



RetailNI

Standing up for
Independent Retailers

Development Plan Team

Planning Department
Mid Ulster District Council
Ballyronan Road
Magherafelt
BT45 6EN

19th April 2019

By Email Only

Dear Sir/Madam

Re: Consultation on Mid Ulster District Council Draft Plan Strategy

We welcome the opportunity to respond to the Council's, Draft Plan Strategy and can confirm we have considered the document in full. I would commend those involved as the context is balanced, coherent and specific to the District's requirements.

Some parts are more relevant than others. Therefore, we have confined our comments predominantly to Section 3 – Economic Policies – “Creating Jobs & Prosperity”, as it is of most relevance to our members.

I would highlight that whilst we are generally supportive of the Councils approach, we have made suggested amendments in respect of the coherence and effectiveness tests - CE3 and CE4 as outlined.

Policy ECON1 – Economic Development in Settlements

Towns

Different types of industry require different locations and development needs. It is acknowledged that there is a significant amount of land (170 hectares) across the three hubs of Cookstown, Dungannon and Magherafelt for industrial/employment use.

The Policy does not specifically state that it relates to Use Classes B1 – B4 of “The Planning (Use Classes) Order (Northern Ireland) 2015” and appropriate Sui Generis Uses. For clarity this should be specified.

Development proposals for B2-B4 uses should not be permitted within the Primary Retail Core (PRC) or Town Centre where they would preclude retail or leisure activities that generate high levels of footfall. Unless they are associated with an existing main town centre use or form part of a mixed-use development.

Villages & Small Settlements

The approach to strike a balance between providing appropriate development opportunities and the impact on the character of the area or adjoining uses is supported.

Evaluative planning judgement will ensure adequate flexibility to make assessments on the merits of the case, weighed against a presumption to support small communities and businesses, whilst minimising the need for travel. Overall Retail NI supports the approach advocated in ECON1 as sound.

Policy ECON2 – Economic Development in the Countryside

The policy approach pays regard to the rural nature of Mid Ulster (40% of households located in the countryside) and the localised economic circumstances, which demonstrate a strong entrepreneurial spirit (21% of population being self-employed).

All proposals will be assessed in respect of the general principles contained within Policy GP1 and regard will be had of the size, scale and compatibility.

Retail NI is supportive of the commitment test being applied for new proposals. A sequential test would also be prudent to ensure that existing zoned land is utilised or land within the settlement limits where practical, as there will be superior linkages and clustering with other higher order services before locations in the countryside are considered.

We would suggest that the wording in criterion (h) is altered from “regional economy” to “district economy” as the interpretation of region would be taken as Northern Ireland, as a whole.

Not all major industrial/economic proposals will make a significant contribution to Northern Ireland but will make a significant contribution to Mid Ulster District and should be supported in that context.

An established business, which has made a significant investment at its current location would not seek to relocate, as it would not be financial viability, nor would it be suitable to consider an alternative site. Such specifics will need to be considered to ensure adequate flexibility to support growth of established businesses on a case by case basis.

Policy CTY8 of PPS21 allowed for the infilling of a small gap site with an appropriate economic development proposal including light industry where this is of a scale in keeping with adjoining development, is of a high standard of design, which would not impact adversely on the amenities of neighbouring residents and meets other planning and environmental requirements.

I note the inclusion at criteria (b) and perhaps the wording included at paragraph 8.33 -8.34 – Infilling a small Gap Site, should be included to provided better coherence and understanding.

Whilst clustering and grouping has always been an important aspect in considering development in the Countryside to reduce the visual impact and erosion to the rural character, an exception should be provided for a new building away from the farm group, if it has a significant level of integration and screening, as there would be very limited visual impact and no detrimental harm on rural character.

Policy ECON3 – Protection of Zoned Land and Existing Economic Development Sites

Retail NI are fully supportive of the overall approach and the protection of zoned economic land, as it ensures an adequate supply of suitable land at a variety of locations and continued employment opportunities in the District.

If other forms of development are being proposed, then it would be prudent to ensure a condition is attached to deliver the employment or wider economic benefits first. This should be added into the accompanying policy clarification text to provide greater certainty to all.

It should be demonstrated on un-zoned existing industrial/economic sites that the site is unsuitable for redevelopment for modern industry or business purposes and that it has had no market interest over a period of 24 months of active marketing before the site is considered for redeveloped for non-economic use.

Policy ECON4 – Development Incompatible with Economic Development Uses

Established industrial and business uses should be protected from incompatible development, which could limit or hamper their future growth and output. It may be appropriate to include a precautionary

approach, that in the absence of scientific evidence to the contrary, there will be a presumption against such incompatible development, particularly if there is the potential risk to human health.

Retailing, Offices and Town Centres

Retail NI supports the implementation of a Retail Hierarchy as outlined as this accords with the approach of Paragraph 6.277 of the SPPS. It defines the role and function within the hierarchy and ensures that future retail development will be appropriate in nature and scale to the rural hinterland it serves, whilst offering protection. We are supportive of the retail hierarchy as outlined at paragraph 13.17 and the accompanying tables.

Policy RE1 – Development Within Town Centres

There are a considerable number of issues facing Northern Ireland's towns and cities, which were identified in the GL Hearn Report produced for the DOE in January 2014. The findings advocated a stronger policy stance on protecting and enhancing town centres, which was adopted in the subsequent SPPS.

We endorse the classification of a hierarchy of centres on their size, function and catchment, as it ensures the correct distribution across the Council area and will limit the need for travel.

Likewise, the sequential order of preference is accepted and consistent with the SPPS and established approach to the retail hierarchy. We accept that physical constraints should be used as defensible boundaries to contain retail development and sprawl.

Town Centres should be the focus of administration, commercial, cultural, leisure, entertainment, arts and retail activity, so they are not limited to the day-time economy. This is particularly relevant where there is a dispersed rural community and hinterland, where the main towns are the hubs.

We would state that the "Glossary of Terms" on Page 29 -30 of the withdrawn PPS5 still provides the most acceptable and logical tool for defining and interpreting centres. It has been accepted by the PAC and has been used in the formulation of the existing development plans.

Retail NI is fully support of the sequential approach to retailing and main town centre uses as outlined in Policy RE1.

Policy RE2 – Retention of Shop Units in the Primary Retail Core (PRC)

A range and mixture of retail, leisure, community, business and entertainment uses will attract greater footfall and encourage linked trips within existing town centres. The key is making the town centres destinations for all, where the range and type of uses must be diverse to appeal to the widest number of users and attract significant footfall.

Retail NI agree that the accumulation or proliferation of a type or range of use at ground floor in the PRC will undoubtedly create vulnerability.

The flexibility to enable "pop-up" shops in vacant units, events or annual festivals will sustain the PRC vibrancy, along with a high-quality public realm.

A proliferation of one type of use does not assist with sustaining and enhancing the vitality and viability of existing centres. Improvements to the public realm, permeability and connectivity will enable linked trips and enhance the quality of the environment, which will attract and retain people.

Town centres also provide places for people to live and work. This will undoubtedly assist with the vitality of an area. Living Over the Shops (LOTS) is not a new concept and should be promoted in the upper floors of a building in the PRC and town centres to provide accommodation. The protection of existing town centre housing stock also creates a more sustainable environment through the reduction in private car use and drives footfall.

Retail NI are fully supportive of Policy RE2 and advocate that the Council considers the other points on how the PRC can be strengthened.

Policy RE3 – Retail and Main Town Centre Uses Outside of Town Centres

The proposed sequential approach accords with the SPPS and defines edge of centre as being 300m from the town centre boundary (Paragraph 6.287). However, the SPPS is regional policy and does not take account of the local specifics of Mid Ulster and the size of the main hubs of Cookstown, Dungannon and Magherafelt and local centres of Coalisland and Maghera.

Retail NI would advocate that a distance is defined for edge of centre of 150-200m to reflect the size and scale of the both the main hubs and local centres.

It is also felt that the 100sqm net floorspace threshold for proposals outwith the town centre is very small and there does not appear to be an evidence base to support the specified threshold.

This would be engaged for any proposed extensions to existing retail units, as the wording states any developments. Retail NI would suggest that 200sqm threshold would be more appropriate and reflective of the circumstances.

In respect of the 1,000sqm threshold it is noted that the SPPS states at paragraph 6.283 that; *“Where appropriate the planning authority may choose to apply a lower threshold taking into account local circumstances such as the size, role and function of their town centres”*.

The specifics of each town, its sphere of influence/catchment, existing retail floorspace (convenience/comparison/discount/retail warehouse) and population/expenditure will all be factors that will need to be considered.

A one size fits all would not be robust or sound, hence the SPPS allows for flexibility through the LDP process. In this instance it is suggested that the threshold is reduced to 500sqm.

Whilst Policy RE3 indicates that development outside a town centre will only be permitted where there is no significant impact on the existing centre and where a need has been established, there is no defined requirement for a need/capacity assessment or parameters for any accompanying Retail Impact Assessment. These may be outlined in the Local Policies Plan (LPP) Stage, but their absence is noted and undermines the effectiveness of the policy.

Policy RE4 – Neighbourhood Shops

Neighbourhood shops are the life blood of the community which they serve and are generally located within or close to large residential neighbourhoods.

Modern neighbourhood convenience stores provide a much larger range of products and services, due to the withdrawal of services (Post Office), which they can open longer hours, introduce technology and upgrade the store. In order to compete and retain their viability they need a wider range of products and this requires more floorspace than their predecessors.

Taking account of the likely turnover of a single convenience retail unit or the cumulative effect of multiple units, it could not reasonably be suggested that it would have an adverse impact on town centres within the catchment and the floorspace should be adjusted.

Retail NI would suggest that 200sqm threshold would be more appropriate and reflective of the current circumstances.

Policy RE5 – Retail and Related Uses in Villages and Small Settlements

In respect of Policy RE5, whilst Retail NI welcomes its inclusion, the same points apply as per RE4 in respect of the floorspace restriction.

Retail NI would suggest that 200sqm threshold would be more appropriate and reflective of the current circumstances.

Policy RE6 – Retail and Related Uses in the Countryside

Retail NI would wholeheartedly agree with the general approach of Policy RE6 that small retail development associated with a farm shop, craft shop or tourist shop in the countryside should be restricted to 100sqm net floor area.

However, Petrol Filling Stations (PFSs) perform a necessary retail function, particularly in the countryside. They are supported by passing trade and therefore tend to be located close to key transport corridors or main road networks.

Paragraph 56 of the withdrawn PPS5 applied a threshold of 250sqm net retail floorspace above which their potential impact on existing retail facilities would be assessed. There is no evidence base to apply a considerably lower threshold as the 250sqm would protect the vitality and viability of existing centres.

However, at some locations it may be suitable to group additional services due to the location and role they provide. The policy should retain flexibility to assess site specific circumstances and could introduce a retail impact assessment as well as assessment of need for any proposal >250sqm to provide robust consideration.

Policy RE7 – Financial and Professional Services, Office/Business Use Development

Encouraging offices to be located at 1st floor or on the edge of town centres will drive footfall, along with enabling active street frontages for retail and assisting with linked trips, which will positively impact on the vitality and viability.

Retail NI support the approach in Policy RE7, which seeks to locate uses within or on the edge of existing centres, whilst providing adequate flexibility for specific cases.

If you would like to discuss the content of this letter in more depth then, please do not hesitate to contact me. I look forward to receiving future consultations as the LPD process progresses.

Yours faithfully



Glyn Roberts
Chief Executive
Retail NI

cc Mr Nigel Maxwell – Chairman of Retail NI
Mr Andy Stephens – Matrix Planning Consultancy