



## Fermanagh & Omagh Draft Plan Strategy - Counter Representations

Hard Copies of the Draft Plan Strategy, all Representations received and our 'Guidance note for Making Counter Representations' are available for inspection during normal opening hours at the Council's offices at: 7 Shore Road, Enniskillen, BT74 7EF; Strule House, 16 High Street, Omagh BT78 1BQ; The Grange, Mountjoy Road, Lisnamallard, Omagh, Co Tyrone, BT79 7BL and; Townhall, 2 Townhall Street, Enniskillen, Co Fermanagh, BT74 7BA or may be viewed at <https://www.fermanaghomagh.com>

### How to make Counter Representations

You can make counter representations by completing this form, by email to [developmentplan@fermanaghomagh.com](mailto:developmentplan@fermanaghomagh.com) or by post to: Local Development Plan Team, Strule House, 16 High Street, Omagh BT78 1BQ.

For further assistance contact: [developmentplan@fermanaghomagh.com](mailto:developmentplan@fermanaghomagh.com) or Tel: 0300

## Form

### SECTION 1. Contact Details

Agent or Personal Submission - Are you submitting on behalf of someone or in an individual capacity?

Individual     Organisation     Agent (complete with your client's contact details first)

**First Name**

Glyn

**Last Name**

Roberts

**Job Title** (Where relevant)

Chief Executive

**Organisation** (Where relevant)

Retail NI

**Address**

245 Upper Newtownards Road, Belfast

**Postcode**

BT4 3JF

**Telephone Number**

0289 022 0004

**Email Address** lisa@retailni.com

**If you are an Agent, acting on behalf of an Individual or Organisation, please provide your contact details below.** (Please note you will be the main contact for future correspondence).

**First Name** Andy

**Last Name** Stephens

**Job Title** (Where relevant) [Click or tap here to enter text.](#)

**Organisation** (Where relevant) Matrix Planning

**Address** Saba Park, 14 Balloo Avenue, Bangor

**Postcode** BT19 7QT

**Telephone Number** 02891 82 83 75

**Email Address** andy@matrixplanningconsultancy.com

## **SECTION 2. Counter Representation**

Have you submitted a representation to the council regarding the Draft Plan Strategy?

**Yes**  **No**

If yes, please provide the Reference Number of your representation and a summary of the issue raised in your representation below.

DPS245 - Retail NI is fully support of the sequential approach to retailing and main town centre uses. It has been demonstrated to work in both Enniskillen and Omagh town centres, which benefit from a lack of any significant out-of-town competition and high levels of independent traders. This results in low vacancy rates by comparison to the UK average, low levels of leakage and good comparison goods offering are observed. The evidence on the ground supports the policy approach as being both sound and logical.

The reduced threshold of 500sqm is well founded and supported by evidence in the FODC 2017, as highlighted in paragraph 4.35 in the policy clarification.

The physical and historical constraints of both Town Centres are also a consideration. To provide flexible and varied floorspace for both national multiples and local independents. Perhaps it would be suitable to undertake a "call for sites" consultation exercise to identify redevelopment sites or where sites can be amalgamated to provide sufficient floorspace for larger convenience and comparison retail units within the town centre boundary. I would also suggest that a 300sqm threshold is introduced for a full assessment of retail impact as well as need for any Retail Warehousing outside of the town centre boundary.

(Continue on a separate sheet if necessary)

## Details of Your Counter Representation

Please provide the reference number of the site-specific representation to which your counter representation relates to:

DPS011

Please give reasons for your counter representation having particular regard to the soundness test(s) identified in the above referenced site-specific representation. Please note that your counter representation must not propose any new changes of the draft Plan Strategy.

The approach in TC01 – Town Centres proposing a lower threshold of 500sqm gross external area accords with paragraph 6.283 of the SPPS, which states:

*“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. In preparing a LDP Councils will have flexibility to set an appropriate threshold for their area, above which all applications for such development should be accompanied by an assessment of retail impact and need.....”*

The SPPS places an upper threshold of 2,500sqm gross external area, but there is no lower threshold.

The lower threshold will vary according to 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. The 1,000sqm is not historic or arbitrary as retail floorspaces have reduced significantly.

The Nexus assessment concluded that due to the size, scale and function of the District that 500sqm was an appropriate threshold to apply.

However, Policy TC01 does appear to introduce a more restrictive test in respect of the Primary Retail Core. This should be amended to proposals outside the town centre to be consistent with the SPPS. The introduction of a lower figure will not inhibit investment or flexibility within the town centre. It does not mean that any proposal >500sqm is unacceptable. However, it will ensure robust and up-to-date evidence is provided to consider the individual and cumulative impacts of such a proposal on the town centre and road network.

The representation does not demonstrate that L/2010/0924/F has commenced and given the planning history it could reasonably be argued that this site has no reasonable prospect of delivery. There is no evidence of a requirement or need for a District Centre in Enniskillen.

The Council, as a separate planning authority with elected representatives, is not bound by the decisions of Central Government or fettered by a previous direction of decision taking in respect of this site. The most recent approval was a reconfiguration of an earlier one prior to the SPPS.

Paragraph 6.277 does not include a mandatory expression/provision to include a retail hierarchy or District centre. The size, role and function of town centres in Fermanagh & Omagh District Council area and would be a material consideration in such a decision.

The PAC has never accepted more than 10% inflow in any retail public inquiry due to currency fluctuations.

The Thompsons Feed Yard Site is a town centre site and to suggest it is removed contradicts the town centres first approach in the SPPS. It also highlights that there is need for further retail development.

The SPPS advocates flexibility in respect of sites, particularly when they are sequentially preferable.

### **SECTION 3. Data Protection and Consent**

#### **Data Protection**

In accordance with the Data Protection Act 2018, Fermanagh and Omagh District Council has a duty to protect any information we hold on you. The personal information you provide on this form will only be used for the purpose of Plan Preparation and will not be shared with any third party unless law or regulation compels such a disclosure. It should 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 counter representation available for inspection. The Council is also required to submit the counter representations to the Department for Infrastructure and they will then be considered as part of the Independent Examination process. For further guidance on how we hold your information please visit the Privacy section at [www.fermanaghomagh.com/your-council/privacy-statement/](http://www.fermanaghomagh.com/your-council/privacy-statement/)

**By proceeding and submitting this representation you confirm that you have read and understand the privacy notice above and give your consent for Fermanagh and Omagh Council to hold your personal data for the purposes outlined.**

#### **Consent to Publish Response**

The Council is required by law to publish your representation and make it available for inspection. Unless otherwise stated by yourself, this will include your name and postal address. Your personal telephone number, personal email address and signature will not be published.

If you do not wish for your name and postal address to be published please tick the box below.

**Please do not publish my name and postal address**

Please note: Even if you opt for your details to be published anonymously, we will still have a legal duty to share your contact details with the Department for Infrastructure and the Independent Examiner/Authority they appoint to oversee the examination in public into the soundness of the plan. This will be done in accordance with the privacy statement above.

#### **Signature**

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**Date**

11/04/2019