

Local Development Plan, draft Plan Strategy (DPS) Reconsultation - Reconsultation Survey

Instructions

- Write as **clearly** as you can— these forms might be scanned
- Write your answers in the same language as this form

Formal Consultation period

The Statutory Consultation period opens on 16 January 2026 and closes at 4.30pm on 16th March 2026

Responses to be returned to the LDP team at

2 Church Street , Newtownards BT23 4AP

or by email to planning@ardsandnorthdown.gov.uk

Respondents should note that any representations should be made in full to the Council. Further information or clarification will not be sought unless requested by an independent examiner.

Soundness

A key feature of the local development plan system is 'soundness' which requires the development plan document to be tested in terms of content, conformity and the process by which it is produced, at independent examination (IE).

The tests of soundness are based upon three categories which relate to how the development plan document (DPD) has been produced, the alignment of the DPD with central government regional plans, policy and guidance, and the coherence, consistency and effectiveness of the content of the DPD.

More information on Soundness is available :[Development Plan Practice Note 6 Soundness](#) .

Tests of Soundness

The tests of 'Soundness' for Development Plan documents are 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.

CE4 - It is reasonably flexible to enable it to deal with changing circumstances.

1. **Name:**

2. **Address**

3. **Post Code** (optional)

4. **Email** (optional)

5. **Phone Number** (optional)

6. **Are you responding as an individual?** (optional)

**Choose exactly 1 option*

Yes

No

7. **Are you responding on behalf of an organisation?** (optional)

**Choose exactly 1 option*

Yes

No

8. **Organisation and Job Title (if applicable):** (optional)

9. Are you an Agent responding on behalf of a client? (optional)

**Choose exactly 1 option*

Yes

No

10. Client Name , address (if applicable): (optional)

11. Do you wish to upload a document to add to your survey response? (optional)

Please note the maximum size of files that can uploaded is 50MB

This field cannot be completed on paper. Please use the online version of this form instead.

12. Please indicate how you would like your representation to be dealt with at Independent Examination (please select one item only): Please note that the Independent Examiner will be expected to give the same careful consideration to written representations as to those dealt with by oral hearing.

Further information on the IE procedures can be found at <https://www.pacni.gov.uk/node/443>

**Choose exactly 1 option*

Written (Choose this procedure to have your representation considered in written form only)

Oral Hearing (Choose this procedure to present your representation orally at the public hearing) Unless you specially request a hearing, the Independent Examiner will proceed on the basis that you are content to have your representation considered in written form only.

13. Soundness of the Plan (optional)

Do you believe the draft Plan Strategy is sound?

**Choose exactly 1 option*

Yes

No

14. If you believe the strategy is unsound, please indicate which tests of soundness it fails and provide your reasoning below. (optional)

15. Procedural Tests - (optional)

P1 Has the DPD been prepared in accordance with the Council's timetable and the Statement of Community Involvement?

**Choose exactly 1 option*

Yes

No

16. Test P1 Comments (optional)

17. P2 Has the Council prepared its Preferred Options Paper and taken into account any representations made? (optional)

**Choose exactly 1 option*

Yes

No

18. Test P2 Comments (optional)

19. P3 Has the DPD been subject to Sustainability Appraisal including Strategic Environmental Appraisal? (optional)

**Choose exactly 1 option*

Yes

No

20. Test P3 Comments (optional)

21. P4 Did the Council comply with the regulations on the form and content of its DPD and procedure for preparing the DPD (optional)

**Choose exactly 1 option*

Yes

No

22. Test P4 Comments (optional)

23. Consistency Tests (optional)

C1 Did the Council take account of the Regional Development Strategy?

**Choose exactly 1 option*

Yes

No

24. Test C1 Comments (optional)

25. C2 Did the Council take account of its Community Plan? (optional)

**Choose exactly 1 option*

Yes

No

26. Test C2 Comments (optional)

27. C3 Did the Council take account of policy and guidance issued by the Department?
(optional)

**Choose exactly 1 option*

Yes

No

28. Test C3 Comments (optional)

29. C4 Has the Plan had regard to other relevant plans, policies and strategies relating to the Council's district or any adjoining council's district? (optional)

**Choose exactly 1 option*

Yes

No

30. Test C4 Comments (optional)

31. Coherence and Effectiveness Tests (optional)

CE 1 The DPD sets out 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?

**Choose exactly 1 option*

- Yes
- No

32. Test CE 1 Comments (optional)

33. CE 2 The Strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base?
(optional)

**Choose exactly 1 option*

- Yes
- No

34. Test CE 2 Comments (optional)

35. CE 3 There are clear mechanisms for implementation and monitoring? (optional)

**Choose exactly 1 option*

Yes

No

36. Test CE 3 Comments (optional)

37. CE 4 It is reasonably flexible to enable it to deal with changing circumstances? (optional)

**Choose exactly 1 option*

Yes

No

38. Test CE 4 Comments (optional)

39. If you consider the draft Plan Strategy to be unsound please provide details of changes you suggest to make the draft Plan Strategy sound. (optional)

40. Do you have any comments on the Implementation and Monitoring of the draft Plan Strategy? (optional)

41. Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA)
(optional)

Do you have any comments?

42. draft Habitats Regulations Assessment(HRA) (optional)

Do you have any comments on the draft HRA?

43. Equality Impact Screening Report (optional)

Do you have any comments on the EQ screening?

44. Rural Needs Impact Assessment (optional)

Do you have any comments on the RNIA?

45. Please add any additional comments (optional)

What Happens Next?

Thank you for your representation to the Local Development Plan draft Plan Strategy (dPS).

You will receive a formal acknowledgement letter from the Council's Planning Department . We will issue this within 5 working days of your response.

This is in addition to the acknowledgement auto-generated by the Go Vocal system.

Representations received during the public consultation stages of the Plan Strategy and Local Policies Plan, must be made available for public inspection, both in hard copy, and on the Council's website, as required by Legislation.

Representations will also be shared with an Independent Examiner such as the Planning Appeals Commission and the Department for Infrastructure as part of the Local Development Plan Examination Process.

Representation: Soundness of Ards and North Down draft Plan Strategy

Introduction

This representation relates to the soundness of the draft Local Development Plan Strategy (dLDPS).

While the dLDPS identifies a housing requirement that is derived from regional policy, the cumulative impact of the various policies of the dLDPS and the present timescales in relation to adoption of development plans generally raises some significant concerns regarding the Plan's effectiveness and deliverability within the plan period. This issue is amplified by the ever changing property market and so by the time the dLDPS is adopted the property market is likely to be in a quite different place to the current position.

This submission assesses the dLDPS against the established Tests of Soundness as set out below. There are significant internal tension within and between the policies and significant barriers to delivery of the dLDPS's objectives.

Summary Position

Even inside settlement limits, the dLDPS is highly likely to constrain housing through the following:-

(a) "gateway" development-management tests

and

(b) topic policies that remove and/or reduce land available for development, add requirements, or affect viability of schemes

This is in the context of a severe housing crisis in the form of insufficient allocation of housing and a long standing and worsening lack of supply of housing land that is in part responsible for the shortage of housing availability and the severe issues surrounding affordability.

In comparison to Belfast City Council, Ards and North Down has an elevated level of delivery from windfall. This may be due to the North Down portion of the Borough having an old, out-dated development plan in the form of the North Down and Ards Area Plan 1984 – 1995 (NDAAP). In all settlements within the NDAAP there are large swathes of land within the settlement limit that are not zoned for any particular purpose, development on those parcels of land would fall within the definition of windfall provided by the Council. There are a number of housing sites that have come forward during (and after) the lifetime of the plan that were unforeseen and which delivered exceptionally high numbers of dwellings.

Policy Review

1. “Gateway” policy that impacts on almost all housing proposals

Policy GP 1 – General Principles

GP1 is a key “hurdle” policy because it requires proposals to demonstrate (among other things):

- Alignment with the Spatial Growth Strategy and availability and commitment of essential infrastructure including public wastewater infrastructure of which there is a known deficiency;
- Design quality and in particular respecting local character that is proven to drive down density and deliverability particularly on urban infill and windfall sites;
- Protection of environmental interests using a precautionary approach which increases the uncertainty around development proposals and can operate against the granting of permission particularly on urban infill and windfall sites;
- Transport, access, parking standards, provision of open space which all drive down density and create deliverability issues; and
- Avoidance of sites with low level environmental constraints including those at risk of flooding and requirements to not exacerbate flooding elsewhere.

2. Housing chapter requirements that can reduce yield, slow delivery, and affect viability

Policy HOU 1 / HOU 2

The housing section of the draft LDPS requires Design Concept Statements and, for larger sites, Concept Master Plans; it also states that poor quality or piecemeal development will not be permitted. Whilst these are not new requirements and have been part of the landscape for a significant amount of time their interpretation creates issues and exacerbates delay in processing of applications and therefore delivery of development.

The restrictions that this policy implies, includes:-

- Longer pre-application and application preparation timescales to include preparation of concept evidence, coordination across ownerships and proof of public infrastructure availability.
- Reduced developable area and density particularly on larger sites where layouts are generally roads dominated, confirmation of infrastructure connections (in the context that there are known and acknowledged problems in this area), protection of features deemed worthy, provision of both private and public open space, landscape buffers both between zones of the development and around the edge of the development, and landscaping all use up space and reduce the developable area and reduce density of development.
- Potential refusal where proposals are seen as “piecemeal” especially on large, zoned land brought forward in parts, although as mentioned above the Council has permitted piecemeal development to take place on large-zoned sites.

It should also be noted that the market has experienced falling build rates and it is not clear how this is reflected or expressed in the housing figures contained within the dLDPS. It is salient that the existing housing stock is neither resilient nor energy efficient. It does not follow that this is then being benchmarked as a predetermined factor for density.

Policy HOU 3 – Affordable Housing

Policy HOU 3 requires a minimum of 20% affordable housing on sites that seek to provide 5 units or more or are on sites of at least 0.1ha. This policy seeks to resist the artificial subdivision of sites to avoid the threshold.

The reality of the policy is that housing associations do not want small numbers of social or affordable units scattered around towns and villages as it creates significant management issues, increased housing costs, lower revenue returns as a result of increased costs and ultimately lower provision of new dwellings. Scheme viability reduces the density of development achievable including on brownfield sites as developers artificially reduce the number of units proposed to below this level in favour of more generous car parking and open space provision. Single or small numbers of social/affordable units are not easily capable of being disposed of but can incur build costs thereby making the scheme unviable. Profit margins are lower and viability is more uncertain with these kinds of small scale and infill sites, they are more vulnerable to unforeseen events and also to increased costs.

The offering is not appealing to the limited Intermediate Rent sector due to small numbers, extremely limited Intermediate Rent funding available and only a single provider thereof.

As a result, this policy is a further restriction mechanism on the deliverability of the Council's ambitious housing target and ultimately leading to reduced delivery of social/affordable housing.

Policy HOU 4 – Accessible/adaptable homes and wheelchair standard on larger schemes

It is recognised that this provision is necessary, however it adds specification requirements to housing developments in the form of internal layouts amendments; provision of lifts in apartment blocks; and wheelchair units on larger schemes.

The restrictions that this policy implies, includes higher build costs and impacts on both yield and layout which again potentially affects more marginal sites where viability and timing are crucial in delivery.

Exclusively in terms of specialist housing, it is either high density or low density depending on site specifics; how is this accounted for in the plan; the policies seem adverse?

There is clarity needed in terms of how the assessment of need for 'affordable' housing determined. The application of the housing figures and land allocation has potentially strengthened both land and home values conversely making affordable homes more valuable than a co-ownership properties, impacting their exclusion from the marketplace.

Clarification is also sought in the dLDPS regarding the minimum areas and sizes specified and their compatibility with the NIHE standards. It should be noted that the NIHE standards are now themselves out of date as they are reliant on The Lifetime Home standards which has been superseded by Part M of the UK Building regulations. Why, when in a new plan, does it not attempt to follow the learned experience and need for change across the UK?

C. Open space protections that can remove land from the supply

Policy OS 1 – Protection of Open Space

Policy OS1 creates a very strong presumption against development that would result in the loss of all existing open space regardless of its condition, subject only to limited exceptions. Part of the issue with this is the interpretation of these kinds of policies which effectively mean that open space of public value is whatever decision maker says it is at the time they declare it. In instances where the open space is not accessible or of low value in amenity or nature conservation terms those sites should not be capable of being declared open space worthy of protection.

This is likely to restrict development as it would prevent housing on many windfall opportunities that would otherwise be brought forward, unless an exception is clearly met. These opportunities are a diminishing resource and part of the reason why the Council has had such high numbers of windfall historically is in part due to the more relaxed approach to the loss of what would now be determined as being open space in conjunction with protectionism of economic development land and the very historic nature of the development plan context. This highlights starkly the problem with the Council's massive windfall housing allocation figure.

There would also be an increased pressure to deliver the same housing numbers on fewer sites, which would in theory push densities up elsewhere and increase potential for local opposition. However, HOU 2's restrictive nature combined with the Council's DM team prevents effectively the very increased densities needed to deliver the ambitious housing target and demonstrates clearly the issues and tensions within the dLDPS.

It is recognised that policies supporting open space provision in new residential development can also consume developable land within schemes and drive density and deliverability down.

3. Infrastructure capacity

The financial and physical strain that the NIW wastewater infrastructure is under is well documented. Within the dLDPS there are very restrictive policies and any new or improvement of existing public wastewater treatment facilities is likely to cause major delay to infrastructure delivery and thus delay the provision of the additional housing set out by the Council as its ambition.

Policy WM4 establishes constraints to development in the vicinity of existing wastewater treatment works or waste management facilities. However, this is not defined or made specific to housing allocation or delivery. This will restrict the available land for development of housing or other uses.

This is duplication of a regulatory regime that falls within NIW's jurisdiction.

Policy GP 1 a) also requires that essential infrastructure be available or if lacking that there is a firm commitment to its timely delivery.

Policy NMW 1 imposes a significant burden on applicants seeking to provide non-mains wastewater infrastructure including a requirement to comply with policy GP 1. This is adverse between GP 1 and the NMWS in that it is unworkable, severely impacts rural dwellings and other development that could potentially be served by package sewage treatment.

There is a duplication of role and function between the existing regulatory regime for the provision of non-mains wastewater infrastructure and Planning. The additional layer of bureaucracy for approval impacts the programme for development delivery.

Policy ED 3

ED 3 strongly resists the change of employment land to housing regardless of its location, usefulness or condition and as a result some of the economic development land that could have been used for housing is not available. This has the effect of applying restriction of land suitable for housing by reducing the pool of deliverable housing sites, particularly in mixed-use or brownfield contexts.

How these constraints could affect delivery of the 15,608 homes target

The housing requirement of 15,608 is explicitly an employment-led figure with a flexibility allowance and assumes land can actually be brought forward and built out at scale.

The dLDPS also utilises tools like urban capacity studies, significant windfall allowance, and a sequential approach for larger settlements. However, this appears overly optimistic due to restrictions on deliverability.

This is likely to impact on delivery due to reduced effective land supply; slower lead-in times; viability pressure on marginal sites; and with infrastructure limiting the speed of delivery.

It also indicates that a significant share of the plan's expected supply is intended to come from within the existing urban footprint, with delivery phased to manage land use within the urban footprint first. However, with the maps significantly outdated and inaccurate the proposed policies will impact densities and yields, as well as removing land/sites entirely and thus delaying build-out. This jeopardises the delivery of 15,608 new dwellings within the plan period.

The Council needs to justify and demonstrate that its proposals are appropriate and deliverable; we understand that at this stage the Council is not able to do that.

Under ED3 of the dLDPS, however, it proposes a massive over supply of land for economic development the loss of which is prevented to other uses regardless of its suitability while simultaneously overestimating the likely number of dwellings from windfall development and undersupplying housing land.

Soundness

The dLDPS is not sound in relation to the following tests:-

CE1 Test Conclusion

The draft Plan does not adequately demonstrate how the proposed housing requirement of 15,608 dwellings will be delivered in practice in particular there is an unjustified overreliance on windfall allocation that has not been scrutinised in the context of the plan constraints and under the combined effect of these constraints will not be delivered at all. This renders the whole of the delivery strategy incoherent.

Test CE2 – Realistic and Appropriate Strategy

To satisfy soundness test CE2, the housing trajectory must be:

- Based on effective land supply;
- Supported by infrastructure alignment;
and
- Realistically deliverable within the plan period.

Infrastructure Constraints

The draft Plan policies that require infrastructure capacity (notably wastewater infrastructure) to be confirmed prior to planning permission being granted for development function as a delivery precondition. The provision of non-mains wastewater provision should act as a release valve but it cannot due to the restrictive nature of the wording of the plan; it is a duplication of existing protocols that facilitate this type of provision in the absence of public provision and adds an additional layer of approval on to the statutory control mechanisms of NIW and NIEA who collectively control the provision of facilities to adoptable standards and also the quality of the discharge.

Without unambiguous evidence that infrastructure investment is programmed in parallel with housing allocations, there is a significant risk that sites counted as deliverable will not be delivered, and completions may lag significantly behind trajectory assumptions.

This is particularly relevant in Ards and North Down given the incredibly significant funding issues faced by NIW, their lack of ability to deliver wastewater infrastructure and the handling of applications by this Council's development management planning team where funding is available for infrastructure delivery that is tied to planning applications.

Test CE4 – Flexibility

Soundness test CE4 requires that in order to be sound a development plan must be sufficiently flexible to respond to changing circumstances.

The current policy framework set out in the dLDPS performs the following functions:

- Relies on an unrealistic windfall allocation;
- Strongly protects employment land – despite there being a massive oversupply of 37.28ha that far exceed the required 25ha required to accommodate the 7,500 additional jobs which the draft plan seeks to create;
- Strongly protects areas of existing open space regardless of quality or useability;
- Applies prescriptive environmental constraints; and
- Requires that planning applicants confirm the availability of infrastructure prior to development in the context where the provision of wastewater infrastructure is outside the applicants and the Council's control and where there are already significant constraints on supply.

Collectively, these policy constraints remove flexibility in land release and this appears contrary to the very capacity for flexibility given the oversupply of employment land in the Borough as noted above.

Test C3 – Consistency with the RDS

The Regional Development Strategy requires sustainable growth of settlements; adequate housing land supply, and balanced economic development.

While the Draft Plan Strategy seeks to align with these objectives, failure to ensure deliverability of the housing requirement undermines alignment with regional housing growth objectives.

Overall Soundness Conclusion

The overall soundness assessment is set out as below:-

- C3 Conflict around the under-delivery of housing targets
- CE1 Restrictive effects weakens the coherence of the strategy
- CE2 Deliverability not demonstrated sufficiently
- CE4 The Plan has no flexibility built in to maintain housing delivery.

The dLDPS identifies a housing requirement, however unambiguous evidence of deliverability and flexibility is missing. There is an elevated risk that if the dLDPS is adopted in its current form that it would not meet the established tests of soundness in regard to coherence, effectiveness and flexibility. Legibility of the policies is vital in order that members of the public including people from the neurodiverse community can understand and interpret the policy framework. Existing infrastructure is problematic, new development will be designed not to pollute, so therefore why is it penalised?

Existing Infrastructure improvements are potentially not possible without further development. Reference in the dLDPS appears lacking as well documenting and reflecting the current operational and validation embargoes.

The protection afforded to the proposed Open Space policies will sterilise potential infill and windfall land within settlement boundaries, further reducing flexibility.

Finally, the Grenfell recommendations have affected and changed the construction industry as a whole. The enquiry recommendations appear to be absent from the dLDPS? It is significant to note that criticism fell on corporations and the blame being passed rather than clear guidance & decision making. Responsibility starts at permission stage and ongoing conflicts on this are evident. The areas of particular concern include where the Planning Department dictate construction phasing which operationally influences what is built first; through to holding final consents in discharging conditions which leaves a lack of certainty. This is a significant recent change across the construction industry that needs addressed at all levels and should be encompassed within the dLDPS.

Until these matters are addressed, the Draft Plan Strategy cannot be considered a clear, workable plan capable of delivering its objectives and is therefore not sound.

Yours Faithfully,

Stephen Villiers