



## Local Development Plan 2032 Counter Representation Form

Please complete this counter representation form and email to [LDP@lisburncastlereagh.gov.uk](mailto:LDP@lisburncastlereagh.gov.uk) or alternatively print and post a hardcopy to:-

Local Development Plan Team  
Lisburn & Castlereagh City Council  
Lagan Valley Island  
Lisburn  
BT27 4RL

**All counter representations must be received no later than 5pm on Friday 17 April 2020.**

### SECTION A: DATA PROTECTION

In accordance with the Data Protection Act 2018, Lisburn & Castlereagh City Council has a duty to protect any information we hold on you. The personal information you provide on this form will only be used for the purpose of Plan Preparation and will not be shared with any third party unless law or regulation compels such a disclosure.

It should also be noted that in accordance with Regulation 19 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015, the Council must make a copy of any counter representation available for inspection. The Council is also required to submit the counter representations to the Department for Infrastructure (DfI) as they will be considered as part of the Independent Examination (IE) process. For further guidance on how we hold your information please visit the privacy section at [www.lisburncastlereagh.gov.uk/information/privacy](http://www.lisburncastlereagh.gov.uk/information/privacy).

Counter representations will be treated in accordance with the **LDP privacy notice** which is available to view at [www.lisburncastlereagh.gov.uk/LDP](http://www.lisburncastlereagh.gov.uk/LDP) or is available on request by emailing [LDP@lisburncastlereagh.gov.uk](mailto:LDP@lisburncastlereagh.gov.uk).

By proceeding and signing this representation you confirm that you have read and understand the privacy notice above and give your consent for Lisburn & Castlereagh City Council to hold your personal data for the purposes outlined.

Please note that when you make a counter representation to the Local Development Plan your personal information (with the exception of personal telephone numbers, signatures, email addresses or sensitive personal data) will be made publicly available on the Council's website. Copies of all counter representations will also be provided to DfI and an Independent Examiner (a third party) as part of the submission of the Local Development Plan for IE. A Programme Officer will also have access to this information during the IE stages of the Plan preparation. DfI, the Programme Officer and the Independent Examiner will, upon receipt, be responsible for the processing of your data in line with prevailing legislation. If you wish to contact the council's Data Protection Officer, please write to:

Data Protection Officer  
Lisburn & Castlereagh City Council,  
Civic Headquarters,  
Lagan Valley Island,  
Lisburn,  
BT27 4RL

or send an email to: data.protection@lisburncastlereagh.gov.uk or telephone: 028 9244 7300.

## SECTION B: YOUR DETAILS

Please tick one of the following:-

- Individual       Planning Consultant / Agent       Public Sector / Body  
 Voluntary / Community Group       Other

First Name

Last Name

Details of Organisation / Body

Address

Postcode

Email Address

Phone Number

### Consent to Publish Response

Under planning legislation we are required to publish counter representations received in response to the Plan Strategy, however you may opt to have your response published anonymously should you wish.

Even if you opt for your counter representation to be published anonymously, we still have a legal duty to share your contact details with the Department for Infrastructure and the Independent Examiner appointed to oversee the examination in public into the soundness of the Plan Strategy. This will be done in accordance with the privacy notice detailed in Section A.

- Please publish **without** my identifying information  
 Please publish with only my Organisation  
 Please publish with my Name and Organisation

**SECTION C:**

Have you submitted a representation to the Council regarding this development plan document?

Yes

No

If yes, please provide your Reference Number DPS 066

**SECTION D: YOUR COUNTER REPRESENTATION**

In accordance with Regulation 18 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015, any person may make a counter representation in relation to a representation seeking change to a Development Plan Document (DPD). The purpose of a counter representation is to provide an opportunity to respond to proposed changes to the DPD as a result of representations submitted under Regulation 16 of The Planning (Local Development Plan) Regulations (Northern Ireland) 2015.

**A counter representation must not propose any further changes to a DPD.**

Please provide the reference number of the site-specific representation to which your counter representation relates. If you wish to make a counter representation to more than one representation, please complete a separate sheet for each counter representation you wish to make.

**DPS 036 - Inaltus on behalf of Drumkeen Holdings Limited**

Your counter representation must relate to a site-specific representation made to the Lisburn & Castlereagh City Council draft Plan Strategy.

Please give reasons for your counter representation having particular regard to the soundness test(s) identified in the Department for Infrastructure's Development Plan Practice Note 06 Soundness.

Please note your counter representation must not propose any new changes to the draft Plan Strategy. It should be submitted in full and cover succinctly all the information, evidence, and any supporting information necessary to support/justify your submission.

See enclosed sheets

*If submitting a hardcopy & additional space is required, please continue on a separate sheet)*

**Signature**

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**Date**

6.7.2020

Thank you for your comments

1 Larkfield Avenue  
 Upper Lisburn Road  
 Belfast  
 BT10 0LY

██████████  
[www.one2one-planning.co.uk](http://www.one2one-planning.co.uk)

E: ██████████

Plan Manager  
 Lisburn City & Castlereagh Council  
 Lisburn Civic Centre  
 Lagan Valley Island  
 Lisburn  
 BT27 4RL

## **Draft Plan Strategy for Lisburn City and Castlereagh Council Local Development Plan 2032**

### **Counter Representation to Representation Ref 036 seeking the inclusion of Drumkeen Retail Park within Forestside District Centre.**

Forestside Acquisitions Limited wish to respond to the representation submitted by Inaltus on behalf of Drumkeen Holdings Limited (Inaltus Ref 16/11(9) (dps).

Their representation states the plan is unsound due to:

- Failure to properly take into account the representation by Drumkeen Holdings Limited at the POP stage which sought the expansion and designation of the district centre to include their site (P2).
- Failure to take account of the SPPS and the requirement to define a network and hierarchy of centres including district centres (C3).
- Failure to designate the boundary as a strategic matter and deferring to the local policies plan is inappropriate, with the retail capacity study flawed (CE2); and
- Lack of flexibility for accommodation of retail demand and need (CE4).

They highlights inconsistencies between Technical Supplement 5 and the retail capacity study and the 2006 Colliers retail update for BMAP<sup>1</sup> including comparison floorspace need

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<sup>1</sup> Reference to predicted convenience turnover of £105m and £204m for comparison in 2015

(assessed at up to 4700sqm compared to 18,063sqm by Colliers) and the study findings that there is a lack of capacity for new convenience floor space.

They also highlight issues with the methodology and assumptions that lead to an underestimate of future retail need including the catchment and difference in approach to Lisburn and Sprucefield.

#### Cross reference to Forestside District Centre's Objection

My clients own Forestside Shopping Centre and have also made representation to the draft plan strategy (dps). In some points there is no disagreement with the representation from Drumkeen Holdings Limited including:

- At Para 31, Inaltus consider that the plan should set out which uses will be permitted in the hierarchy of centres and seeks recognition of the role of Forestside District Centre and its relationship with Carryduff. It requests that the DPS should make clear both locations are suitable for additional retail investment of a scale defined in the capacity study. The representation from Forestside similarly set out how the draft plan lacked appropriate detail for the promotion of Forestside District Centre, in particular its omission from Strategic Policy 14, Town Centres, Retailing and Other Uses. There is agreement that there should be recognition of the current and future role of Forestside District Centre within Policy SP 14.
- Inaltus and Forestside both request that the District Centre should be included within the sequential hierarchy of retail locations in Policy TC1 Town Centre, Retailing and Other Uses (Page 56).
- Both seek revised wording in Policy T4 in that, as drafted the reference to 'local need' as not reflective of the function of Forestside.
- Both consider that the restricted catchment in the retail capacity study<sup>2</sup> artificially undermines the significance of Forestside. Exit surveys undertaken at Forestside in 2013 and in 2017 indicate that 80% of customers live within 15 minutes of the centre<sup>3</sup>. Outside this area the key draws from within the 15-30 minute catchment are from Ballynahinch, Saintfield and Ballygowan.

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<sup>2</sup> The ARUP report (section 8.3)

<sup>3</sup> Survey by CARD with statistical accuracy of +/- 3.5% indicated a very sure accuracy of the Forestside shopper

## **Areas of Rebuttal to Representation DPS 036**

Forestside Acquisitions Ltd do not however agree that the inclusion of Drumkeen Retail Park assists in the consolidation of the Centre and have a number of matters to add to the consideration of the boundary (when the extent of designation is considered under the local policies plan).

### **Addition of Drumkeen Retail Park creates ambiguity in role for Forestside**

The PAC previously considered the role of district centres in the BMAP Inquiry as per their report of March 2011. While the policy references are to the now superseded Para 49 PPS 5, the detail is set out at **Appendix 1**. At Para 6.3.2 they set out:

*Policy context for District Centres is provided by paragraph 49 of PPS 5, which states that the primary role of District Centres is the provision of locally accessible convenience goods and that District Centres will be retained and enhanced. Paragraph 51 provides guidance on the consideration of non-retail uses in District Centres. This policy support for District Centres must be tempered by the strong emphasis on city and town centres as the preferred location for major retail proposals. In other words, District Centres have a role to play but that should be a supporting role.*

The PAC considered how some centres have been classified as District Centres despite their trading at a level above many town centres (Abbey Centre, Forestside and Bloomfield). They recognize that Belfast City Centre is the highest order location in Northern Ireland and does not fulfil a major convenience shopping role (which leads to the requirement for local needs to be met locally). It considered that there is a significant role to be played by District Centres in meeting these local needs.

In July 2011, the PAC report into the district proposals were published (Extracts at **Appendix 2**). They considered any expansion to district centres could only be justified where it served a local need. In respect of Forestside there was no need for the Drumkeen Retail Park to be brought within the boundary of the district centre as ‘the existence of retail warehousing and offices on the edge of a district centre is not justification for their inclusion in a centre which has a different retail function in PPS 5 terms’.

Subsequent to this (in March 2012) a revised Regional Development Strategy 2035 (RDS) was published and urged a precautionary approach based on the likely risk of out of centre shopping developments having an adverse impact on the city centre shopping area.

The SPPS was published in September 2015 and superseded PPSP 5. At para 6.276 it repeats earlier policy references to retaining and consolidating district centres as a focus for local everyday shopping and the need to ensure their role is complimentary to the role and function of the town centre. There is nothing in the SPPS that adds to or alters the status or role of the district centres as debated at the BMAP Inquiry.

It is not necessary to repeat the detail relating to the BMAP Court judgement and its quashing following the judicial review decision in 2017 as the case did not raise matters specific to district centres.

The draft DPS at Volume 2, Page 57, sets out its understanding of district centres under Policy T4. It again repeats the references to this local provision referring to ‘a focus for local shopping’, ‘offering a complimentary role in providing shoppers with convenience and choice’ and ‘forming an important role for local communities, allowing people to shop where they live’.

It adds that ‘Proposals for other town centre uses within these designated centres must remain appropriate to the primary convenience retailing role of these centres, ensuring that their function, scale and character is maintained’.

Policy T4 requires retail proposals meet a local need. Both Inaltus and Forestside have raised this reference to ‘local need’ as not reflective of the function of Forestside<sup>4</sup>.

Technical Supplement 6 contains a retail capacity study to accompany the DPS. At Para 4.37 the Arup report refers to the Preferred Option 14a – Extend District and Local Centre Boundaries at Forestside and Dundonald: it states:

*‘there is little scope for any additional convenience retail floorspace at Forestside, but the catchment would support modest additions to the comparison retail offer and the existing uses around Drumkeen Retail Park and Homebase would support and consolidate Forestside in its role as a District Centre’.*

While the DPS notes that the extract boundary will be determined as part of the local policies plan, the inclusion of Drumkeen Retail Park as requested by Inaltus (and as referred to in the POP) further removes the role of Forestside from its ‘primary convenience retailing role’ and elaborates the need for an amendment to the wording of Policy T4 to make it reflective of the centres true role.

Inclusion of the retail warehouse units will not consolidate the district centre but will dilute its local retail offer further as set out below in Table 1: Retail Floorspace Balance of District Centre & Alteration Due to Proposed Inclusion of Drumkeen Retail Park.

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<sup>4</sup> Drumkeen asked for it to be changed to ‘defined retail need’, Forestside asked for removal of the reference to local and replacement with a test of more specific to maintaining the role and function of ‘as demonstrated via an up to date health check’.

Table 1: Retail Floorspace Balance of District Centre & Alteration Due to Proposed Inclusion of Drumkeen Retail Park

Retail Floorspace Category	Current Split % Within District Centre by sqm	% Split if Drumkeen Retail Park Included (inc PFS)	Difference in Proportion by sqm
Convenience	31%	25%	-6%
Comparison	62%	68%	+6%
Retail Services inc Cafes	7%	7%	
	100%	100%	

Note: Calculation Based on Floorspace (sqm) according to GOAD dataset and updated at 2020

It can be seen that if Drumkeen Retail Park were included just a quarter of the configured centres floorspace would be devoted to local convenience retail provision. The key question which the dps must therefore address in consideration of this requested extension is what is the role of Forestside?

The configuration which includes Drumkeen Retail Park<sup>5</sup> redistributes even more retail space towards comparison goods and further from the traditional role of a district centre making it more like the comparison led function of a town centre. The status of a 'Metropolitan District Centre' has also been previously suggested. If Council are minded to include Drumkeen Retail Park it would require a reassessment of the Centres role within the hierarchy and necessitate elevation of its status accordingly (especially if Galwally House is to be included as its scale of office space is beyond local). Given the policy is being assessed at the DPS stage and the boundary at local policies stage this is not possible.

To include a bulky comparison role within the centre would be contrary to the strategic direction set by the RDS and regional policies as set out under the soundness tests C1 and C3. Such a change, without a full review of the corresponding role and policy would be unsound under CE1 as it would be inconsistent with the approach of adjoining councils in particular Belfast and Antrim and Newtownabbey (where they have proposed an elevation in the status of Abbey Centre to a town centre given its similar performance level as a top tier district centre as identified during the BMAP inquiry).

It is also unsound under CE 3 as changing the boundary without changing the policy context would create a policy gap as to how future retail applications that are not a 'local need' would be considered.

<sup>5</sup> If the POP option to include Homebase was added it would further reduce the balance to 22% convenience role

### **The boundary extension does not complement the role of Forestside**

Factors which were important in defining town centre boundaries have been long established since the Craigavon Area Plan Inquiry (para 4.04.03) as set out in **Appendix 3**. They remain relevant to boundaries for other retail designations including district centres and include their planning background, accessibility for walking, cycling, public transport and car, defensible boundaries, provision of opportunities for new development and investment and the function of the centre. . Forestside sits on an island surrounded by roads. Given the significant width of Upper Galwally, few customers move between Forestside and Drumkeen on foot yet the extension sought would introduce a less defensible boundary than currently in operation.

According to the GOAD dataset the net floorspace for Drumkeen is 6330sqm, almost a third of the size of Forestside. The TX Maxx consent for Unit 1 (albeit now used by B&M Bargains) included additional space representing further opportunity. The extant use is bulky comparison retail (other than a small convenience component within B&M and at the Sainsburys petrol station).

The Retail Capacity document (in terms of comparison retail expenditure capacity), forecast nearly £8 million by 2027 at the low end of the range of available spend and up to £22 million at the high end. The indicative floorspace is 1,400 sq m net to 4,700 sq m net. The forecast capacity to 2022 is negligible, with most of the forecast growth from 2022-27. As Drumkeen Retail Park has been fully utilized the only opportunity it provides to allow for the provision of this need is via mezzanines or redevelopment/re-configuration with little additional choice in offer likely via these additions.

Forestside has approval for 3 new restaurant/coffee shops units close to the entrance. The approved coffee shop at Drumkeen provides for no additional uses beyond that already found or committed within the district centre.

### **Is Forestside Trading to the Extent Claimed by Inaltus?**

Inaltus claimed inconsistencies within the evidence base (i.e. the retail capacity study) compared to that set out in the BMAP Colliers Capacity Study. BMAP relied on household survey across 18 zones based on survey and the resulting tables were updated in 2006 (pre inquiry) to include additional commitments and update assumptions. It sets out the shopping patterns 14 years ago and pre-recession, at a time when online retailing trends were not yet fully established.

In terms of convenience in particular, it was also a study which set out the circumstance for Forestside prior to the development of Tesco Newtownbreda and Tesco Castlereagh Road, both large successful stores<sup>6</sup> and competitors to Forestside, located in close proximity and drawing a significant level of trade from east Belfast and Castlereagh. Both were erected after the BMAP capacity figures. The competing offer in the catchment has changed since the BMAP turnover figures were assessed and the comparison to these outdated figures is of little value in respect of turnovers or the assessment of retail need when there is more recent information available.

At Paragraph 17 Inaltus state *'Any growth estimates is therefore limited to only the growth in population and spend and pro rate increase in inflow and does not take account of the need to provide retail floorspace to relieve the pressures currently experienced in shops due to overtrading'*.

My clients dispute the assertion that the centre is under pressure. It strives to provide a quality shopping experience but Forestside is not immune from changes in the retail environment or from competition.

## Summary

In summary, there is overlap in many of the points raised in the Inaltus objection including that Forestside's is a unique centre which extends beyond a local catchment and requires a unique policy rather than one that refers to generic district centre policy.

However, the expansion of the Centre to include Drumkeen Retail Park is not supported in evidence within the Arup report (TS6) given it does not show significant capacity and there is no benefit to bulky retailing being located within a district centre.

The inclusion of Drumkeen Retail Park would further dilute the convenience role of the Centre, necessitating a change to the DPS Policy T4. If Drumkeen Retail Park is included the resulting rebalance in its role towards comparison retailing would necessitate a consideration of its status beyond that of a traditional district centre. The Council have pushed back the consideration of the boundary to a different stage of the plan process to its corresponding policy and accordingly at this time the boundary must reflect the role of the district centre envisaged in policy.

C.C Forestside Acquisitions Ltd

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<sup>6</sup> Combined circa 9600sqm net floorspace

Appendix 1 – Extract from BMAP Public Inquiry Report – 2011

**6.3 Objections to the Retail Strategy Elements 2 & 3 and Policy R 5**

6.3.1 There is a clear retail hierarchy in the plan, which reflects the basic tenets of both the RDS and PPS 5. There were no objections to the hierarchy in principle. In this context, we cannot agree with the objectors suggested wording for element 2 i.e. that town centres be promoted in a manner appropriate to their scale and function. Both PPS 5 and the RDS state that city and town centres should be the first choice location for new retail development. The use of the qualifying term would mean that the growth and development of some town centres could be constrained, which would be contrary to retail policy. Paragraph 11 of PPS 5 allows the Department to indicate where new retail development is to be focussed. It is therefore appropriate to indicate that city and town centres will be the first choice for new retail development. The reference to protection of the vitality and viability of city and town centres as part of the Retail Strategy is merely the reason why retail development needs to be controlled in locations outside the city and town centres. We see no objection to the inclusion of this phrase which reflects regional policy in relation to the reasons why town centres are to be preferred to other locations for future retail provision. The remainder of element 3 states where retail development is to be focussed.

6.3.2 The policy context for District Centres is provided by paragraph 49 of PPS 5, which states that the primary role of District Centres is the provision of locally accessible convenience goods and that District Centres will be retained and enhanced. Paragraph 51 provides guidance on the consideration of non-retail uses in District Centres. This policy support for District Centres must be tempered by the strong emphasis on city and town centres as the preferred location for major retail proposals. In other words, District Centres have a role to play but that should be a supporting role.

6.3.3 It is true that in some instances the retail hierarchy in the plan does not reflect the situation on the ground. Some centres have been classified as District Centres despite the fact that they bear little resemblance to the definition in PPS 5 and are trading at a level above many town centres. To an extent this is a situation unique to the BMA because of the concentration of population around the city. However, we consider that the retail hierarchy in the plan echoes the policy directions of PPS 5 and the RDS correctly. Belfast City Centre is the highest order location in Northern Ireland and does not fulfill a major convenience shopping role. In the absence of clear policy directing convenience shopping to town centre locations, this is not surprising. However, it does have implications for sustainability as it leads to the requirement for local needs to be met locally. The significant role to be played by District Centres in meeting these needs is acknowledged in PPS 5.

6.3.4 This leads on to a consideration of District Centres and their role in BMAP. Much of the discussion focussed on Abbey Centre. The reality is that this has

developed into the main shopping centre for Newtownabbey as well as parts of North Belfast and Carrickfergus. The Department indicated at the strategic sessions that this was the situation, but that it should not be allowed to continue and that further development should be controlled in order to protect town centres. However, at stage 2, the Department conceded all the site-specific objections seeking expansion of the Abbey Centre. This does not sit comfortably with their strategic submissions, but was inevitable given what emerged about the planning consents for retail developments that have been granted and implemented on these objection sites. We consider that there are sustainability arguments in support of this change in stance in relation to convenience shopping. The centre is convenient to large centres of population and it is unrealistic and unsustainable to expect people from this area to travel to the city centre or Ballyclare for convenience shopping. The concern in policy terms is the impact on city and town centres of additional comparison retail floorspace at Abbey Centre.

- 6.3.5 The objectors sought a new designation as a Metropolitan District Centre for Abbey Centre. This was suggested with a view to allowing comparison retailing there as a matter of course (below a certain floorspace threshold). The centre's current retail offer more than meets local needs and serves a wide catchment. The size of the centre and approvals that have been granted around it mean that it has a turnover almost equivalent to that of Lisburn City Centre (according to the Retail Study). Clearly it does not function as a District Centre as defined by PPS 5. There was no dispute with the evidence from the Retail Study that Carrickfergus and Ballyclare town centres are detrimentally affected by Abbey Centre. Ballyclare is earmarked for considerable expansion and a new by-pass. These factors should assist the retail growth of Ballyclare town centre. We therefore agree with the Department that any further growth at Abbey Centre could be at the expense of city and town centres. In order to achieve the strategic objectives of promoting the role of city and town centres and controlling the scale and nature of development elsewhere, we recommend that further development of Abbey Centre should be curtailed and that it remains as a designated District Centre.
- 6.3.6 In relation to other District Centres, designation as a Metropolitan District Centre was sought for Forestside, which is also trading well above the level of a District Centre (turnover almost on the same scale as Abbey Centre). Forestside is closer to Belfast City Centre and could draw trade from the city centre and other town, District and Local Centres. Carryduff is also earmarked for significant expansion in the RDS and protection and promotion of its town centre is essential if the retail offer is to expand to meet the populations' needs locally rather than relying on travel to an out-of-town centre. We would therefore see no convincing case for elevating Forestside in the retail hierarchy. It should remain as a District Centre for the same reasons as Abbey Centre. A similar argument was advanced for the elevation of Bloomfield Centre in Bangor. However, the objection was not supported with any further information to enable us to evaluate any special case for Bloomfield. There is an even more compelling argument for resistance to this suggestion. There was strong uncontested evidence of the detrimental effect of the Bloomfield Centre on Bangor town centre in the

## Appendix 2 - Extract from BMAP Public Inquiry Report for Castlereagh

### RETAILING

#### Designation MCH 19/01 - Forestside District Centre

##### **Objections 191/1, 699/29, 910/2, 1010/1**

The objections sought the inclusion of additional lands within the designation. The sites all relate to the lands to the north of the District Centre between Saintfield Road, Upper Galwally, residential streets – Galwally Park/Drumkeen Court & Manor and Upper Knockbreda Road (A55). Objections 910 and 1010 relate to all these lands. Objection 191 relates to the Homebase store only and objection 699/29 relates to Drumkeen Retail Park only.

The designated District Centre includes the covered shopping mall and the adjoining car parks. The excluded area contains the following from west to east: Homebase in its own grounds, some offices, residential properties, Castlereagh Borough Council offices and Drumkeen Retail Park, which includes JJB sports, Harry Conry, Smyths Toys, Currys, a large Burger King and a Sainsbury's petrol filling station. It is debateable as to whether some of these uses constitute bulky goods retailing and they obviously meet some local needs.

We concluded in Part 1 of our report that city and town centres were the preferred location for major retail proposals. District Centres have a role to play but that should be a supporting role. We also acknowledged that some District Centres in the BMA contain a level of retailing that extends well beyond meeting a local need. We resisted calls to elevate them in the retail hierarchy and concluded that further development at Abbey Centre, Forestside and Bloomfield should be strictly controlled in order to achieve the strategic objectives of promoting the role of city and town centres.

In this strategic context, we generally conclude that the boundaries of District Centres should be controlled. Their expansion could be justified to include retail units serving a local need but that does not arise in this case. Arguments that the units within the designated centre do not meet the criteria in paragraph 49 of PPS 5 do not justify inclusion of the objection lands which perform a different retail function.

The retail units within the objection sites are mostly retail warehouses. They do not provide convenience retailing or shops whose primary function is to meet a local need. Homebase is a free standing retail warehouse and Drumkeen is a retail warehouse park in PPS 5 terms; there is no policy support for individual retail warehouses or retail warehouse parks to locate in District Centres. Neither PPS 5 nor our strategic conclusions on retailing in Part 1 of the report favour the inclusion of the objection sites in the District Centre. If they were included, PPS5 would afford them the same protection as existing centres. The status of floorspace conditions limiting the minimum size of the existing units and the range of goods to be sold could also be challenged on the basis that units were now inside the District Centre. We consider that the ramifications of such inclusion could undermine the Plan's objective of promoting the role of city and town centres. The inclusion of the objection lands as a separate retail warehouse area within the District Centre would be pointless as it would not change the status of the area in retail terms and could lead to confusion.

The Commission has previously expressed the view that this area is part of Forestside. This view was expressed in the evidential context of an individual appeal and does not constrain the proper consideration of all the issues as part of the development plan process. The existence of retail warehousing and offices on the edge of a District Centre is not justification for their inclusion in a centre which has a different retail function in PPS 5 terms. Exclusion of these areas from the District Centre will not alter their retail status in policy terms. We cannot agree that the Plan is an opportunity to include this area merely because this is the first time that the District Centre has been defined. We have set out our view on the matter and concluded that the retail warehouses should be excluded for the reasons given.

This District Centre is well served by public transport and is convenient to large areas of housing. It is therefore in a sustainable location to provide services to this part of the BMA. The fact that the Mall and retail warehouses have adjoining accesses and are located beside one another means that there is the opportunity for linked trips. The Department accepted this and that the retail warehouses add to the offer available in the District Centre. We do not consider that this is an issue related to room for the centre's expansion. The offices within the objection sites are not of the local office type envisaged by PPS5 and so would not fit within the District Centre designation either. The restaurant and petrol filling station within the objection sites might be considered to meet the needs of the district, but it would not be appropriate to include these units as they lie on the opposite side of the road from the Centre. Also, as they were not the subject of separate objection, they can only be considered as part of the larger objection sites. The residential area within objection 191 is not a suitable use for inclusion within a District Centre.

We are aware of areas of retail warehousing being included within the designations of other District Centres. We also note the Departmental concessions that brought even more retail warehouses within the District Centre boundary at Abbey Centre. We are not persuaded that contrary decisions elsewhere, or poor development management decisions, should justify a repetition in other locations or constrain the proper planning of this area.

We recommend no change to the Plan as a result of these objections.

## Appendix 3 – Extract from Craigavon Area Plan Report of Public Inquiry 2001

- 4.04.03 Factors which were important in defining town centres were:
- 1 Planning background
  - 2 Planning commitments
  - 3 Accessibility for walking, cycling, public transport and car
  - 4 Accessibility to all sections of the community
  - 5 Defensible boundaries
  - 6 Mix of uses
  - 7 Provision of opportunities for new development and investment
  - 8 Ability of an area to support new retail or other town centre uses
  - 9 The function of the centre
  - 10 Results of public consultation
  - 11 Views of stakeholders
  - 12 Views of the Borough Council
  - 13 Views of town centre management bodies
  - 14 Physical regeneration objectives
  - 15 Sustainable development objectives
  - 16 Enhancement of the amenity of the centre
  - 17 Protection of townscape character
- 4.04.04 The designations and policies of DCAP had been formulated to maximise the policy objectives of PPS 5 and were consistent with them. They were also consistent with the DRSP's identified role and function of the Craigavon UA and with the potential of the Borough as demonstrated by the housing and industrial zonings. The DRSP identified Craigavon (meaning the Craigavon UA) as a Regional Town and Major Service Centre with a high growth potential reflecting its role as the major service centre in Mid-Ulster, the second largest industrial centre in the Region with a strategic location on the key transportation corridors. As a 'Regional Town' in DRSP it was identified as having a reinforced role as a main service centre. It served a wide catchment area and had the capacity to accommodate and provide a wide range of services for larger scale population and housing growth including mobile demand.
- 4.04.05 The criteria for defining a Town Centre (TC) as defined in PPS 5 were set out in Paragraph 4.04.03 above and were all important. In a particular town one factor might be given more importance than another. TCs should be of an appropriate size so that the purpose of PPS 5 to protect the TCs vitality and viability would not be undermined, but they should also be big enough to prevent pressure building up for out-of-town retail development. CAP had a limited lifespan and the DoE could not afford to get the size of the TCs wrong.
- 4.04.06 The DoE had consulted with the Borough Council on the size of the TCs but had made its own assessment in the end. The DoE had not estimated the market demand for land for retail development within the defined TCs in DCAP or consulted the Valuation and Lands Agency (VLA). There was a role for assessing retailer demand in the Health Checks prescribed in PPS 5 at Paragraph 18, although this was not compulsory and had not been done for CAP as PPS 5 did not say it was essential.
- 4.04.07 PPS 5 had intended a hierarchical approach to Town Centre locations for major retail developments. There was the PRC\* as referred to in Paragraph 40 first sentence, the rest of the TC, edge of TC and then out-of-town centre locations. Within the PRC\* planning permission would be granted for any type of retail development. Between the PRC\* and the TC boundaries food and bulky goods retailing would be acceptable in principle.
- 4.04.08 The DoE had intended that the descriptions in DCAP of what would be suitable on opportunity sites was a form of 'zoning' ie retailing would not be acceptable within an