



15 November 2018

Response to the Belfast Local Development Plan – Draft Plan Strategy

Dear Sirs,

I set out below, for your consideration, my initial response to the Belfast Local Development Plan - Draft Plan Strategy.

Introduction

I support the vision aims and objectives as noted in section 4 of the draft Plan Strategy, and deriving from those set out in the Belfast Agenda. I believe it is crucial that the city has a local development plan which actively helps to convert that vision into a tangible and readily understood reality. Equally I support, in general terms, the strategic policies outlined in the document.

Commentary

Unfortunately what is missing is a robust analysis, assessment and characterization of the city as it is now and how it will be in the future. The majority of individual elements which go towards the formation of a convincing strategy are present but they are not adequately woven together to provide flesh to the vision. The policies, whilst laudable, are of such a general nature that little appreciation can be had of their combined effect in the unique context of Belfast. This omission can only but thwart the realisation of the vision.

Part of my disquiet arises from the evidence base much of which I consider not to be robust, current and in compliance with Departmental guidance for the reasons set out later.

SHAPING A LIVEABLE SPACE

Built Heritage

It is unfortunate that the Draft Plan is silent on the matters promoted by SPPS para 6.24 'Non-Designated Heritage Assets'. The reasons why no local policies in this regard were not considered have not been presented.

No proposed ATCs, to be designated under the plan, are identified and no reasoning for this omission is given.

No assessment is made of existing ATCs which might warrant designation as Conservation Areas (nb Such designations being made outwith the plan)

POP and Evidence Base

In the POP only a single (the preferred) option is presented in each instance. This is contrary to the requirements of Departmental guidance. At the very least a 'do nothing' option should be provided in each instance, but more viable option should have been available for consideration.

e.g. There is no evidence presented in the Topic Paper : Urban Design and Built Heritage to enable an informed decision to be taken on whether or not the proposed tall buildings policy (policy DES3) in Belfast is necessary.

The Technical Supplement no.6 'Urban Environment' for draft BMAP is considerably out of date and cannot be relied upon for a current picture of the urban design of the city. It should, at least, have been the subject of a review and updating to inform the current draft plan.

The evidence base as considered in the Topic Paper omits the draft Belfast Building Heights Guidance Policy which was drafted, under direction of the DOE Minister, by the Department in March 2009. This policy was led by a steering group on which the Belfast Divisional Planning Office was represented, and the draft policy was consulted on by identified stakeholders including the Belfast City Council. The evidence gathering was undertaken by the consultants responsible for producing the BMAP guidance on the urban environment and built upon the work in this document. The draft policy document was due to be issued for public consultation in March 2011 but was delayed due to the election at that time. The contents and proposals should have been reviewed by current LDP team.

Design Quality and Place Making

The draft plan strategy strongly promotes design quality and placemaking and these are areas where Belfast City Council can have a significant degree of control. It is disappointing therefore to note that there is no definition of what these terms mean in the context of Belfast. There are no robust baseline evidence, indicators, targets or triggers with which to guide and monitor progress in these highly important areas, which have a cross cutting influence in all other areas of the plan, and which are essential to delivery of the vision for the city. These are serious omissions and thought needs to be given as to how to define and measure objectively what many see as largely subjective topics. However current exemplars exist in other areas of the UK, and elsewhere, and these should be investigated.

A related issue, for consideration outside the plan, concerns the responsibility within the council for the ownership of, and driving forward of, the urban design objectives.

Neighbourhood and identity

There is little detail on the aspirations to protect and enhance the identity of the differing neighbourhoods which make up the city outside of the inner core area. Detail, at a strategic level, is also needed of what measures are envisaged to break down barriers between areas, and promote connectivity and well-being.

Retail

The draft plan implies that the inner core of the city will be promoted ahead of the neighbourhood and district centres and this is seen as logical. However there is insufficient detail as to how this will be achieved or which areas of the inner city will be prioritised.

Para 6.2.3 notes that as '... a major retail destination, it [the city centre] has a good representation of independent long established national and multi-national businesses offering convenience and comparison retailing and service uses.' The term 'independent' is in conflict with the idea of 'national' and 'multi-national' retailers and it is difficult to comprehend the city centre as offering a good shopping experience, certainly not in the recent past. The desire 'to attract major higher end aspirational retail anchor stores' appears to ignore the growth of internet shopping and the demise of the traditional high street. An alternative strategy for the city centre should be developed.

CONSIDERATIONS FOR IMPROVEMENT OF THE PLAN

Diagrams and Illustrations

I believe there is an increased chance of the plan being easily comprehensible to both layman and professional alike, and delivered, if there were readily understandable illustrations of the outcomes sought. In addition to the inclusion of more meaningful diagrams I would recommend the inclusion of exemplars from other European cities to illustrate, in a manner what the outworkings of the plan might mean in reality.

Clearer route from policy to practice

There appears to be a gap between explaining how the strategic vision and four strategic aims and objectives translate into the future built form and appearance of the city e.g. Policy SP5 - Positive Placemaking. The wording is entirely aspirational and lacking in any detail about what is meant by 'good design' and 'positive placemaking' in the context of Belfast, and how it might be delivered

The plan could be clearer, and more explicit, on - where we have come from - where we are now - where we want to be in the future - and how we plan to get there.

There is a need for the overall vision to be presented in a tangible form so that it can be readily demonstrated how individual projects and developments contribute to the vision. This would also allow for rigorous interrogation and verification at each stage of development. Future sub-masterplans and key site requirements would also derive from this overall document.

For specific projects this would enable a process for monitoring against goals

I strongly support a masterplanning approach as proposed for major development but there is no overall strategic framework, either presented or proposed, into which these, and the myriad of other smaller projects and developments, would fit. It is therefore difficult to visualise how future development can be adequately controlled and directed to deliver the strategic vision for the city.

Summary

In summary I consider the Plan to be **unsound** for the following reasons:-

1. Procedural Tests

- **P4** - Whilst the council has prepared a POP I consider that, by presenting only the preferred option, this fails to comply with the following requirements:-

- SPPS para 5.30 ' The Preferred Options Paper should contain a series of options for dealing with key issues in the plan area,
- Development Plan Practice Note 5 (DPPN 5) para 8.1 'The POP should set out a series of options for dealing with key issues in the plan area and a council's preferred option.'
- DPPN5 para 5.9 'The evidence base should therefore provide justification to support the choices made The preparation of the evidence base should therefore be regarded as a process with information being reviewed and kept up to date to ensure it remains reliable and relevant..... .'

- DPPN 5 para 8.5 ' As the evidence base will be used to test the 'soundness' of the development plan document, it is important to provide transparency in the process by linking the evidence used to justify the preferred option over the other alternatives considered in the POP and the subsequent policies and proposals contained in the Plan Strategy and Local Policies Plan.'
- SPPS para 5.4 '..... the SPPS requires planning authorities to focus on delivering spatial planning. It should also be visionary in setting out a clear expression for how areas should look and function into the future.'

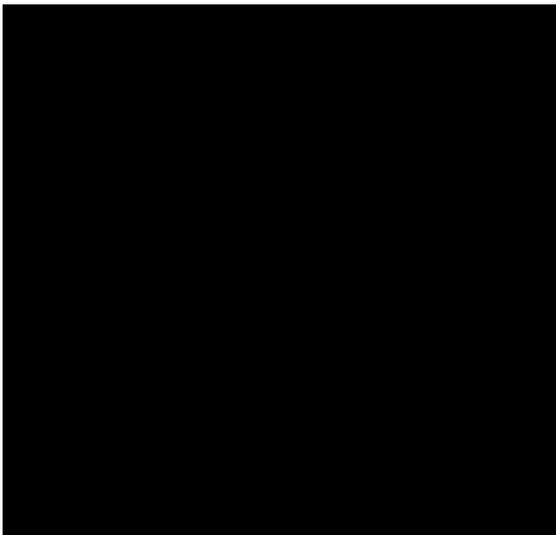
2. Consistency Tests

- **C4** - As above

3. Coherence and Effectiveness Tests

- **CE1** - I consider that the plan fails to set out a clear expression for the future development of the area, logically flowing from the Strategic Vision and leading to the Strategic Policies, as an incomplete and inaccurate picture of the current state of the city is presented and insufficient detail is provided to form a coherent view of the proposals in the unique context of Belfast.
- **CE2** - I consider the evidence base not to be robust.
- **CE3** - There are no clear mechanisms for implementing the plan. There are no proposals for monitoring Design Quality and Place Making, major components essential to plan delivery.

Yours Sincerely,



ANNEX A

A. Data Protection

Belfast City Council is the Data Controller under the General Data Protection Regulation (GDPR) for the personal data it gathers for the purposes of sending regular email updates on the Local Development Plan from Belfast Planning Service.

It should also be noted that in accordance with Regulation 17 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015, the council must make a copy of any representation available for inspection. The Council is also required to submit the representations to the Department for Infrastructure and they will then be considered as part of the independent examination process.

The council accepts that you are providing your personal data on the basis of consent and are positively agreeing for the council to hold and further use it, publish it (without personal information such as name and email, but will include organisation). Belfast City Council must also share it with the Department for Infrastructure and whoever they appoint to undertake the independent examination.

Any personal details that you provide the Council will be handled in accordance with the GDPR and Data Protection Act 2018. As such we will only use your data for the purposes that you have given this information for and will only be shared where necessary to provide the service that you are contacting us about. If you would like further information in regards please see the website belfastcity.gov.uk/about/privacy

The personal data is held and stored by the council in a safe and secure manner and in compliance with Data Protection legislation and in line with the council's Records Retention and Disposal Schedule.

If you wish to contact the council's Data Protection Officer, please write to:

Belfast City Council,
City Hall Belfast,
BT1 5GS

or send an email to records@belfastcity.gov.uk

Q1. Please tick to confirm that you have read and understood the privacy notice above.
(Required)

I confirm that I have read and understood the privacy notice above and give my consent for Belfast City Council to hold my personal data for the purposes outlined.

Q2. Do you consent for us to publish your response?

Under planning legislation we are required to publish responses received in response to the Plan Strategy. On this page we ask for your consent to do so, and you may opt to have your response published anonymously should you wish.

Even if you opt for your comments to be published anonymously, we will still have a legal duty to share your contact details with the Department for Infrastructure and the inspectorate they appoint to oversee the examination in public into the soundness of our plan. This will be done in accordance with the privacy statement above.

(Required)

Please select only one item

Yes, but without my identifying information

B. Your details

Q3. Are you responding as an individual, as an organisation, or as an agent acting on behalf of an individual, group or organisation?

(Required)

Please select only one item

Individual (Fill in the remaining questions in this Section, then proceed to Section C)

Q4. What is your name?

First Name (Required) - [REDACTED]

Last Name (Required) - [REDACTED]

Q5. What is your telephone number?

Telephone number - [REDACTED]

Q6. What is your email address?

Email - [REDACTED]

Q7. Did you respond to the previous Preferred Options Paper consultation phase?
(Required)

Please select only one item

No

C. Individuals

If you are responding as an individual, please complete this Section, then proceed to Section E

Q8. What is your address?

[REDACTED]

D. Organisation - N/A

E. Agents - N/A

If you have selected that you are responding as an agent on behalf of other people/organisations, there are a number of pieces of information that we are legally required to gather from you.

Q10. Please provide details of the organisation or individual you are representing: N/A

Q11. Would you like us to contact you, your client or both in relation to this response or future consultations on the LDP?

(Required)

Please select only one item

Agent Client Both

F. Is the plan sound?

Your comments should be set out in full. This will help the independent examiner understand the issues you raise. You will only be able to submit further additional information to the Independent

Examination if the Independent Examiner invites you to do so.

Q12. Do you consider the Plan Strategy to be sound or unsound?

(Required)

Please select only one item

I believe it to be sound (Proceed to Section G)

I believe it to be unsound (Proceed to Section H)

G. Sound - N/A

Q13. If you consider the Plan Strategy to be sound and wish to support the Plan Strategy, please

set out your comments below, then proceed to Section I:

(Required)

Note: If you wish to attach any evidence to support your comments above, please enclose your document(s) with this form. However, if you wish to refer to specific sections within a separate report, this is best included within the above text box.

H. Unsound - Refer to commentary at start of response

Here we will be asking you to specify which part of the draft Plan Strategy you believe to be unsound and why.

Note: If you wish to notify us of more than one part of the plan that you consider to be unsound, each part should be listed separately. Complete this page in relation to one part of the plan only.

You will then be able to make further responses to other parts of the plan by completing and submitting a copy of Section H for each part you choose to identify.

Q14. To which part of the Plan Strategy does your representation relate?

This should relate to only one section, paragraph or policy of the draft Plan Strategy. If you wish to

notify us of more than one part of the plan that you consider to be unsound you can choose to

submit further responses to other parts of the plan by completing and submitting a copy of Section

H for each part you choose to identify.

Relevant Section or Paragraph

Policy (if relevant)

Q15. If you consider the Plan Strategy to be unsound, please identify which test(s) of soundness your representation relates, having regard to Development Plan Practice Note 6, available at: <https://www.planningni.gov.uk/index/advice/practice-notes/common-newpage-9.htm>

You can select more than one reason you believe this part of the draft Plan Strategy to be unsound. However, the soundness test(s) you select here should only relate to the relevant section, paragraph or policy identified above.

If you wish to notify us of more than one part of the plan that you consider to be unsound you can choose to submit further responses to other parts of the plan by completing and submitting a copy of Section H for each part you choose to identify.

(Required)

Please select all that apply

P1 - Has the development plan document (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?

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

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?

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

CE4 - It is reasonably flexible to enable it to deal with changing circumstances

Q16. Please give details of why you consider the Plan Strategy to be unsound having regard to the test(s) you have identified above. Please be as precise as possible.

- Refer to commentary at start of response

Q17. If you consider the Plan Strategy to be unsound, please provide details of what change(s) you consider necessary to make the Plan Strategy sound.

Please note your representation should be submitted in full and cover succinctly all the information, evidence, and any supporting information necessary to support/justify your submission. There will not be a subsequent opportunity to make a further submission based on your original representation. After this stage, further submissions will only be at the request of the independent examiner, based on the matters and issues he/she identifies at independent examination.

Note: If you wish to attach any evidence to support your comments above, please enclose your document(s) with this form.

However, if you wish to refer to specific sections within a separate report, this is best included within the above text box.

- Refer to commentary at start of response

I. Type of Procedure

Q19. Please indicate if you would like your representation to be dealt with by:

(Required)

Please select only one item

Written representations (Choose this procedure to have your representation considered in written form only.)

Oral hearing (Choose this procedure to present your representation orally at the public hearing event(s))

Unless you specifically request a hearing, an independent examiner will proceed on the basis that you are content to have your representation considered in written form only. Please note however that an independent examiner will be expected to give the same careful consideration to written representations as to those representations dealt with by oral hearing.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] only one item

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]