

Submitted to **Local Development Plan 2030 - Draft Plan Strategy Representations**
Submitted on **2019-09-19 17:38:13**

SECTION A - DATA PROTECTION AND CONSENT

Please tick to confirm that you have read and understood the Council's Local Development Plan Privacy Notice.

I confirm that I have read and understood the Local Development Plan Privacy Notice and I give my consent for Antrim and Newtownabbey Borough Council to hold my personal data for the purposes outlined.:

Yes

SECTION B - CONTACT DETAILS

Please specify if you are responding as an individual, as an organisation, or as an agent acting on behalf of an individual, group or organisation?

Respondent Type:

I am an Agent

Please specify your contact details:

Title:

Mrs

First name:

Carrie

Last name:

McDonagh

Job Title (where relevant):

Managing Director

Organisation Name (where relevant):

One2One Planning Ltd

Agent Name (If applicable):

Client Name (If applicable):

NewRiver REIT Uk Ltd

Address:

1 Larkfield Avenue
Upper Lisburn Road
Belfast

Postcode (please enter your full postcode):

BT10 0LY

Telephone number:

07920 583648

What is your email address?

Email:

carrie@one2one-planning.co.uk

Please Read Before Continuing. . .

SECTION C - REPRESENTATIONS

Do you consider the draft Plan Strategy to be SOUND or UNSOUND?

I consider it to be 'Unsound'

Unsound Representation

Please identify which section of the draft Plan Strategy you consider to be UNSOUND:

Paragraph Number in Document:

5.41

Policy Heading:

Development Within Centre's

Strategic Policy (SP) Paragraph Number:

SP 2 Employment - Policy DM 6

Detailed Management Policy (DM) Paragraph Number:

Policy DM 6.2 and 6.2

Page Number In Document:

Page 98

Proposal Map (If relevant state location):

Under which test(s) of soundness do you consider this to be UNSOUND:

C3 - Did the Council take account of policy and guidance issued by the Department?, CE2 - Are the strategy, policies and allocations realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base?, CE3 - Are there clear mechanisms for implementation and monitoring?, CE4 - Is it reasonably flexible to enable it to deal with changing circumstances?

Please give details why you consider the draft Plan Strategy to be UNSOUND having regard to the test(s) you have identified above.

Unsound Justification:

New River Retail REIT support the recognition of the importance of Abbey Centre at the highest level within the retail hierarchy as a Large town centre at Table 4 - Retail Hierarchy SP 2.12. However they consider the corresponding policy context DM 6.1 to be unsound for the following reasons.

Policy DM 6.1 sets out more onerous tests than required by the SPSS and not justified by the evidence base within the Nexus report - Evidence Paper 4: Retail and Commercial Leisure Study.

What does the plan say?

Strategic Objective 4 (Page 5.5 Page 77) – Promote development and regeneration of our town centres and commercial areas. Paras 5.39 and 5.40 refer to the existing centres as the most appropriate locations for retail development and other employment, leisure and cultural uses and notes that the Council wishes to promote sustainable development within the boroughs identified centres, ensuring that new developments are located where there are good public transport services, with better access to those walking and cycling and with less dependence on private car use. It notes that this complements the overall town centre first approach and helps to sustain and enhance the vitality and viability of the boroughs centres which are important hubs for a range of activities that have a positive impact on those who live and work in or visit them.

Para 5.41 refers to the town centre offering an attractive experience and choice for customers. The diversity of use, both during the day and in the evening time, helps bring life to the town centre and contributes to making it a more attractive place for local residents, shoppers and visitors.

The aim can therefore be summarized as promoting a mix of uses in town centres in a complimentary manner in line with the town centre first approach.

This is in line with the aims and objectives of the SPPS which, at Paragraphs 6.270 -6.292, sets out the policies for retail and town centres. It states that Town Centres are identified as important hubs for a range of land uses and activities. The SPPS aims to support and sustain vibrant town centres across NI through the promotion of established town centres as the appropriate first choice location of retailing, restaurant, leisure and other complimentary functions, consistent with the RDS.

However, while the draft policy DM6.1 encourages and supports retail and complimentary uses, it requires proposals in Centres to demonstrate three things which they do not currently have to show in regional policy in the SPPS.

The first, is that they will contribute positively to the vitality, viability and diversity of the Centre. This is an additional policy burden beyond that required in the SPPS but there are no unique circumstances in the plan area which require a diversion from the circumstances envisaged in regional policy where town centre sites do not require any supporting information (unless there is a primary retail core and the proposal is outside it). It seems unnecessary as, given their nature, retail and complimentary uses will contribute to the offer in the centre and deliver qualitative and choice benefits and on this basis, it is unclear what information would be required to meet this policy test.

Secondly, at DM6.1 Council note that proposals should support rather than detract from the successful functioning of the centres and their ability to meet local needs. While the reference to local needs may be relevant to a district or local centre, it would not be appropriate for the Centre at the top of the hierarchy to serve only local needs. This position is supported by evidence in the transportation paper at Page 47 which shows drive time accessibility for Abbey Centre to extend to up beyond 60 Mins. Their catchment is far beyond what could be considered local.

Thirdly, Part (C) requires that proposals in centres will not unacceptably impact on daytime footfalls yet provides no information on how this will be tested. Footfall counts have little relevance as a stand-alone measurement, they are more appropriately considered as part of health checks or when several years of data are available for comparison of annual patterns to see if the number of customers observed is improving or deteriorating. Footfall counts are an unnecessary financial outlay for applicants within an existing centre when they are seeking to deliver proposals for retail and complementary uses.

There is a lack of evidence to support these additional retail policy tests in existing centres. A retail capacity study accompanies the plan. Completed by Nexus, it sets out the future expenditure growth for the Borough. It examines the health of the Boroughs existing centres, and establishes that they are largely in good health, however it recommends areas of improvement across each of the Centres and mentions the environmental quality of Abbey Centre describing it as 'dated and despite the more recent extensions, is on the whole uninspiring'.

The survey was underpinned by a survey of 800 households across the borough . It showed the borough is well provided for in comparison goods and recommended caution in providing any further comparison goods floorspace outside existing centres as there is not enough expenditure to support any more floorspace without having a significant negative repercussions on existing floorspace, most likely in town centres. Their surveys show that there is expenditure for growth in convenience goods floorspace.

This does not support a need for restrictions on retail and complimentary uses in centres and introduces an additional burden on applicants. This could be taken as an obstacle to development in the area where the development of retail and complementary uses should be supported.

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Modifications

If you consider the draft Plan Strategy to be 'UNSOUND', please provide details of what, if any, modifications do you think should be made to the section, policy or proposal which your representation relates to? What specific modifications do you think should be made in order to address your representation? Please briefly state how your proposed alternative would meet the requirements of the Sustainability Appraisal and other published assessments.

Modifications:

DM 6.1 should be reworded as follows:

The Council will encourage and support a diverse range of retail and complementary uses within our Borough Centres. All proposals should support the effective functioning of the Centre and maintain and enhance the visual amenity of the area by providing an active and attractive frontage appropriate to the location.

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If you are seeking a modification to the draft Plan Strategy, please indicate how you would like your representation to be dealt with at Independent Examination:

Written Representation

Would you like to submit another representation?

Yes

Additional Representation 2

What does your second representation relate to?

An 'Unsound' representation

Representation 2 - UNSOUND

Please identify which section of the draft Plan Strategy you consider to be UNSOUND:

Paragraph Number in Document:

5.41

Policy Heading:

Development within Centres

Strategic Policy (SP) Paragraph Number:

SP 2

Detailed Management Policy (DM) Paragraph Number:

DM 6.2

Page Number In Document:

98

Proposal Map (If relevant state location):

Under which test(s) of soundness do you consider this to be UNSOUND:

CE2 - Are the strategy, policies and allocations realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base?, CE3 - Are there clear mechanisms for implementation and monitoring?, CE4 - Is it reasonably flexible to enable it to deal with changing circumstances?

Please give details why you consider the draft Plan Strategy to be UNSOUND having regard to the test(s) you have identified above.

Unsound Justification:

The role of centres is changing beyond just retail destinations and the regional policy seeks to introduce more diversity within the way Centres are used, with the SPPS stating that Town Centres are important hubs for a range of land uses and activities.

This policy conflicts with the requirements of DM 6.1 (which requires proposals to provide for a diverse range of retail and complementary uses) as instead of promoting diversity of use it seeks to retain units as retail across all tiers of centres. As well as introducing a tension in the two policies this is not necessary or justified from the information in the evidence papers given the good health of the centres across the various tiers.

Policy DM6.2 requires that proposals for non-retail uses in units last used as retail are only acceptable when the unit has to be marketed for retail for a period of 12 months with no success.

This timeline is excessive; there are few businesses with existing floorspace on which charges are payable which could wait for 12 months before being permitted to submit an application for change of use; retail is a dynamic market that changes quickly and needs to be reactive to change. The reference to 12 months is too rigid across all tiers of settlement and includes no provision for temporary or meanwhile uses in vacant units last used as retail and fails the test of flexibility and could run contrary to the overall policy aim as it could be detrimental to the vitality and viability of that centre.

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Modifications

If you consider the draft Plan Strategy to be 'UN SOUND', please provide details of what, if any, modifications do you think should be made to the section, policy or proposal which your representation relates to? What specific modifications do you think should be made in order to address your representation? Please briefly state how your proposed alternative would meet the requirements of the Sustainability Appraisal and other published assessments.

Modifications:

Requested change to Policy DM 6.2

Proposals that would result in the loss of retail units will only be permitted where it is demonstrated that the proposal will not harm the vitality and viability of the centre or its environmental quality.

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If you are seeking a modification to the draft Plan Strategy, please indicate how you would like your representation to be dealt with at Independent Examination:

Written Representation

Would you like to submit another representation?

Yes

Additional Representation 3

What does your third representation relate to?

A 'Sound' representation

Representation 3 - SOUND

If you consider the draft Plan Strategy to be SOUND and wish to support the document, please set out your comments below:

Sound Justification:

SP 2.12 Town Centres and Retailing - The owners of AbbeyCentre support its designation as a large town centre at the top of the hierarchy as set out in Table 4 on page 79.

Upload File:

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Would you like to submit another representation?

No