

 Aoife
Byrne

+ ADD TO ANALYSIS

Name:
Philip Stinson

MAIN QUESTION

Address
Hamilton House, 3 Joy Street, Belfast

+ ADD TO ANALYSIS

Post Code
BT2 8LE

+ ADD TO ANALYSIS

Email
philip.stinson@turley.co.uk

+ ADD TO ANALYSIS

Phone Number
No answer

+ ADD TO ANALYSIS

Are you responding as an individual?

No

+ ADD TO ANALYSIS

Are you responding on behalf of an organisation?

Yes

+ ADD TO ANALYSIS

Organisation and Job Title (if applicable):
Turley, Director

+ ADD TO ANALYSIS

Are you an Agent responding on behalf of a client?

Yes

+ ADD TO ANALYSIS

Client Name , address (if applicable):

Lesley Bloomfield Ltd c/o Maneely McCann, Aisling House, 50 Stranmillis Embankment, Belfast

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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.

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.



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Soundness of the Plan

No

+ ADD TO ANALYSIS

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

Please refer to submitted representation.

+ ADD TO ANALYSIS

Procedural Tests -

Yes

+ ADD TO ANALYSIS

Test P1 Comments

No answer

+ ADD TO ANALYSIS

P2 Has the Council prepared its Preferred Options Paper and taken into account any representations made?

Yes

+ ADD TO ANALYSIS

Test P2 Comments

No answer

+ ADD TO ANALYSIS

P3 Has the DPD been subject to Sustainability Appraisal including Strategic Environmental Appraisal?

Yes

+ ADD TO ANALYSIS

Test P3 Comments

No answer

+ ADD TO ANALYSIS

P4 Did the Council comply with the regulations on the form and content of its DPD and procedure for preparing the DPD

Yes

+ ADD TO ANALYSIS

Test P4 Comments

No answer

+ ADD TO ANALYSIS

Consistency Tests

Yes

+ ADD TO ANALYSIS

Test C1 Comments

No answer

+ ADD TO ANALYSIS

C2 Did the Council take account of its Community Plan?

Yes

+ ADD TO ANALYSIS

Test C2 Comments

No answer

+ ADD TO ANALYSIS

C3 Did the Council take account of policy and guidance issued by the Department?

No

+ ADD TO ANALYSIS

Test C3 Comments

Please refer to submitted representation.

+ ADD TO ANALYSIS

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?

Yes

+ ADD TO ANALYSIS

Test C4 Comments

No answer

+ ADD TO ANALYSIS

Coherence and Effectiveness Tests

No

+ ADD TO ANALYSIS

Test CE 1 Comments

Please refer to submitted representation.

+ ADD TO ANALYSIS

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

No

+ ADD TO ANALYSIS

Test CE 2 Comments

Please refer to submitted representation.

+ ADD TO ANALYSIS

CE 3 There are clear mechanisms for implementation and monitoring?

Yes

+ ADD TO ANALYSIS

Test CE 3 Comments

No answer

+ ADD TO ANALYSIS

CE 4 It is reasonably flexible to enable it to deal with changing circumstances?

No

+ ADD TO ANALYSIS

Test CE 4 Comments

Please refer to submitted representation.

+ ADD TO ANALYSIS

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

Please refer to submitted representation.

+ ADD TO ANALYSIS

Do you have any comments on the Implementation and Monitoring of the draft Plan Strategy?

No answer

Please refer to submitted representation.

+ ADD TO ANALYSIS

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

Please refer to submitted representation.

+ ADD TO ANALYSIS

Do you have any comments on the Implementation and Monitoring of the draft Plan Strategy?

No answer

+ ADD TO ANALYSIS

Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA)

No answer

+ ADD TO ANALYSIS

draft Habitats Regulations Assessment(HRA)

No answer

+ ADD TO ANALYSIS

Equality Impact Screening Report

No answer

+ ADD TO ANALYSIS

Rural Needs Impact Assessment

No answer

+ ADD TO ANALYSIS

Please add any additional comments

No answer

**Representation to Ards and North Down
Borough Council Draft Plan Strategy
On behalf of Lesley Bloomfield Ltd**

March 2026

A decorative graphic at the bottom of the page consists of two large, overlapping circles. The circle on the left is a light beige color, and the circle on the right is a deep purple color. They overlap in the center, creating a darker purple shade in the intersection.

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Client

Lesley Bloomfield Ltd

Our reference

04526

March 2026

Executive Summary

1. This submission has been prepared by Turley on behalf of Lesley Bloomfield Limited in response to consultation on the Ards and North Down Borough Council draft Plan Strategy (dPS).
2. Lesley Bloomfield Ltd supports the ambition to build a thriving, well-connected and diverse local economy. This includes attracting inward investment, providing opportunities for emerging and growth sectors, and ensuring a supply of accessible employment land.
3. Lesley Bloomfield Ltd has concerns regarding Part D of the draft Plan Strategy, specifically relating to Draft Policies RET 1, RET 2, and RET 6.
4. Lesley Bloomfield Ltd wishes to identify concerns regarding the plan's soundness and particularly its approach to retail policies and alignment with regional policy. In particular, we consider that the draft Plan Strategy fails the following soundness tests:
 - Consistency Tests – C3
 - Coherence and Effectiveness Tests – CE1, CE2, CE4

1. Introduction

- 1.1 This representation is submitted by Turley on behalf of Lesley Bloomfield Limited (Ltd) and welcomes the opportunity to submit comments on the draft Plan Strategy (dPS).
- 1.2 Lesley Bloomfield Ltd operates Lesley Bloomfield Shopping Centre, at South Circular Road, Bangor. This representation focuses on the interests of Lesley Bloomfield Ltd within Ards and North Down Borough and whilst some specific locations are identified, the comments apply to the relevant policies in the dPS.
- 1.3 In line with the Council's procedures, each representation is set out on a separate page within each of the chapter headings with the draft policy and response clearly identified.
- 1.4 The structure of the submission is as follows:
 - Section 2: Provides an assessment of how the draft Plan Strategy addresses the legislative compliance tests.
 - Section 3: Details our representations relating to Part B of the dPS - Strategic Approach – Growth Strategy.
 - Section 4: Details our representation in response to Part D of the dPS – Strategic and Operational Topic Policies.

2. Legislative Compliance

2.1 In preparing their draft Plan Strategy (dPS), Ards and North Down Borough Council ('the Council') is required to adhere to the provisions of the Planning Act (Northern Ireland) 2011 (the 'Act') and the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 (the 'Regulations').

2.2 This section identifies issues in the compliance of the dPS with the Act and the Regulations.

Planning Act (Northern Ireland) 2011

2.3 Part 2 of the Act stipulates that the Plan Strategy should be prepared in accordance with the Council's timetable, as approved by the Department for Infrastructure ('DfI') and in accordance with the Council's Statement of Community Involvement.

2.4 The Council's Local Development Plan (LDP) Timetable is published on the Council's website; however, while the website indicates a date of May 2024, the document itself is dated 2023. We note that the Council did publish the dPS within the timeframes indicated on the timetable (Q3-4 2024 – Q3-4 2025). We note that this timeframe is also to include for the review of representations received and the consultation period for site specific counter-representations.

2.5 In line with guidance issued by DfI, we recommend that Council carefully monitors this time period to ensure that that all phases of the LDP are undertaken within the timelines agreed by DfI.

2.6 In preparing a Plan Strategy, legislation sets out that the Council must take account of:

"the regional development strategy;

The council's current community plan;

Any policy or advice contained in guidance issued by the Department;

Such other matters as the Department may prescribe or, in a particular case, direct, and may have regard to such other information and considerations as appear to the council to be relevant."

2.7 This representation identifies specific instances where policy issued by the Department has not been adequately assessed.

The Planning (Local Development Plan) Regulations (Northern Ireland) 2015

2.8 Regulation 16 of the Local Development Plan Regulations sets out the legislative provisions for public consultation on a development plan document (DPD). It states:

(1) Any person may make representations about a development plan document

(2) Any such representations must be –

(a) made within a period of 8 weeks starting on the day the council complies with regulation 15 (d), and

(b) sent to the address specified pursuant to regulation 15 (a)(v).

Revised Development Plan Practice Note 06: Soundness

- 2.9 DPPN 6 sets out that 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).
- 2.10 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.
- 2.11 Soundness involves testing the principles, content and preparation process of the DPD against a list of key criteria. The following tests aim to provide a framework to assess the soundness of the DPD, whilst taking account of all relevant procedural, legislative and policy considerations.

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.

2.12 In this submission, we have set out why the dPS is rendered unsound, based on the above tests.

3. Representations to Part B of the dPS – Strategic Approach – Growth Strategy

Spatial Growth Strategy

- 3.1 The Spatial Growth Strategy, at its SGS1, sets out that growth will be focussed on Bangor and Newtownards as the principal settlements of the Borough, strengthening their roles as the primary locations for future housing and **economic growth and investment** (our emphasis) in the Borough.
- 3.2 Paragraph 2.6 sets out that the Spatial Growth Strategy “will help support the realisation of our LDP strategic objectives by setting out where growth should be directed, in terms of housing, employment and commercial development over the plan period”.
- 3.3 Paragraph 2.9 sets out that the Council will adopt a sequential town centre first approach for retailing and commercial leisure, to help maintain the vitality and viability of our centres. Principal settlements/main towns will accommodate economic development and new residential development within the existing urban fabric, and where possible on previously developed land. Strategic Employment Locations (SEL)s shall be recognised, and where necessary providing new, economic development zonings to maintain a generous supply of economic development land.
- 3.4 The dPS (paragraph 2.45) sets out’s that the Council’s approach is to adopt an employment-led approach to setting the strategic housing requirement, therefore based on the level of population growth required to support job creation targets and employment growth.
- 3.5 The dPS sets out at paragraph 2.46 “There is a complex inter-reliance between employment growth - population growth - and housing growth”.
- 3.6 Whilst we welcome the Council’s evidence-based approach, we have concerns that the preparation of ‘Town Centres and Retailing Technical Supplement 6’, supported by the ‘Retail and Commercial Leisure Report’ prepared by Nexus, does not appear to reflect the housing and population growth anticipated through the Spatial Growth Strategy.
- 3.7 As outlined above, the draft Plan Strategy places a strong emphasis on directing housing and economic growth to Bangor and Newtownards. This growth will increase population levels and household expenditure within the Borough over the plan period. In turn, this will generate additional retail and leisure expenditure. It is therefore important that the retail evidence base fully accounts for the scale and distribution of planned housing growth when assessing retail capacity and the future role of the Borough’s centres.
- 3.8 Failure to adequately reflect these growth assumptions risks underestimating future retail expenditure capacity and therefore raises concerns as to whether the evidence base underpinning the retail strategy is sufficiently robust, potentially failing soundness test CE2.

4. Representations to Part D of the dPS – Strategic and Operational Topic Policies

4.1 This section relates specifically to draft policies contained within ‘Chapter 11 – Town Centres and Retailing’.

Strategic Policy

Draft Policy RH1 – Retail Centre Hierarchy

4.2 The Council’s draft Policy RH1 relates to the proposed retail hierarchy and classification.

Tier	Role	Centre
Large Town Centres	Provides (or has the potential to provide) a range of shops, services, businesses, cultural, leisure and community facilities to a significant hinterland which includes smaller neighbouring towns or a number of suburbs	Bangor Newtownards
Town Centres	Provides (or has the potential to provide) a range of shops, services, businesses, leisure and community facilities to a hinterland which includes neighbouring villages or a few surrounding suburbs	Hollywood Comber Donaghadee Portaferry
District Centres	Provides (or has the potential to provide) a range of shops, services, and businesses to a surrounding suburban community. Usually underpinned by a large foodstore	Bloomfield Springhill Ards (Shopping Centre)
Local Centres	Provides (or has the potential to provide) a range of accessible small scale convenience shops, retail services and community facilities with a focus on local, everyday need such as a general grocery store, sub-post office, small pharmacy etc	Stratheden Heights Ashbury Avenue

4.3 Paragraph 11.17 sets out that the Retail and Commercial Leisure Study recommended a four-tier hierarchy, retaining and reclassifying the original hierarchy set out in the POP with the addition of ‘Large Town Centres’ to distinguish Bangor and Newtownards. This is in recognition of these towns having the greatest number of retail units (300+) and catchment population as well as a range of community facilities. Both centres were noted to offer a range of retail, leisure, business, community and cultural uses.

4.4 The dPS has defined a network and hierarchy of centres in accordance with the SPPS, Edition 2 (2025) (hereafter referred to as “the SPPS”).

4.5 We welcome that the dPS continues to identify Bloomfield as a District Centre.

Operational Planning Policies

Draft Policy RET 1 – Retailing and main town centre uses

4.6 The Council's draft Policy RET 1 sets out the policy provisions for development of retail and main town centres uses.

4.7 It states the following:

"The Council will consider applications for main town centre uses in the following order:

1. Primary retail core

2. Town centres;

3. Edge of centre (i.e. adjoining town centres or within 300m from the centre boundary, where it is well connected with functional linkages and compliant with Policy RET 6 Out of Centre Development); and

4. All other locations (only where sites are accessible by a choice of good public transport modes and compliant with Policy RET 6 Out of Centre Development)."

4.8 Turley would comment that whilst this wording within the draft Plan Strategy is largely reflective of the SPPS Edition 2 (paragraph 6.288), it introduces additional wording for edge of centre and out of centre sites.

4.9 The term "functional linkages" is undefined within the policy, and subsequent J&A text. This requires definition in order to support understanding and determine soundness.

4.10 Draft Policy RET 1 continues that *"A sequential test will be applied to planning applications for main town centre uses that are not in an existing centre as above. An application which proposes development on a less sequentially preferable site shall be refused, unless it is demonstrated that an alternative sequentially preferable site or sites do not exist or are not suitable, available, or viable within a proposal's catchment, **and that there will be no significant adverse impact on the town centre(s) within the catchment area.**"*

4.11 The underlined text above should be presented separately within the policy. The paragraph primarily relates to the sequential test, whereas the final part refers to retail impact, which is a distinct assessment in its own right, as defined by the SPPS. These elements should be separated to ensure the policy is coherent.

4.12 The dPS sets out that *"Favourable consideration will be given to edge of centre sites before out of centre locations..."*. This wording is unnecessary. It is implicit through the application of the sequential test, that edge-of-centre sites are preferable to out-of-centre locations.

4.13 The dPS continues *"...provided it has been demonstrated that there is a need for the proposal."* The SPPS, at paragraph 6.289 sets out **need assessments are only required where there is no up-to-date LDP** (our emphasis). A proportionate needs assessment is only required in the absence of a current and up to date LDP. The proposed wording

introduces a needs-based test to justify a sequentially preferable location. This is unnecessary and is not coherent. If a needs assessment is required, it is a separate test that only applies based on the status of the LDP i.e. whether it is up-to-date.

- 4.14 This additional test under draft Policy RET 1 is contrary to the SPPS. On this basis, the policy fails Soundness Test C3.
- 4.15 In conclusion, draft Policy RET 1 fails the soundness tests as currently drafted. The policy conflates the sequential test with retail impact considerations and introduces a requirement to demonstrate need, which is contrary to the SPPS. As a result, Draft Policy RET 1 fails Soundness Test C3.

Draft Policy RET 2 – District Centres

- 4.16 The Council's draft Policy RET 2 sets out proposed policy for District Centres.
- 4.17 The dPS states that "Within District Centres, planning permission will not be granted for the following retail development:
- *Proposals for additional comparison goods floor space (including the provision of mezzanine floors within an existing retail unit);*
 - *Proposals that seek to vary or remove planning restrictions for bulky goods retail or outlet use to provide unencumbered retail use;*
 - *Proposals for the subdivision of commercial units into smaller units; and*
 - *Proposals for retail and other main town centre uses which are considered likely to impact adversely on the vitality and viability of town centres within the catchment."*
- 4.18 Draft Policy RET 2 introduces restrictive controls on district centres that conflict with identified status and role of District Centres of the SPPS. The SPPS sets out that planning authorities should retain and consolidate district and local centres as a focus for local everyday shopping (paragraph 6.283), reinforcing that district centres should function as active retail locations, and ensure their role is complementary to the role and function of the town centre. The District Centres identified in the dPS already exist, are trading and function in accordance with the SPPS as part of the Borough.
- 4.19 The wording of Draft Policy RET 2 seeks to introduce restrictions on comparison goods floorspace, the subdivision of units, and removal of bulky goods restrictions. These restrictions will prevent District Centres from fulfilling their role as retail centres in accordance with the SPPS.
- 4.20 The wording of Draft Policy RET 2 seeks to introduce restrictions on comparison goods floorspace, the subdivision of units, and removal of bulky goods restrictions. These restrictions will prevent District Centres from fulfilling their role in accordance with the SPPS.

- 4.21 Retailing continues to evolve and policy needs to allow for future change and opportunities to be realised within the Borough. Retailing continues to evolve, and policy needs to allow for future change and opportunities to be realised within the Borough.
- 4.22 Draft Policy RET 2 is contrary to paragraph 6.278 of the SPPS and will provide no opportunity for responding to the future needs or requirements of the centre and the role it fulfils within the retail hierarchy.
- 4.23 The policy allows no opportunity for the normal assessment of factors that would go into making a decision on a future planning application in a district centre. These include, as identified in the SPPS, a proportionate needs assessment (in the absence of a current and up to date LDP) and an assessment of retail impact, subject to a threshold of 1000sqm gross external area.
- 4.24 The Council has effectively determined that any of the types of development defined in the policy are unacceptable. The demonstrable harm test is met in the mind of the Council without assessment and without evidence.
- 4.25 Regarding the first criterion in Draft Policy RET 2, although the Justification & Amplification (J&A) text states that additional comparison retail floorspace will be refused, the criterion itself is excessively restrictive. This would preclude a small extension to an existing unit or the centre as a whole. Additional floorspace within an existing retail unit in a district centre may, in fact, support and strengthen its complementary role.
- 4.26 The restriction on mezzanine floors in the first criterion is unnecessary. If a centre is subject to current conditions in a planning permission on its gross floor area, then the introduction of a mezzanine will require planning permission and should be subject to assessment. If there are no current restrictions, they could be implemented as an internal operation and not be development requiring planning permission.
- 4.27 This conflicts with the SPPS and fails soundness tests C3 in relation to consistency.
- 4.28 In relation to the second criterion, which sets out that planning permission will be refused for proposals that seek to vary or remove planning restrictions for bulky goods retail or outlet use to provide unencumbered retail use. Again, the J&A text sets out that *“the removal of planning restrictions to provide unencumbered retail uses will be refused as these are likely to impact adversely on the vitality and viability of the town centre contrary to regional planning policy and the LDP Retail Strategy”*. This should be tested through established methods for assessing retail impact, rather than be predetermined. Furthermore, “outlet use” as a term needs to be defined.
- 4.29 This wording removes the ability of the planning system and applicants/owners to respond to changing market conditions. These restrictions will undermine the adaptability of district centres and thus affect their vitality. The SPPS supports vibrant and diverse centres, which requires flexibility within Policy.
- 4.30 This fails soundness tests CE4 as the policy lacks flexibility to respond to changing retail patterns and fails test CE2 (realistic and appropriate) as this restriction may lead to units not being used and reduce the vitality of centres, contrary to the aims of the SPPS.

- 4.31 The third criterion, which seeks to restrict the subdivision of units, is restrictive and unnecessary. Subdivision may in many cases support, and even enhance, the ability of a district centre to perform its complementary role more effectively. Variety in the size of units is necessary to support a mix of retailers and variety in the retail offer.
- 4.32 The third criterion could prevent the reuse of units and lead to premises becoming vacant if, for example, larger units are no longer commercially viable. Furthermore, the J&A text to this policy sets out that *“Proposals for... the subdivision of retail units to provide comparison retail... will be refused”*. However, the proposed wording fails to take account of the type of goods being sold in an existing unit that is subject to this restriction.
- 4.33 Similar restrictions could apply for the subdivision of units. There could be current conditions in a planning permission to preclude that practice or if not, it could happen as an internal operation and not be development requiring planning permission. The use of the word ‘commercial’ in the criterion is unnecessary and is not provide certainty over the unit type/use.
- 4.34 This fails soundness tests CE2 in that the restriction does not reflect the changing nature of the retail market and CE4 as it lacks flexibility in preventing district centres from adapting to future circumstances.
- 4.35 The fourth criterion, which sets out that planning permission will not be granted for *‘Proposals for retail and other main town centre uses which are considered likely to impact adversely on the vitality and viability of town centres within the catchment’*. This undermines the complementary role of district centres
- 4.36 The SPPS sets out at 6.283 that *“In these centres, extensions should only be permitted where the applicant has demonstrated that no adverse impact will result on town centres in the catchment”*. The dPS needs to introduce a threshold for assessing retail impact (e.g. 1000sqm). The absence of a threshold is contrary to the SPPS, and therefore fails soundness test C3.
- 4.37 In relation to the penultimate paragraph in the draft policy, there is no definition of what constitutes ‘small-scale’ or ‘complementary’ uses. Given the policy is based on retail and main town centre uses, it must be the case that complementary uses fall outside of that definition. Based on this assumption, the promotion of non-retail uses within centres which are a focus for local everyday shopping is contrary to the SPPS. It is also unclear how an impact assessment can be carried out for non-retail use, in accordance with the SPPS.
- 4.38 Where proposals do not relate to main town centre uses, it is unclear how their potential impact on other centres would be assessed, particularly where there is no associated turnover to measure against existing provision.
- 4.39 In conclusion, draft Policy RET 2 is fundamentally unsound, failing to support the role of district centres in accordance with the SPPS. Draft Policy RET 2 fails Soundness Tests C3, CE2, and CE4.

Draft Policy RET 6 – Out of Centre Development

- 4.40 The Council's draft Policy RET 6 sets out the policy for proposals for main town centre uses that are not located within an existing town centre:

Proposals for main town centre uses (including extensions to, or sub-division of, existing uses) that are not located within an existing town centre will be refused unless it can be demonstrated that a sequentially preferable site is not available in accordance with Policy RET 1.

Proposals that have a retail floor-space of 1,000sqm gross and above and which are not proposed in a town centre must also be accompanied by a retail impact assessment and an assessment of need.

The Council may request a retail impact assessment and an assessment of need for development below the 1,000sqm threshold, taking into account local circumstances such as the size, role and function of nearby centres. Factors to be addressed in a retail impact and assessment of need include:

- the impact of the proposal on trade and turnover for both convenience and comparison goods traders, and the impact on town centre turnover overall for all centres within the catchment of the proposal;*
- the impact of the proposal on existing committed and planned public and private sector investment and investor confidence in the town centre/s;*
- the impact of the proposals on the delivery of the planned/ allocated sites and the LDP strategy;*
- the impact on the vitality and viability of existing centres including consideration of the local context. This should take into account existing retail mix and the diversity of other facilities and activities;*
- cumulative impact taking account of committed and planned development, including planned commitments within the town centre and wider area; and,*
- a review of local economic impacts.*

Where an impact on one or more of these criteria is considered significantly adverse or where in balancing the overall impacts of each of the criteria the proposed development is judged to be harmful, then it will be refused.

All proposals should also comply with General Principles Policy GP 1 and all other relevant policy provisions of the LDP.

- 4.41 Draft Policy RET 2 'District Centres' is more restrictive than Draft Policy RET 6 despite district centres being identified in the retail hierarchy as a centre that performs a complementary role to town centres. Unlike Draft Policy RET 2, RET 6 imposes no controls on subdivision of units, additional floorspace at existing units, or removal of planning restrictions.

- 4.42 This is an inconsistent approach that will undermine the retail hierarchy and undermine the town centre first approach of the SPPS as existing out of centre locations will be seen as a better choice for future retailers seeking vacant opportunities. By way of example, the figures highlighted above in demonstrate the extent of out of centre retailing available in the Borough.
- 4.43 This fails soundness tests C3 due to the draft policy departing from the SPPS.
- 4.44 It is noted that within the Nexus Retail and Leisure Study, paragraph 6.52 states that “the Council may also wish to adopt a policy which seeks to ensure that the sub-division of large out-of-centre retail and leisure floorspace is subject to impact assessment.” While this approach was recommended by Nexus, it has not been incorporated into the Council’s draft Plan Strategy.
- 4.45 For example, the turnover of convenience goods in out-of-centre locations (para. 4.40 above) exceeds that of the district centre. Despite this, it is not proposed that the same restrictions be applied, notwithstanding that such an approach was recommended within the retail evidence.
- 4.46 In summary, Draft Policy RET 6 proposes an inconsistent policy framework that will undermine the role and function of district centres. The policy fails to align coherently with the wider retail strategy and the provisions of the SPPS and accordingly fails soundness test C3. Furthermore, the failure to take account of recommendations within the retail evidence, or provide justification for not doing so, indicates a potential failure of soundness test CE2.

5. Conclusion

- 5.1 This submission has been prepared by Turley on behalf of Lesley Bloomfield Limited in response to consultation on the Ards and North Down Borough Council draft Plan Strategy.
- 5.2 The proposed wording of draft policies RET 1, RET 2 and RET 6 include inconsistencies, unnecessary restrictions and departs from the SPPS. The proposed wording of policies RET 1, RET 2 and RET 6 introduce inconsistencies, unnecessary restrictions and departures from the approach set out in the SPPS.
- 5.3 Collectively, the policies lack clarity, introduce additional policy tests and undefined terminology, and impose overly onerous restrictions on district centres while applying less restrictive controls to out-of-centre locations. This is contrary to the SPPS.
- 5.4 As a result, the policies do not provide a clear, consistent or effective framework for decision-making and therefore fail the soundness tests, including CE1 (coherence and clarity), CE2 (realistic and appropriate), CE4 (flexibility), and C3 (consistency with regional policy). Amendments are therefore required to ensure the Plan Strategy aligns with the SPPS and provides a robust and sound policy framework.

Turley Office
Belfast

028 9072 3900