DERRY CITY COUNCIL

Written response of Derry City Council (Economic Development Section) to the Consultation on Strategic Planning Policy Statement (SPPS) for Northern Ireland

April 2014
Introduction

Derry City Council’s Economic Development Section welcomes the opportunity to respond to the Department’s consultation in respect of the Strategic Planning Policy Statement (hereinafter referred to as the SPPS) for Northern Ireland. Derry City Council endorses the consultation response already submitted by the Statutory Transition Committee made up of Derry and Strabane Council’s. This response will seek to build upon the submission already made by the Derry/Strabane STC with a specific focus in relation to economic development and regeneration matters.

In general terms, the production of a single document that consolidates existing planning policy statements is welcome, and in particular, an updated new policy relating to retailing and town centres. DCC is encouraged by the Minister’s foreword in creating an improved planning system that delivers for a range of stakeholders, including businesses. DCC is however in agreement that environmental considerations are fundamental in all planning matters, and therefore a balance will be required in terms of promoting economic/physical/social needs with the environment.

The production of the SPPS is a welcome development as all Council’s move forward towards the new local authority model in which planning powers will be a new function/responsibility. DCC would concur with the Minister’s foreword in that the SPPS will set the direction for the new Council’s in bringing forward operational policies within future local development plans.

DCC would support the position of NILGA in terms of requesting that there is further dialogue between DOE Planning Service and all of the local authorities prior to the publication of the final/adopted version of the SPPS to ensure that Council’s are fully content with the document.

Consultation Question 1 – The Purpose of Planning

Do you think that the purpose of planning set out in this SPPS is appropriate for Northern Ireland?

Derry City Council is in agreement with the purpose of planning as defined within the document in terms of ‘securing the orderly and consistent development of land with the objective of furthering sustainable development and improving well-being’. Whilst recognising the importance of embedding the highest of environmental standards within the new planning system, DCC welcomes the recognition of planning’s role in promoting economic development and job creation and welcomes any policies that seek to promote/enhance economic well-being. DCC also welcomes the commitment of continued investment within the planning system itself to ensure that it can meet the very real challenges ahead as effectively and efficiently as possible. It would be useful for Council’s to have greater detail in terms of the level of investment, to ensure that the planning system can fully meet the needs of unique to the new areas. DCC is also in agreement that the SPPS should be reviewed on a 5-
yearly basis to take account of current/emerging issues to ensure an effective and up-to-date planning system that is responsive to local needs as possible.

**Consultation Question 2 – Core Planning Principles**

*Do you think that the Department has identified suitable core planning principles for the two-tier system?*

DCC would contend that the Department has identified suitable core planning principles for the two tier system and broadly welcomes these. However DCC would comment on the apparent absence of references to the economy and employment as well as the protection/enhancement of our built and natural heritage. It would be useful that these are made more explicit within the context of the core principles.

**Consultation Question 3 – Furthering Sustainable Development**

*Do you think that this is an appropriate approach for this core planning principle?*

DCC welcomes the approach to sustainable development as outlined within the draft SPPS and the fact that the Department sees this as a ‘cornerstone’. Promotion of the three pillars of sustainable development within the draft SPPS is also welcomed.

**Consultation Question 4 – Improving Health & Wellbeing**

*Do you think that this is an appropriate approach for this core planning principle?*

DCC broadly welcomes the approach as outlined within the draft SPPS and would endorse the key points as outlined in paragraph 3.9. However DCC would like to see the inclusion of measures to promote walking and cycling within the context of these key points. The detail and definitions outlined within the draft SPPS relating to managing noise, improving air quality and safeguarding residential and work environs are also generally welcome.

**Consultation Question 5 – Creating and Enhancing Shared Space**

*Do you think that this is an appropriate approach for this core planning principle?*

DCC welcomes initiatives that seek to promote and create shared space and have been actively involved in a number of projects related to this objective alongside other statutory and community partners. The creation of shared space is an important concept in terms of promoting community relations. Therefore the inclusion of shared space within the core planning principles of the draft SPPS is very much welcomed.
Consultation Question 6 – Delivering Spatial Planning

Do you think that this is an appropriate approach for this core planning principle?

DCC welcomes the proposed move towards a more proactive planning system, as part of this core principle. Based on the key points as outlined in paragraph 3.30, planning will be fully integrated with other programmes and more interactive in terms of engagement with a wide variety of stakeholders. Derry City Council has developed successful partnership initiatives in recent times alongside DOE Planning Service and looks forward to developing these further as part of the new planning delivery arrangements and within the context of future community plan initiatives.

Consultation Question 7 – Observing a Plan-Led System

Do you think that this is an appropriate approach for this core planning principle?

DCC welcomes the approach of the draft SPPS with regards to observing a plan-led system in ensuring that the LDP/Community Plans are a material consideration in the determination of planning applications and appeals. However key to the success of observing a plan-led system will be an emphasis in ensuring that LDP’s and other planning instruments are regularly reviewed and updated to ensure that they take account of changing circumstances and emerging needs/issues unique to the geographical areas to which they relate.

Consultation Question 8 – Supporting Good Design, Positive Place Making, and Urban and Rural Stewardship

Do you think that this is an appropriate approach for this core planning principle?

DCC welcomes the principles relating to place making under the categories of urban and rural areas. However for the purposes of ensuring that these principles translate effectively into development proposals, it will be important for the production of specific design guides that provide greater clarity and promote the principles of good urban design and place making. Such design guides should be geographically unique and take account of the locational qualities, characteristics and constraints to which they relate eg conservation areas, countryside, ANOB’s etc. This will help to promote more quality development proposals which in turn can contribute to a more effective planning system through the efficient processing of planning applications that are informed and which embed such principles from the outset.
Consultation Question 9 – Enhancing Stakeholder Engagement & Front Loading

Do you think that this is an appropriate approach for this core planning principle?

DCC welcomes the principles relating to enhancing stakeholder engagement and front loading. Council is supportive of the principle of preparing Statements of Community Involvement (SCI) as part of the LDP process. Whilst the Department intend to produce its own SCI, DCC would welcome further details/guidance to all local authorities around the process for the preparation of SCI’s in terms of content, procedures, costs etc. DCC would concur with NILGA’s position in terms of reviewing the terminology in respect of ‘front-loading’ and securing a consensus with regards to a suitable term.

Consultation Question 10 – Enhancing Local Democratic Accountability

Do you think that this is an appropriate approach for this core planning principle?

Enhancing local democratic accountability within the planning system is welcomed by DCC. The emphasis on securing early engagement via ‘frontloading’ with regards to focussing on pre-application discussions is to be welcomed in the interests of achieving the objective of achieving a strong, modern and effective planning system where planning decisions can be made in a timely manner and which seeks to meet the needs of all interested parties. Whilst it is recognised that it might not always be possible to address the needs of all relevant stakeholders, early engagement will be beneficial to all those concerned. DCC look forward to the early completion and distribution by the Department, of the Councillor’s Code of Conduct so that this can be reviewed by elected members and relevant officers. DCC would welcome further information in relation to the process for adoption of this code of conduct and the Department’s intentions in terms of consultation with local authorities.

Consultation Question 11 – Decision-taking Principles and Practices

Do you consider the decision-taking principles and processes outlined above are appropriate for a reformed tow-tier planning system?

DCC considers the principles and processes outlined to be comprehensive, and provides initial clarity around the roles of the respective stakeholders in the delivery of, and engagement with planning. However DCC would share the view of NILGA that there is the need for operational guidance to ensure the proper interpretation and application of the principles and practices.
Consultation Question 12 – Archaeology & Built Heritage

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Archaeology and Built Heritage?

DCC is of the opinion that the draft SPPS appropriately reflects the strategic planning approach in respect of the built heritage and archaeology. There are a number of relevant archaeological and built heritage assets which are of local, regional and national significance within the existing Derry City Council area. These include the historic 17th Century City Walls which are the largest scheduled monument in state care, the conservation areas, collection of listed buildings and areas of townscape character to name but a few. Therefore, DCC welcomes the approach within the draft SPPS with regards to the protection and enhancement of such assets given the many that exist within its area. In particular, DCC is encouraged by the ability for local planning authorities to identify all of its built heritage and archaeological assets within the context of the LDPs and to bring forward relevant policies and other interventions such as new designations etc.

Consultation Question 13 – Coastal Development

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Coastal Development?

DCC welcomes policies that seek to protect and promote appropriate forms of coastal development.

Consultation Question 14 – Control of Outdoor Advertisements

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on the Control of Outdoor Advertisements?

DCC welcomes the section within the draft SPPS relating to the control of outdoor advertisements and notes the general principles, the ability to include relevant policies within LDP’s as well as decision taking. DCC are mindful of the need to ensure adequate and effective planning policies and measures in the control of advertisements and in the interests of the wider environmental and amenity considerations.

Consultation Question 15 – Development in the Countryside

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Development in the Countryside?

DCC welcomes the section within the draft SPPS relating to development in the Countryside. The current Council area comprises of a significant rural land mass
which contributes significantly in terms of population, economic activity, tourism and its built and natural heritage assets to name but a few. Under the new Council arrangements from April 2015, the rural area will enlarge substantially. DCC therefore supports the aim of the draft SPPS relative to the countryside, in terms of ‘managing development in a manner which strikes the balance between the protection of the environment from inappropriate development, while supporting and sustaining vibrant communities consistent with the RDS’. DCC supports the policy objectives as outlined in paragraph 6.57 and welcomes the opportunity for the new local planning authorities to bring forward a strategy for development within the countryside.

**Consultation Question 16 – Economic Development, Industry and Commerce**

*Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Economic Development, Industry and Commerce?*

DCC supports the aim of the draft SPPS in facilitating the economic development needs of Northern Ireland in ways consistent with the protection of the environment and principles of sustainable development. Accordingly, DCC welcomes the associated policy objectives as outlined in paragraph 6.72 and the ability for local planning authorities to directly shape and influence planning policy unique to their own area which promotes economic development and prosperity. Measures such as identification of suitable land, new zoning of areas/sites, promotion of mixed use developments etc are welcomed. The SPPS approach to economic development is comprehensive and reflects the importance of promoting economic wellbeing of council areas and NI as a whole, whilst balancing the environmental and amenity considerations.

**Consultation Question 17 – Flood Risk**

*Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Flood Risk?*

DCC supports policies that seek to address and minimise flood risk.

**Consultation Question 18 – Housing in Settlements**

*Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Housing in Settlements?*

No further comments to add
Consultation Question 19 – Minerals

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Minerals?

No further comments to add

Consultation Question 20 – Natural Heritage

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Natural Heritage?

DCC welcomes policies that seek to protect and conserve natural heritage and which balance development in a sensitive manner.

Consultation Question 21 – Open Space, Sport and Outdoor Recreation

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Open Space, Sport and Outdoor Recreation?

DCC welcomes policies that seek to protect Open Space for recreational and community purposes as well as promoting opportunities for sport and outdoor recreation.

Consultation Question 22 – Renewable Energy

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Renewable Energy?

No further comments to add

Consultation Question 23 – Telecommunications, Public Services and Utilities

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Telecommunications, Public Services and Utilities?

No further comments to add
Consultation Question 24 – Tourism

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Tourism?

DCC welcomes the section relating to tourism within the draft SPPS. DCC notes the significant economic contribution of the tourism sector to its local economy both within an urban and rural context and recognises the need to strike an appropriate balance between proposed development activity and environmental/amenity considerations. Council supports the policy objectives for tourism as outlined in paragraph 6.214 as well as the ability to bring forward a tourism strategy as part of the LDP preparation. DCC are currently embarking upon the preparation of a Tourism Destination Development Plan 2015 – 2020 in which the key recommendations and actions can be incorporated as part of any LDP. DCC welcomes the ability for local planning authorities to prepare policies that seek to safeguard tourism assets as well as promote appropriate tourism development.

Consultation Question 25 – Town Centres and Retailing

Do you think a ‘town centre first’/sequential test is the appropriate policy approach for the location of future retail and other main town centre uses in Northern Ireland?

The inclusion of new and updated planning policy guidance unique to town centres and retailing within the draft SPPS is welcomed. DCC note the fact that the existing policy guidance is significantly out of date and that there is the need to provide clarity to a variety of stakeholders. DCC concur with the ‘town centre first’/sequential testing approach being the acceptable approach in determining the location of future retail and other main town centre uses. In line with the policy objectives as outlined in paragraph 6.223, the presence of robust evidence relating to the health of the town centre will help significantly in informing planning decisions relating to such uses in relation to available sites, existing need/demand, economic baseline and demographic information etc. Only after careful and full consideration of these factors as well as consultation with all relevant stakeholders, can other locations be identified for such uses.

Consultation Question 26 – Town Centres and Retailing

Do you agree that Councils should undertake an assessment of need or capacity for retail and other main town centre uses to inform local development plans?

The preparation of key indicators and baseline information as part of a town centre health check will be an important tool in the determination of proposals that may have an impact upon the role/function of the town centre. Council welcomes the ability for local planning authorities to undertake this analysis, together with a Retail Strategy, as part of the LDP preparation. The benefit of this information within the LDP will be
that it will be locational specific, reflecting the economic/physical dynamic and demographics of the Plan area.

**Consultation Question 27 – Town Centres and Retailing**

*Do you agree that Councils should prepare town centre health checks as described?*

Town centre health checks are considered to be an important component in determining development proposals within the town centre or which may impact upon its viability and vitality. Accordingly, DCC are in agreement that the health checks should be undertaken and regularly updated as part of the implementation of the LDP. However DCC would share NILGA’s position in relation to the Department fully considering the resourcing implications around the preparation and monitoring of health checks/retail strategies thereby transferring the appropriate financial provision to the local planning authorities.

**Consultation Question 28 – Town Centres and Retailing**

*Do you think a ‘call for sites’ consultation is an appropriate mechanism to assist with site allocations in a local development plan?*

DCC would share the position of NILGA in relation to this mechanism being a laudable exercise but one which could generate many impractical and speculative proposals in out of centre locations. DCC would also concur with NILGA in that an agreed protocol outlining prerequisites for consideration would have to be drafted containing vital information such as confirmation of ownership, evidence of community consultation, evidence of expressions of interest etc. The submission of this information as part of any proposal would indicate the seriousness of intent by developers/landowners.

**Consultation Question 29 – Town Centres and Retailing**

*Do you agree that 300m from a town centre boundary is an appropriate threshold for a site to be considered as edge of centre?*

DCC would share the position of NILGA in that the draft SPPS provides no rationale for the stipulation of a 300m threshold. As outlined by NILGA, the boundary is currently set at 200m as per PPS5. Any extension beyond the current threshold has the potential to impact/undermine efforts to promote the ‘town centre’ first approach by encouraging development further away from the existing town centre boundary.
Consultation Question 30 – Town Centres and Retailing

Do you think 2,500 sq metres (gross) is the appropriate threshold for requiring a proportionate retail impact assessment?

DCC notes the increase from the existing 1000 sq. m to the proposed figure of 2,500 sq.m. DCC also notes NILGA’s comments relating to ensuring that a figure can be established that can be universally applied. In addition to this, whilst acknowledging the proposed 2,500sq.m threshold, DCC welcomes the ability for local planning authorities to choose to apply a lower threshold taking into account local circumstances such as the size, role and function of their town centres.

Consultation Question 31 – Town Centres and Retailing

Do you agree with the factors to be addressed as part of the retail impact assessment?

DCC is in agreement with the factors outlined within the draft SPPS as part of the retail impact assessment.

Consultation Question 32 – Transportation

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Transportation?

No further comments to add

Consultation Question 33 – Waste Management

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Waste Management?

No further comments to add

Consultation Question 34 – Transitional Arrangements

Do you agree that the transitional arrangements are required in the short to medium term?

DCC would support NILGA’s position in relation to ensuring that any transitional arrangements are reflected accurately and clearly in the final SPPS. Notwithstanding this, DCC would agree that transitional arrangements will be required and are necessary to ensure continuity within the land-use planning process and to enable the new local planning authorities sufficient time to prepare and compete the LDP’s and other associated planning policies/frameworks.
Consultation Question 35 – Other SPPS Comments

*Do you have any other comments on the SPPS?*

No further comments to add to those already made/submitted.

*ENDS*