

DONALDSON PLANNING

REF: LC01

LISBURN CASTLEREAGH BOROUGH COUNCIL

RESPONSE TO DRAFT LOCAL PLAN STRATEGY

SUBJECT: DRUMBO

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 relates to Drumbo. It 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 highlighted 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 is considered to be unsound on the basis that it will fail to deliver appropriate growth across the settlement hierarchy, and in particular to villages such as Drumbo.

2.2 Drumbo is one of 13 villages. It is sustainably located close to both Lisburn and Belfast, and it is a popular residential location with a population of 375. It has a Presbyterian Church, a church hall which is widely used by the local community, an orange hall and local play areas. Significantly, it has a good mixture of private and public authority housing.

2.3 All of the land within the settlement limit in the Lisburn Area Plan 2001 and draft BMAP has now been developed. The village is effectively stagnating, with little or no potential for new housing for local families, older people etc. **Table 4** of the Council's Position Paper 2 on 'Housing and Settlements' demonstrates that there was potential for only 3 houses remaining in March 2017. These have now been developed:

Table 4: Uptake of Housing Policy Area Land as of 31st March 2017 Housing Monitor in Lisburn & Castlereagh City Council District. (Villages)

Village Settlements	Housing Policy Areas Remaining (Hectares)	Potential Housing Units Remaining on Housing Policy Areas
Aghalee	0.2	5
Annahilt	3.93	90
Dromara	2.48	58
Drumbeg	1.35	15
Drumbo	0.19	3
Glenavy	3.64	101
Lower Ballinderry	1.79	32
Maghaberry	1.41	30
Milltown	2.45	63
Moneragh	5.98	115
Ravenet	0	0
Stonexford	1.32	33
Upper Ballinderry	0.63	16
Total	25.37	561

- 2.4 To address this unacceptable position, the Plan Strategy should seek to remedy the clear imbalance in supply within the villages. The potential quantum of an allocation for Drumbo is discussed later in this submission.
- 2.5 It should be noted that permission has already been granted for two large houses on lands outside the settlement limit at Drumbo Road/Back Road, under LA05/2016/0627/F. A site location map showing this location, which is clearly an appropriate location for modest housing at a more sustainable density, is below:



Drumbo – Potential Growth Location – lands already approved for two houses.

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

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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 notes (para 5.7) that LDPs should provide a '**long term**' spatial strategy. Development Plan Practice Note 01 confirms that there should be 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. The villages, of which Drumbo is one, are at the fourth tier, and account for some 12% of the population.
- 5.2 Page 52 of the dPS sets out the importance of the main urban areas, and describes their role in providing services, housing and employment.
- 5.3 Whilst an emphasis upon the larger settlements is clearly to be expected, and in line with the RDS, the LDP cannot ignore the needs of smaller settlements, or the rural area. In particular, Policy SFG13 of the RDS is as follows:

SFG13: Sustain rural communities living in smaller settlements and the open countryside

3.98 The distinctive settlement pattern of main and small towns, villages and dwellings in the open countryside is unique within these islands. Many people working on the land are conscious of continuing a cultural tradition. They have a strong interest in sustaining that tradition, the land itself and the living that it provides. It is important that development is sensitive to these issues. The rural community is the custodian of our exceptional natural and built environment. In rural areas, the aim is to sustain the overall strength of the rural community living in small towns, villages, small rural settlements and the open countryside.

- 5.4 Position Paper 2, 'Housing and Settlements' published by the Council in 2019, recognises the role of the villages. In particular they are noted as being **'suitable locations for small housing estates, housing groups and individual dwellings'**. An Extract from the Position Paper is below:

Villages - These important local service centres, provide goods, services and facilities to meet the daily needs of the rural area. They are good locations for rural businesses and can accommodate residential development in the form of small housing estates, housing groups and individual dwellings.

- 5.5 The draft Plan Strategy also acknowledges the importance of the rural area. Indeed on page 52 it states that **'of equal importance** (my emphasis) **is the Council's rural hinterland in which approximately a third of the population resides. The villages and small settlements have a unique part to play in sustaining vibrancy, creating a sense of place, and providing education and local services.**

5.6 The draft Strategy appears to recognise the importance of facilitating development at all levels of the hierarchy, including the villages, and in this respect the draft Strategy can be regarded as sound. However for the reasons set out below, the proposed Housing Allocation will not allow the Plan to deliver upon the wider objectives.

6.0 HOUSING ALLOCATION

6.1 The Plan Strategy is **unsound** in relation to the **Coherence and Effectiveness Tests CE1 and CE2** as its Housing Allocation is both incoherent and unrealistic. The proposed draft Plan Strategy fails completely to provide direction for strategic growth. It simply assesses the likely housing need at District level 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 will be 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 appropriate 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' summarises 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

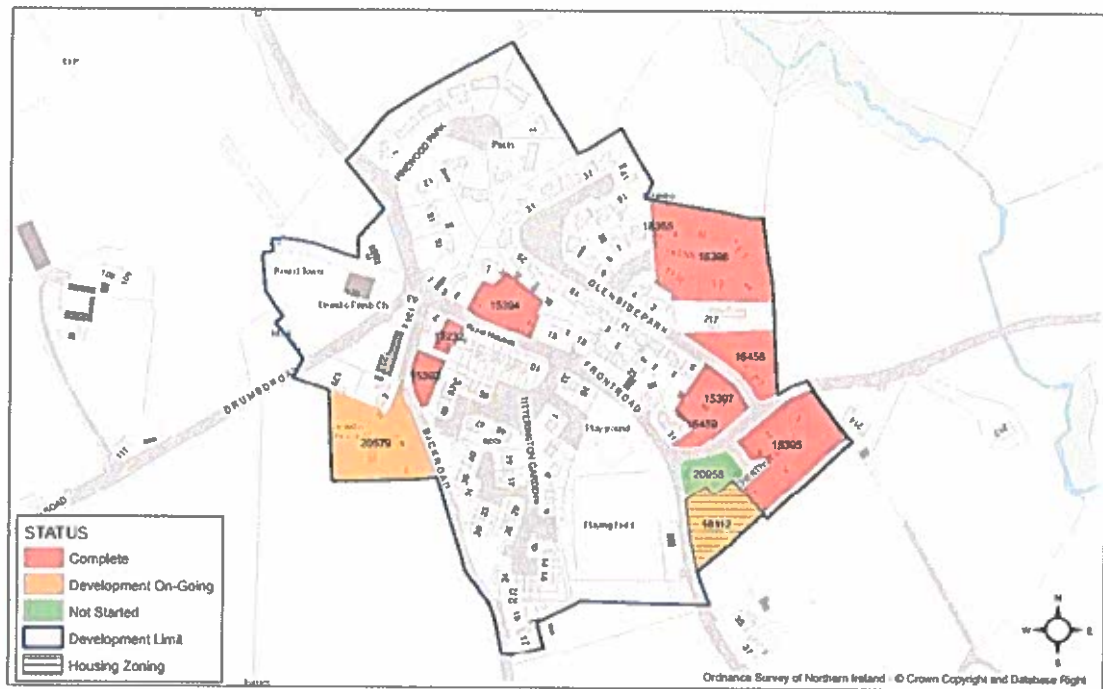
- 6.9 The draft Strategy does acknowledge the issue of deliverability. This is an important aspect, especially as some of the larger zonings in the current Area Plans have remained undeveloped over long periods.
- 6.10 The NPPF in England has reinforced the need to ensure that housing sites will be delivered. 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. In addition, the current issues with NI Water are raising significant concerns in respect of deliverability across 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 where infrastructure and social and community facilities already exist. There appears to have been very limited consideration of potential alternatives to the west Lisburn proposal.
- 6.14 As noted in Section 2.0, there are significant imbalances in the available housing supply at the village level of the hierarchy. Settlements such as Drumbo and Ravarnet effectively have no growth potential, whereas others such as Moneyreagh have significant potential. The Strategy must address these historic imbalances.

Drumbo Housing Monitor 31 March 2017



- 6.15 The Housing Monitor Map above illustrates clearly that there is no land availability in the village. The 'green' site has now been developed.
- 6.16 If Drumbo was to be afforded a percentage of the overall allocation which was proportionate to its population (ie 0.33% of the proposed updated allocation of 15,000) this would equate to about 50 houses. Even if this figure was reduced by 50% to take account of strategic considerations and settlement evaluation, an allocation of around 25 houses would be entirely reasonable. The lands with planning approval at Drumbo Road/Back Road are clearly well placed to accommodate this.
- 6.17 In failing to ensure delivery of sufficient housing across the Borough over the entire Plan period, and in failing to address the disparities in housing provision at the village tier, the Plan Strategy is **unsound**.

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 C1

- whilst the importance of the villages is referred to in the text, the proposed housing strategy will fail to deliver the RDS objectives (SFG13) to ensure that the strength of the rural community living in small towns and villages will be sustained.

Consistency Test C3:

- it fails to comply with 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 across the District.

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

DONALDSONPLANNING

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