



**Mr Nigel Herdman**

**(Nutts Corner – Strategic Employment Location)**

Representation to Antrim and Newtownabbey Borough  
Council Local Development Plan 2030 - Draft Plan Strategy

September 2019



## Contents

- 1.0 Introduction
- 2.0 Section A – Data Protection & Consent
- 3.0 Section B – Your Details
- 4.0 Section C – Representation

## Appendices

Appendix 1 – Land Ownership of Mr Herdman

Appendix 2 – Potential Strategic Employment Location at Nutts Corner

Appendix 3 – Indicative Two Lane Each Direction Roundabout/Access Arrangement on A26 Moira Road





## 1.0 Introduction

- 1.1 This representation to the **Antrim Newtownabbey Borough Council ('ANBC') Local Development Plan ('LDP') 2030 Draft Plan Strategy Document ('DPSD')** is made on behalf of **Mr Nigel Herdman**, owner of a significant tract of land at **Nutts Corner, Antrim**. This representation builds upon the previous submission on his behalf in relation to **ANBC's Preferred Options Paper ('POP')**, made in **April 2017**.
- 1.2 As per the previous POP submission, this representation is made principally to support Council's position within the DPSD that **Nutts Corner** be identified as a **Strategic Employment Location ('SEL')**.
- 1.3 On behalf of our client we comment on the ANBC DPSD on the following pages. For ease and to assist Council, this response follows the format of Council's *Local Development Plan 2030 Draft Plan Strategy Response Form* and sets out:
  - 2.0 Section A – Data Protection and Consent;
  - 3.0 Section B – Your Details; and
  - 4.0 Section C – Representation
- 1.4 Should Council have any queries or wish to discuss this representation we would be happy to do so.
- 1.5 We reserve the right on behalf of DE to expand and supplement this submission in due course in response to any relevant Counter Representations that may be submitted to the Draft Plan Strategy stage of the LDP process and also to comment further at the Draft Local Policies Plan stage.



## 2.0 Section A – Data Protection and Consent

Antrim and Newtownabbey Borough Council complies with the General Data Protection Regulation (GDPR) by producing a specific Local Development Plan Privacy Notice, which lets you know how we manage any personal information we receive from you. It contains the standards you can expect when we ask for, or hold, your personal information and an explanation of our information management security policy.

The Local Development Plan Privacy Notice can be found on our website at [www.antrimandnewtownabbey.gov.uk/gdpr/planning-gdpr/](http://www.antrimandnewtownabbey.gov.uk/gdpr/planning-gdpr/).

**Please note that when you make a representation (or 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 representations will be provided to the DfI and an Independent Examiner (a third party) as part of the submission of the Local Development Plan for Independent Examination. A Programme Officer will also have access to this information during the IE stages of the Plan preparation.

DfI, the Programme Officer the Independent Examiner will, upon receipt, be responsible for the processing of your data in line with prevailing legislation.

1. 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.

You can contact the Council's Data Protection Officer via:

**Post** - Antrim Civic Centre, 50 Styles Way, Antrim BT41 2UB

**Email** - [DPO@antrimandnewtownabbey.gov.uk](mailto:DPO@antrimandnewtownabbey.gov.uk)

**Phone** - 028 9446 3113



### 3.0 Section B – Your 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?

*If you are responding as an agent or representing an organisation you will be the main point of contact for your client/organisation.*

*(Please select only one item)*

- Individual
- Organisation
- Agent

	Personal Details	Agent Details (If Applicable)
<b>Title</b>	Mr	Mr
<b>First Name</b>	Nigel	Michael
<b>Last Name</b>	Herdman	Graham
<b>Job Title (where relevant)</b>		Director
<b>Organisation (where relevant)</b>	Nutts Corner Market c/o WYG Planning	WYG Planning
<b>Client Name (where relevant)</b>		
<b>Address</b>	Mr Nigel Herdman c/o Michael Graham, WYG Planning, 1 Locksley Business Park, Montgomery Road, BELFAST, BT6 9UP	Michael Graham, WYG Planning, 1 Locksley Business Park, Montgomery Road, BELFAST, BT6 9UP
<b>Post Code</b>	C/O Agent	BT6 9UP
<b>Telephone Number</b>	C/O Agent	02890706000
<b>Email Address</b>		<a href="mailto:michael.graham@wyg.com">michael.graham@wyg.com</a>



## 4.0 Section C – Representation

4.1 This representation relates to the following parts of the DPSD:

- ***Section 2: Setting the Context (Paragraphs 2.58 to 2.70, Pages 45 to 47);***
- ***Section 3: Plan Vision & Strategic Objectives (Paragraphs 3.1 -3.15, Pages 53-60);***
- ***Section 4: Sustainable Development  
Strategic Policy 1: Sustainable Development (Page 62);***
- ***Section 4: Sustainable Development  
Strategic Policy 1: Sustainable Development  
Spatial Growth Strategy (Paragraphs SP1.6 – SP1.7, Pages 63 - 66);***
- ***Section 5: Employment  
Strategic Policy 2: Employment (Page Nos.76 to 78);***
- ***Section 5: Employment  
Policy DM 1: Economic Development – Zoned Sites and Settlements (Pages 88 to 89);***
- ***Section 5: Employment  
Policy DM 2: Economic Development – Countryside (Pages 90-92); and***
- ***Section 6: transportation and infrastructure  
Policy DM11: Access to Protected Routes (Page 120 to 121)***

4.2 Our client is broadly in support of a number of aspects of the DPSD which we comment on below at **Paragraphs 4.3 to 4.49**. However, there are also a number of areas of the DPSD which our client considers to be Unsound and these are discussed at **Paragraphs 4.50 to 4.64** below.



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

4.3 Our client considers that the DPSD is sound in a number of areas which on their behalf we comment on below.

**Section 2: Setting the Context (Paragraphs 2.58 to 2.70, Pages 45 to 47)**

4.4 Our client is fully supportive of Section 2 of the DPSD which relates to 'Setting the Context'. Appropriately, Council has identified economic prosperity as one of the proposed key outcomes of the plan 'Outcome 3: Our citizens Our citizens benefit from economic prosperity (Page 37) and in particular 'Priorities (a) through to (d) which state:

***(a) Our local economy thrives, with local businesses starting up, growing, expanding and generating employment;***

***(b) Enterprise and innovation are encouraged and supported from an early age to build businesses and entrepreneurs of the future;***

***(c) Our area has a skilled population and infrastructure which is attractive to investors and employers; and***

***(d) Barriers to accessing employment are reduced or removed enabling all of our citizens to have equitable access to the opportunities available in the Borough.***

4.5 Our client is of the opinion that the identification of Nutts Corner as a **SEL** will assist in achieving these outcomes and priorities for Council's LDP.

**Section 3: Plan Vision & Strategic Objectives (Paragraphs 3.1 -3.15, Pages 53-60)**

4.6 Our client fully supports the 'Plan Vision and Strategic Objectives' as set out at Section 3 (pages 53-60) of the DPSD, in particular, that part of the vision which states:



***"In 2030 Antrim and Newtownabbey Borough will have a reputation as an excellent, attractive and diverse place in which to live and work. It will be a place that all citizens can take pride in and that is appealing to new residents, investors and visitors alike, with improved job opportunities, housing availability and connectivity that meets the needs of our community".***

[underlining emphasis]

- 4.7 If the 'Plan Vision' is to be delivered, it is important that the correct 'Plan Objectives' are pursued. In particular, our client welcomes and supports a number of the 'Strategic Objectives' detailed within the DPSD. These include:
- **Strategic Objective 1** which aims to: ***Promote sustainable growth by managing development and securing new infrastructure provision in our settlements and countryside to meet the needs of all our citizens;***
  - **Strategic Objective 3** which aims to: ***Provide a range and quality of land and premises to facilitate business growth, promote economic diversification and protect our strategically important employment locations;*** and
  - **Strategic Objective 6** which aims to: ***Improve accessibility, connectivity and ease of movement to, from and within our Borough and promote sustainable travel choices.***
- 4.8 Nutts Corner is located at a strategic interchange location on Northern Ireland's road network on the A26 and midway between the M1 and M2 Motorway corridors and is an excellent and entirely suitable and sustainable location for which to identify as a **SEL** as is the case within the DPSD (refer to Page 77 and 65 of the DPSD) and which is supported by our client. We respond further below.
- 4.9 In identifying Nutts Corner as a **SEL**, it will be important that there is appropriate provision within the DPSD protecting it from being lost to inappropriate development. It is noted that there are a number of draft Strategic and Detailed Management policies proposed within the DPSD which will assist in this regard. We comment on those in the following sections of this representation, where relevant.
- 4.10 The identification of Nutts Corner within the LDP as a **SEL** provides excellent opportunity to release the potential of lands at this location. We note: ***'Whilst the Council wishes to facilitate new***







*growth and development through the Plan it is important to ensure that adequate infrastructure provision accompanies this and where necessary development proposals will be required to deliver and bear the costs of any infrastructure works necessary to accommodate them’ (Paragraph 3.14, Page 57).*

4.11 The **Antrim Area Plan 1984-2001 (AAP)**, at **Paragraphs 25.2** and **25.3**, stated that there was limited water supply for industrial processing and concern regarding danger and inconvenience to traffic flows at the Nutts Corner roundabout respectively. Whilst new infrastructure will be required to deliver this **SEL**, such as road access improvements and services provision, these should not be used to stymie its potential. In short, if the opportunity is made available for new growth and development at Nutts Corner through its identification as a **SEL**, the supporting infrastructure can be developed to support its delivery and, where necessary, at the cost of the proposer. Indeed, we note from Council’s LDP **Evidence Paper 3: Economic Growth** that infrastructure upgrades will be required to facilitate Nutts Corner as a **SEL**, but that details regarding these requirements will be addressed by way of Key Site Requirements at Local Policies Plan Stage.

4.12 **Paragraph 3.13** of the DPSD states:

*"The provision of 21st Century transport and digital connectivity is also a prerequisite to the future economic success of our Borough and in particular will assist in the promotion of a vibrant rural area. The provision of a first class digital network will also provide important benefits towards reducing the impact of climate change by reducing the need to travel as well as promoting our digital economy".*

4.13 This aspect of the ‘Plan Vision’ and ‘Objectives’ recognises and builds upon the already key strategic location that the Borough occupies with regard to Northern Ireland’s transport network. The identification of Nutts Corner as a **SEL** will assist in ensuring that the best is made of this key strategic location and, in particular, future employment provision opportunities. This will correct the imbalance in the locations of employment/industrial provision that exist across the Borough, in particular, in the south eastern area of the Borough, and ensure that better connectivity is provided to employment/industrial job opportunities.

4.14 Our client is supportive of the ‘Plan Vision’ and ‘Strategic Objectives’ for the ANBC LDP In identifying Nutts Corner within the LDP as a **SEL** it will assist in meeting the ‘Plan Vision’ and ‘Objectives’ by





providing land to facilitate business growth, promote economic diversification and protect strategically important employment locations.

**Section 4: Sustainable Development**

**Strategic Policy 1: Sustainable Development (Page 62)**

4.15 Policy **SP 1.1** of the DPSD states:

***"When considering individual development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the Strategic Planning Policy Statement (SPPS). The Council will work with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in our Borough".***

4.16 Our client is supportive of this policy and the commitment that the Council will work with applicants to find solutions which mean that proposals can be approved, wherever possible, to secure development that improves the economic, social and environmental conditions of the ANBC area.

4.17 Given the existing nature of Nutts Corner, its identification as a **SEL** is wholly sustainable and in line with the thrust of the LDP which aims to take a positive approach that reflects the presumption in favour of sustainable development.

**Section 4: Sustainable Development**

**Strategic Policy 1: Sustainable Development**

**Spatial Growth Strategy (Paragraphs SP1.6 – SP1.7, Pages 63 - 66)**

4.18 Strategic Policy **SP 1.6** of the DPSD relates to spatial growth strategy and states:

***"To take forward the Plan Vision and Strategic Objectives of the LDP the Council has agreed the following Spatial Growth Strategy that sets out how future growth of housing and employment will be accommodated within our Borough".***

4.19 The proposed spatial growth strategy specifically seeks at its **Point (f)** to:





***(f) Strengthen the role of Belfast International Airport as a Regional Gateway and recognise the importance of Nutts Corner as a strategic location for employment on the Regional Strategic Transport Network.***

4.20 The DPSD goes on to state at **SP 1.7**:

***"Growth in homes, jobs, infrastructure and services that accords with the Spatial Growth Strategy and constitutes sustainable development will be welcomed by the Council. The Growth Strategy is linked closely to the 'Places of our Borough' set out in Table 1 and in particular the role and function of our Borough's settlements in accommodating future growth and development".***

4.21 Our client is fully supportive of the 'Spatial Growth Strategy' in so far as it seeks to recognise the importance of Nutts Corner as a **SEL**. There is no doubt that the identification of Nutts Corner as a **SEL** takes advantage of the excellent transport linkages available to the M1 and M2 corridors and wider afield, making it a very attractive location for future employment use.

**Section 5: Employment**

**Strategic Policy 2: Employment (Page Nos.76 to 78)**

4.22 The DPSD under **Strategic Policy SP 2.1 - Innovation, Investment and Enterprise** states:

***"The Council will encourage the growth of indigenous businesses, promote innovation and proactively attract investment into our Borough to support enterprise and increase employment for the benefit of all our residents. The Council will seek to facilitate the growth of up to 9,000 new jobs by 2030 and will operate a presumption in favour of employment-related development, provided it meets the requirements of Policy SP 2 and other relevant policies and provisions of the LDP".***

4.23 Our client supports this policy approach and particularly the aspects of 'Strategic Policy 2', which relate to **SELs**. In relation to **SELs** the policy specifically states under **Employment Land** at **SP 2.2** that:



***"The Council will identify and safeguard a range of sites for industrial/employment activity and business use in the Local Policies Plan focussed on Metropolitan Newtownabbey, Antrim, Ballyclare, Crumlin, Randalstown, Belfast International Airport (BIA) and Nutts Corner".***

[underlining emphasis]

4.24 It continues at **SP 2.3** stating:

***"The Council will operate a 'Two-Tier' approach to the identification of land and premises for industrial/employment activity and its subsequent retention and protection from alternative use based on:***

***(a) Strategic Employment Locations; and***

***(b) Local Employment Sites".***

4.25 Our client supports this aspect of the policy in that both **SP 2.2** and **SP 2.3** provide protection to and will safeguard of Nutts Corner as a **SEL**.

4.26 **SP 2.5, SP 2.6** and **SP 2.7** relate specifically to **Strategic Employment Locations** and state:

***"SP 2.5 The Council has identified existing strategically located industrial/ employment sites (generally of 10 hectares or greater in size) as Strategic Employment Locations (SEL). These sites are listed in Table 3 and their precise boundaries will be brought forward in the Local Policies Plan.***

***SP 2.6 The Council also considers two new SELs are required, one in Antrim and, one in Ballyclare to meet the long-term industrial and business needs of these places. The location and boundaries of these sites will be brought forward in the Local Policies Plan.***

***SP 2.7 As the primary employment sites serving our Borough the Council will operate a presumption against the alternative use of land and premises in SELs to safeguard them for future employment purposes".***

4.27 Our client welcomes and is very supportive of Council's proposed strategic policies and the identification of Nutts Corner as a **SEL** as per Table 3 of Page 77 of the DPSD. In short, Nutts Corner is a perfect





location for a **SEL**. The zoning/designation of such is supported by our client, who owns a significant landholding at this location.

4.28 As per Council’s LDP *Evidence Paper 3: Economic Growth* we note that the size of the Nutts Corner **SEL** will be determined at Local Policies Plan stage and we reserve the right to comment at that stage.

4.29 Notwithstanding, a copy of Mr Herdman’s land ownership is appended to this representation at **Appendix 1**. This is an extensive land ownership and extends across both sides of the A26 Moira Road, as far down to the frontage of the Ballydonaghy Road. **Appendix 2** shows a more logical **SEL** at Nutts Corner; however, if required, our client would not be averse to including all of his lands as part of Nutts Corner **SEL**.

4.30 It is vital that such a unique location on Northern Ireland’s road network is utilised to deliver future employment. There are a distinct set of advantages of Nutts Corner being identified as a **SEL** which we set out below.

4.31 Nutts Corner benefits from excellent access to key transport links being situated between the M1 and M2 motorways, at a strategic location along the A26, at the intersections of the following roads:

- Moira Road (A26) towards M1;
- Tully Road (A26) towards Belfast International Airport, Antrim and the M2;
- Belfast Road (A52) towards North and West Belfast;
- Nutts Corner Road (A52) towards Crumlin;
- Dundrod Road (B101) towards Lisburn and West Belfast and M1; and
- Long Rig Road towards Newtownabbey, Mallusk and the M2.

4.32 The locational requirements of business use associated with employment and industry are a key factor in the preparation of a LDP. In short, businesses have always sought locational advantage, so that they can:

- better respond to customers;
- have ready access to raw materials/goods;
- distribute their goods quickly;
- avail of existing infrastructure;





- position themselves to maximise from workforce catchment areas; and
  - benefit from fast transport connections.
- 4.33 One of the highest priorities is good access to roads, including in some cases not too far a distance to other connecting transport, such as airports and ports (and sometimes rail, although given existing rail infrastructure in Northern Ireland this may be less of a factor).
- 4.34 A further factor is that of site topography. Reasonably flat sites, as is the case at Nutts Corner, are relatively easy to develop and, moreover, inexpensive to develop, due to less earth works and retaining structures; hence, making them more likely to be delivered.
- 4.35 In addition to relatively flat sites, business uses associated with employment and industry often require spacious sites to accommodate single storey buildings that are accessible by vehicle(s). Nutts Corner is also not an area of important landscape or biodiversity/environmentally protected area. Our client's lands at Nutts Corner are also not affected by fluvial flooding or any significant surface water drainage issues.
- 4.36 Inward investors and indigenous business uses associated with employment and industry require sites that are part of a well-designed park, in an attractive setting, so as their businesses are seen and associated with conveying a quality image. Nutts Corner is known throughout Northern Ireland, and there is an opportunity through this LDP to co-ordinate a more focused and comprehensive development to this locality. By following a design led approach, fit for modern 21<sup>st</sup> Century business, the establishment of Nutts Corner as a **SEL** has considerable potential to grow economic prosperity.
- 4.37 Moreover, identification of Nutts Corner as a **SEL** will correct the imbalance (91.8% of the remaining undeveloped land is in Metropolitan Newtownabbey and Ballyclare and a mere 8.2% in Antrim and Randalstown based on the figures provided in *Appendix E: Record and Assessment of Zoned Employment Lands Still Available* of the *Employment Land Evaluation Report* at *Appendix 2* of Council's LDP *Evidence Paper 3: Economic Growth*) in the locations of employment/industrial provision that presently exist across the Borough, in particular, in the south eastern area of the Borough. This will ensure better connectivity is provided to these employment/industrial job opportunities.
- 4.38 As a principal landowner at Nutts Corner, our client, is willing to make his land available to assist in the designation of Nutts Corner as a **SEL**. We note that the consideration of specific sites for identified





SELs will be identified and zoned as part of the subsequent Local Policies Plan. We therefore reserve the right to comment on these aspects at the appropriate juncture in the LDP process.

**Section 5: Employment**

**Policy DM 1: Economic Development – Zoned Sites and Settlements (Pages 88 to 89)**

4.39 The DPSD in relation to **Policy DM1** states:

*"The aim of this policy is to promote core economic development schemes on zoned employment sites and to facilitate sustainable employment opportunities elsewhere in settlements that are appropriate to their location. This aim has taken account of and is consistent with the provisions of the SPPS".*

4.40 **Policy DM 1.1** and **DM 1.2** relate specifically to **SELs** and state:

*"DM1.1 Large scale industrial development, business uses, call centres, research and development facilities, logistics and storage and distribution proposals will be directed towards Strategic Employment Locations (SELs). Acceptable uses at the Nutts Corner SEL will be limited to industrial development, transport and logistics, and storage and distribution proposals.*

*DM 1.2 The Council will protect these strategic sites and resist proposals for alternative uses except where the development is ancillary to an existing use of the site or comprises a suitable sui generis employment use that will not lead to a significant diminution of the role of the SEL".*

4.41 Our client is broadly supportive of these detailed management policies given they aim to direct a wide range of economic uses to and provide protection for **SELs**. Such policies will assist in maintaining and protecting the identified **SELs**, in particular that of Nutts Corner. In addition, they are supportive of **DM 1.2** in that it will allow for appropriate *sui generis* and ancillary uses on **SELs** where they will not lead to a significant diminution of its role.

4.42 However, our client does have reservations regarding the use limitations identified for the Nutts Corner **SEL** under **DM 1.1**. We comment on this aspect at **Paragraphs 4.49** to **4.54** of this representation.





**Section 5: Employment**

**Policy DM 2: Economic Development – Countryside (Pages 90-92)**

4.43 Whilst Nutts Corner is proposed to be within a SEL of which a boundary will be defined at the Local Policies Plan stage, we provide some commentary on the DPSD’s **Policy DM 2** which relates to ***Economic Development in the Countryside***. The DPSD states that:

***"The aim of this policy is to ensure that appropriate sustainable economic development opportunities are available in the countryside to support rural communities and help sustain the rural economy, whilst protecting the countryside from unsuitable uses in terms of amenity or environmental impact. This aim has taken account of and is consistent with the provisions of the SPPS".***

4.44 It is noted that the policy makes provisions for economic development in the countryside which relate to: **Small-Scale Employment Uses** including **(a) Diversification Projects (DM 2.2) (b) Conversion and Reuse of Redundant Rural Buildings (DM 2.3) (c) Tourism Development (DM 2.4); Small Rural Enterprise Projects (DM 2.5); Established Industrial and Business Use (DM 2.6, DM 2.7 & DM 2.8); and Major Economic Development (DM 2.9).**

4.45 Our client is broadly in support of these policy provisions as they broadly mirror current operational policy under ***PPS4 – Planning and Economic development*** and the provisions of the **SPPS**. These policy provisions are welcomed as they give an element of flexibility for economic development within the countryside.

4.46 However, it is noted that the policy provisions are limited in respect of provision for redevelopment of established economic development uses in the countryside under Policy DM2.8. We comment on this aspect at **Paragraphs 4.55 to 4.60** of this representation.

**Section 6: Transportation and Infrastructure**

**Policy DM11: Access to Protected Routes (Page 120 to 121)**

4.47 **Policy DM11** relates to ***Access to Protected Routes*** and states at **DM11.3** that:







***"The Council will restrict access onto other Protected Routes in the countryside and will only support proposals in the following circumstances:***

***(a) The intensification of use of an existing access where access cannot be reasonably obtained from an adjacent minor road;***

***(b) A new access to serve an economic development proposal of sub-regional importance or a necessary infrastructure facility where access cannot reasonably be taken from an existing access or an adjacent minor road; or***

***(c) The provision of roadside service facilities where there are no existing or approved services within 12 miles of the site".***

4.48 Mr Herdman is willing to deliver an access, directly off the A26 (Protected Route), possibly with a new roundabout, which would unlock the vast majority of the land at **Nutts Corner**. This would deliver safety improvements and is unlikely to prejudice the free movement of traffic along the A26. An indicative two lane carriageway in each direction roundabout access solution is illustrated at **Appendix 3** which meets the requirements of the proposed **Policy DM11**.

4.49 We note that infrastructure constraints for Nutts Corner are acknowledged in the DPSD (including access) but these are to be dealt with by KSRs as part of the Local Policies Plan. As such we reserve the right to comment on such matters at that stage.





**If you consider the draft Plan Strategy to be 'UNSOUND' please identify which test(s) of soundness your representation relates to having regard to the Department for Infrastructure's published Development Plan Practice Note 6 'Soundness' (Version 2).**

4.50 Whilst our client broadly supports the DPSD, it is considered to be Unsound in a number of respects due to failing the following Soundness Tests:

- ***C3 (Consistency)*** - *Did the Council take account of policy and guidance issued by the Department?*
- ***CE4 (Coherence & Effectiveness)*** - *Are the strategy, policies and allocations realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base?*

**Please give details of why you consider the draft Plan Strategy to be 'UNSOUND' having regard to the test(s) you have identified above. Please be as concise as possible.**

4.51 The DPSD is Unsound in a number of areas which we comment on below.

**Section 5: Employment**

**Policy DM 1.1 and DM1.2: Economic Development – Strategic Employment Locations (Pages 88 to 89)**

4.52 Whilst our client is broadly supportive of these detailed management policies, given they aim to direct a wide range of economic uses to and provide protection for **SELs**, **Policy DM 1.1** is too restrictive in the types of uses acceptable at the Nutts Corner **SEL**. The policy limits the uses deemed acceptable at this location to industrial development, transport and logistics, and storage and distribution proposals and, in doing so, excludes large scale industrial development, business uses, call centres, research and development facilities, which are deemed to be acceptable at all other **SELs**.

4.53 It is the position of our client that that whilst **Policy DM 1.1** protects **SELs** it believes it fails to satisfy the tests of **CE4 (Coherence and Effectiveness)** in that it does not incorporate, an appropriate degree of flexibility through restricting the type of uses deemed acceptable at the Nutts Corner **SEL**.





4.54 As set out within the Council’s LDP *Evidence Paper 3: Economic Growth (Paragraph 1.5, page 5)*, in planning terms, employment land relates to those uses defined under Part B Industrial and Business Uses of the Planning (Use Classes) Order (Northern Ireland) 2015. These are also set out in footnote 28, page 56 of the SPPS and incorporate the following:

- Class B1: Business Use—
  - (a) as an office other than a use within Class A2 (Financial, professional and other services);
  - (b) as a call centre; or
  - (c) for research and development which can be carried out without detriment to amenity by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.
- Class B2: Light Industrial Use for any industrial process which can be carried out without detriment to amenity by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.
- Class B3: General Industrial Use for the carrying on of any industrial process other than one falling within Class B2.
- Class B4: Storage or distribution Use for storage or as a distribution centre.

4.55 We further note that lands at Nutts Corner have been developed for such uses, with a strong planning permission history and focus on developments relating to storage and distribution and light industrial uses.

4.56 A wider range of uses would be acceptable at this location and no justification has been provided for limiting the uses acceptable at this location other than stating that those uses deemed acceptable will serve to protect and prevent the diminution of the **SEL**.

### **Modifications**

4.57 In terms of potential uses, it would be preferable to specify all uses under Part B (Industrial and Business Uses) as being acceptable. That way the greatest opportunity to avail of future job creation potential will result. A wider range of uses as per those for other **SELS** should be deemed acceptable





for the Nutts Corner **SEL**. It will not lead to a significant diminution of the role of this **SEL**, but will instead strengthen and consolidate its position as a **SEL**.

- 4.58 In making such an amendment, it would provide greater flexibility to the DPSD and bring it in line with soundness test **CE4 (Coherence and Effectiveness)**.

***Section 5: Employment***

***Policy DM 2: Economic Development – Countryside (Pages 90-92)***

- 4.59 Whilst our client is broadly supportive of **Policy DM 2**, as set out at **Paragraphs 4.41 to 4.43** above, it is noted that it is limited in terms of provisions for the redevelopment of established economic uses in the countryside (DM2.8) providing only a limited number of areas where redevelopment proposals will be considered. The policy states that:

***"The Council may also support proposals for the redevelopment of an established industrial or business enterprise to provide a suitable tourist, recreation or community facility"***.

- 4.60 It is the position of our client that this policy fails to satisfy the tests of **C3 (Consistency)** and **CE4 (Coherence and Effectiveness)** in that they are not reflective of current operation policy, the SPPS and do not provide appropriate flexibility.

- 4.61 Current operation planning policy under **Policy PED 4** of **PPS 4 – Planning and Economic Development** provides and details a wider range of options for redevelopment of established economic development uses in the countryside (such as *sui generis* employment uses) than those detailed in **Policy DM 2.8**

- 4.62 Conversely it is noted that the SPPS is less prescriptive stating only that:

***"...appropriate redevelopment and expansion proposals for industrial and business purposes will normally offer the greatest scope for sustainable economic development in the countryside"***.



**Modifications**

- 4.63 **Policy DM 2.8** should be amended to provide wider guidance and options for redevelopment of established economic development uses similar to current operational planning policy in order to provide a greater degree of flexibility and choice.
- 4.64 In making such an amendment, it would provide greater consistency and coherence to the DPSD and bring it in line with soundness tests **C3 (Consistency)** and **CE4 (Coherence and Effectiveness)**.

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

- 4.65 In accordance with **Section 10(7) of The Planning Act (Northern Ireland) 2011**, should ANBC submit the DPSD in its current form to the Department for an independent examination, we request that we are given the opportunity on behalf of our client to appear before and be heard at the examination by way of an **Oral Hearing**.

Signature: 

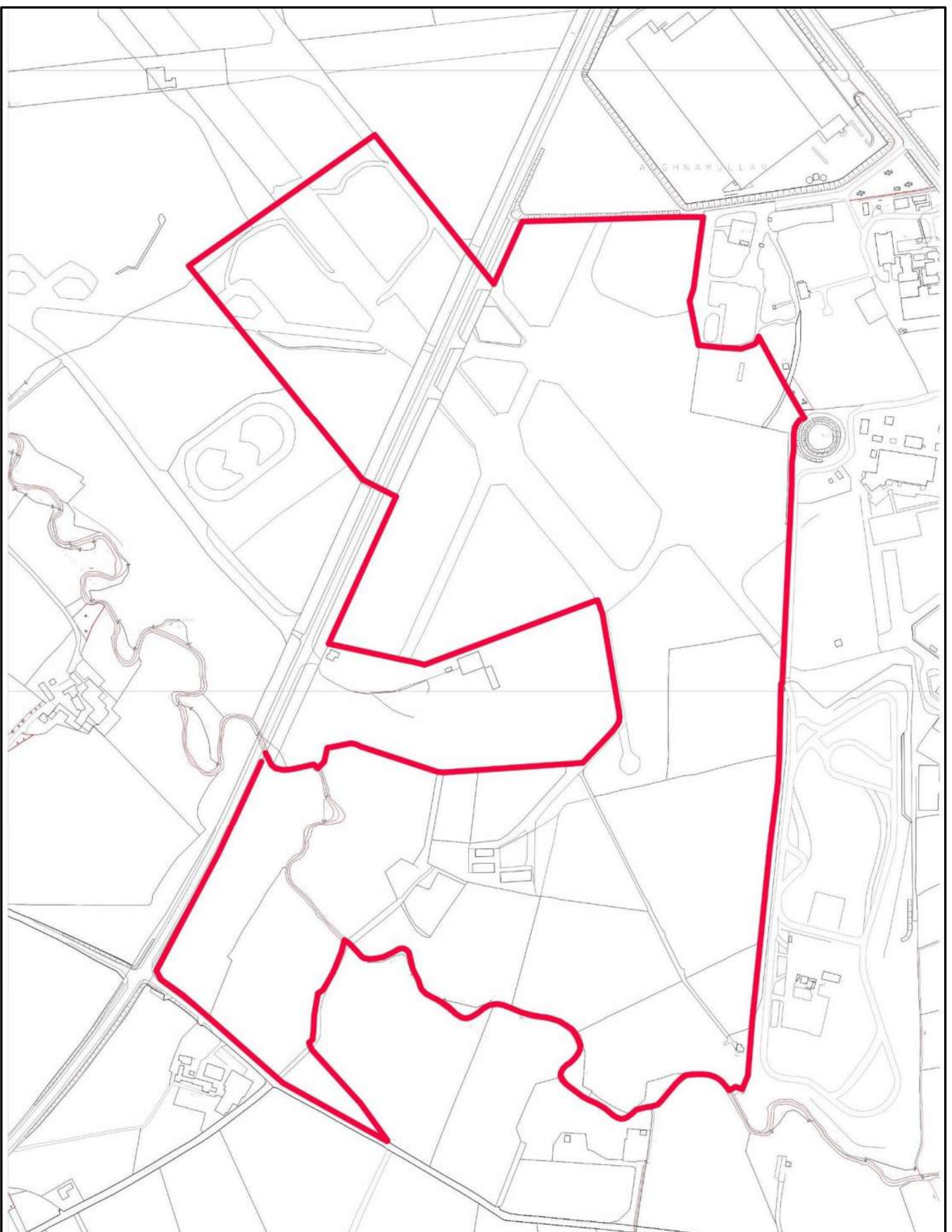
Date:





## Appendix 1





**Legend**

 Lands within ownership of Mr Nigel Herdman

**Appendix 1**



mc creanor & co  
architects



**Nutts Corner Rural Strategic Employment Location**

**Mr Herdman, Land Ownership Map**

Scale: NTS

Job No: A102968

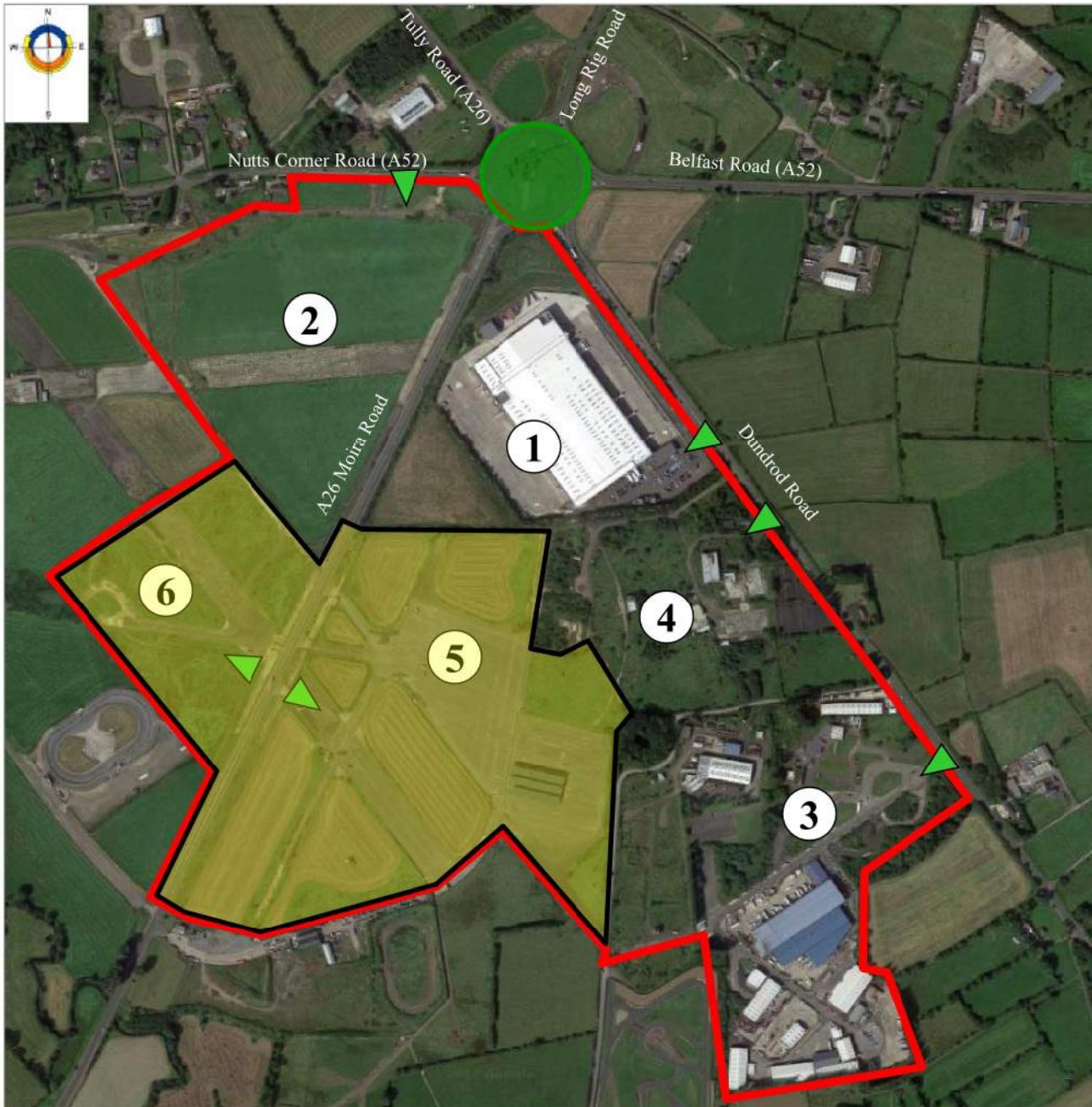
Date: April 2017



## Appendix 2







- ① Lidl HQ and Regional Distribution Centre
- ② Nutts Corner Distribution and Warehouse Park
- ③ Nutts Corner Business Park
- ④ Former NIE Training Premises
- ⑤ Lands to the East of the A26 owned by Mr Herdman
- ⑥ Lands to the West of the A26 owned by Mr Herdman

Legend

- Indicative Rural Strategic Employment Location at Nutts Corner
- Lands owned by Mr Herdman that could be delivered to develop a Rural Strategic Employment Location at Nutts Corner
- Access Locations
- Nutts Corner Roundabout

**Appendix 2**



**Nutts Corner Rural Strategic Employment Location**



## Appendix 3







**Legend**

**Appendix 3**



**mc creanor & co  
architects**



**Nutts Corner Rural Strategic Employment Location**

**Indicative Two Lane Each Direction Roundabout/Access  
Arrangement on A26 Moira Road**

Scale: NTS

Job No: A102968

Date: April 2017