



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/.

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 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 and the Independent Examiner(s) 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

Phone - 028 9446 3113



SECTION B – YOUR DETAILS

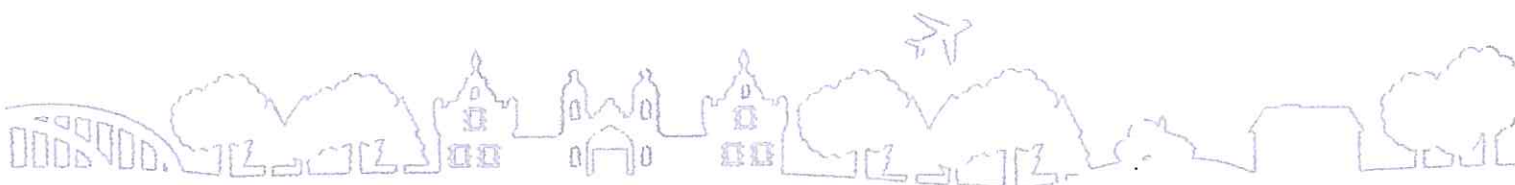
2. Please specify if you are responding as an individual, as an organisation, or as an agent acting on behalf of an individual, group or organisation?

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)
Title		Mr
First Name		Tom
Last Name		Stokes
Job Title (where relevant)		Director
Organisation (where relevant)		TSA Planning
Client Name (where relevant)		Belfast International Airport
Address		20 May Street, Belfast
Post Code		BT1 4NL
Telephone Number		028 9043 4333
Email Address		tom@tsaplanning.co.uk



SECTION C – COUNTER REPRESENTATION

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.

3. Have you submitted a representation to the Council regarding the draft Plan Strategy?

Yes ☒

No ☐

4. If yes, please provide your reference number and a summary of the main issue(s) raised in your representation below.

Council Ref: LA03/DPS/0063

Our Ref: 2077 – Belfast International Airport

- Promotion of Belfast International Airport and associated Strategic Employment Location (SEL); and
- Protection of Belfast International Airport from inappropriate and damaging development elsewhere.

(Continue on a separate sheet if necessary)



Any person can make a counter representation in relation to a site specific representation. The purpose of a counter representation is to provide an opportunity to respond to proposed changes to the draft Plan Strategy as a result of representations submitted under the Planning (Local Development Plan) Regulations (Northern Ireland) 2015.

5. Please provide the reference number of the representation to which your counter representation relates to:

(if you wish to submit several counter representations relating to several separate representations we would encourage you to fill out separate forms, in order to keep your comments clear and concise.)

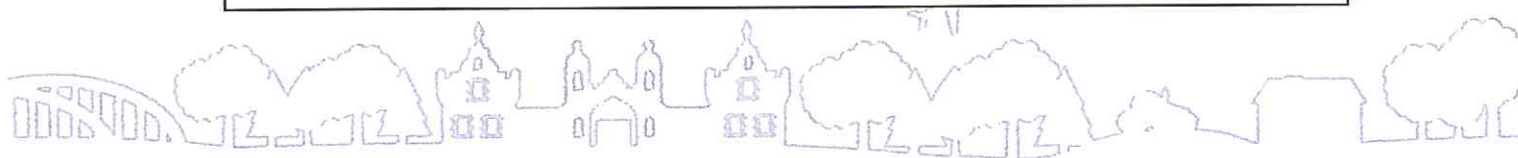
LA03-DPS-0101 (RPS obo. Hyde family – Crooked Stone Road)

6. Please give reasons for your counter representation. You are advised that your counter representation should be based on the soundness test(s) identified in the above-referenced representation and the sustainability of the draft Plan Strategy.

Please note: Your counter representation must not propose any new changes of the draft Plan Strategy. 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. This representation will be considered during the Independent Examination and there will be no further opportunity to submit information unless the Commissioner requests it.

The representation challenges policies SP3.12 and SP.3.15, with reference to soundness tests C1, C3, CE1 + CE3. Their argument puts forward the following points:

- It conflicts with the SPPS in that the Planning System does not exist to protect the private interests of one person against the activities of another;
- There is no evidence to justify the parking approach as the Council's car parking strategy and DfI Local Transportation Plan are both not available and the public are being deprived opportunity to comment on the proposed strategies/policies directly relevant to the DPS;
- It offends the RDS in that it does not support opportunities for sustaining rural areas through appropriate economic growth (by favouring one operator) and potentially setting an insurmountable test for commercial competitors as BIA hold and refuse to disclose key information required to meet the policy test; and
- There is no justification for adding a further test for potential commercial competitors to overcome.



The representation concludes by stating the policy should be amended to be consistent with the terms of the RDS and SPPS, ensuring coherence with overall plan strategy. In particular, third party operators should not be required to provide a justification of need that implicitly requires consideration of data that is not in the public domain.

We do not agree with the argument presented by RPS in respect of the policy being at odds with the RDS, SPPS and therefore being judged to be unsound. Nor do we agree with the arguments presented that there is a weak evidence base for the policy or that third party operators are at a disadvantage by having to justify need for the following reasons:

- The requirement to establish a "need" for airport car parking is nothing new. It has long been established in policy AMP 10 of PPS. That policy has an extensive established interpretation through multiple planning appeals and the decisions of the Planning Appeals Commission, including on the Hyde lands for whom RPS object. The Council have in essence replicated that policy in their draft DPS. Further, PPS 3 and AMP10 remain operative as expressed in the SPPS itself. The aforementioned PAC decisions also find the need test to be consistent with the SPPS and RDS as presently published given the recent decisions of the PAC. As such the claims that the retention of a need test is incompatible with the SPPS and RDS and thus makes the plan unsound is unsustainable.
- While RPS correctly quote that the Planning System does not exist to protect private interests they fail to place that principle in context instead of read in isolation, as the SPPS does immediately go on to state in that same paragraph (Para 2.3) that "private interests may coincide with the public interest in some cases. It can be difficult to distinguish between public and private interests, but this may be necessary on occasion". This is one such occasion where we believe the other party has difficulty in distinguishing between public and private interests. It is wholly within the Public Interest to have a strong and vibrant International Airport. It is crucial for the economic benefit of the region and that is laid bare by the wider information regarding the contribution of BIA to the region including the employment it generates for the region for example. Our initial representation set out how the operation of unauthorised car parks, in close proximity to BIA, has impeded the sustainable growth of the Airport as revenue which could be used to attract new routes is lost to ongoing unauthorised activities. Furthermore, we note and welcome that RPS acknowledge the presumption in favour of airport related developments within the boundary is understandable;


(Continue on a separate sheet if necessary)



- SP3.11 sets out the Council's car parking policy against the Council's forthcoming Parking Strategy or the DfL Local Transport Plan. We would view these forthcoming strategies to be independent of the DPS and would expect these like any policy or evidence documents used by the Council or Department to be subject to public consultation at the appropriate stage. These may or may not contain a parking strategy reference the airport. Regardless, the RPS position is incorrect. Furthermore, the DPS does not introduce a policy that is dependant upon any private data held by BIA. Any third party is welcome to produce their own data to support their robust analysis of a case of need (taking account of any published parking strategies or policies) or indeed carrying out an analysis on the ground of the airport car parking given the airport is open 365 days a year. This is not the introduction of a new policy inconsistent with the SPPS, as Para 6.305 clearly states, "In determining proposals for public and private car parks, including extensions, the planning authority should be satisfied that there is a need for the development by reference to the councils overall parking strategy following a robust analysis by the applicant. In such cases the planning authority should consult with DRD, or the relevant transport authority. Other relevant planning considerations when determining such proposals will include traffic and environmental impacts and the proposals compatibility with adjoining land uses."

BIA considers that the asserted reasons for unsoundness in the plan, points of objection and promotion of alternative policy raised by RPS/Hyde Family are incorrect and misplaced.

Signature:



Date:

6th December 2019

Thank you for your response.

