

Our Ref: C03995

24 April 2019

Belfast City Council  
Belfast Planning Service  
Cecil Ward Building  
4-10 Linenhall Street  
Belfast



Dear Sir / Madam,

**Re: Belfast Local Development Plan 2035 – Draft Plan Strategy.  
Counter Representation**

On behalf of Alfred Street Properties Ltd (Killultagh Estates) who are the owners of Connswater Shopping Centre and Retail Park, Belfast, we enclose a counter objection to comprise the counter objection form and accompanying counter objection letter.

We trust the enclosed will be taken into account in the preparation of the Plan Strategy.

Yours faithfully,

  
**Martin Kelly**  
Director  
Gravis Planning



# Belfast Local Development Plan 2035 Draft Plan Strategy Counter Representations



## Overview

We consulted on the draft Plan Strategy (dPS) as part of an ongoing process for creating the Belfast Local Development Plan 2035. A number of representations, which we have now published, were received during the public statutory consultation process which ended at 5pm on Thursday 15 November 2018.

Hard copies of the representations received on the dPS are available for inspection during normal office hours at:

Belfast Planning Service  
Belfast City Council  
Cecil Ward Building  
4-10 Linenhall Street  
Belfast  
BT2 8BP



The representations can also be viewed on our website at [www.belfastcity.gov.uk/LDP](http://www.belfastcity.gov.uk/LDP).

## Counter Representations

Following publication of the representations received on the dPS, there is now the opportunity for the submission of counter representations. The consultation period for the submission of counter representations runs from **12 noon on Friday 1 March 2019 to 12 noon on Friday 26 April 2019**.

Counter representations may only be made in relation to a site specific policy representation seeking a change to the dPS and should indicate the reasons for doing so in terms of soundness and sustainability of the dPS.

Any person may make a counter representation, but must not propose alternative sites or any further changes to the dPS and are without a right of hearing at Independent Examination (IE). Counter representations of this nature or those supporting a site specific policy representation will not be considered.

A "site specific policy representation" means any representation which seeks to change a development plan document (DPD) (in this case, the dPS) by:

1. adding a site specific policy to the DPD; or
2. altering or deleting any site specific policy in the DPD.

A "site specific policy" means a policy in a DPD which identifies a site for a particular use or development.

The dPS does not include site specific policies as these are dealt with at the next stage of the LDP process, which is the preparation of the Local Policies Plan (LPP). However, a number of representations received in response to the public consultation make reference to specific sites and proposed development or uses. Any counter representation should clearly state the reference number of the representation to which it relates.

### **Submitting a Counter Representation**

Counter representations on site specific policy representations must be received by Belfast Planning Service by 12 noon on Friday 26 April 2019. Any counter representation received after this time will not be considered.

Counter representations can be submitted:

- via the online survey on the Council's consultation site, [yoursay.belfastcity.gov.uk](http://yoursay.belfastcity.gov.uk)
- by email to [localdevelopmentplan@belfastcity.gov.uk](mailto:localdevelopmentplan@belfastcity.gov.uk); or
- by post, returning the response form to the address above.

Although we have provided a downloadable version of this consultation response form, we would encourage you to respond via the online survey.



**Accessibility**

The relevant documents are available, on request, in alternative formats - Braille, audio, large print, easy read. The council will also consider requests to produce it in other languages. If you require the documents in these or other formats please contact us:

Belfast Planning Service  
Belfast City Council  
Cecil Ward Building  
4-10 Linenhall Street  
Belfast  
BT2 8BP

Telephone: 028 9032 0202, ext 2255

Email: [planning@belfastcity.gov.uk](mailto:planning@belfastcity.gov.uk)



# 1. Data Protection

Belfast City Council is a Data Controller under the Data Protection Act 1998 and the General Data Protection Regulations (GDPR). The council is committed to protecting your privacy and to process any personal data submitted by you in a manner which meets the requirements of the Data Protection legislation. The Privacy Notice below provides more information regarding our commitments to you under privacy and data protection.

## Privacy Notice

Belfast City Council is the Data Controller under the General Data Protection Regulation (GDPR) for the personal data it gathers for the purposes of sending regular email updates on the Local Development Plan from Belfast Planning Service.

It should also 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 representation available for inspection. The Council is also required to submit the representations to the Department for Infrastructure and they will then be considered as part of the independent examination process.

The council accepts that you are providing your personal data on the basis of consent and are positively agreeing for the council to hold and further use it, publish it (without personal information such as address or email address, but may include organisation or name). Belfast City Council must also share it with the Department for Infrastructure and whoever they appoint to undertake the independent examination.

Any personal details that you provide the Council will be handled in accordance with the GDPR and Data Protection Act 2018. As such we will only use your data for the purposes that you have given this information for and will only be shared where necessary to provide the service that you are contacting us about. If you would like further information in regards please see the website [belfastcity.gov.uk/about/privacy](http://belfastcity.gov.uk/about/privacy)

The personal data is held and stored by the council in a safe and secure manner and in compliance with Data Protection legislation and in line with the council's Records Retention and Disposal Schedule.

If you wish to contact the council's Data Protection Officer, please write to:

*Belfast City Council*

*City Hall*

*Belfast*

*BT1 5GS*

or send an email to [records@belfastcity.gov.uk](mailto:records@belfastcity.gov.uk)

**Q. Please tick to confirm that you have read and understood the privacy notice above.**

*(Required)*

*Please select all that apply*

- I confirm that I have read and understood the privacy notice above and give my consent for Belfast City Council to hold my personal data for the purposes outlined.

**Q. Do you consent for us to publish your response?**

Under planning legislation we are required to publish responses received in response to the Plan Strategy. On this page we ask for your consent to do so, and you may opt to have your response published anonymously should you wish.

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

*(Required)*

***Please select only one item***

- Yes, with my name (individuals) or organisation name
- Yes, but without any identifying information

**Note:** Under either option, personal information such as email address or telephone number will still be redacted from published documents.

## 2. Your details

**Q.** Are you responding as an individual, as an organisation, or as an agent acting on behalf of an individual, group or organisation?

*(Required)*

**Please select only one item**

- Individual (Complete this Section, then proceed to Section 5)
- Organisation (Complete this Section, then proceed to Section 3)
- Agent (Complete this Section, then proceed to Section 4)

**Q.** What is your name?

Title

MR

Full Name *(Required)*

MARTIN KELLY

**Q.** What is your address?

Address Line 1	GRAVIS PLANNING
Address Line 2	1 PAVILIONS OFFICE PARK
Address Line 3	KINNEGAR DRIVE
City	HOLYWOOD
Postcode	BT18 9JQ

**Q.** What is your telephone number?

028 9042 5222

**Q.** What is your email address?

*(Required)*

mkelly@gravisplanning.com

### 3 Organisation

If you have selected that you are responding as an organisational respondent, there are a number of pieces of information that we are legally required to gather from you.

**Q.** If you are responding as a representative of a group or organisation, please provide details below:

Organisation	
Your Job Title	

**Organisation address (if different from above):**

Address Line 1	
Address Line 2	
Address Line 3	
City	
Postcode	

### 4. Agent

If you have selected that you are responding as an agent on behalf of other people/organisations, there are a number of pieces of information that we are legally required to gather from you.

**Q.** Please provide details of the organisation or individual you are representing:

The name of the organisation or individual you are representing:

ALFRED STREET PROPERTIES LTD (KILLULTAGH ESTATES)
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**Client contact details:**

Title	C/O AGENT
Full Name	
Address Line 1	
Address Line 2	
Address Line 3	
City	
Postcode	
Telephone Number	
Email Address	

**Q.** Would you like us to contact you, your client or both in relation to this response or future consultations on the LDP?

*Please select only one item*

Agent       Client       Both



## 5. Representation to draft Plan Strategy Consultation

**Q.** Did you submit a representation to the Belfast Local Development Plan Draft Plan Strategy 2035?

**Note:** The formal consultation period for representations to the Belfast Local Development Plan Draft Plan Strategy 2035 commenced on Thursday 20 September 2018, and closed at 5pm on Thursday 15 November 2018.

*(Required)*

**Please select only one item**

- Yes (Complete Sections 5b, then Proceed to Section 6)
- No (Proceed to Section 6)

### 5b. Representation to draft Plan Strategy Consultation

**Q.** Please provide the reference number assigned to your representation to the Belfast Local Development Plan Draft Plan Strategy 2035.

**Note:** Your reference number can be found on the letter sent to you, by Belfast City Council on Friday 22 February 2019

*(Required)*

DPS-B-89-V

**Q.** Please provide a summary of the issue(s) raised in your representation to the Belfast Local Development Plan Draft Plan Strategy 2035.

*(Required)*

Policy RET2 - Out of Centre Development - Sequential Assessment. The tests relating to suitability, availability and viability are unjustified and are therefore unsound.

Policy RET4 - Retail Warehousing. Proposed floorspace stipulations unjustified and therefore unsound.

Connswater Retail Park - there is a sound rationale for inclusion of the retail park within the District Centre boundary for Connswater given the local everyday shopping provision function in the retail park.

## 6. Counter Representation

Any person may make a counter representation in relation to a representation seeking a change to a Development Plan Document (DPD). The purpose of a counter representation is to provide an opportunity to respond to proposed changes to the DPD a result of representations submitted under Regulations 15 and 16 of The Planning (Local Development Plan) Regulations (Northern Ireland) 2015.

A counter representation must not propose any further changes to a DPD.

**Q.** Please provide the reference number of the representation to which your counter representation relates.

*Please provide only one reference number. If you wish to make a counter representation to more than one representation, complete a separate sheet (Section 6 only) for each counter representation you wish to make and append the sheet(s) to your submission.*

DPS-B-AB-E
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**Note:** Your counter representation must relate to a representation made to the Belfast Local Development Plan Draft Plan Strategy 2035 during the formal consultation period which commenced on Thursday 20 September 2018 and closed at 5pm on Thursday 15 November 2018. The representations received during this period can be viewed on the Council's website at [www.belfastcity.gov.uk/LDP](http://www.belfastcity.gov.uk/LDP).

**Q.** Please give reasons for your counter representation having particular regard to the soundness test in the above representation.

Please note that 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. There will not be a subsequent opportunity to make any further submissions based on your original counter representation. After this stage, further submissions will only be at the request of the independent examiner, based on the matters and issues he/she identifies at independent examination.

*(Required)*

**Note:** *If you wish to make a counter representation to more than one representation, complete a separate sheet (Section 6 only) for each counter representation you wish to make and append the sheet(s) to your submission.*

Continue on the next page

REFER TO ATTACHED SUBMISSION LETTER.

Our Ref: C03995

24 April 2019

Belfast City Council  
Belfast Planning Service  
Cecil Ward Building  
4-10 Linenhall Street  
Belfast.



Dear Sir / Madam,

**Re: Belfast Local Development Plan 2035 – Draft Plan Strategy.  
Counter Representation**

We act on behalf of Alfred Street Properties Ltd (Killultagh Estates) who are the owners of Connswater Shopping Centre and Retail Park, Belfast. We made a submission on Killultagh Estate's behalf to the Belfast Local Development Plan 2035 – Draft Plan Strategy (Belfast LDP, DPS, Ref. DPS-B-89-V).

We now wish to make a counter representation to the submission made by Retail NI (Ref. DPS-B-AB-E), to the Belfast LDP, DPS (see **Annex 1** to this submission). Belfast City Council advises that counter representations may only be made in relation to a site specific policy representation seeking a change to the draft Plan Strategy (DPS) and indicate the reasons for doing so in terms of soundness and sustainability of the DPS.

Development Plan Practice Note 6 sets out 3 main tests of soundness for Local Development Plans, with each test having a number of criteria, as follows:

Procedural Tests

- P1 Has the DPD been prepared in accordance with the council's timetable and the Statement of Community Involvement?*
- P2 Has the council prepared its Preferred Options Paper and taken into account any representations made?*
- P3 Has the DPD been subject to sustainability appraisal including Strategic Environmental Assessment?*
- P4 Did the council comply with the regulations on the form and content of its DPD and procedure for preparing the DPD?*

Consistency Tests

- C1 Did the council take account of the Regional Development Strategy?*
- C2 Did the council take account of its Community Plan?*



- C3 *Did the council take account of policy and guidance issued by the Department?*
- C4 *Has the plan had regard to other relevant plans, policies and strategies relating to the council's district or to any adjoining council's district ?*

Coherence and Effectiveness Tests

- CE1 *The DPD sets out a coherent strategy from which its policies and allocations logically flow and where cross boundary issues are relevant it is not in conflict with the DPDs of neighbouring councils;*
- CE2 *The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base;*
- CE3 *There are clear mechanisms for implementation and monitoring; and*
- CE4 *It is reasonably flexible to enable it to deal with changing circumstances.*

The submission by Retail NI comments on various aspects of the Belfast LDP, DPS, including retail. Retail NI make the following comments in relation to proposed policy RET3 :

Policy RET3 – District centres, local centres and city corridors.

*Retail NI agrees that beyond the City Centre a district centres first approach is acceptable. However, consideration will need to be given to the overlapping catchments with other town centres, which would be sequentially preferable locations. In order to ensure there is no negative impact on other town centres, a floorspace threshold should apply for proposals in district centres of 750sqm where additional evidenced-based assessments must be submitted, so that the impacts can be considered. This would pay regard to the district centres' complementary role, scale and function in the wider retail environment.*

*The inclusion of thresholds for local centres is prudent as it ensures that their scale and function is appropriate to their location, both in the hierarchy and to provide localised services to the community. A retail capacity study will assist in identifying areas of retail deficiency and enable a proportionate response based on qualitative and quantitative need.*

We wish to comment specifically on the request for the application of a floorspace threshold in District Centres of 750 square metres where additional evidenced-based assessments must be submitted, so that the impacts can be considered. We consider that this request is unsound and unsustainable for the reasons set out below.

Policy RET2 in the Belfast LDP (DPS), outlines proposed policy for Out of Centre Development and states the following :

**Policy RET2 – Out of centre development**

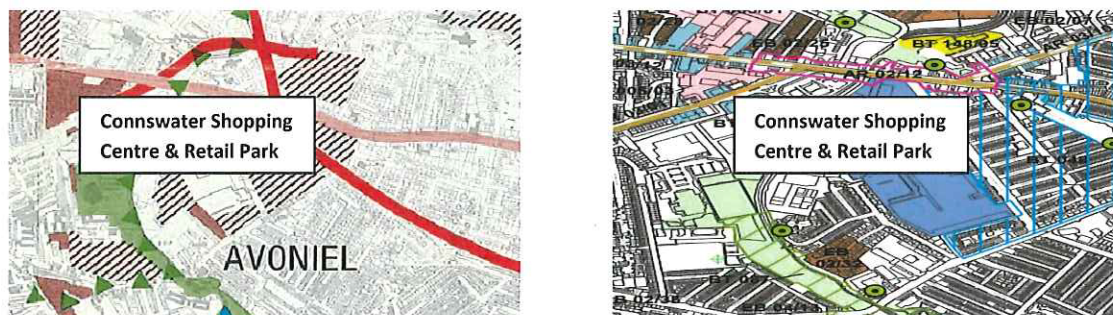
**Proposals for main town centre uses<sup>15</sup>, outside of existing centres must:**

- a. **Demonstrate that there is not a sequentially preferable site in, or on the edge of, centres having regard to criteria of suitability, availability and viability; and**
- b. **Submit a retail impact assessment and assessment of need for proposals that have a floorspace of 1,000sq m gross and above.**



In its Glossary, the Belfast LDP (DPS) defines “Out of Centre” as “A location outside a town centre boundary but within defined development limits.”

In the current adopted local development plan for the area, the Belfast Urban Area Plan 2001, Connswater Shopping Centre and Retail Park is within the Development Limit for Belfast City and shown as mainly unzoned white land and an Area of Business Development Potential (see Fig. 1 below). In the Draft Belfast Metropolitan Area Plan 2004, and the version purported to be adopted following the Public Inquiry albeit quashed following a legal challenge, the shopping centre mall is identified as a District Centre with the adjoining retail park shown as unzoned white land.



*Fig. 1 - Excerpt from BUAP (left) and BMAP (right) – annotation added.*

As the overall Connswater site is outside a town/city centre boundary but within the development limit for Belfast City, the Connswater site is therefore in an out-of-centre location. Therefore the floorspace threshold where additional evidenced-based assessments must be submitted, so that the impacts of proposals at Connswater District Centre on town centres can be assessed, is 1,000 sqm gross and above, as proposed in Policy RET2.

In addition, the proposed 1,000 sqm threshold is consistent with current regional policy in the Strategic Planning Policy Statement for Northern Ireland (the “SPPS”). In this regard, the SPPS states the following at paragraph 6.283 :-

**6.283** *All applications for retail or town centre type developments above a threshold of 1000 square metres gross external area which are not proposed in a town centre location and are not in accordance with the LDP should be required to undertake a full assessment of retail impact as well as need. This includes applications for an extension/s which would result in the overall development exceeding 1000 square metre gross external area.*

The proposal by Retail NI to apply a floorspace threshold of 750 sqm at District Centres for the assessment of proposals’ impacts on town centres, is not supported by any rational reasoning and appears to be merely an arbitrary figure. On the other hand, we consider that there is a sound and sustainable rationale for maintaining the floorspace threshold of 1,000 sqm metres and above, gross floorspace, where the impact of retail proposals at District Centres in an out-of-centre location, on town centres, is assessed.

The proposed threshold in the Belfast LDP, DPS is considered appropriate in light of Belfast as the primary location particularly in respect of retail impact and need within the catchment and reflects the primacy and growth ambitions of Belfast City Centre.



It is also consistent with the threshold that has been applied in Northern Ireland for many years in assessing out-of-centre retail developments as per the previous PPS5 and the current SPPS.

We consider that the proposed floorspace threshold in the Belfast LDP, DPS of 1,000 sqm and above for the assessment of retail impact for out-of-centre retail developments is sound and sustainable to assess the likely retail impact of such proposals on town centres. There is therefore no requirement or justification for applying a lower threshold in District Centres of 750 sqm gross floorspace as proposed by Retail NI.

We trust the above submission will be taken into account in the preparation of the Plan Strategy.

Yours faithfully,

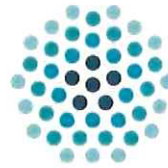
A large black rectangular redaction box covers the signature area of the letter.

**Martin Kelly**  
Director  
Gravis Planning

## **Annex 1**

Retail NI (Ref. DPS-B-AB-E)





**RetailNI**

Standing up for  
Independent Retailers

**Mr Keith Sutherland**  
**Development Planning & Policy Manager**  
Belfast Planning Service  
Belfast City Council  
Cecil Ward Building  
4-10 Linenhall Street  
Belfast  
BT2 8BP

14<sup>th</sup> November 2018

By Post & Email

Dear Mr Sutherland

**Re: Consultation on Belfast City Council Draft Plan Strategy**



We welcome the opportunity to respond to the Council's Draft Plan Strategy consultation and can confirm we have considered the document in full. Some parts are more relevant than others, so where we have adopted a neutral stance, we have indicated that we are supportive of the Council's approach.

#### **Introduction, District Profile & Policy Context**

Retail NI has no comments to make in respect of this Section as it outlines the context, structure and process.

#### **The Vision, Aims & Objectives**

Retail NI has previously provided commentary at the POP stage regarding the Vision, Aims and Objectives, which are broad and overarching themes that interrelate and accord with the principles of Sustainable Development. The emphasis is evening distributed and they will be achieved through the more detailed policy tests that follow.

#### **Strategic Policies**

Retail NI has no comments to make in respect of the specific policies contained within this Section and supports the Council's approach.

## **Spatial Development Strategy**

Retail NI has no comments to make in respect of the specific policies contained within this Section and supports the Council's approach.

## **Shaping a Liveable Place**

Retail NI has no comments to make in respect of the specific policies contained within this Section and supports the Council's approach.

## **Creating a vibrant economy**

We agree that the planning process is a key enabler for sustainable economic growth. However, implementation cannot be delivered by the Council alone and requires a collaborative approach between the private sector, public sector, local communities and investors.

A shift in the balance towards the private sector through inward investment is critical to delivering Policy SP1 - Growth Strategy.

### Policy EC1 – Delivering inclusive economic development

It is suggested that the sixth bullet is reworded as follows:

- Retail, Hospitality and Tourism

These sectors are interrelated, so it is logical to group them as they drive footfall and sustain and enhance not only the identity, but the vitality and vibrancy of Belfast.

Whilst it is accepted that retail is a dynamic function and is in heavy decline, it still represents a significant area of employment and given recent events, is an extremely valuable business sector to the City.

### Policy EC2 – Employment land supply

The evidenced-based approach is logical and enables informed decisions regarding the allocation of employment land where there is capacity, demand and accessibility.

It is unsurprising that there is a significant oversupply of employment space, as appears to be a common theme in the previous Development Plans. The adjustment to reflect the actual uptake rates over the past 3 years is sound.

As part of the ongoing monitoring it may be appropriate to phase the ongoing supply to encourage a sequential approach to existing vacant floorspace and other committed developments, as this would be more sustainable. It is also likely they will be at strategic positions close to infrastructure.

### Policy EC3 – Major Employment and strategic employment locations

We support the approach and thrust of the policy and would reinforce that any proposed alternative "sui generis" use would need to be complementary to the existing employment uses, so that there are no compatibility issues or harm to established businesses.



Alternative uses must not be introduced which would preclude or inhibit the future expansion or continuation of industrial and warehousing type uses. Evaluative planning judgement will be required, as to what constitutes a “suitable” use, paying regard to established legal principles.

#### Policy EC4 – Loss of zoned employment land

We are fully supportive of the overall approach to protection of zoned employment as it ensures an adequate supply of suitable land at a variety of locations. However, the period of 18 months is relatively short and could easily be circumvented to seek alternative uses. This would lead to a diminution in zoned employment land at specific key locations. A period of 24 months would be more robust in respect of marketing zoned employment land.

#### Policy EC5 – Industry and storage and distribution uses

We are fully supportive of the wording and approach of Policy EC5, which provides clarity and flexibility for established businesses.

#### Policy EC6 – Office Development

Retail NI is supportive of the thresholds proposed to limit the amount of office development outwith the City Centre and that a sequential approach and needs assessment will be applied to larger office schemes >1,000sqm. The additional flexibility to provide for small office floorspace in District and Local Centres will sustain and enhance their vitality and viability. It also considers specific areas, where offices will be required, paying regard to the existing use and location. The approach appears sound and logical as it promotes office development within the City Centre as the primary, which will act as a catalyst to growth and help achieve the wider Strategic Policies.

#### Policy EC7 – Higher education institutions

Belfast continues to have a highly educated and skilled workforce which will assist in enabling economic growth and inward investment. It is pleasing to see a specific policy has been created to enhance Belfast’s educational institutions and its position as a world leader in higher education.

To ensure the best talent is obtained, companies may seek to be located near the institutions that produce it, which may encourage inward investment and a requirement for office development at these locations.

### **Retail**

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.

Retail NI is extremely supportive of Belfast City Centre and policies that sustain and enhance its role as the primary retail location in Northern Ireland. A sequential approach is critical to underpinning Belfast’s success as a retail destination whilst preventing adverse impact from any potential counter-attractions.

In this regard the use of the word “will” at paragraph 8.2.2 is not sufficiently robust and we would seek it is replaced with “must”, which is a mandatory approach and offers stronger protection.

A compact city with improved permeability will enhance cohesion, whilst preventing retail sprawl. It is accepted that retail parks act as a counter-attraction to the City Centre and do not support linked trips or reduced car travel.

### **Policy Aims**

Retail NI has no comments to make in respect of the Policy Aims and supports the Council's broad expressions, which will be facilitated through the more detailed policy tests that follow.

#### Policy RET1 – Establishing a centre hierarchy

We endorse the classification of a hierarchy of centres and the four-tier model based 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.

The provision of local centres and services will reduce the need for travel and promote social interaction for the ageing members of society; such services are the life blood of neighbourhoods and accessible.

#### Policy RET2 – Out of centre development

The first line of the policy headnote should be adjusted to reflect that the approach relates to the location of new (future) main town centre uses outside of existing centres. The insertion of the word "New" at the outset will ensure there is no ambiguity, as clearly existing stores have invested at existing locations and are in an established trading pattern.

It is pleasing to see a strong focus on the evidence base in the accompanying J&A text, so that applications will be fully considered in the current context. Perhaps it may be appropriate to define the parameters of an assessment of need in the Glossary.

#### Policy RET3 – District centres, local centres and city corridors

Retail NI agrees that beyond the City Centre a district centres first approach is acceptable. However, consideration will need to be given to the overlapping catchments with other town centres, which would be sequentially preferable locations. In order to ensure there is no negative impact on other town centres, a floorspace threshold should apply for proposals in district centres of 750sqm where additional evidenced-based assessments must be submitted, so that the impacts can be considered. This would pay regard to the district centres' complementary role, scale and function in the wider retail environment.

The inclusion of thresholds for local centres is prudent as it ensures that their scale and function is appropriate to their location, both in the hierarchy and to provide localised services to the community. A retail capacity study will assist in identifying areas of retail deficiency and enable a proportionate response based on qualitative and quantitative need.

#### Policy RET4 – Retail warehousing

Permitting limited convenience floorspace of 300sqm to meet a local quantitative need is appropriate and will reduce the need to travel.



Any applications for sub-division or amalgamation of existing comparison floorspace should be carefully considered as whilst a single application on its own may not lead to a significant diminution or harmful effects, the cumulative impact and precedent could be significant.

#### Policy RET5 – Primary retail area

The up-to-date Retail Capacity Study for the City should have consideration of how vacant units could potentially be amalgamated to attract large multi-national retailers in the City Centre. It should also highlight where they are concentrated and what factors are contributing to the vacancy. This will enable an understanding and promote active retail frontages, drive footfall and protect the vitality and viability from competing non-retail uses.

The regeneration and reuse of existing buildings and previously development land, enables a review of the amount, size and location of future units. This can influence the future supply, so that a mix of floorspace can be provided in locations that would align with retailer profiles and requirements.

#### Policy RET6 – Temporary and meanwhile uses

The flexibility to enable “pop up” shops in vacant units, events or annual festivals will assist with promoting an area and in sustaining a centre’s vibrancy. An operating unit should always be preferable to a vacant unit, which undermines investor confidence and does nothing to enhance the vitality and viability.

Temporary uses create opportunities for start-up businesses to obtain visibility and traction in their infancy, whilst creating cohesion in areas where it has been lacking. Whilst we are supportive of the approach to bring vacant buildings into positive use, we agree that safeguards need to be implemented to ensure the overall retail function will not be undermined. In respect of criterion (f) perhaps it would be wise to re-assess the circumstances and impacts after one calendar year, rather than placing a blanket backstop on the use.

#### City centre

Retail NI has no comments to make in respect of the Policy Aims and supports the Councils broad expressions, which will be facilitated through the more detailed policy tests that follow.

#### Policy CC1 – Development opportunity sites

The policy framework seeks to guide development to specific areas or quarters and to provide certainty for investors. Whilst it is difficult to bring forward large scale Masterplans, the re-use of existing sites and buildings is actively encouraged. It may be appropriate to issue “a call for sites” and seek to match business profiles with existing sites. This may result in a stimulus to encourage new economic development and regeneration of existing underutilised sites.

Development around the fringes of the city will assist with the wider desire to have a compact, accessible city whilst supporting economic growth. Planning agreements and developer contributions can be used to facilitate development where the overall benefits can be realised and to mitigate against the effects in those neighbourhoods and communities where sites exist.

#### Tourism, leisure and culture

Retail NI has no comments to make in respect of the Policy Aims and supports the Council’s broad expressions, which will be facilitated through the more detailed policy tests that follow.

### Policy TLC 1 – Supporting tourism leisure and cultural development

This form of development results in an inflow of expenditure from outwith the Region. The creation of significant tourism destinations and increase focus in culture, arts, live music scene and sports creates identity and vibrancy and provides a purpose for visiting and staying in the City.

The promotion of events or annual festivals will attract tourist, along with a high-quality public realm. A diverse mix of activities will enhance the area as a destination and encourage growth of both local, regional and overseas visitors. The wider the offer, the longer the duration of a visit and resultant higher associated revenue. Retail NI is fully supportive of the approach outlined in Policy TLC1 and an integrated tourism strategy.

### Policy TLC 2 – Existing tourism leisure and cultural facilities and assets

Retail NI has no comments to make in respect of this specific policy and supports the Council's approach, which considers evidence-based exceptions to provide flexibility.

### Policy TLC 3 – Overnight visitor accommodation

Improving the supply and diversity of overnight visitor accommodation is vital in achieving the overall policy aims relating to a growth in tourism, leisure and culture. The highest concentration of accommodation must be provided in the City Centre to drive footfall and ensure accessibility to visitor attractions. This transient population will strengthen the economy through expenditure and will assist with sustaining and enhancing the vitality and vibrancy of the City. The policy retains flexibility as it allows for additional accommodation on a site-specific basis to address any deficiency.

### Policy TLC 4 – Evening and night-time economy

We agree with the direction to strengthen and enhance the evening and night-time economy. It is the "twilight" (evening) economy that needs focus, so that people stay in the city and this naturally leads to a night-time economy. The development of a cultural, arts and live music scene creates identity and vibrancy, which gives people a purpose for staying in the city. Likewise, encouraging offices to be located in the city centre will also drive footfall and activity.

### **Building a smart connected and resilient place**

Retail NI has no comments to make in respect of the specific policies contained within this Section and supports the Council's approach.

### **Promoting a green and active place**

Retail NI has no comments to make in respect of the specific policies contained within this Section and supports the Council's approach.

### **Delivery**

It is imperative that the new LDP system remains responsive and flexible, as many of the previous Development Plans lacked the ability to adapt to dynamic changes and shifts in consumer demands, which are occurring at a much faster pace. Monitoring was also not undertaken and therefore the existing plans and the policies became ineffective in some instances.

The plan must be reactive to localised market dynamics and external market forces to ensure the Strategic Objectives are met. The introductions of clear indicators/triggers are a very effective

way to necessitate corrective action and will enable adjustments to policies to ensure consistency, clarity and evaluative planning judgement.

### **Glossary**

The inclusion of a Glossary of terms is very helpful and it is noted that it is comprehensive in respect of the retail definitions. However, the lines between distinct market segments in the convenience shopping sector have started to blur in the last 5 years with a rise in value discounters taking an increase market share from traditional multi-national foodstore operators. The Glossary does not include the term "Discount Retailer" and given this clear shift, it would be prudent to include it.

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

Yours sincerely



**Glyn Roberts**  
**Chief Executive**  
**Retail NI**

CC.   
