

# Belfast Local Development Plan 2035 Draft Plan Strategy Counter Representations



## Overview

We consulted on the draft Plan Strategy (dPS) as part of an ongoing process for creating the Belfast Local Development Plan 2035. A number of representations, which we have now published, were received during the public statutory consultation process which ended at 5pm on Thursday 15 November 2018.

Hard copies of the representations received on the dPS are available for inspection during normal office hours at:

Belfast Planning Service  
Belfast City Council  
Cecil Ward Building  
4-10 Linenhall Street  
Belfast  
BT2 8BP

The representations can also be viewed on our website at [www.belfastcity.gov.uk/LDP](http://www.belfastcity.gov.uk/LDP).

## Counter Representations

Following publication of the representations received on the dPS, there is now the opportunity for the submission of counter representations. The consultation period for the submission of counter representations runs from **12 noon on Friday 1 March 2019 to 12 noon on Friday 26 April 2019**.

Counter representations may only be made in relation to a site specific policy representation seeking a change to the dPS and should indicate the reasons for doing so in terms of soundness and sustainability of the dPS.

Any person may make a counter representation, but must not propose alternative sites or any further changes to the dPS and are without a right of hearing at Independent Examination (IE). Counter representations of this nature or those supporting a site specific policy representation will not be considered.

A “site specific policy representation” means any representation which seeks to change a development plan document (DPD) (in this case, the dPS) by:

1. adding a site specific policy to the DPD; or
2. altering or deleting any site specific policy in the DPD.

A “site specific policy” means a policy in a DPD which identifies a site for a particular use or development.

The dPS does not include site specific policies as these are dealt with at the next stage of the LDP process, which is the preparation of the Local Policies Plan (LPP). However, a number of representations received in response to the public consultation make reference to specific sites and proposed development or uses. Any counter representation should clearly state the reference number of the representation to which it relates.

### **Submitting a Counter Representation**

Counter representations on site specific policy representations must be received by Belfast Planning Service by 12 noon on Friday 26 April 2019. Any counter representation received after this time will not be considered.

Counter representations can be submitted:

- via the online survey on the Council’s consultation site, [yoursay.belfastcity.gov.uk](https://yoursay.belfastcity.gov.uk)
- by email to [localdevelopmentplan@belfastcity.gov.uk](mailto:localdevelopmentplan@belfastcity.gov.uk); or
- by post, returning the response form to the address above.

Although we have provided a downloadable version of this consultation response form, we would encourage you to respond via the online survey.

**Accessibility**

The relevant documents are available, on request, in alternative formats - Braille, audio, large print, easy read. The council will also consider requests to produce it in other languages. If you require the documents in these or other formats please contact us:

Belfast Planning Service  
Belfast City Council  
Cecil Ward Building  
4-10 Linenhall Street  
Belfast  
BT2 8BP

Telephone: 028 9032 0202, ext 2255

Email: [planning@belfastcity.gov.uk](mailto:planning@belfastcity.gov.uk)

# 1. Data Protection

Belfast City Council is a Data Controller under the Data Protection Act 1998 and the General Data Protection Regulations (GDPR). The council is committed to protecting your privacy and to process any personal data submitted by you in a manner which meets the requirements of the Data Protection legislation. The Privacy Notice below provides more information regarding our commitments to you under privacy and data protection.

## Privacy Notice

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 19 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 address or email address, but may include organisation or name). 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](http://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](mailto:records@belfastcity.gov.uk)

**Q.** Please tick to confirm that you have read and understood the privacy notice above.

*(Required)*

*Please select all that apply*

- 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.

**Q.** 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, with my name (individuals) or organisation name
- Yes, but without any identifying information

**Note:** Under either option, personal information such as email address or telephone number will still be redacted from published documents.

## 2. Your details

**Q.** 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 (Complete this Section, then proceed to Section 5)
- Organisation (Complete this Section, then proceed to Section 3)
- Agent (Complete this Section, then proceed to Section 4)

**Q.** What is your name?

Title

Full Name *(Required)*

**Q.** What is your address?

Address Line 1

Address Line 2

Address Line 3

City

Postcode


**Q.** What is your telephone number?

**Q.** What is your email address?

*(Required)*

### 3 Organisation

If you have selected that you are responding as an organisational respondent, there are a number of pieces of information that we are legally required to gather from you.

**Q.** If you are responding as a representative of a group or organisation, please provide details below:

Organisation	
Your Job Title	

**Organisation address (if different from above):**

Address Line 1	
Address Line 2	
Address Line 3	
City	
Postcode	

### 4. Agent

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.

**Q.** Please provide details of the organisation or individual you are representing:

The name of the organisation or individual you are representing:

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**Client contact details:**

Title	
Full Name	
Address Line 1	
Address Line 2	
Address Line 3	
City	
Postcode	
Telephone Number	
Email Address	

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

*Please select only one item*

Agent

Client

Both

## 5. Representation to draft Plan Strategy Consultation

**Q.** Did you submit a representation to the Belfast Local Development Plan Draft Plan Strategy 2035?

**Note:** The formal consultation period for representations to the Belfast Local Development Plan Draft Plan Strategy 2035 commenced on Thursday 20 September 2018, and closed at 5pm on Thursday 15 November 2018.

*(Required)*

**Please select only one item**

- Yes (Complete Sections 5b, then Proceed to Section 6)
- No (Proceed to Section 6)

### 5b. Representation to draft Plan Strategy Consultation

**Q.** Please provide the reference number assigned to your representation to the Belfast Local Development Plan Draft Plan Strategy 2035.

**Note:** Your reference number can be found on the letter sent to you, by Belfast City Council on Friday 22 February 2019

*(Required)*

**Q.** Please provide a summary of the issue(s) raised in your representation to the Belfast Local Development Plan Draft Plan Strategy 2035.

*(Required)*

## 6. Counter Representation

Any person may make a counter representation in relation to a representation seeking a 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 a result of representations submitted under Regulations 15 and 16 of The Planning (Local Development Plan) Regulations (Northern Ireland) 2015.

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

**Q.** Please provide the reference number of the representation to which your counter representation relates.

*Please provide only one reference number. If you wish to make a counter representation to more than one representation, complete a separate sheet (Section 6 only) for each counter representation you wish to make and append the sheet(s) to your submission.*

**Note:** Your counter representation must relate to a representation made to the Belfast Local Development Plan Draft Plan Strategy 2035 during the formal consultation period which commenced on Thursday 20 September 2018 and closed at 5pm on Thursday 15 November 2018. The representations received during this period can be viewed on the Council's website at [www.belfastcity.gov.uk/LDP](http://www.belfastcity.gov.uk/LDP).

**Q.** Please give reasons for your counter representation having particular regard to the soundness test in the above representation.

Please note that your counter 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 any further submissions based on your original counter 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.

*(Required)*

**Note:** *If you wish to make a counter representation to more than one representation, complete a separate sheet (Section 6 only) for each counter representation you wish to make and append the sheet(s) to your submission.*

Continue on the next page



# Counter Objection

## Belfast City Council LDP, Draft Plan Strategy – Counter Representation Stage

April 2019

### Introduction

1. This counter-representation is submitted on behalf of Belfast Harbour in response to representations received in response to the Council's consultation on the Draft Plan Strategy (DPS) in August 2018.
2. For clarity these counter representations relate to representations made under Regulation 15 and 16 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 ('Regulations'). Under Regulation 17, the Council has made available copies of all representations received in response to consultation on the DPS. These counter representations are submitted under Regulation 18 as they relate to site specific representations.
3. We have formulated these counter representations having taken account of Regulation 2 of the LDP Regulations which states:
  - 'site specific policy' means a policy in a development plan document which identifies a site for a particular use or development.
  - 'site specific policy representation' means any representation which seeks to change a development plan document by:
    - adding a site specific policy to the development plan document; or
    - altering or deleting any site specific policy in the development plan document
4. These counter-representations should be read alongside DPS Representation Ref. DPS-B-AM-S submitted on behalf of Belfast Harbour.

## 2. Counter Representations

5. This section outlines our counter-representations to comments received by Belfast City Council in response to consultation on the DPS.

Reference No & Author	Summary of Representation Comments	Counter Representation
DPS-B-92-P (Historic Buildings Council)	<b>Comments to Draft Policy DES3 – Tall Buildings</b> Outlines that buildings over 6 storeys should only be <u>exceptionally</u> permitted in the city centre, with tall Buildings possibly being more acceptable in the Titanic Quarter.	<p>The Historic Buildings Council objects to the policy criteria set out in DES 3, and suggests that Council should introduce a policy which restricts both the height and location of tall buildings.</p> <p>Belfast Harbour wishes to make a counter-representation to this statement. It is our view that the approach proposed by the Historic Building Council is unsound as no evidence has been provided to support the stance advocated, and the proposed change is not flexible to address any changing circumstances.</p> <p>For these reasons the approach proposed by the Historic Buildings Council fails against soundness tests CE2, and CE4.</p> <p>We would refer Council to our position set out at paragraphs 5.25 to 5.42 in Draft Plan Strategy Representation Ref: DPS-B-AM-S.</p>
DPS-B-UZ-T (Organisation)	<b>Comments to Draft Policy DES3 – Tall Buildings</b> Seeks that high density development should be restricted to the core city centre.	<p>Representation DPS-B-UZ-T objects to the policy criteria set out in DES 3, and suggests that Council should restrict tall buildings to core of the city centre.</p> <p>Belfast Harbour wishes to make a counter-representation to this statement. It is our view that the approach outlined within DPS-B-UZ-T is unsound as no evidence has been provided to support the stance advocated and the proposed change is not flexible to address any changing circumstances.</p>

		<p>For these reasons the approach proposed within DPS-B-UZ-T fails against soundness tests CE2, and CE4.</p> <p>We would refer Council to our position set out at paragraphs 5.25 to 5.42 in Draft Plan Strategy Representation Ref: DPS-B-AM-S.</p>
DPS-B-9H-C (Ulster Architectural Heritage, (UAH))	<p><b>Comments to Draft Policy DES3 – Tall Buildings</b></p> <p>Outlines that tall buildings should not be permitted in sensitive heritage locations such as Conservation Areas or Area of Townscape Character, and that there is no need for tall buildings in Belfast City core at all.</p>	<p>UAH objects to the policy criteria set out in DES 3, and notes that the <i>policy falls far short of an adequate policy for tall buildings</i>.</p> <p>Belfast Harbour wishes to make a counter-representation to this statement. It is our view that the approach proposed by the UAH is unsound as no evidence has been provided to support the stance advocated and the proposed change is not flexible to address any changing circumstances.</p> <p>For these reasons the approach outlined by UAH fails against soundness tests CE2, and CE4.</p> <p>We would refer Council to our position set out at paragraphs 5.25 to 5.42 in Draft Plan Strategy Representation Ref: DPS-B-AM-S.</p>
DPS-B-8Z-W (RSPB NI)	<p><b>Comments to Draft Policy HOU4 – Housing Density</b></p> <p>Page 18 of the Representation notes that <i>‘while Figure 7.2 of the draft Plan Strategy sets out a housing supply figure for <b>Belfast Harbour</b> of 3,500 units over the plan period, and Figure 7.3 identifies it as a Character Areas, it has not however been identified as a settlement/character area within the main body text of Policy HOU4. All other character areas depicted in Figure 7.3 have been included within Policy HOU4. Given the substantial allocation proposed for this area coupled with its position adjacent to and within internationally protected sites (Belfast Lough SPA and Ramsar) further detail is therefore required in this regard)</i></p>	<p>RSPB are challenging policy HOU 4 on the basis that it fails soundness test C3.</p> <p>Belfast Harbour wishes to make a counter-representation to this statement. It is our view that the approach proposed by RSPB is unsound.</p> <p>Policy HOU4 does not make specific reference to the Belfast Harbour Area (BHA) as a settlement or character area. This is at odds with all other references within the DPS regarding the locations for future housing development.</p> <p>Policy SD2 Settlement Areas clearly identifies the locations throughout the plan area which are designated as settlement areas. This includes the BHA. It states that policies will ensure that new residential development is in keeping with the character of the surrounding area. The hierarchy presented is reproduced</p>

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throughout the draft plan policies, identifying the BHA as delivering 3,500 units with a clear assessment for residential development. Policy HOU4 does not expressly identify the BHA in the density bands and the policy notes that proposals outside of these broad bands will be considered on their merits, of which there should be an exception for major regeneration/masterplan sites including those with a waterfront location.

It is also worth noting that portions of BHA have secured substantial residential planning permissions, namely City Quays and Titanic Quarter. In this context we note within the document that the delineation of the extent of the character areas will be defined within the Local Policies Plan.

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DPS-B-8E-8  
(unknown)

***Comments to Draft Policy HOU6 – Housing Mix***

There is a significant requirement for family housing, amounting to a significant proportion of the overall housing allocation. However, the LDP does not demonstrate in the housing allocation proposed that appropriate provision has been made for family housing. The allocations made for the ***City Centre*** and ***Harbour Estate*** will inevitably be predominantly apartment development, unsuitable for families.

Belfast Harbour wishes to make a counter-representation to this statement. It is our view that the position adopted is unsound as the author provides no evidence to support their stance. Through initiative and creative design solutions a range of housing options can be developed within the City Centre and Harbour Estate. For this reason the approach outlined by DPS-B-8E-8 fails against soundness test CE 2.