

DONALDSON PLANNING

REF: LC04

LISBURN CASTLEREAGH BOROUGH COUNCIL

RESPONSE TO DRAFT LOCAL PLAN STRATEGY

SUBJECT: COMBER ROAD, DUNDONALD

January 2020

1.0 INTRODUCTION

1.1 This submission responds to the draft Lisburn Castlereagh Plan Strategy, published in October 2019.

1.2 The submission highlights aspects of the Draft Strategy that are **unsound**. It is structured as follows:

- the rationale for the submission is set out in section 2.0;
- the 'soundness' requirements for the LDP process are set out at section 3.0;
- issues with the Plan period are set out in section 4.0;
- the settlement hierarchy is considered in section 5.0;
- issues with the housing allocation are discussed in section 6.0; and
- conclusions are in section 7.0.

2.0 RATIONALE FOR SUBMISSION TO PLAN STRATEGY

2.1 This submission sets out the reasons why the Draft Plan Strategy will fail to deliver and distribute appropriate growth across the settlement hierarchy, including Dundonald.

3.0 SOUNDNESS.

3.1 All new Local Plans are required to take account of the Regional Development Strategy 2035, the Sustainable Development Strategy for NI, and the Strategic Planning Policy Statement (SPPS).

3.2 Section 10(6) of the 2011 Planning (NI) Act 2011 states that Plan Strategies and Local Policies Plans must be submitted to independent examination to determine:

- a) that it satisfies the requirements relating to the preparation of the Development Plan Document; and
- b) whether it is sound.

- 3.3 In relation to soundness, key tests include: taking account of the RDS; the Community Plan; and policy and guidance from the DFI. The Plan should also be realistic and appropriate, having considered alternatives. Development Plan Practice Note 6 on 'Soundness' summarises the tests as follows:

Procedural tests

- P1 Has the DPD been prepared in accordance with the council's timetable and the Statement of Community Involvement?
- P2 Has the council prepared its Preferred Options Paper and taken into account any representations made?
- P3 Has the DPD been subject to sustainability appraisal including Strategic Environmental Assessment?

Version 2 / May 2017

3

Development Plan Practice Note 6

Soundness

- P4 Did the council comply with the regulations on the form and content of its DPD and procedure for preparing the DPD?

Consistency tests

- C1 Did the council take account of the Regional Development Strategy?
- C2 Did the council take account of its Community Plan?
- C3 Did the council take account of policy and guidance issued by the Department?
- C4 Has the plan had regard to other relevant plans, policies and strategies relating to the council's district or to any adjoining council's district?

Coherence and effectiveness tests

- CE1 The DPD sets out a coherent strategy from which its policies and allocations logically flow and where cross boundary issues are relevant it is not in conflict with the DPDs of neighbouring councils;
- CE2 The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base;
- CE3 There are clear mechanisms for implementation and monitoring; and
- CE4 It is reasonably flexible to enable it to deal with changing circumstances.

4.0 PLAN PERIOD

- 4.1 The dPS is unsound (**Consistency Test C3**) as the Plan period fails to take account of the SPPS and Development Plan Practice Note 01.
- 4.2 The SPPS states that LDPs should provide '**a long term spatial strategy**' (para 5.7). Development Plan Practice Note 01 confirms that development plans should provide a **15 year framework** for development (extract below):

2.6 The LDP should fulfil the following functions:

- **provide a 15-year plan framework** to support the economic and social needs of a council's district in line with regional strategies and policies, while providing for the delivery of sustainable development;

- 4.3 Significantly, the NPPF in England states that strategic policies should be for a 15 year period following adoption. Logically, the same should apply to the dPS.

22. Strategic policies should look ahead over a minimum 15 year period from adoption¹⁴, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure.

23. Broad locations for development should be indicated on a key diagram, and land-use designations and allocations identified on a policies map. Strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period, in line with the presumption in favour of sustainable development. This should include planning for and allocating sufficient sites to deliver the strategic priorities of the area (except insofar as these needs can be demonstrated to be met more appropriately through other mechanisms, such as brownfield registers or non-strategic policies)¹⁵.

- 4.4 The Draft Strategy advises that it will provide the policy framework and land use proposals for the Borough **up to 2032**. However the draft Strategy was published in 2019, and the finalisation of the Plan Strategy and Local Policies Plan is likely to take at least another 3-4 years before the Plan will be adopted. Experiences with BMAP and other development plans has demonstrated that these have consistently taken much longer to produce, and have often been at, or close to, their stated end dates before they become effective as decision making tools. The dPS replicates the same unsustainable approach as previous plan strategies in that the period fails to meet the guidance from the outset.
- 4.5 In contrast, Belfast City Council has adopted the DPPN 01 guidance in its Draft Plan Strategy, which aspires to ambitious growth targets **up to 2035**. However the Lisburn Castlereagh Plan is

now already 3 years into its plan period, and even on the best estimate it will not be adopted until at least 7 years into its plan period. It is simply impossible for it to provide the **15 year framework for growth** which is required from a LDP. This renders the Plan **unsound**, and the approach irrational.

- 4.6 By extending the Plan Strategy to 2035 it may be possible to introduce land use proposals for the Borough which will proactively shape the pattern of development, and thus provide greater certainty for the Council, investors, developers and the public. An extended period would also be more efficient in terms of council, community and private resources.

5.0 SETTLEMENT HIERARCHY

- 5.1 The Settlement Hierarchy proposes 5 categories, with Lisburn City positioned at the top. Castlereagh Greater Urban Area, including Dundonald, is positioned below Lisburn City. It accounts for **27%** of the District's population.
- 5.2 The Growth Strategy sets out the fact that Castlereagh Urban Area should accommodate new residential development **within the urban fabric and through expansion and creation of new neighbourhoods**:

A Proposed Settlement Strategy for Accommodating Growth

- 5.14 To achieve the aims of the RDS in achieving sustainable development a strategy for accommodating growth can be defined based on the following hierarchy:

Main City/Greater Urban Areas - The City of Lisburn and Castlereagh Greater Urban Areas act as the main service centres. It is therefore intended to focus major population and economic growth on these areas thus maximising benefits from efficient use of existing facilities, infrastructure and their strategic location on the transport corridors. It is anticipated that the attraction of the city/town centres will be reinforced by retail, office and mixed use development. They will accommodate economic development through expansion and creation of industrial estates and modern enterprise and business centres. They will accommodate new residential development both within the existing urban fabric and through the expansion and creation of new neighbourhoods.

6.0 HOUSING ALLOCATION

6.1 The Plan Strategy is **unsound** as its Housing Allocation is both incoherent and unrealistic (**Tests CE1 and CE2**). In effect the draft Plan Strategy fails completely to provide direction for strategic growth. It simply assesses the likely housing need for the District and comments that there is already a 'healthy supply' within the Borough which will meet this need. It makes little or no effort to address existing imbalances in the distribution, location or type of available housing land. Similarly, as most of the existing housing potential is already committed, it fails to demonstrate how the significant requirement identified for affordable or social housing (over 6,000 units) might be met.

Difference between HGIs and Plan Housing Allocations

- 6.2 The Council must **have regard** to the Housing Growth Indicators (HGIs) published by Department of Infrastructure.
- 6.3 However the HGI must not be regarded as, or used as a deliberate 'cap' on building, especially as housing supply in Northern Ireland is currently lagging well behind local needs because of low build rates during the recession years. Plainly, there are other considerations (eg housing tenure and distribution) which must be addressed to ensure that this Plan is sound, even if this results in a housing allocation which is significantly higher than the HGI figure. Indeed Belfast's Draft Plan Strategy places significant emphasis upon achieving housing growth which will significantly exceed the HGI levels.
- 6.4 An LDP **housing allocation** is required to **facilitate the development management process**. The allocation must provide sufficient land to ensure a reasonable choice of residential accommodation, including affordable and retirement housing provision, in sustainable locations, over the entire Plan period.
- 6.5 In order to deliver the HGI figure, there must be a sufficient lead in period to allow permissions to be secured, infrastructure to be provided, and houses to be built. **A Plan which allocates only enough land to equate to the HGI figure is unsound**, as the Plan will effectively become redundant as a framework for development management purposes several years before its end date. Furthermore, with the short plan period in this case there will be minimal scope for 'in course' corrections or reviews following Adoption.

Plan Allocation

- 6.6 The dPS indicates (page 58) that projecting the HGI figure from 2017 to 2032 would provide an 'allocation' of 11,070 dwellings for the LDP. A Housing Growth Study was also commissioned, and this identified a need for 10,380 households, or about 700 per annum over the plan period. The text states that a buffer of 10% over supply (to account for potential not coming forward) was applied to the HGI baseline figure, giving a figure of 11,550 units.
- 6.7 To the figure of 11,500 it is necessary to add a 5 year housing supply (ie $5 \times 700 = 3,500$) to allow for flexibility, delivery, choice, and maintenance of a 5 year supply at all times during the life of the Plan. **This would mean that the Plan's Housing Allocation should be in the region of 15,000 houses.**
- 6.8 Such an allocation would not be inconsistent with the RDS. On the contrary, it would allow the RDS objectives to be realised in terms of continuity of supply, choice, delivery etc. In a recent case in Guildford, the High Court observed that 'headroom' to take account of under delivery of housing is an entirely legitimate aspect in Plan making. An extract from 'Planning Magazine' summaries the case below:

Last week, a High Court judge dismissed a judicial review challenge against Guildford Borough Council's adopted local plan in what observers have described as a highly significant ruling for both plan-makers and promoters.

The plan has long been controversial. It proposes deallocating three major greenbelt sites - Wisley Airfield, Blackwell Farm and Gosden Hill Farm - for development totalling 5,200 homes and an overall reduction in the borough's green belt by 1.5 per cent. In addition, the total number of new homes planned exceeded by some distance the borough's housing requirement based on its objectively-assessed need. Though the requirement came to a total of 10,678 up until 2034, or 562 homes per year, the plan allocates sites for the delivery of 14,602 homes. This, the inspector felt, was justified as "headroom" to take account of potential under delivery of housing in future years and to address the very high level of affordable housing needed in the area.

Deliverability

- 6.9 The draft Strategy does acknowledge the issue of deliverability. This is an important aspect, especially as some of the larger zonings in the current Area Plans have remained undeveloped over long periods.
- 6.10 The NPPF in England has reinforced the need to ensure that housing sites will be delivered. The 2019 NPPF definition of 'deliverable' is below:

Deliverable: To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:

- a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).
- b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.

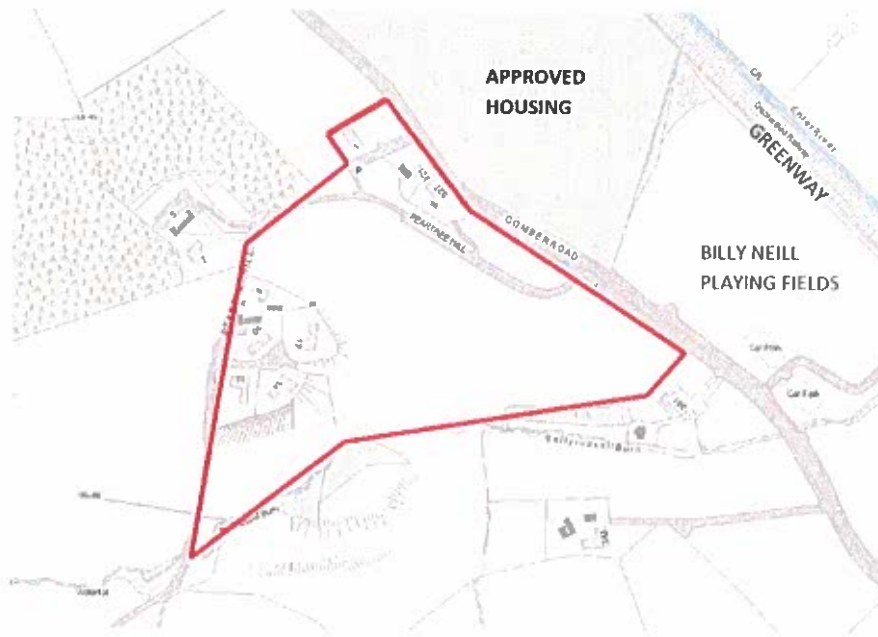
- 6.11 A range and choice of zoned land must be available in order to stimulate actual delivery, facilitate choice, and discourage land banking by larger developers. Emerging issues with NI Water may also be critical in the issue of deliverability in parts of the Borough.
- 6.12 The SPPS requires Councils to ensure that, as a minimum, a 5 year supply of land for housing is maintained (para 6.140). This must mean that, even at the Plan end date of 2032, sites should remain available to support the ongoing development management process and ensure continued delivery of housing supply.
- 6.13 The draft Strategy proposes two ways in which non-deliverability might be addressed. First, it suggests (page 59) that a 10% allowance could be added to account for non-deliverability. Second, it proposes to allocate a major strategic growth area in West Lisburn. This approach is **unsound** for two main reasons. First, the figure of 10% for non-availability does not appear to be based upon actual evidence. Second, and more fundamentally, the West Lisburn proposal will require major investment and infrastructure provision before any houses can be delivered. The proposal also focuses growth within a specific part of the Borough, to the potential detriment of other locations such as Dundonald where infrastructure and social and community facilities already exist. There is no evidence that alternative locations to West Lisburn have been fully evaluated.
- 6.14 In particular, the Greater Castlereagh Urban Area accounts for **27%** of the population. **However according to Table 3 of the Draft Strategy (extract below), the potential housing growth represents only 19% of the overall allocation.** This contrasts starkly with an allocation of **49% for Lisburn City**, which currently has only 40% of the population.

Table 3 Strategic Housing Allocation over Plan Period

Settlement	Potential Units Remaining	Potential Units on Urban Capacity Sites	Windfall Potential 1-4 Units Projected over 12 year period	Windfall Potential 5+ Units Projected over 12 year period	Total Potential
Lisburn City	4,079 (38.8%)	607 (5.8%)	97 (1%)	420 (4%)	5,203 (49.6%)
Lisburn Greater Urban Area	188 (1.8%)	0	2 (0.01%)	216 (2%)	406 (3.8%)
Castlereagh Greater Urban Area	1,628 (15.5%)	103 (1%)	43 (0.4%)	248 (2.4%)	2,022 (19.3%)

6.15 Notwithstanding the proposed growth direction in favour of Lisburn City, the Strategy is even more inequitable as it proposes to add a further 1,350 houses (14% growth) to Lisburn at Blaris/Knockmore. This further distorts the Strategy in favour of Lisburn, to the detriment of Castlereagh. Plainly, if the Strategy is to be considered sound, a more proportionate growth allocation should be afforded to Castlereagh and Dundonald.

6.16 The lands identified below, at Comber Road, are suitable for a modest housing development to help address the proposed imbalance. They are opposite an approved housing site and a major recreational centre.



Potential Growth Location at Comber Road.

7.0 SUMMARY AND CONCLUSIONS

7.1 The draft Plan Strategy is considered to be **unsound** in a number of respects. These include:

Consistency Test C3:

– the Strategy fails to comply with the SPPS and DPPN 01 as the Plan period is unrealistically short; and

- the Housing Allocation fails to ensure that a 5 year housing supply will remain at all times during the plan period, as required by the SPPS.

Coherence and Effectiveness Tests CE1 and CE2:

- the Housing Allocation fails to recognise that there is a fundamental difference between the purpose of the HGIs and the more diverse purpose of a Local Plan Housing Allocation; and

- the Housing Allocation Strategy fails to address current imbalances and deficiencies in land availability and potential tenure across the District.

7.2 The Council is requested to consider the contents of this submission. We would be pleased to discuss any aspect.

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