or that they require it for future use. It is noted that no objection was received from Glasvey Special School in relation to this proposed zoning. In terms of Objection 328’s concerns in relation to housing zoning BKH 08, no persuasive evidence was presented to support the argument that development here would adversely affect the setting of the manse on Glenhead Road or the proposed BKL 03 LLPA designation. Likewise, in relation to housing zoning BKH 09, there was no persuasive evidence that this proposal would adversely affect the setting of the open space zoning BKO 01 located to the south of the site.

4.3.15 Objection 4986 raised concern that the KSR’s were all unduly prescriptive with those outlined in relation to BKH 10 having no purpose. Whilst no persuasive evidence was presented to support this objection, as set out in Policy SET 2: Development Within Settlement Development Limits contained within Volume 1 of draft Northern Area Plan, the KSRs provide applicants with specific guidance on what proposals are expected to meet. We consider the KSR’s in relation to housing zoning BKH 10 to be reasonable.

4.3.16 No persuasive evidence was presented by Objection 328 as to why development on housing zoning BKH 11 would affect the setting of LLPA BKL 01 and the Drummond Hotel. We are not persuaded that the development of housing zoning BKH 12 would adversely impact on the entrance to Ballykelly. The location of housing zoning BKH 14 within the proposed LLPA BKL 02 does not necessarily mean that its development would be detrimental to the setting and substance of the LLPA. These are matters that can be addressed by the development management process.

Recommendation

4.3.17 We recommend that:

- **KSR No.4 of Housing Zoning BKH 05 be deleted.**

INDUSTRY

4.3.18 Objections 328 and 5478 objected to industry, business and distribution zoning BKI 01. Objector 328 claimed that this site, which was formally Bob Mullan Motors, is within an environmentally sensitive part of the countryside. There are however no proposed or existing environmental designations in this area and no persuasive evidence was provided to substantiate this objection. Objection 5478 stated that as the premises are partly utilised for car sales purposes, that it was unnecessary and inappropriate to zone this area as existing industry and that it would be best to be retained as whiteland.
Paragraph 3.1 (page 240) within the draft Northern Area Plan, Volume 2, Part 6: Limavady Borough; Ballykelly states that this is an ‘existing industrial site’ which is identified for retention for employment purposes consistent with the then Draft PPS 4: Industry, Business and Distribution Policy IBD 3. Map No. 4/03 Ballykelly also indicates that this ‘existing industry’ is illustrated for information purposes only. Planning Policy Statement 4: Planning and Economic Development (November 2010) offers protection for economic development uses under Policy PED 7. Whilst Bob Mullan Motors no longer trades from these premises, it is noted that Paragraph 5.29 of the amplification of Policy PED 7 states that the existence of redundant business premises can be an important resource for the creation of new job opportunities and can help reduce the demand for greenfield sites. Therefore, whilst the site may not have been in ‘industrial use’ per se, it would not be appropriate to change its status to ‘whiteland’ as this would not ensure its continued use for economic development purposes. There should be no change to the Plan as a result of these objections.

OPEN SPACE

4.3.19 In relation to open space, Objection 328 argued that there was no need for open space where zoning BK0 01 is located as there is easy access to the countryside. They considered that there was potential for conflict of uses between the proposed open space and the surrounding residential and industrial areas. It was considered that if the site were development, it would result in a more uniform urban form. Given the shortfall of 3.85 hectares of open space provision within Ballykelly outlined within Draft NAP Technical Supplement 6: Open Space, Sport and Outdoor recreation, there is a need for such an area to be provided. The argument that this location is within easy access to the countryside is not persuasive as this could be argued for any settlement and the residents of Ballykelly may not be permitted to use privately owned rural land for recreational purposes. We consider that the proposed use here would be complementary to the adjacent residential uses. We are not persuaded that the adjacent employment site would pose a problem especially as it is surrounded by other approved or existing residential uses. Objection 5615 requested that reference be made within Paragraph 4.3 to the open space at BK0 01 being provided by developers via an Article 40 Agreement. We do however accept the Department’s argument that the delivery mechanism may also be by way of a planning condition. This objection is therefore unsupported. Objection 5615 also requested that Limavady Borough’s pitches as Kings Lane be identified as open space; at present they are included as whiteland within the proposed development limit. The Department did not object to showing this existing open space within the Plan.

Recommendation

4.3.20 We recommend that:

- The land at Kings Lane be identified as a major area of open space.
LOCAL LANDSCAPE POLICY AREAS

4.3.21 Objection 328 objected to LLPA’s BKL 01, BKL 02 and BKL 03. No persuasive evidence was presented as to why the environmental assets here were considered not to be significant enough to warrant being LLPAs. The purpose of a LLPA is set out in PPS 6 and Policy ENV 2 contained within Volume One of the Plan. Development within the LLPA is permitted provided that it complies with any of the requirements set out for individual LLPAs and therefore we are not persuaded that the imposition of LLPAs prevents the development of Ballykelly. No persuasive evidence was presented by Objection 4933 as to why land south-east of Tamlaghtfinlagan Parish Church should be excluded from BKL 01. In relation to BKL 03 Ballykelly Glen LLPA we are not persuaded by the argument presented by Objection 328 that there is no need for this designation as this area has been maintained under the present policy. As noted in Policy ENV 2 LLPAs, the designation of such environmental assets is to protect them from undesirable or damaging developments.
4.4 BELLARENA

HOUSING

4.4.1 Bellarena is otherwise known as Ballyscullion; Objection 328’s objection to the non-designation of Ballyscullion is therefore not supported. The settlement was designated as a hamlet in the Limavady Hamlet Plan and the Draft Plan now proposes to designate it as a village. Designation BL 01 outlines the proposed settlement development limit for Bellarena and this is illustrated within Map No.4/04 in the Plan.

Plan Provision for Housing

4.4.2 Taking account of the 2008 revised HGI for Limavady District the draft plan makes provision for 50 housing units in Bellarena. Between January 1999 and August 2010, 4 housing units were completed. The Department’s housing update paper (March 2011) estimated that approximately 41 housing units could be accommodated within the settlement over the plan period; this is a notional deficit of 9 units (-18%) below the plan allocation.

Social Housing

4.4.3 The Department’s Housing Update Paper (March 2011) states that the social housing need within Bellarena is 5 units over the next 7 years (2010-2017). Given the relatively modest level of need identified, we are satisfied that there is no need for additional land to be identified within the SDL to meet social housing needs.

Settlement Development Limit (SDL)

4.4.4 In section one of this report, we concluded that there is no strategic need to allocate further housing land within Bellarena. As a result, we do not accept the objectors’ arguments that the proposed settlement is too restrictive to accommodate the village’s housing requirements over the duration of the Plan period. We therefore do not support the objections seeking the expansion of the settlement development limit or the reinstatement of land that was previously included within the SDL of Limavady Area Plan 1984-1999. Any extension of the SDL will only be recommended where we are satisfied that there are urban form arguments or other factors that would justify an exception being made. It is on this basis, therefore, that we will assess the site specific objections which are seeking the expansion of the SDL of Bellarena. No persuasive evidence was presented by Objection 328 in relation to the delineation of open space; at any rate this is shown for information purposes.

Sites Outside the Settlement Development Limit

4.4.5 A number of pieces of land were suggested as possible inclusions to the settlement limit. Objection 372 sought the inclusion of land between No.355 Seacoast Road and Nos. 1-7 Limestone Road. The development of this extensive flat site would result in a sizeable expansion of the settlement which
is strategically not required. It would also considerably and unacceptably expand the settlement in a south-easterly direction.

4.4.6 Objection 4517 sought the limit to extend to **No.444 Seacoast Road**. This land is removed from the settlement limit and would require the inclusion of a considerable amount of land between the proposed limit and the site in order to include it. We do not support the inclusion of this land within the SDL.

4.4.7 Objection 4905 requested that land to the **north-west of Nos. 448 and 450 Seacoast Road** be included in the limit due to their industrial/commercial use and physical built form. This land is removed from the settlement form and would require a considerable expansion in a north-westerly direction in order for this land to be included.

4.4.8 Objection 4986 identified three parcels of land on the **north-western side of the settlement** which they wished to have zoned for housing. In addition to the fact that none of these sites are required, they are mostly located in the flood plain. The development of the two parcels located to the **north of No.87 Drumavalley** and **north-west of No.414 Seacoast Road** would also result in an adverse impact on the settlement’s urban form, unacceptably expanding it in a north-westerly direction. The exclusion of these lands from the SDL is endorsed.

**HOUSING ZONINGS**

4.4.9 Objection 328 presented numerous arguments as to why the proposed housing zonings should not proceed. In relation to BLH 01, objections 7 and 328 stated that this land should be de-zoned as being suitable for housing. Given that objector 7 states that they reside on part of this site and do not wish to redevelop the remaining area, it is advised that the Department consider de-zoning this land, leaving it as whiteland within the proposed development limit. In relation to Objection 328’s arguments why BLH 02 should be de-zoned, planning permission was granted on 27th March 2012 for residential development on the site (B/2008/0183/F). In relation to Objection 328’s arguments in relation to BLH 03, a dwelling and its associated buildings have been constructed on approximately half of this site (B/2004/0455/F). As there is still some capacity left on the remaining site, it is suggested that the proposed zoning remains. In terms of BLH 04, as full planning permission for 24 residential units (B/2006/0015/F) was granted on the site on 28th October 2009, Objection 328’s arguments are not supported.

**Recommendation**

4.4.10 We recommend that:

- Zoning BLH 01 be de-zoned as housing land and left as whiteland within the development limit.
4.4.11 In relation to objections 4517 and 5216, AONBs are designated under separate legislation by NIEA; they are shown in the Plan for information purposes. Objection 5216 also wished to have an area excluded from the CPA, Historic Parks, Gardens and Demesne and Area of Constraint on Mineral Development. Policy COU 16: Areas of Constraint and Mineral Development was withdrawn by the Department in their letter dated 18th July 2011. In terms of the CPA designation, as noted in their letter dated 19th April 2011, the Department withdrew the CPA designations contained within the Plan. No persuasive evidence was presented which would justify amending the HPGD boundary.
4.5 BURNFOOT

HOUSING

4.5.1 Burnfoot was designated as a village within the Limavady Area Plan and the Draft Plan proposes to retain it as such. Designation BT 01 outlines the proposed settlement development limit for Burnfoot and this is illustrated within Map No.4/05 in the Plan.

Plan Provision for Housing

4.5.2 Taking account of the 2008 revised HGI for Limavady District the draft plan makes provision for 27 housing units in Burnfoot. Between January 1999 and August 2010, 20 housing units were completed. The Department’s Housing Update Paper (March 2011) estimated that approximately 68 housing units could be accommodated within the settlement over the plan period; this is a notional surplus of 41 units (151.9%) above the plan allocation.

Social Housing

4.5.3 The Department’s Housing Update Paper (March 2011) does not identify a social housing need within Burnfoot.

Settlement Development Limit (SDL)

4.5.4 In section one of this report, we concluded that there is no strategic need to allocate further housing land within Burnfoot. The desire to have additional roadside single dwelling development to the north of Burnfoot does not outweigh the adverse impact that elongating the settlement would have on the form of the village and there is also no strategic need for such growth. No persuasive evidence was provided to support the claims that the Protestant community is moving here from elsewhere in the Borough. At any rate, given the adequacy of the proposed housing land supply, there is more than adequate provision to cater for the settlement’s growth. We do not accept the objectors’ numerous arguments that the proposed settlement is too restrictive to accommodate the village’s housing requirements over the duration of the Plan period. We therefore do not support the objections seeking the expansion of the settlement development limit or the reinstatement of land that was previously included within the SDL of Limavady Area Plan 1984-1999. Any extension of the SDL will only be recommended where we are satisfied that there are urban form arguments or other factors that would justify an exception being made. It is on this basis, therefore, that we will assess the site specific objections which are seeking the expansion of the SDL of Burnfoot.

Sites Outside the Settlement Development Limit

4.5.5 It was requested that a number of parcels of land be included within the proposed limit. Objection 328 sought the inclusion of land north-west of Nos. 299 and 301 Drumrane Road. Whilst this land was previously identified within Burnfoot’s development limit within the Limavady Area Plan, no persuasive
evidence was provided as to why it should now be included and there is no strategic housing need for the site.

4.5.6 Objections 328, 4579, 5628 and 5630 sought the inclusion of land to the north-west of Nos. 331-335 Drumrane Road. Again, whilst this land was previously included within the settlement’s limit, there is no strategic need for this land to be included for residential purposes.

4.5.7 Objection 4338 sought the inclusion of three parcels of land to the north of the settlement. One of the parcels located on the eastern side of Drumrane Road, to the north of the former Primary School site, accommodates the new Primary School. Objection 5615 also requested that the new Burnfoot Primary School be included within the proposed limit; the Department have no objection to its inclusion. We consider this to be logical and would, therefore, recommend its inclusion. The second parcel of Objection 4338 is located along Straw Road and to the east of the new Primary School site. Given the suggested inclusion of the new Primary School site and the possible redevelopment of the former Primary School site, it is not considered that the inclusion of this site would elongate the settlement’s form. There is, however, no strategic need for additional housing land at present so its inclusion is not supported. The third parcel of Objection 4338’s land is on the western side of Drumrane Road, to the north of Bovevagh Road. This site is mostly located within the floodplain and it abuts the River Roe and Tributaries SAC. In addition to these constraints, there is no strategic need for the site to be included within the proposed limit for housing purposes.

4.5.8 Objection 4986 sought the inclusion and zoning for housing purposes of land to the north-west of Nos. 327 and 329 Drumrane Road. This land is within the proposed limit and has now been developed as Rosebrook housing development (B/2001/0124/F). There is therefore no benefit is now zoning this site for housing.

Recommendation

4.5.9 We recommend that:

- The proposed development limit be extended to include the new Primary School site.

HOUSING ZONINGS

4.5.10 Objection 328 raised a number of objections in relation to the proposed housing zonings. In terms of BTH 01, only a very small peripheral area of the site is indicated to be within the floodplain. Concern in relation to the loss of open space is not supported given that a large playing field is located opposite the site on Drumrane Road. Objection 5628 also raised concern that NIHE was the land owner and would not release the land for development. There was, however, no persuasive evidence provided to substantiate this claim. The entirety of housing zoning BTH 02 is located within a floodplain and we agree that its suitability for housing appears to be questionable. We would, therefore, suggest that the Department exclude this site which would yield only a small
number of residential units. Given the relocation to the Primary School to the north of its previous location, we do not, however, accept that the development of site BTH 02 would adversely affect the operation of the school. In relation to proposed zoning BTH 03, planning approval was granted on 16th January 2012 for a housing development of 34 residential units (B/2008/0235/F); the access issues alluded to by the objector are therefore unsupported.

Recommendation

4.5.11 We recommend that:

- The Department remove the zoning BTH 02.

OPEN SPACE

4.5.12 Objection 5615 requested that the open space and play area in Bonnanaboigh Estate be identified as open space. No map was provided to identify what area was being referred to and therefore we do not recommend any change to the Plan as a result of this objection. In their original objection, Objection 5615 also sought a public footpath to be identified along the banks of River Roe. Whilst no map was provided, the objector stated at the Examination that planning permission had been granted for the path in 2005 (B/2005/0725/F) and that a portion was in place. The Department expressed concern that procedurally a counter-objector would not have had an opportunity to see the identified site and that the route was outside the Burnfoot settlement map area. At the Examination, however, the Department suggested the insertion of text at the end of Paragraph 1.1 (page 246) in Volume 2 District Proposals: ‘Burnfoot benefits from a pleasant looped walk which extends from the village into the countryside to the north-east and sits on the banks of the River Roe and Bovevagh along part of its route’. The objector was content with such a suggestion. We therefore recommend the inclusion of the text as suggested by the Department within the section on Burnfoot.

Recommendation

4.5.13 We recommend that:

- Additional text be added to Paragraph 1.1 (page 246) Volume 2: District Proposals: ‘Burnfoot benefits from a pleasant looped walk which extends from the village into the countryside to the north-east and sits on the banks of the River Roe and Bovevagh along part of its route’.

LOCAL LANDSCAPE POLICY AREAS

4.5.14 Objections 328 and 4986 objected to the proposed LLPAs BTL 01-03 and raised concern that their designation would be restrictive on development. LLPAs, however, do not prevent development but seek to ensure that the environmental quality and integrity of the LLPAs is not adversely affected by any such development. General concern in relation to the size of the LLPAs was not substantiated. There should be no change to the Plan as a result of these objections.
4.6 DRUMSURN

HOUSING

4.6.1 As in the Limavady Area Plan (LAP), the Draft Plan designates Drumsurn as a village. Designation DN 01 outlines the proposed settlement development limit for Drumsurn and this is illustrated within Map No.4/06 in the Plan.

Plan Provision for Housing

4.6.2 Taking account of the 2008 revised HGI for Limavady District the draft plan makes provision for 64 housing units in Drumsurn. Between January 1999 and August 2010, 66 housing units were completed. The Department's housing update paper (March 2011) estimated that approximately 203 housing units could be accommodated within the settlement over the plan period; this is a notional surplus of 139 units (217.2%) above the plan allocation.

Social Housing

4.6.3 The Department's Housing Update Paper (March 2011) does not identify a social housing need within Drumsurn.

Settlement Development Limit (SDL)

4.6.4 In section one of this report, we concluded that there is no strategic need to allocate further housing land within Drumsurn. We do not concur with the argument of Objection 4514 that the Draft Plan seeks to achieve linkages between the village’s two developed nodes. Rather in Volume 2, Part 6, paragraph 1.2 in the section on Drumsurn, it is stated that ‘the development limit will consolidate the existing settlement pattern of both parts of the village…’ Given the status of the settlement, we are also not persuaded that additional land is required for commercial purposes; Objection 4723 which seeks the inclusion of land to the south-east of Drumsurn Court, Drumsurn Road, is therefore unsupported. We do not accept the objectors’ various arguments that the proposed settlement is too restrictive to accommodate the village’s housing requirements over the duration of the Plan period. We therefore do not support the objections seeking the expansion of the settlement development limit or the reinstatement of land that was previously included within the SDL of Limavady Area Plan 1984-1999. Any extension of the SDL will only be recommended where we are satisfied that there are urban form arguments or other factors that would justify an exception being made. It is on this basis, therefore, that we will assess the site specific objections which are seeking the expansion of the SDL of Drumsurn.

Sites Outside the Settlement Development Limit

4.6.5 A number of objections were received seeking the inclusion of specific parcels of land within the proposed development limit. Objection 328 objected to the de-zoning of three parcels of land however no persuasive evidence was provided to support these objections and some of these lands have obtained planning permission in the intervening period.
4.6.6 Objection 329 objected to the exclusion of land to the **rear and north-east of No.258a Drumsurn Road**. Given that Drumsurn already has land identified within the limit which, if developed, would more than double its regional housing allocation, there is no strategic need to include this parcel of land.

4.6.7 Objections 329 and 396 sought the inclusion of land to the **north-east of Nos. 260-266 Drumsurn Road**. There is no strategic need for additional housing land to be identified within Drumsurn given the 217% potential over-provision within the proposed limit. No persuasive evidence was presented to support the allegation that the delivery of housing on the proposed zoned sites or land which benefits from planning permission would be problematic. The suggestion that the land could accommodate social housing is not determining given that NIHE have not identified a need for such housing in the area. We also consider that providing a safe access to the site, should it be developed, may prove problematic given the proximity of the graveyard wall and the limited visibility due to the on-street parking at the local shop. The suggestion by the objector that additional land could be acquired would not address the poor visibility that would result due to the close proximity of the graveyard wall which restricts visibility of traffic travelling from the more critical north-westerly direction. The Department’s concerns in relation to the adverse impact that the development of the site would have on the graveyard, church remains, views of Donald’s Hill and Temain Hill and the row of mature trees located within the site were not substantiated. There should be no change to the Plan as a result of these objections.

4.6.8 Objection 4514 requested that land to the **north-east and south-east of Nos. 282 and 284 Drumsurn Road** be zoned for residential use. Contrary to that claimed by the objector, the Plan does not seek to link the two spatial nodes in Drumsurn. If this open land were to be developed, it would appear isolated from both nodes, given its location in between them. It would, therefore, be unsuitable in terms of urban form and would fail to consolidate the existing developed nodes.

4.6.9 Objection 4938 sought the inclusion of four parcels of land for residential purposes. As only small sections of each of these sites are located within the floodplain, we are not persuaded that the development of any of these lands would be contrary to PPS 15: Planning and Flood Risk. Whilst we accept that the land **west of Castle Meadows** could be accessed via the existing development and that services would be available, the change in levels within the site may unacceptably necessitate infilling to facilitate its development. There is also no strategic housing need for this land to be included irrespective of its relatively small potential yield. The land located **adjacent and to the west of No.5 Betts Road** would require access onto the narrow Betts Road and its substandard junction with the Drumsurn Road. In relation to the other two parcels of land to the **north and north-west of No.249 Drumsurn Road and north of No.4 Fir Avenue**, in addition to there being no housing need to develop all or part of these lands, their development would serve to elongate the settlement’s form. To include any of these exposed, open lands would unacceptably extend development in a northerly direction, thus resulting in urban sprawl.
4.6.10 Objection 5043 sought the inclusion of land to the north-east of Cottage Gardens. The development of this site would result in a substantive expansion of the settlement which is not required to meet a strategic housing need.

4.6.11 Objection 5045 sought that land to the north-east of St. Matthew’s Church be included within the limit. The development of this land would unacceptably expand this node in a north-easterly direction resulting in urban sprawl and it is not strategically needed for housing purposes.

4.6.12 Objection 5074 requested that two parcels of land to the north-west of St. Matthew’s Primary School and to the south-east of No.302 Drumsurn Road be included within the limit. The development of these areas would elongate this settlement’s node resulting in urban sprawl. The lands should, therefore, remain outside the proposed limit.

HOUSING ZONINGS

4.6.13 Objection 328 objected to the various proposed housing zonings. In relation to Housing Zoning DNH 01, no persuasive evidence was provided to support the claims that additional lands would be required or that the land would not be released. There is also no reason to assume that the site’s location within an Area of Archaeological Potential means that this site is an environmental asset. In relation to zonings DNH 02, 03, 04 and 06, either planning permission has been granted on these sites or they are under construction. In relation to the argument that the development of zoning DNH 05 would result in the loss of valuable open space, Limavady Borough Council have an area of open space located a short distance away to the south-east of Rushie Park. There should be no change to the Plan as a result of this objection.

OPEN SPACE

4.6.14 Objection 5615 sought the playing pitch and play area to the south-east of Nos. 1-3 Rushie Park, Beech Road to be identified as open space. The Department stated at the Examination that they have no problem identifying the land as such and we concur with this suggestion. Objection 328 did not consider the open space provision for Drumsurn to be adequate or appropriate. The Plan’s Technical Supplement 6: Open Space, Sport and Outdoor Recreation, however, indicates that with a total outdoor playing space of 6.11ha, which is a surplus of 5.03ha, that Drumsurn has an adequate provision of open space. This objection is therefore not supported.

ARCHAEOLOGICAL DESIGNATIONS

4.6.15 Objection 329 requested the removal of the archaeological site and monument (unscheduled) designation on the basis that there is no evidence that the building is significant enough to merit designation. As indicated in the key of Map No. 4/06-Drumsurn, this designation is, however, shown for information purposes only and therefore its removal is beyond the remit of the Plan. Objections 5043, 5045 and 5074 objected to the ‘area of archaeological site and monument’. It is unclear whether the objections are referring to the ‘Area of Archaeological Potential’ or the ‘Archaeological Site and Monument
(Unscheduled)’ as none of the lands to which the objections relate are located within these designations and the objections were not substantiated. The Area of Archaeological Potential is also only shown for information purposes. There should be no changes to the Plan as a result of these objections.

**Recommendation**

4.6.16 We recommend that:

- The playing pitch and play area to the south-east of Nos. 1-3 Rushie Park, Beech Road be identified as open space.
4.7 FEENY

HOUSING

4.7.1 Feeny was designated as a village within the Limavady Area Plan; the Draft NAP proposes to retain this status. Designation FY 01 outlines the proposed settlement development limit for Feeny and this is illustrated within Map No.4/07 in the Plan.

Plan Provision for Housing

4.7.2 Taking account of the 2008 revised HGI for Limavady District the draft plan makes provision for 87 housing units in Feeny. Between January 1999 and August 2010, 100 housing units were completed. The Department’s housing update paper (March 2011) estimated that approximately 223 housing units could be accommodated within the settlement over the plan period; this is a notional surplus of 136 units (156.3%) above the plan allocation.

Social Housing

4.7.3 The Department’s Housing Update Paper (March 2011) states that the social housing need within Feeny is 4 units over the next 7 years (2010-2017). As part of their evidence for the Examination, the NIHE indicated that that as of March 2011 there is no need for social housing units within Feeny for the period 2011-2018.

Settlement Development Limit (SDL)

4.7.4 In section one of this report, we concluded that there is no strategic need to allocate further housing land within Feeny. We do not accept the objectors’ arguments that the proposed settlement is too restrictive to accommodate the village’s housing requirements over the duration of the Plan period. We therefore do not support the objections seeking the expansion of the settlement development limit or the reinstatement of land that was previously included within the SDL of Limavady Area Plan 1984-1999. Any extension of the SDL will only be recommended where we are satisfied that there are urban form arguments or other factors that would justify an exception being made. It is on this basis, therefore, that we will assess the site specific objections which are seeking the expansion of the SDL of Feeny.

Sites Outside the Settlement Development Limit

4.7.5 A number of objections were received seeking the inclusion of specific parcels of land within the proposed development limit. Objection 328 objected to the de-zoning of land to the north of Feeny Road. Located at the main entrance to the settlement, the proposed development limit at this point appears appropriate; to extend it as proposed would result in the inclusion of a section of a larger field and it would lack any enclosure along the proposed north-eastern boundary. The Department also stated that a townland boundary runs through the middle of the objection site.
4.7.6 Objections 328 and 5033 objected to the de-zoning of land north-east of Ashford Park, Feeny Road and sought the land to be zoned for housing. Part of this land is included within the proposed settlement limit and, as illustrated by the Department at the Examination, the proposed limit has been breached by B/2009/0431/F. There is however no strategic need to include this land for residential purposes.

4.7.7 Objection 4318 sought the inclusion of land to the west of Cherry Lane, Feeny Road. To include this land within the proposed limit would serve to elongate the settlement in a westerly direction. This would be unsatisfactory in terms of urban form.

4.7.8 Objections 4555, 4556, 4557, 4560, 4561, 4813, 4820, 4821, 4822, 4832, 4888, 4912, 4921, 4929, 5077, 5078, 5079, 5215, 5677, 5678, 5679, 5685, 5686 and 5687 sought the inclusion of four parcels of land opposite No. 2 Feeny Road (Feeny Health Centre), south of Nos. 11-47 Main Street and south/south-east of No.7 Glenedra Road. It was thought that these lands would be suitable for a range of development purposes. With the exception of the small parcel of land opposite Feeny Health Centre, to include any of these lands would result in a substantial expansion of the settlement. It would unsatisfactorily expand Feeny in a south-westerly direction, resulting in a less compact urban form. Claims that these land would be more suitable for development than most sites within Feeny were unsubstantiated. Given the lack of strategic housing need to include any of these lands, we do not consider that they should be included within the proposed development limit.

4.7.9 Objections 329 and 5010 sought the inclusion of land to the east/south-east of No.8 Glenedra Road. To include any of this land would result in a southerly expansion of Feeny which would be unacceptable in terms of settlement form. This land appears visually removed from the settlement and its development would adversely impact on the setting of Feeny within the countryside.

4.7.10 Objection 5032 requested that lands located south of Feeny be either included within Feeny’s development limit or be designated as a new settlement. As these lands are so far removed from Feeny, it would not be feasible to include them within the proposed settlement limit. The consideration of this area as a new settlement within the Limavady Borough was dealt within the strategic housing section this report.

HOUSING ZONINGS

4.7.11 Objection 328 raised a number of concerns in relation to the proposed housing zonings within Feeny. In relation to zonings FYH 01-03, we do not concur with the argument that committed sites should not be included when assessing the future housing supply for the settlement. The calculation of the amount of housing units that the settlement requires is based on figures from 1998-2016 and therefore it is logical that zonings FYH 01-03 be included when assessing housing provision. The location of housing zonings FYH 04-07 within an Area of Archaeological Potential (AAP) does not necessarily mean that development may affect an environmental asset. Objection 328 also raised a general
concern that the presence of the AAP would have a negative impact on the social and economic development of the area. Paragraph 5.1 (p.255) of the Draft NAP, Volume 2, Part 6: Limavady Borough which deals with the AAP within Feeny states that ‘this area may contain archaeological remains’. It is shown for information purposes only and alerts developers to therefore liaise with the Department prior to submitting any proposals in this area. Objection 328 also argued that zoning FYH 04 would result in the loss of valuable open space. Technical Supplement 6: Open Space, Sport and Outdoor Recreation, however, indicates that there is a surplus of 5.14ha of outdoor playing space within Feeny. The objection is therefore unsupported. Objections 328, 4819, 4890, 4940, 5080, 5261, 5682 and 5688 objected to FYH 07. Concern was expressed in relation to the impact that development here may have on environmental assets as they claimed that the site was located within an AAP; the site is located outside the AAP. The concerns that the development of the site would experience significant problems and would have an adverse visual impact on the landscape and on the settlement’s setting were unpersuasive. At any rate, the majority of zoning FYH 07 has already obtained planning permission and the Department is satisfied that development has commenced on the site. There should be no change to the Plan as a result of these objections.

COMMUNITY ZONING AND OPEN SPACE

4.7.12 Objection 328 stated that the proposed community zoning FYC 01 and open space provision within Feeny was inappropriate given the level of growth that has occurred in the past and is anticipated in the future. Little persuasive evidence was provided to support these assertions and as stated previously there is a surplus of open space provision within the settlement. Objection 328 also objected to the zoning of lands south of St. Marys GAC as a major area of existing open space. As stated in Map No.4/07-Feeny, this area is shown for information purposes only and has the benefit of planning permission for a football training pitch under B/2001/0008/F.

LOCAL LANDSCAPE POLICY AREA AND ENVIRONMENTAL DESIGNATIONS

4.7.13 Objection 328 queried the significance of the environmental assets located within Designation FYL 01: Altcattan LLPA. Concern was expressed that the LLPA would restrict the development of the village. A number of features are listed in Draft NAP that are considered to contribute to the environmental quality, integrity or character of this LLPA; these are said to include the topography and landscape of the area. The features of the rath and the two listed buildings, raised by the objector, are stated to be features which contribute to the environmental quality, integrity or character of Designation FYL 01: Altcattan LLPA. The presence of the LLPA does also not prevent development per se, rather, as stated within paragraph 6.1. (p.255) of Volume 2, Part 6 of Draft NAP, any proposals within this area will be considered within the terms of Policy ENV 2 in Volume 1. Objection 329’s objection to FYL 01 was unsubstantiated. Objection 5749 raised concerns in relation to the boundaries of FYL 01 and Altcattan Glen SLNCI and stated that some of the land was of no particular interest and called for account to be taken of the work.
and costs incurred by the objector over the years. They also requested that an area north of Altcattan Bridge and Tandragee Fort Rath be included within the designation. These unsubstantiated concerns would not warrant alterations being made to the proposed designation and it is noted that the Department has advised in their submission paper that the improved nature of the Fort would prevent its inclusion within the designation. The Department however suggest that the SLNCI at this location could be reduced due to the site having a reduced biodiversity value (see NIEA map, Appendix 2, Departmental Statement Limavady Borough Option B, Topic L43). In terms of the rest of the objection site that is within the SLNCI, given that the Department has indicated that the area contains some of the SLNCI’s features, including mature oak and hazel, we recommend that the remaining area stay within the SLNCI designation. In terms of the unsubstantiated claims in relation to the inadequacy of the consultation with land owners, we are satisfied that the Department undertook a comprehensive public consultation exercise during the preparation of the development plan.

4.7.14  A number of objectors raised objections to the CPA and AONB designations. As the policy provisions in PPS 21: Sustainable Development in the Countryside (June 2010) supersede the policy provisions in a CPA, the Department, in their letter to the Commission dated 19th April 2011, withdrew designation COU 7 which encapsulates Feeny. The AONB designation was illustrated on Map No.4-Limavady Borough for information purposes only and alterations to this designation are outside the remit of the Examination process.

Recommendation

4.7.15  We recommend that:

- The extent of Altcattan Glen SLNCI be reduced as per NIEA map, Appendix 2, Departmental Statement Limavady Borough Option B, Topic L43.
4.8 **FOREGLEN**

### HOUSING

4.8.1 Foreglen was designated as a village within the Limavady Area Plan (LAP); within dNAP, it is proposed that this designation will remain. Designation FN 01 outlines the proposed settlement development limit for Feeny and this is illustrated within Map No.4/08 in the Plan.

**Plan Provision for Housing**

4.8.2 Taking account of the 2008 revised HGI for Limavady District the draft plan makes provision for 50 housing units in Foreglen. Between January 1999 and August 2010, 19 housing units were completed. The Department’s housing update paper (March 2011) estimated that approximately 67 housing units could be accommodated within the settlement over the plan period; this is a notional surplus of 17 units (34%) above the plan allocation.

### Social Housing

4.8.3 The Department’s Housing Update Paper (March 2011) states that there is no social housing need within Foreglen over the next 7 years (2010-2017).

### Settlement Development Limit (SDL)

4.8.4 In section one of this report, we concluded that there is no strategic need to allocate further housing land within Foreglen. We do not accept the objectors’ arguments that the proposed settlement is too restrictive to accommodate the village’s housing requirements over the duration of the Plan period. We therefore do not support the objections seeking the expansion of the settlement development limit or the reinstatement of land that was previously included within the SDL of Limavady Area Plan 1984-1999. Any extension of the SDL will only be recommended where we are satisfied that there are urban form arguments or other factors that would justify an exception being made. It is on this basis, therefore, that we will assess the site specific objections which are seeking the expansion of the SDL of Foreglen.

**Sites Outside the Settlement Development Limit**

4.8.5 A number of objections were received seeking the inclusion of specific parcels of land within the proposed development limit. Objections 267 and 328 requested that land north of Nos. 322 and 326a Foreglen Road be zoned for residential purposes. There is no strategic need for this land to be included for housing purposes. There may also be roads issues when trying to access the site. Objection 328 also sought the inclusion of land surrounding No.328 Foreglen Road, however, this area is already located within the proposed development limit.

4.8.6 Objection 328 objected to the de-zoning of lands west of Foreglen from No.283 Foreglen Road to St Peter and Paul Roman Catholic Church and opposite
Nos. 288-296 Foreglen Road. Objection 5036 also requested that part of this land, to the east of St Peter and Paul Roman Catholic Church and opposite Nos. 288-284a Foreglen Road, and land further south, however now reduced from that originally submitted, also be included for residential purposes. Further east of the land under Objection 5036, and partly overlapping with Objector 328’s land, Objection 4669 requested that land located opposite No.296 Foreglen Road and Glen Park housing development also be zoned for housing purposes. The land from No.283 Foreglen Road to St. Peter and Paul Roman Catholic Church is already within the proposed development limit. The lands opposite Nos. 288-296 and Glen Park, Foreglen Road are strategically not required for residential purposes. We are not persuaded that this land constitutes an infill or rounding off opportunity given the length of the frontage of the parcels of land as well as its open nature with substantial development only being to the west and to the north on the opposite side of Foreglen Road. We also do not accept the argument that this western side of the settlement should act as a hub, with development radiating off it, due to the presence of community buildings here. The presence of such buildings and commercial development outside the proposed limit does not lessen their contribution or importance to the community. Arguments in relation to the inclusion of the GAA pitch elongating the settlement’s form are also not persuasive. Rather than connecting the eastern and western sides of the village, to include any of this land, either in whole or in part, would unacceptably spread the village in a southerly direction as the majority of the built up from is located on the northern side of the Foreglen Road. A section of the land opposite No.296 Foreglen Road and Glen Park is also located within the flood plain which may restrict its development. We also note the Department’s argument that this attractive area has a high local biodiversity value due to the presence of, for example, broadleaf trees and semi-natural grassland. We are, therefore, not persuaded that any of these lands should be included within the proposed development limit.

4.8.7 Objection 328 objected to the de-zoning of land surrounding the WWTW to the east of the settlement. Little persuasive evidence was provided to support this objection.

4.8.8 Objection 365 sought the inclusion of lands at and south-east of No.297 Foreglen Road. The land at No.297 is already within the proposed development limit. Rather than rounding off, to include the remainder of the proposed lands would unacceptably result in urban sprawl with the settlement growing in a southerly direction away from where the majority of the development in Foreglen is concentrated.

4.8.9 Objections 384 and 5034 sought the inclusion of lands to the south and south-east of No.4 Altagarran Road. To include these extensive lands would result in urban sprawl with the settlement expanding in a southerly direction; this would be unacceptable as development here would appear divorced from the rest of the village. Rather than the topography lending itself to support the development of these lands, its open nature would rather reinforce the concern that development here would appear isolated from the settlement. It is also
noted that there may be access difficulties due to the substandard nature of Altagarran Road.

**HOUSING ZONINGS**

4.8.10 With the exception of housing zoning FNH 04, all the other proposed housing zonings have either been developed or have the benefit of planning permission; objections to these zonings are therefore unsupported. In relation to housing zoning FNH 04, objections 328, 4824, 5034 and 5036 state that this land should remain as part of the designated major area of existing open space; that its proximity to the Waste Water Treatment Works (WWTW) means that it is an undesirable location for residential development and that Key Site Requirement (KSR) No.7 may result in part of the site being sterilised for development; that its proximity to the cycle network route may result in any development disrupting its quality and use; that KSR No.3 should include the possibility of accessing the site via lands off No.4 Altagarran Road. It would appear that there is some confusion in relation to whether the site is located along Old Forglen Road or Foreglen Road; this is a matter that the Department should clarify in the Plan and adjust the text accordingly. Draft NAP’s Technical Supplement No.6: Open Space, Sport and Outdoor Recreation states that there is 5.61ha of outdoor playing space within Foreglen; there is, therefore, a surplus of 4.77ha. Given the substantial amount of open space within the settlement, there is no need for this land to be zoned for open space. In terms of the site’s proximity to Ballymonie WWTW, this is acknowledged within KSR No.7 and it is assumed that the impact that such a constraint may have on the potential yield from the site would have been factored into the Department’s calculations. At any rate, given the elongated nature of the site, there would be existing residential properties in as close proximity to the WWTW as potential development on this site. The existing cycle network is located along a small section of the housing zoning which runs adjacent to the Foreglen Road. This triangular section however has a detached dwelling constructed on it (B/2004/0034/F) and therefore the concern in relation to the impact of development on the cycle network is unsupported. In relation to KSR No.3, we are not persuaded that the access should be taken via Altagarran Road.

**OPEN SPACE**

4.8.11 Objection 328 stated that major areas of open space should not be located within the settlement’s development limit as it would put the land under undue development pressure. The objector also objected to the zoning of land south of the WWTW. The land in question has the benefit of planning permission for a sports pavilion and playing field (B/2005/0929/F) and we have no objection to the land being zoned as open space. In terms of concern about development pressure, existing open space is already protected by the provisions of PPS 8: Open Space, Sport and Outdoor Recreation (2004). Objection 5615 requested that the land located to the north of Columbia Park be demarcated as open space. The Department stated that despite the land’s use being protected by PPS 8, that they had no objection to showing this land as existing open space. We concur with this position.
Recommendation

4.8.12 We recommend that:
- The land north of Columbia Park be identified as existing open space.

LOCAL LANDSCAPE POLICY AREA AND ENVIRONMENTAL DESIGNATIONS

4.8.13 Objections were received in relation to the proposed LLPA FNL 01. Objection 328 stated that the LLPA includes an area located within the proposed development limit and that development could affect the environmental quality, integrity and character of the LLPA. The section of FNL 01 which is located within the proposed limit has already been developed and includes St. Peter and Paul Roman Catholic Church which is of architectural and historic merit. Objection 5036 felt that there was no justification for the LLPA and requested that it be omitted. The written evidence submitted by the Department, however, provides details as to why this LLPA is justified and we consider the presence of such features, such as St. Peter and Paul Roman Catholic Church, a standing stone and part of the Foreglen River, to warrant the designation of the LLPA. The Department could, however, provide more explanatory text within Volume 2, Part 6: Limavady Borough: Foreglen Paragraph 4.1 (p.259) to inform the reader about the features within this designation.

4.8.14 Objection 4563 queried why their suggested SLNCI designation at Crocknabrock Road, Foreglen was not designated however in the absence of specific details we are not in a position to make an assessment of the merits of such a designation.

Recommendation

4.8.15 We recommend that:
- Additional explanatory text be added to Paragraph 4.1 (p.259) within Volume 2, Part 6: Limavady Borough: Foreglen to inform the reader about the features within Designation FNL 01 LLPA.
4.9 GREYSTEEL

HOUSING

4.9.1 Greysteel was designated as a village within Limavady Area Plan (LAP) and dNAP also proposed this designation. Designation GL 01 outlines the proposed settlement development limit for Greysteel and this is illustrated within Map No.4/09 in the Plan.

Plan Provision for Housing

4.9.2 Taking account of the 2008 revised HGI for Limavady District the draft plan makes provision for 182 housing units in Greysteel. Between January 1999 and August 2010, 169 housing units were completed. The Department’s housing update paper (March 2011) estimated that approximately 278 housing units could be accommodated within the settlement over the plan period; this is a notional surplus of 96 units (52.7%) above the plan allocation.

Social Housing

4.9.3 The Department’s Housing Update Paper (March 2011) states that the social housing need within Greysteel is 12 units over the next 7 years (2010-2017). As part of their evidence for the Examination, the NIHE indicated that as of March 2011 there is a need for 14 social housing units within Greysteel for the period 2011-2018. NIHE acknowledged that social housing need within the village could be addressed through Policy CTY 5 of PPS 21: Sustainable Development in the Countryside. However, should any additional land be brought within the settlement limit, NIHE stated a preference to see a key site requirement for social housing in order to meet the identified need. Whether or not it is recommended to include additional land within the limit of Greysteel will be considered next.

Settlement Development Limit (SDL)

4.9.4 In section one of this report, we concluded that there is no strategic need to allocate further housing land within Greysteel. We do not accept the objectors’ arguments that the proposed settlement is too restrictive to accommodate the village’s housing requirements over the duration of the Plan period. We therefore do not support the objections seeking the expansion of the settlement development limit or the reinstatement of land that was previously included within the SDL of Limavady Area Plan 1984-1999. Any extension of the SDL will only be recommended where we are satisfied that there are urban form arguments or other factors that would justify an exception being made. It is on this basis, therefore, that we will assess the site specific objections which are seeking the expansion of the SDL of Greysteel.

Sites Outside the Settlement Development Limit

4.9.5 A number of parcels of land were suggested for inclusion within the proposed development limit. Objection 328 sought the inclusion of land to the north-east
of the junction of Foyle Avenue and Clooney Road. Whilst no justification was provided, this land is already within the proposed development limit.

4.9.6 Objection 328 requested that land to the west of the junction of Gortgare Road and Clooney Road be included within the proposed limit however this land is already included.

4.9.7 Objections 328, 329, 4550 and 4872 sought the inclusion of lands south of Nos. 205-229 Clooney Road, east of Gortgare Avenue and Meadowvale Place and west Tullyverry Drive. This elevated land is visually prominent in the landscape and there is no obvious means of access to the land. Given the extensive and elongated nature of these lands, we do not accept that their inclusion would result in rounding off.

4.9.8 Objections 328 and 5048 sought the inclusion of a parcel of land north of No. 11 Sheskin Road. Despite claims by Objection 328 that this land has been de-zoned, this land was not included within Greysteel’s development limit contained within LAP. Despite the site having outline planning permission for a 2-storey dwelling and associated garage/store (B/2010/0454/0) and having two detached dwellings located opposite outside the proposed limit, we do not consider that this necessarily means that the development limit should include this prominent site.

4.9.9 Objection 5035 sought the inclusion of land opposite Nos. 181-183 Clooney Road for commercial use and/or as whiteland. No substantive evidence was provided to justify the need for the land for commercial purposes. To include this land as whiteland would increase the amount of development on the northern side of Clooney Road, spreading the built form away from where the village is concentrated. It would also require an additional access point onto the Clooney Road which is a Protected Route.

4.9.10 Objection 5048 requested the inclusion an extensive area of land to the north-west of the junction of School Road and Sheskin Road and to the south-west of Hawthorn Park and Ferndale Park. The objector sought the land to be zoned for housing purposes or left as whiteland. We have previously concluded that there is no strategic housing need for additional land to be included within settlement limit of Greysteel. There is, however, an accepted need for 14 social housing units within Greysteel. The NIHE and the Department indicated that in order to ensure that such a need was met, that they would prefer that zoned housing land have a key site requirement outlining this requirement rather than rely on the provisions within PPS 21. At the EIP the Department and the objector agreed that the area to the north-west of Housing Zoning GLH04 may be suitable to accommodate the social housing need given its lower gradient and hence the potential for development here to integrate into the landscape. Locating social housing on this site would not adversely impinge on the setting of Greysteel and access may be possible off Ferndale Park or via housing zoning GLH04. A key site requirement to this effect should be placed on the proposed housing zoning.

4.9.11 Objection 5525 sought the inclusion and zoning for residential purposes of land to the north of and including Nos. 97 and 99 Killane Road and south of
Nos. 11-16 Sunvale Park. Nos. 97 and 99 Killane Road and the land to the north are already located within the proposed development limit. Given this, it seems to be restrictive to then zone this land for housing especially given that there is more than sufficient residential land located within the proposed limit. The inclusion of the extensive and prominent lands to the south of Nos. 11-16 Sunvale Road land would substantially expand the settlement in a southerly direction. It was discussed at the Examination whether an elongated section of this land running parallel to Nos. 11-16 Sunvale Park, to the rear of Nos. 97 and 99 Killane Road, could be included for social housing purposes. We conclude, however, that the land to the north-west of Housing Zoning GLH04, as assessed in the preceding paragraph, is preferable to the objection site in terms of reading better with the urban form.

4.9.12 Objection 5525 requested that a long strip of land to the east of the sewerage treatment works, off Clooney Road be zoned for recreational purposes. Irrespective of the presence of a football club adjacent and to the east of this land, which is located outside the proposed development limit, and the accessibility and the locational advantages of this land, little persuasive evidence was presented as to why additional recreational land was required at this location.

Recommendation

4.9.13 We recommend that:

- The area to the north-west of Housing Zoning GLH04 be included within the settlement development limit to meet the need for 14 social housing units. There should be a key site requirement stating that it is for social housing purposes only.

HOUSING ZONINGS

4.9.14 A number of objections were received in relation to the individual housing zonings. As housing zonings GLH 01 and 04 have either been developed or obtained planning permission with development under way, objections in relation to these zonings are unsupported. Objection 328 requested that housing zonings GLH 02 and GLH 03 be left as open space for the existing residential population. As indicated in dNAP Technical Supplement 6: Open Space, Sport and Outdoor Recreation, with 7.96 hectares of outdoor playing space, Greysteel has a surplus of 5.44 hectares. In addition to this, it has 3.97 hectares of other public or private open space. A major area of Open Space is also located to the east and extremely close to GLH 02 Housing Zoning Site. We are therefore not persuaded that GLH 02 or GLH 03 should be designated as open space. The argument that the development of Housing Zoning GLH 05 would have a considerable visual impact is not persuasive given that the land is located between existing residential development and Faughanvale Primary School. No substantive evidence was presented to support the assertion that the land would remain undeveloped until required by the Primary School. The allegation that the proposed housing sites may not be released or would have constraints was uncorroborated with evidence.
4.9.15 Objection 328’s objection to GLI 01 was unsubstantiated and at any rate, this is an existing industrial use that is protected by PPS 4.

4.9.16 Objection 328 considered that Community Designation GLC 01 should not be designated in isolation to the major area open space located adjacent and to the north of the site. As they considered the two areas to complement each other, they suggested that they should be given one overall zoning in order to ensure their existence. The zoning GLC 01 is as ‘existing community use’ and the Department indicated that proposals at the Vale Centre have been implemented. Paragraph 5.1 (Page 264) in the section on Greysteel (dNAP Volume 2, Part 6: Limavady Borough; Greysteel) states that the Plan identifies major areas of existing open space for information purposes. We are not persuaded that zoning the sites separately will jeopardise their existence. At any rate, PPS 8: Open Space, Sport and Outdoor Recreation (2004) offers open space protection under Regional Policy OSR 1.

4.9.17 Objection 328 argued that GLO 01 (Land zoned for open space) was unnecessary given that this is an area of Green Belt where development is not permitted. PPS 21: Sustainable Development in the Countryside (June 2010) however states that the policy provisions of PPS 21 will take precedence over the policy provisions of Green Belts contained in the published draft development plans. As a result, in the Department’s letter dated 17 August 2010, it was stated that draft NAP no longer makes provisions for Green Belts. This area in question would therefore not be protected by Green Belt policy provisions. Paragraph 5.2 (Page 264) of Volume 2 of draft NAP states that this land is intended to accommodate additional sports pitches. No change to the Plan should be made as a result of this objection.

4.9.18 Objection 328 objected to GLL 01 (Greysteel Glen LLPA). The designation of an LLPA does not preclude development, but rather, as noted within Section 6.0 ‘Local Landscape Policy Area’ (Page 264, dNAP Volume 2, Part 6: Limavady Borough; Greysteel), any proposals for development within these areas will be considered against Policy ENV 2 in Volume 1 of dNAP. The impact of development proposals within the LLPA on Designation GLL 01 would therefore be assessed as part of the development management process. In relation to the open space located within the LLPA, as stated previously, major areas of open space are shown for information. All existing open space, even if not included within the designation as ‘major area of open space’ is however protected by regional policy (Policy OSR1) within PPS 8. The objection is therefore unsupported. As objection to GLL 02 Foyleview LLPA was not quantified by Objection 328, it is also unsupported.
4.10 SMALL SETTLEMENTS

4.10.1 The draft Plan proposes seven small settlements: Ardgarvan, Artikelly, Dernaflaw, Glack, Gortnahey, Largy and Shanvey. From a strategic perspective, we have already concluded that any extension of the SDL will only be recommended where we are satisfied that there are urban form arguments or other factors that would justify an exception being made.

ARDGARVAN

4.10.2 Ardgarvan was designated as a hamlet within Limavady Area Plan and is now proposed as a small settlement within the Draft Plan. Designation AN 01 outlines the proposed settlement development limit for Ardgarvan and this is illustrated within Map No.4/10 in the Plan.

4.10.3 Various pieces of land were suggested as possible inclusions within the settlement. Objection 369 sought the inclusion of land to the north of Ardgarvan cottages. Whilst the reduced site is located adjacent to the proposed limit, it is not accepted that its inclusion would enhance the settlement or that it would not impinge on its built form given the visual break that currently exists between Ardgarvan cottages and No.104 Ballyquin Road and the visual prominence of the site at the entrance to the settlement.

4.10.4 Objections 4851 and 4986 requested the inclusion of land to the south of Ardgarvan cottages, either in whole or in part. The inclusion of this site would extend Ardgarvan in a south-easterly direction beyond Ballyavelin Road which would have an adverse effect on the character of the settlement.

4.10.5 Objection 328 suggested that, given the generous open space that is available within the settlement, the provision could be reduced and the surplus used for residential development. Such land is protected by regional policy contained within PPS 8: Open Space, Sport and Outdoor Recreation, it contributes to the character and amenity of the area and additional housing provision is not required. It is noted that the WWTW is stated to have no additional capacity.

ARTIKELLY

4.10.6 Artikelly was designated as a hamlet within Limavady Area Plan and it is now proposed as a small settlement within the Draft Plan. Designation AK 01 outlines the proposed settlement development limit for Artikelly and this is illustrated within Map No.4/11 in the Plan. Objection 328 raised concern that including the open space to the west of Grannagh Park within the settlement limit would result in pressure for its redevelopment to provide residential development. This land, however, is protected by regional policy in PPS 8: Open Space, Sport and Outdoor Recreation and any such proposal could be dealt with as part of the development management process.

4.10.7 Various pieces of land were suggested as possible inclusions within the settlement. Objection 328 objected to the de-zoning of No.5 Windyhill Road and its associated land. The majority of Artikelly’s development is located on
the opposite side of the Dowland/Windyhill Roads and therefore to exclude this area seems logical in terms of urban form.

4.10.8 Objection 4986 sought the inclusion of land opposite and to the south of Lilac Avenue, Dowlands Road and for it to be zoned for residential development. This extensive site is partly located within the floodplain and provides attractive vistas across to the Curly River from Artikelly. The majority of Artikelly’s built form is located on the opposite side of Dowland/Windyhill Roads and therefore to include this site would appear out of keeping with the character of the settlement.

4.10.9 Objection 5615 requested that land north-east of No.1 Lilac Avenue, Dowland Road, identified as industrial land for Aghanloo Industrial Estate, be re-designated as open space for Artikelly. They also stated that this objection site could address their perceived lack of open space pitch provision. This area appears to be inaccessible with there being no obvious public access. Whilst we agree with the Department that there may be merit in the site acting as a buffer from the industrial development, there is adequate open space provision in Artikelly.

4.10.10 Objection 5615 sought that the land between No.1 Lilac Avenue, Dowland Road and No.12 Windyhill Road be identified as housing land. This land is located within the proposed settlement limit and given the location of Artikelly within the settlement hierarchy, it is not appropriate to zone land within the limit for particular uses in order to allow a degree of flexibility.

4.10.11 Objection 5748 requested that a number of parcels of land along the Windyhill Road be identified as housing sites. The land however is removed from the limit and would not lead to the consolidation of Artikelly’s built form.

4.10.12 Objection 328 stated that they consider that the open space zoning is too extensive however given that only one modest area is identified to the west of Grannagh Park we do not concur. There should be no change to the Plan as a result of this objection.

Dernaflaw

4.10.13 This settlement was identified as a hamlet within the Limavady Area Plan and it is now proposed as a small settlement within the Draft Plan. Designation DW 01 outlines the proposed settlement development limit for Dernaflaw and this is illustrated within Map No.4/12 in the Plan.

4.10.14 Various pieces of land were suggested as possible inclusions within the settlement. Objection 4336 sought the inclusion of all or part of the land surrounding No.6 Dernaflaw Road. Objection 4986 also sought an overlapping area within this same extensive field. This is a visually prominent area and there is no strategic need for this scale of expansion. Such large scale growth should be directed to higher level settlements such as nearby Dungiven.
4.10.15 Objection 5068 requested the inclusion of land opposite Nos. 428 and 430 Foreglen Road and its zoning for residential development. There is no strategic need for this area to be included within the settlement limit.

4.10.16 Objection 5615 queried the lack of designation of land for a play area and sought the inclusion and identification as open space of lands to the north-east of Dernaflaw cottages and east of Nos. 15-18 Dernaflaw cottages. The area east of Nos. 15-18 Dernaflaw cottages, however, has the benefit of planning approval for 12 dwellings under B/2003/0757/F granted on 5th September 2008; the proposed designation is therefore now inappropriate. Given the potential loss of this area indicated as a ‘playground’, and the lack of a designated area of open space within the settlement, there may be merit in the request to identify the land to the north-east of Dernaflaw cottages as open space. The land however does not have to be located within the SDL in order for this to be achieved.

4.10.17 Objection 328 objected to the extent that DWL 01 Dernaflaw LLPA occurs within the settlement limit and called for development land to be made available to compensate for its likely impediment for future development. LLPAs are however designated to prevent development that would adversely affect the environmental quality and integrity of the elements of the LLPA. Given that LLPAs do not prohibit all development and that the majority of the settlement is located outside the LLPA, the extension of the settlement limit for this reason is not warranted.

GLACK

4.10.18 Glack was identified as a hamlet within the Limavady Area Plan and is now proposed as a small settlement within the Draft Plan. Designation GK 01 outlines the proposed settlement development limit for Glack and this is illustrated within Map No.4/13 in the Plan. The fact that Glack consists of three limits of development was thought by Objection 329 to result in the appearance of a disjointed settlement. However, development here occurs in three separate nodes which do not visually relate to each other to a significant degree; to join them by one limit would result in a significant expansion of the settlement which would be inappropriate. NIHE did not indicate a need for social housing and there was a lack of persuasive evidence to support Objection 329’s claim that there is a need for affordable housing at this location.

4.10.19 Objection 329’s argument that the community’s development is restricted by the surrounding green belt is no longer applicable given the withdrawal of the green belt. Objection 328’s argument that the designation of open space is unnecessary, should be reduced and indicated as ‘white land’ was unsubstantiated and, at any rate, it is shown for information purposes only. All existing open space is protected by Policy OS 1 in Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation and it is against this policy that development proposals would have to be considered.
4.10.20 Various pieces of land were suggested as possible inclusions within the settlement. Objection 329 sought the inclusion of land situated along Tartnakilly Road. Whilst this large field is located opposite built development, it would result in a substantive expansion of the settlement which is strategically unneeded and would be excessive.

4.10.21 Objection 4663 requested that land at Tartnakilly Road, north-west of its junction with Loughermore Road, be included within the settlement limit in order to provide two development sites. This land is removed from the settlement limit nodes and the inclusion of this land would not contribute to achieving a compact urban form.

4.10.22 Objection 5704 sought the inclusion of two areas of land at Tartnakilly Road, south-west and north of its junction with Laburnum Road. Again there is no strategic need for such substantial expansions of the settlement node located around Laburnum Road. One of the areas, which it is assumed would be accessed off the Laburnum Road, also does not abut a public road. Given the substandard nature of Laburnum Road and its junction with Tartnakilly Road, this could also prove an obstacle to its development.

**GORTNAHEY**

4.10.23 Gortnahey was identified as a hamlet within the Limavady Area Plan and as a small settlement within the Draft Plan. Designation GY 01 outlines the proposed settlement development limit for Gortnahey and this is illustrated within Map No.4/14 in the Plan.

4.10.24 Objection 328 argued that the existing open space area should be used solely for housing development, be identified as whiteland and that an alternative larger area of open space should be identified. No persuasive evidence was presented as to why this area should be identified as whiteland or to justify the need for alternative open space. Objection 5615 also requested that the land surrounding the Roman Catholic Church and Gortnahey Primary School be identified as open space however did not provide a justification for the request. The area of open space identified in the Draft Plan is shown for information purposes only and existing open space is protected by Policy OS 1 in Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation. Technical Supplement 6: Open Space, Sport and Outdoor Recreation also indicates that there is a surplus of open space in this settlement. It is therefore considered that the existing ‘major area of existing of open space’ indicated in Map No. 4/14 Gortnahey should remain as indicated; there is no need to identify any further areas.

4.10.25 Objection 4986 sought the inclusion of land between Nos. 80 and 86 Gortnahey Road within the proposed limit and requested that it be zoned for residential purposes. This land is already within the proposed settlement limit and to allow greater flexibility it is not appropriate to zone it for a specific use. It is noted that there is a history of planning permission being granted on the site for a residential use (B/2003/0617/O) however this would appear to have expired.
LARGY

4.10.26 Largy was identified as a hamlet within the Limavady Area Plan and as a small settlement within the Draft Plan. Designation LG 01 outlines the proposed settlement development limit for Largy and this is illustrated within Map No.4/15 in the Plan.

4.10.27 Objection 328’s argument that the major area of open space identified in the Draft Plan is unnecessary and should be allocated for housing purposes was unsubstantiated. Objection 5637 argued that there was a need for a playing field due to the restrictions of the existing open space and its proximity to Drumrane Road. This objection was, however, not substantiated and Technical Supplement 6: Open Space, Sport and Outdoor Recreation does not indicate a need for such a facility.

4.10.28 Various pieces of land were suggested as possible inclusions within the settlement. Objections 284, 4546, 4547, 4548 and 4549 sought the inclusion for residential development of land north-west of Nos. 17-41 Polly's Brae Road; north-west and opposite Nos. 2-16 Polly Brae Road and Brookfield Park. Objection 4986 also sought the inclusion and zoning for housing of the land north-west and opposite Nos. 2-16 Polly Brae Road and Brookfield Park. The land north-west of Nos. 17-41 Polly's Brae Road does not abut a road and it is not apparent how this would be accessed. Given the linear form of Largy, such backland development would also appear out of keeping with the character of the area. Whilst the land north-west and opposite Nos. 2-16 Polly Brae Road and Brookfield Park would not have these issues, neither of these two expansive areas of land are required for housing purposes.

4.10.29 Objection 4579 sought land to be zoned to the south of Brookfield Park and north of Polly's Brae Road. Whilst no map was provided to indicate the specific area of land, there is no strategic housing need for Largy to be expanded.

4.10.30 Objection 4828 requested that land south-west of Brookfield Park, off Polly's Brae Road and south-east of Nos. 18-32 Polly's Brae Road be included as it was available and could provide up to 7 affordable houses. In addition to there being no persuasive evidence to demonstrate that there is an affordability issue in Largy, to include this backland would be out of keeping with the character of this linear settlement.

4.10.31 Objections 5576 and 5578 sought the inclusion of land south of the junction of Drumrane and Dogleap Roads. Given the substantial distance between this land and the proposed settlement limit, it would be inappropriate to include this land.

4.10.32 Objection 5579 requested the inclusion of land east of Largy Presbyterian Church however given its location within the countryside and distance from the proposed settlement limit, this would not be recommended.

4.10.33 Objection 4986 objected to the Ballykelly Moraine; Carrick Rocks; Deer Park Wood; Dogleap; and Mulkeeragh Wood Site of Local Nature Conservation
Importance and Area of Constraint on Mineral Developments contained in Map No. 4/23 however this was not substantiated and is therefore not supported. It is noted that Designation COU 16 Area of Constraint on Mineral Development has been withdrawn.

SHANVEY

4.10.34 Shanvey was identified as a hamlet within the Limavady Area Plan; it has been designated as a small settlement within the Draft Plan. Designation SY 01 outlines the proposed settlement development limit for Shanvey and this is illustrated within Map No.4/16 in the Plan.

4.10.35 Objection 4986 sought the inclusion of land south of No.113 Aghanloo Road. Due to the prominent woodland that is present on the site and the contribution that it makes to the visual character of the area as well as to biodiversity, the inclusion of the site within the settlement limit would be inappropriate. NIEA Natural Heritage highlight that this plantation woodland also links to Aghanloo Wood ASSI thus providing a continuous belt of woodland of nature conservation importance.

4.10.36 Objection 5615 objected to the non-inclusion of St. Anthony’s Primary School within the proposed settlement limit. Given the substantial physical separation distance, of approximately 160m, between the northern edge of the settlement limit and the school and its visual disassociation due to the road’s orientation and the intervening vegetation, it would not be appropriate to include the school within Shanvey’s settlement limit. To include the school could result in the possibility of further roadside linear development which would be unwelcomed due to adverse implications it would have on the character of the settlement.

4.10.37 Limavady Borough Council (Objection 5615) objected to the lack of identification of open space within the proposed settlement limit. Whilst we acknowledge that there is no public open space identified, we agree with the Department that the low density character of Shanvey, with primarily detached dwellings set in substantial grounds, results in a lack of need to identify public open space.