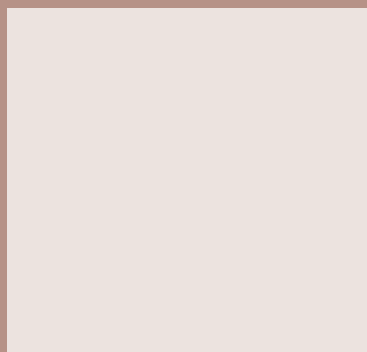


Magherafelt Area Plan 2015

Adoption Statement 2011



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December 2011

1.0 Background to the Preparation of the Plan

- 1.1 The Magherafelt Area Plan 2015 (hereinafter referred to as the Plan), is a development plan prepared by the Department of the Environment, (hereinafter referred to as 'the Department') under Part III of the Planning (NI) Order 1991.
- 1.2 The Plan will provide the broad land use planning framework for the Plan Area until 2015. It applies regional policies at the local level and is prepared in the context of the Regional Development Strategy (hereinafter referred to as the RDS). The RDS sets out a dynamic strategic spatial planning framework for Northern Ireland to guide physical development within the region until 2025 and provides an overarching strategic framework for the preparation of development plans. Under the provisions of the Planning (Amendment) (Northern Ireland) Order 2003, development plans must be in general conformity with the RDS.
- 1.3 The Plan establishes policy guidelines within which more detailed development proposals can be determined. It will assist public agencies in decisions concerning infrastructure improvements and also assist private developers in reaching their land use based decisions.
- 1.4 Following consultation with Magherafelt District Council, the Draft Plan was published in April 2004. Publication was advertised in the local and regional newspapers and the Belfast Gazette over 2 weeks. The statutory period for submission of representations, including objections, to the Draft Plan Policies and Proposals expired on 9 June 2004.
- 1.5 Subsequently, upon consideration of submissions received, the Department requested the Planning Appeals Commission (hereinafter referred to as the Commission), to facilitate an Independent Examination to consider objections to the Draft Plan and provide a report to the Department. The Commission appointed Commissioners P Boomer, J de-Courcey and S G O'Hare (hereinafter referred to as the Commissioner(s)) to conduct the Independent Examination. The Examination opened on 2 February 2009 to consider strategic issues and adjourned on 18 February 2009. It recommenced on 18 May 2009 to consider site specific issues. The Examination was formally closed on 17 June 2009. The Department received the Commissioners' Report on the Examination on the 31 January 2011.

2.0 Format of Commissioners' Report

- 2.1 The Commissioners' Report of the Independent Examination is published today. It summarises the main issues raised in objections, sets out the Commissioners' consideration of each issue and puts forward recommendations to the Department. Where the Commissioners' have made recommendations that have implications for the Draft Plan, these are highlighted in bold at the end of each section. The Report deals with the various

issues raised under a number of section headings which broadly reflects the topic based format of the Examination.

3.0 Format of the Adoption Statement

- 3.1 The recommendations contained in the Commissioners' Report have been fully assessed by the Department and revisions to the Plan made accordingly. Appendix 1 of this Adoption Statement lists the issues where a recommendation has been made and the Department's response to that recommendation. The Adoption Statement does not include any reference to issues where the Commissioners have recommended that there be no change to the Plan and this recommendation has been accepted by the Department. Objections relating to strategic issues are dealt with first, followed by those of a site specific nature listed by settlement.
- 3.2 Following consideration of the Commissioners' Report of the Examination, the Department confirms its acceptance of the majority of its recommendations. There are, however, a number of recommendations where the effects of changes in the regional policy context since the Examination or other material considerations have had to be taken into account by the Department in reaching its decision on the implications for the Plan. Where the Department has disagreed with the Commissioners' recommendation, its reasons are set out in the following paragraphs and in Appendix 1 of this Statement.

4.0 Format of the Plan Document

- 4.1 The Department is also publishing today the Magherafelt Area Plan 2015, containing the amendments referred to in this Adoption Statement. The Plan consists of a Written Statement and Proposals Maps.
- 4.2 Amendments to the content of the Draft Written Statement and Proposals Maps have been made as a consequence of the Department's decisions, which followed consideration of the Commissioners' recommendations.
- 4.3 Such amendments include additions to and deletions from the text and maps of the Draft Plan, for example, to include sites recommended for inclusion or exclusion by the Commissioners and also changes to the reference numbers for some policies and proposals. Other mapping amendments reflect changes to the planning context, for example, changes to the road network. The Plan text has also been changed to incorporate changes to development site areas following consideration of recommended changes by the Commissioners'. Amendments have also been made, as appropriate, to update supporting information and to correct mapping and text errors.

- 4.4 Some changes to the plan text have also been necessary to reflect mitigation measures arising from the Habitats Regulations Assessment of the Plan Proposals.
- 4.5 Changes to the regional planning context since the publication of the Draft Plan and since the Independent Examination as contained, for example, in the RDS and Planning Policy Statements, (hereinafter referred to as PPSs), have impacted on a number of the Draft Plan proposals. The Department for Regional Development, (hereinafter referred to as DRD), published a 5-Year review of the RDS in June 2008. Several new and revised PPSs and guidance documents have also been published.

5.0 Green Belts and Countryside Policy Areas

- 5.1 The publication of PPS 21, 'Sustainable Development in the Countryside' has taken precedence over the policy provision of the Green Belts and Countryside Policy Areas identified in the Draft Plan. As a result the following designations have been omitted from the Plan:
- COU 1 - Magherafelt Green Belt,
 - COU 2 - Maghera Green Belt,
 - COU 3 - Sperrin Countryside Policy Area, and
 - COU 4 - Eastern Countryside Policy Area

6.0 Areas of Townscape Character

- 6.1 The Commissioners state at paragraph 5.3 of their Report that the Addendum to PPS 6, Areas of Townscape Character, sets out the policies for the control of development within them. Given this change in the regional planning policy context, the Department considers that the provisions of Draft Plan Policy CON 4, Areas of Townscape Character, are no longer necessary and has therefore omitted this policy from the Plan.

7.0 Housing

- 7.1 The Department has carefully considered the Commissioners' views on the overall housing allocation in the Draft Plan and the Departments' paper 'The Departmental Approach to the Adjusted Housing Growth Indicator for Magherafelt District', February 2009.
- 7.2 The Department accepts that its aim to maintain and further improve Magherafelt town's position within the District settlement hierarchy will be achieved by making provision

for 2,130 housing units over the Plan period. This provides for almost 30% of the total district housing provision of 7,335 to Magherafelt town. This level of provision will permit Magherafelt town to improve on its 20% share of District population at 1998 as set out in the RDS (Appendix 7). The Department also agrees with the Commissioners' observation that there has been a relatively low uptake of housing land in Magherafelt town (370 completed units at August 2010). As a result the Department is satisfied that the Plan makes ample provision to meet housing need in Magherafelt town to the end of the Plan period and beyond.

- 7.3 The Department also accepts the Commissioners' views on the housing potential in the rural area. It recognises that notwithstanding the high level of rural approvals, the economic downturn has resulted in significantly lower levels of housing construction. It therefore agrees with the Commissioners' view that a Rural Allocation figure of 2,600 is a realistic estimate of the likely level of rural house construction over the Plan period.
- 7.4 The Department is content that the Commissioners' assessment of housing in Table 2 - Built Development and Housing Potential in Settlements, of their Report, broadly accords with the potential identified in Table 3 of the Departments February 2009 paper. The Department has provided a further update of the Plan Provision taking account of additional commitments since the Independent Examination and the Commissioners' recommendations which have been accepted by the Department (Appendix 2 of this Adoption Statement).
- 7.5 Plan Allocation HOU 1, Housing, has been updated accordingly.

8.0 Key Site Requirements

- 8.1 The Commissioners have recommended in paragraph 11.10 of their Report that Key Site Requirements (KSRs) should identify difficulties and constraints particular to that individual site and should not include general requirements that can be achieved through the application of regional policy.
- 8.2 Therefore the Department has reviewed the KSRs and omitted those that require housing layouts to include dedicated provision for cyclists and pedestrians with links to the existing road network, unless there are site specific reasons for their retention. However, on all sites the provision of a movement pattern that supports walking and cycling will be required as set out in PPS 3, 'Access Movement and Parking', PPS 7, 'Quality Residential Environments' and PPS 13, 'Transportation and Landuse'.

9.0 Social Housing

- 9.1 PPS 12, 'Housing in Settlements', was published in July 2005 subsequent to publication of the Draft Plan. As a result the Department contended at the Examination that Draft Plan Policy HOU 4, Social Housing, provided no necessary additional or alternative policy context to Policy HS 2 of PPS 12. The Commissioners agreed with the Department's view and Policy HOU 4 has therefore been omitted from the Plan.
- 9.2 The Commissioners have stated in paragraph 13.11 of their Report, that they are not satisfied that the social housing needs of the District can be met through the provisions of the Draft Plan. They conclude from the evidence presented, that the shortfall in Magherafelt town could be around 100 units and around 60 units in Maghera. They also state in their Report that there are shortfalls in provision in a number of the villages and smaller settlements. Accordingly they recommended that the Department bring forward proposals under Article 6 of the Planning (NI) Order 1991 as a matter of urgency, to address the social housing needs of the district over the plan period.
- 9.3 However since the Examination, an updated Housing Needs Assessment has been carried out by the Northern Ireland Housing Executive (NIHE). This indicates that the level of social housing need in Magherafelt town and Maghera for the 5 year period from 2010 to 2015 has declined to 90 and 25 respectively. Furthermore the Department notes the Commissioners' comments in paragraph 13.11 of their Report that some small sites for social housing may be found within the urban footprint of towns and that it may also be possible for NIHE or other social housing providers to acquire some sites already zoned or committed.
- 9.4 Within Magherafelt town there are 30 units under construction and due for completion in 2012 on one such site at Aughrim Road. There is also, as stated at the Examination, a potential yield of 55 units on zoned NIHE owned land. Within Maghera there is a potential for 22 units to be provided on an unzoned site at Craigmore Road that is being brought forward by a Housing Association. In addition there is a potential yield of 14 units on zoned NIHE owned land. The Department is therefore satisfied that there is no longer any significant shortfall in meeting current identified social housing need in Magherafelt and Maghera to the end of the Plan period in 2015.
- 9.5 Within the villages and small settlements Policy CTY 5 of PPS 21, now provides the policy context for consideration of small social housing schemes in appropriate locations on the edge of settlements where sites are not available within settlement development limits.
- 9.6 The Department is currently considering how this issue can be addressed on a regional basis. To this end, discussions are ongoing between DOE and the Department for Social

Development (DSD) on jointly bringing forward for consultation Draft PPS 22, Affordable Housing, along with an associated DSD Housing Policy.

- 9.7 Regional planning policy for travellers' accommodation is now provided in Policy HS 3 of PPS 12. Therefore Draft Plan Policy HOU 3, Accommodation for the Travelling Community, has been omitted from the Plan.

10.0 Industry

- 10.1 The policy context for Industry has changed since the Independent Examination with the publication of a revised PPS 4, 'Planning and Economic Development', November 2010. Within this framework, development plans will aim to ensure that there is an ample supply of suitable land available to meet economic development needs within the plan area, and will seek to support job creation by identifying and protecting a portfolio of the most appropriate job creation opportunities (PPS 4 paragraph 4.3).
- 10.2 The Department agrees with the Commissioners that within the District there is more than an adequate supply of industrial land to provide choice and flexibility for this plan period. Allocation IND 1, Industry, has been revised to reflect changes resulting from recommendations in the Commissioners' Report that have been accepted by the Department.
- 10.3 In response to concerns raised by the Commissioners in their Report, the Department confirms that there are extant planning approvals for Invest Northern Ireland (INI) at the Creagh Business Park, which has now been developed as a Serviced Business Park. The Department accepts the Commissioners' observation that as the majority of the serviced sites remain available to meet future industrial need, they have been inaccurately identified in the Draft Plan as Major Area of Existing Industry. The Department has therefore reflected the extant position in relation to the lands owned by INI at Creagh Business Park on Map No 4 of the Plan. Allocation IND 1, Industry, has also been amended to include all land allocated for industry in the District, either zoned or at Creagh Business Park. All these lands will be subject to the provisions of prevailing regional planning policy.
- 10.4 The Commissioners also raise concerns, as set out in paragraph 14.4.5 of their Report, in relation to the Draft Plan's identification of other parts of the former airfield at Creagh as 'Major Areas of Existing Industry'. The Department now considers that existing industrial uses at the Creagh are afforded sufficient protection under PPS 4, Policy PED 2, Economic Development, in the Countryside. As such, the Plan does not specifically identify areas of existing industry at Creagh.

- 10.5 The Department considers that the amendments to the Plan as outlined above adequately address the issues raised by the Commissioners in relation to the status and role of existing and committed industrial lands at Creagh.

11.0 Areas of Constraint on Mineral Developments

- 11.1 The Department recognises that there is a need to balance the economic benefits of mineral extraction with protection of the environment. It also recognises that there is an information deficit on minerals reserves in the Plan Area. In light of this information deficit, the Department is committed to undertaking further research on minerals reserves. Accordingly, the Department accepts the Commissioners' recommendation that Designation COU 10, Areas of Constraint on Minerals Developments, be omitted from the Plan. Applications for minerals development will be subject to the provisions of prevailing regional policy.

12.0 Road Transportation Schemes

- 12.1 As Draft Plan Proposals COU 14 and COU 15 have now been implemented through the delivery of 2+1 overtaking opportunities on the A6, these proposals are omitted from the Plan. The DRD Investment Delivery Plan 2018 does not include any further proposals for the A6 between Castledawson and the western boundary of the District.

13.0 Adoption of the Magherafelt Area Plan 2015

- 13.1 The Department does not consider that the incorporation of amendments, which are consistent with the advice and recommendations of the Commission or of updated factual information, merit a formal modification to the Plan.
- 13.2 The Department now adopts the Magherafelt Area Plan 2015, as amended in this Adoption Statement, as a Development Plan under Article 8 of the Planning (NI) Order 1991. The Department has made the necessary Order adopting the Area Plan. A copy of the Order is contained in Appendix 3 of this Statement.
- 13.3 As required by Article 28 of the Planning (Amendment) (Northern Ireland) Order 2003, prior to making an order adopting a plan, the Department must seek a determination from DRD as to whether the relevant plan is in general conformity with the RDS. The Department has consulted DRD on the format and content of the final Plan and can confirm that it has been granted a 'Statement of General Conformity'. This was a material consideration for the Department in considering the way forward for the Magherafelt Area Plan 2015. A copy of the Statement of General Conformity is included at Appendix 4 of this Adoption Statement.

14.0 Acknowledgements

- 14.1 The Department wishes to thank the elected representatives and everyone who contributed to the making of this Plan at all stages. The Department also wishes to thank Commissioners P Boomer, J de Courcey and S G O Hare, who conducted the Independent Examination.

Appendix 1: Reference Index

Table	Contents	Page
1	Strategic Topics	12
2	Magherafelt	19
3	Maghera	29
4	Bellaghy	33
5	Castledawson	35
6	Draperstown	36
7	Tobermore	38
8	Ballymaguigan	39
9	Clady	39
10	Creagh	40
11	Curran	40
12	Glen	41
13	Glenone	41
14	Gulladuff	41
15	Inishrush	42
16	Longfield	42
17	Moneyneany	42
18	Straw	43
19	Swatragh	43

Appendix 1

PAC Recommendations and the Department’s Decision on the Proposed Changes Relating to Part 1, 2, 3 and 4 of the Plan.

Table 1 - Strategic

Following consideration of the Commissioners’ Report of the Examination, the Department is generally in agreement with the recommendations. The Department’s response to the individual recommendations is set out in the Table below.

Plan Proposal	Issue Raised	PAC Report page no.	Commissioners’ Recommendation	Department’s Decision
Policy SETT 2, Development within Settlement Development Limits.	Contradiction between the statement in the last paragraph of the explanatory text (page 45) in regard to not zoning lands for specific purposes in villages and small settlements and the Draft Plan proposals to zone land as Land Use Policy Areas in the villages.	31-33	That the last paragraph of the explanatory text to Policy SETT 2 is changed to exclude reference to not zoning lands for specific purposes in villages.	The Department accepts this recommendation and has amended the Plan text accordingly.

Plan Proposal	Issue Raised	PAC Report page no.	Commissioners' Recommendation	Department's Decision
Allocation HOU 1, Housing.	General objections to the proposed housing allocation in the Draft Plan.	34 - 44	That the existing provisions for housing in the Draft Plan together with subsequent commitments, with the exception of the provisions for social housing, represents a generous provision to meet the district's housing needs over the Plan period. That the overall level of housing provision and its distribution should be as set out in Table 3 of our Report.	The Department accepts this recommendation. See paragraphs 7.1 - 7.5 of this Adoption Statement for explanation of the Department's response.
Key Site Requirements (KSRs).	Key Site Requirements (KSRs) should not duplicate regional policy.	45-46	That the KSRs should not include general requirements that can be achieved through the application of regional policy.	The Department accepts this recommendation. See paragraphs 8.1 – 8.2 of this Adoption Statement for explanation of the Department's response.

Plan Proposal	Issue Raised	PAC Report page no.	Commissioners' Recommendation	Department's Decision
Policy HOU 4, Social Housing.	Policy HOU 4 provides no necessary additional or alternative policy context to Policy HS 2 of PPS 12 and it should be omitted from the Plan.	49	That Policy HOU 4 be omitted from the Plan.	The Department accepts this recommendation and has amended the Plan accordingly.
	Insufficient provision has been made in the Draft Plan for social and affordable housing.	49-50	That the Department bring forward proposals under Article 6 of the Planning (NI) Order 1991 as a matter of urgency, to address the social housing needs of the district over the plan period.	The Department does not accept this recommendation. See paragraphs 9.2 - 9.6 of this Adoption Statement for explanation of the Department's response.
Allocation IND 1, Industry.	Industrial lands at the Creagh.	51-61	That the Department should accurately reflect industrial provision in the plan and adjust Allocation IND 1 accordingly.	The Department accepts this recommendation. See paragraphs 10.1 – 10.5 of this Adoption Statement for explanation of the Departments response.
	General objections to the Industrial allocation in the Draft Plan.	51-61	That Allocation IND 1 Industry is amended to reflect the Department's final position once it has considered our site specific recommendations on industrial zonings in ensuing section of the report.	The Department accepts this recommendation and has amended the Plan text accordingly.

Plan Proposal	Issue Raised	PAC Report page no.	Commissioners' Recommendation	Department's Decision
Policy TRAN 1, Planning Protection for Transportation Schemes	The wording of Policy TRAN 1 is unduly restrictive.	65	That Policy TRAN 1 be omitted from the Plan.	The Department accepts this recommendation and has amended the Plan accordingly.
Designation COU 6, Slieve Gallion Slopes Area of High Scenic Value (AOHSV).	The extent of the proposed AOHSV designation and its overlap with the extent of the Area of Outstanding Natural Beauty (AONB).	6-10	That Designation COU 6 as indicated on MAP No 1 Countryside be changed to exclude areas now included within the amended Sperrin AONB.	The Department accepts this recommendation and has amended the Plan accordingly.

Plan Proposal	Issue Raised	PAC Report page no.	Commissioners' Recommendation	Department's Decision
Designation COU 7, Sites of Local Nature Conservation Importance (SLNCIs).	Process for designation not in compliance with statutory requirements of Article 5 (6) (c) of The Planning (Northern Ireland) Order 1991, in that, the Draft Plan did not identify the precise extent of 8 SLNCIs.	15-19	That the 8 SLNCIs at: Derrymore, Derrynoyd Bridge, Derrynoyd Wood, Drumbally Hill, Dumderg River, Drumlamph Road, Drumlamph Wood and Fallylea are omitted from the Plan.	The Department accepts this recommendation and has amended the Plan accordingly.
	The Department recommended reductions in size of the following proposed SLNCIs: Charleys Hill, Cloney, Drumlamph, Eden Hill, Hollyhill Wood, The Island (Dreenan) North Bog and the Island South Bog.	15-19	That the maps for these designations be amended in accordance with the Commissioners' recommendations.	The Department accepts this recommendation and has amended the Plan accordingly.
	The Department recommended that Ballymacombs More is omitted as a SLNCI as it has now been designated an Area of Special Scientific Interest which represents a higher tier of protection.	18-19	That the Ballymacombs More designation is omitted from the Plan.	The Department accepts this recommendation and has amended the Plan accordingly.

Plan Proposal	Issue Raised	PAC Report page no.	Commissioners' Recommendation	Department's Decision
Designation COU 8, Dispersed Rural Community.	The boundary of Carntogher is not extensive enough and should include a primary school, a local community hall, business units and 8 residential units.	21-23	That designation COU 8 is amended to include lands to south of Tirkane Road comprising a primary school, a community centre and business units and to the east of Halfgayne Road comprising a rural housing development. Maps to be amended accordingly.	The Department accepts this recommendation and has amended the Plan accordingly.
	That Sixtowns is designated as a Dispersed Rural Community (DRC).	22-23	That a Dispersed Rural Community be designated at Sixtowns and Map No 1 - Countryside be amended accordingly.	The Department accepts this recommendation and has amended the Plan accordingly. No map was submitted by objectors during the Development Plan process delineating a boundary for the DRC. Therefore, the Department in accordance with PPS 21 has identified the Sixtowns Resource Centre and St Patrick's Church as the focal point around which future development may be appropriate.

Plan Proposal	Issue Raised	PAC Report page no.	Commissioners' Recommendation	Department's Decision
Designation COU 10, Areas of Constraint on Mineral Developments (ACMD).	Objections to all ACMDs and the methodology used in their designation.	79-83	That the proposed Designation COU 10 is deleted from the Plan and that the Department reviews the requirements for ACMDs and, if found to be required, brings forward amended proposals for the designation of ACMD under Article 6 of the Planning (NI) Order 1991 as an alteration to the Plan.	The Department accepts the recommendation that Designation COU 10 is deleted and has amended the Plan accordingly. See paragraph 11.1 of this Adoption Statement for explanation of the Departments response.
Proposal COU 13, Transportation Scheme for upgrading and dualling of A6 between the western end of Toome bypass and junction of A31 and A6 at Castledawson.	The Department advised that this Proposal should be regarded as withdrawn from the Plan. The preferred alignment is being progressed outwith the development plan process.	70	The Commissioners' Report notes the Departments withdrawal of Proposal COU 13.	The Department has amended the Plan accordingly. The Road scheme is shown on Map No 1 of the Plan for information purposes only.
Proposal COU 16, Transportation Scheme for new road link between A6 and Aughrim Road.	Objections to the necessity for this Road Proposal.	70-72	That Map No 80 be amended to distinguish between those parts of the road proposal COU 16 already built with the un-built section shown diagrammatically.	The Department accepts this recommendation and has amended the Plan accordingly.
Tourism.	That the tourism potential of the Lower Bann be given greater recognition.	77	That reference to the Lower Bann be included in the text on pages 70-72 of the draft Plan.	The Department accepts this recommendation and has amended the Plan accordingly.

Table 2 – Magherafelt

Following consideration of the Commissioners’ Report of the Examination, the Department is generally in agreement with the recommendations. The Department’s response to the individual recommendations is set out in the Table below.

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner’s Recommendation	Department’s Decision
Designation MT 01, Settlement Development Limit (Lands between Moneymore Road and Ballyronan Road).	That specified lands be included within the settlement development limit.	85-91	That the settlement development limit be extended as indicated on PAC Map 22a/2 to include lands: 1) South of junction of Moneymore Road with Ballymoghlan Road; and 2) The entirety of Meadowbank Sports Arena and Hatrick Park.	The Department accept these recommendations and has amended the Plan accordingly.
		85-91	That the settlement development limit be extended to include lands south of Zoning MT 14, which should also be included within that zoning.	The Department does not accept this recommendation. These lands are affected by the proposed Magherafelt Bypass which has been confirmed by a Direction Order which came into effect on 25th October 2010.

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
<p>Designation MT 01, Settlement Development Limit (Lands between Ballyronan Road and Aughrim Road).</p>	<p>That specified lands be included within the settlement development limit.</p>	<p>91-97</p>	<p>That the settlement development limit shall be extended as shown on PAC Map 22b/2 and that the following lands are zoned for housing:</p> <p>1) Lands south of Aughrim Road, extending south-westwards from its junction with Love's Road;</p> <p>2) Lands south of Aughrim Road and east of Laurel Brook subject to the KSRs attached.</p> <p>The remaining land not zoned for housing or open space that is to be included within the settlement development limit shall be shown as white land.</p>	<p>The Department accepts these recommendations and has amended the Plan accordingly.</p>

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Designation MT 01, Settlement Development Limit (Lands between Aughrim Road and Station Road).	That specified lands be included within the settlement development limit.	97-103	<p>That the following lands are included within the settlement development limit as indicated on PAC MAP 22c/2:</p> <ol style="list-style-type: none"> 1) Land at the junction of Aughrim Road with Pound Road; 2) Nos 7 and 11 Pound Road; 3) Sperrin Integrated College campus; 4) Dwellings to the east of Station Road, and 5) Land including and surrounding No 8 Pound Road, which should be zoned for housing subject to the suggested KSRs. <p>That the following lands be included within the settlement development limit as indicated on PAC MAP 22c/2:</p> <p>Land to the west of Pound Road part of which should be zoned for housing subject to the suggested KSR.</p>	<p>The Department accepts these recommendations and has amended the Plan accordingly.</p> <p>The Department accepts the recommendation that these lands be included within the settlement development limit but does not accept that the site be zoned for housing. The majority of the site has been developed as a Care Home since the Independent Examination.</p>

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Designation MT 01, Settlement Development Limit (Lands between Station Road and Desertmartin Road).	That specified lands be included within the settlement development limit.	103-105	<p>That the settlement development limit be amended as indicated on PAC Map 22e/2 to include:</p> <p>1)Lands on the western side of Station Road and</p> <p>2) Dwellings and their curtilages on the north-western side of Ballyheifer Road.</p>	The Department accepts these recommendations and has amended the Plan accordingly.
Designation MT 01, Settlement Development Limit (Lands between Desertmartin Road and Moneymore Road).	That specified lands be included within the settlement development limit.	105-110	<p>That the settlement development limit be amended as indicated on PAC Map 22d/2 to include the following lands and that they be zoned for housing:</p> <p>1) Lands to the west of Beechgrove Heights subject to the suggested KSRs; and</p> <p>2) Land served by Mullaghboy Lane subject to the suggested KSRs.</p>	The Department accepts these recommendations and has amended the Plan accordingly.

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Zonings MT 03, Committed Housing Sites at MT 03/01 Tobermore Road/ Hospital Road; MT 03/02 Desertmartin Road and MT 03/05 Tobermore Road.	That these sites should be zoned as housing land rather than committed housing sites as planning permission has expired.	111	That MT 03/01 should be included as zoned housing land rather than a committed site.	The Department accepts this recommendation and has amended the Plan accordingly.
			That MT 03/02 and MT 03/05 should be included as zoned housing land rather than committed sites.	The Department does not accept this recommendation as planning permission for housing has been granted in respect of these sites since the Independent Examination.
Zonings MT 04 to MT 20, Housing Zonings.	That reference to the bypass is deleted from landscaping Key Site Requirements (KSRs).	112	That the KSRs referring to the bypass (Proposal MT 26 Eastern Bypass Transportation Scheme) be deleted from housing zonings where they appear.	The Department accepts this recommendation and has amended the Plan accordingly.
Zoning MT 05, Housing Land to south-east of Ballyronan Road.	Objection to the Key Site Requirements (KSRs).	112 -116	That the: 1) 3rd and 7th KSRs are amended, 2) 4th KSR is deleted and replaced and the 3) 6th KSR is deleted.	The Department accepts these recommendations and has amended the Plan accordingly.
Zoning MT 06, Housing Land opposite Park Lane, Killyfaddy.	Objection to the Key Site Requirements (KSRs).	116 -117	That the 3rd KSR be deleted.	The Department accepts this recommendation and has amended the Plan accordingly.

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Zoning MT 07, Housing Land at Thornhill Court.	Objection to the Key Site Requirements (KSRs).	117	That the 3rd KSR be deleted.	The Department accepts this recommendation and has amended the Plan accordingly.
Zoning MT 12, Housing Land at Hospital Road, adjacent to Regency Court.	Objection to the Key Site Requirements (KSRs).	120	That the 1st KSR be deleted.	The Department accepts this recommendation and has amended the Plan accordingly.
Zoning MT 13, Housing Land at Killyfaddy Road, to south of Park Lane.	That the proposed zoning is too extensive and would include development on the skyline.	120	That part of Zoning MT 13 is confirmed as shown on PAC Map 22a/2 and the remainder should be shown as white land.	The Department accepts this recommendation and has amended the Plan accordingly.

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Zoning MT14, Housing Land at Moneymore Road.	Objection to the Key Site Requirements (KSRs).	121-123	<p>That the 1st sub bullet point of the 2nd KSR be deleted.</p> <p>That the:</p> <p>1) 2nd KSR is retained but the last 2 sub-bullet points be deleted;</p> <p>2) 5th KSR is retained subject to deletion of the last 8 words of the first sentence and the entire second and third sentences; and</p> <p>3) 6th KSR is deleted.</p>	<p>The Department does not accept this recommendation. These lands are affected by the proposed Magherafelt Bypass which has been confirmed by a Direction Order which came into effect on 25th October 2010.</p> <p>The Department accepts these recommendations and has amended the Plan accordingly.</p>
Zoning MT 15, Housing Land at Coolshinney Road.	That the zoning should be excluded from the settlement development limit either wholly or partially and part of the site zoned as open space.	123 - 124	<p>That:</p> <p>1) Part of Zoning MT 15 is deleted and excluded from the settlement development limit as shown on PAC Map 22d/2; and</p> <p>2) the 3rd and 4th KSRs be deleted.</p>	The Department accepts these recommendations and has amended the Plan accordingly.

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Zoning MT 18, Housing Land at Ballyheifer Road.	1) That McGuckin Memorials premises should be deleted from the zoning 2) Objections to the proposed Key Site Requirements (KSRs).	126 - 130	That: 1) Zoning MT 18 be reduced to exclude McGuckin Memorials site on Station Road as indicated on PAC Map 22e/2; and 2) the 3rd and 4th KSRs be deleted and the wording of 2nd KSR be amended to read, "Housing development to be at a minimum of 20 dwellings per hectare".	The Department accepts these recommendations and has amended the Plan accordingly.
Zoning MT 21, Industry Land at Station Road/ Castledawson Road.	That Zoning MT 21 is deleted from the Plan as it is subject to extant planning permission for a school.	133 - 134	That the PAC endorses the Department's recommendation that Zoning MT 21 should be deleted from the plan.	The Department accepts this recommendation and has amended the Plan accordingly.
Zoning MT 22, Industry Land at Station Road.	Objection to the Key Site Requirements (KSRs).	135 - 143	That the 1st KSR be amended.	The Department accepts this recommendation and has amended the Plan accordingly.
Zoning MT 23, Industry Land at Ballyronan Road.	Objection to the Key Site Requirements (KSRs).	136 - 143	That the 4th KSR be amended.	The Department accepts this recommendation and has amended the Plan accordingly.

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Zonings MT 24 and MT 25, Industry lands at Ballymoghlan Road.	Objection to the Key Site Requirements (KSRs).	136 - 143	That the wording of the 5th KSR be amended.	The Department accepts this recommendation and has amended the Plan accordingly.
Designation MT 31, Local Landscape Policy Area North and East Magherafelt.	That Designation MT 31 is too extensive and various portions be excluded from the LLPA.	145 - 148	That Designation MT 31 is amended as indicated on PAC Map 22j/2 with the deletion of land to the east of Sandy Braes/Grove.	The Department accepts this recommendation and has amended the Plan accordingly.
Designation MT 32, Area of Townscape Character (ATC).	Objection to the inclusion of No.43 Tobermore Road within the ATC.	148 - 149	That No.43 Tobermore Road be deleted from Designation MT 32 as indicated on PAC Map 22e/2.	The Department accepts this recommendation and has amended the Plan accordingly.
Open Space.	That Magherafelt town has insufficient provision of outdoor playing space and that specified lands be zoned as (urban) green space.	149 - 156	That the following lands should be zoned as open space: 1) South of Aughrim Road (PAC Map 22b/2); and 2) Part of old railway extending south-eastwards from Ballyheifer Road (PAC Map 22e/2).	The Department does not accept this recommendation. Magherafelt District Council as the statutory provider has no proposals for the future development of these lands for open space.

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Designation MT 33, Town Centre Boundary (TCB).	Objections to the (TCB).	157 - 163	<p>That the (TCB) should be extended to include:</p> <ol style="list-style-type: none"> 1) An area at the northern end of Garden Street to the west of Hospital Road, up to and including No.8; 2) Lands south-eastwards along King Street to opposite the junction with Fairhill; 3) The NIHE offices on Ballyronan Road. <p>That the TCB be amended to exclude a localised hill to the east of Church View Lane on the site of a medieval Parish Church as indicated on PAC Map 22k/3.</p>	The Department accepts these recommendations and has amended the Plan accordingly.
Designation MT 34, Primary Retail Core (PRC).	Objections to the PRC.	163 - 164	That Designations MT33 and MT 34 should be extended as indicated on PAC Map 22k/3 to include parking and servicing areas associated with Meadowlane Shopping Centre.	The Department accepts these recommendations and has amended the Plan accordingly.

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Designation MT 40, Development Opportunity Site, The Market Yard, Rainey Street.	The range of suitable uses identified are too restrictive.	165 - 166	That the supporting text of Designation MT 40 be amended to include offices and retailing as suitable uses.	The Department accepts this recommendation and has amended the Plan accordingly.
Designations MT 43 and MT 44, Protected Town Centre Housing Areas.	Objection to the Protected Town Centre Housing Areas.	166 - 167	That Designations MT 43 and MT 44 be deleted from the plan.	The Department accepts these recommendations and has amended the Plan accordingly.

Table 3 – Maghera

Following consideration of the Commissioners' Report of the Examination, the Department is generally in agreement with the recommendations. The Department's response to the individual recommendations is set out in the Table below.

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Designation MA 01, Settlement Development Limit (NORTH).	That specified lands be included within the settlement development limit.	169-172	That the settlement development limit be extended on the western side of Moneysharvin Road as indicated on PAC Map 23/2a.	The Department accepts this recommendation and has amended the Plan accordingly.

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Designation MA 01, Settlement Development Limit (EAST).	That specified lands be included within the settlement development limit.	172-177	<p>That:</p> <p>1) Lands to the east of Station Road be included within the settlement development limit and zoned for housing subject to the amended key site requirements applying to Zoning MA 04.</p> <p>2) Lands to the south of Carricknakielt Road be included within the settlement development limit, as indicated on PAC Map 23/2c.</p>	The Department accepts these recommendations and has amended the Plan accordingly.
Designation MA 01, Settlement Development Limit (WEST).	That specified lands be included within the settlement development limit.	180-186	<p>That the settlement development limit be extended to include:</p> <p>1) Silverhill House, as indicated on PAC Map 23/2c).</p> <p>2) 81b Tirkane Road, as indicated on PAC Map 23/2b.</p>	The Department accepts these recommendations and has amended the Plan accordingly.
Zoning MA 03, Committed Housing Sites.	That Lands south of Largantogher Park should be zoned for housing.	186 -189	That the lands south of Largantogher Park should be zoned for housing as indicated on PAC Map 23/2c.	The Department accepts this recommendation and has amended the Plan accordingly.

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Zonings MA 04, MA 05 and MA 08 Housing Zonings.	Objection to the Key Site Requirements (KSRs).	186-189	<p>That:</p> <ol style="list-style-type: none"> 1) The 1st KSR to proposed Zoning MA 04 be amended to read as 15 dwellings per hectare; 2) The 2nd 3rd 4th and 5th KSR's attached to Zoning MA 04 are deleted; 3) The 2nd and 3rd proposed KSRs relating to Zoning MA 05 are deleted; 4) The 3rd KSR attached to Zoning MA 08 is deleted. 	The Department accepts these recommendations and has amended the Plan accordingly.
Zoning MA 10, Industry Land at Glen Road.	That Zoning MA 10 be deleted.	189-198	<p>That:</p> <ol style="list-style-type: none"> 1) The residual areas of proposed Zoning MA 10, not the subject of extant planning permission for housing, should be confirmed as suitable for industry as indicated on PAC Map 23/2c. 2) The wording of the 1st KSR be amended to reflect the legislative changes in the Use Classes Order. 	The Department accepts these recommendations and has amended the Plan accordingly.

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Zoning MA 11, Industry Land at Moneysharvan Road.	That Zoning MA 11 be extended.	189-198	<p>That:</p> <p>1) The proposed settlement development limit and Zoning MA 11 are extended as indicated on PAC Map 23/2a subject to the recommended KSRs.</p> <p>2) The 1st KSR in MA 11 should be amended to reflect the legislative changes in the Use Classes Order.</p>	The Department accepts these recommendations and has amended the Plan accordingly.
Zoning MA 12, Industry Land at Tobermore/ Craigadick Road.	That Zoning MA 12 be deleted.	189-198	That proposed Zoning MA 12 is deleted and the settlement development limit is amended so that it follows the site's north-eastern extent and its common boundary with Tobermore Road, as indicated on PAC Map 23/2c.	The Department accepts this recommendation and has amended the Plan accordingly.

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Designation MA 16, Town Centre Boundary.	That the Town Centre Boundary Designation MA 16 be extended to include No 31 Church Street.	205-206	That the Town Centre Boundary is extended as indicated on PAC Map 23g/2.	The Department accepts this recommendation and has amended the Plan accordingly.
	That the discrepancy in the explanatory text associated with the proposed Town Centre Boundary Designation MA 16 be addressed.	205-206	That the Department addresses the discrepancy in the explanatory text associated with proposed Designation MA 16.	The Department accepts this recommendation and has amended the Plan accordingly.

PAC Recommendations and the Department's Decision on the Proposed Changes Relating to The Villages.

Table 4 – Bellaghy

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Designation BY 01, Settlement Development Limit.	That specified lands be included within the settlement development limit.	208-216	That the settlement development limit be amended as indicated on PAC Map 24/2. to include: 1) The approved site east of No. 14-18 Oldtown Road; 2) The approved site and adjoining lands abutting No.6 Ballynease Road.	The Department accepts these recommendations and has amended the Plan accordingly.

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Designation BY 07, Housing Land Use Policy Area to the rear of Nos. 15-39 William Street.	That the tying error on page 269 is corrected.	217-219	That the 2nd KSR on page 269 of the Plan be altered to refer to "HLUPA BY 03/03" instead of "HPA 2/3".	The Department accepts this recommendation and has amended the Plan accordingly.
Designation BY 09, Housing Land Use Policy Area at Ballyscullion Road.	That Designation BY 09 will result in a significant loss of urban green space.	219	That Designation BY 09 be deleted.	The Department does not accept this recommendation. Since the Independent Examination planning permission has been granted for residential development on this site.

Table 5 – Castledawson

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner’s Recommendation	Department’s Decision
Designation CN 01, Settlement Development Limit.	That specified lands be included within the settlement development limit.	222-227	<p>That the settlement development limit be amended as indicated on PAC Map 25/2. to include lands:</p> <ol style="list-style-type: none"> 1) Adjacent to Hillview Terrace and Bells Hill, Bellshill Road; 2) To rear of Bells Court, Bells Manor, Oak Grove and Castle Oak; 3) Between 18 and 22 Annaghmore Road; and 4) To west of 41 Tamnadeese Road. 	The Department accepts these recommendations and has amended the Plan accordingly.
Designation CN 05, Housing Land Use Policy Area to the south of former railway line and to the west of Bells Hill Road.	Objection to the Key Site Requirements (KSRs).	228	That the 2nd KSR of Designation CN 05 be deleted.	The Department accepts this recommendation and has amended the Plan accordingly.

Table 6 – Draperstown

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Designation DN 01, Settlement Development Limit.	That specified lands be included within the settlement development limit.	232-241	That the settlement development limit be amended as indicated on PAC Map 26/2 to include the playing fields associated with St Colm's Secondary School and St Marys Primary School.	The Department accepts this recommendation and has amended the Plan accordingly.
Designation DN 06, Housing Land Use Policy Area to west of Glenshane Park and south of Bradley Park.	That Key Site Requirements (KSRs) should not replicate the provisions of regional planning policy.	241-244	That the 4th proposed KSR relating to Designation DN 06 be deleted.	The Department accepts this recommendation and has amended the Plan accordingly.
Designation DN 07, Housing Land Use Policy Area (HLUPA) to rear of High Street.	That part of DN 07 has been developed for non residential use.	241-244	That the portion of Designation DN 07 occupied by the Back Row Recreation Centre and associated parking is deleted from the HLUPA as indicated on PAC Map 26/2.	The Department accepts this recommendation and has amended the Plan accordingly.
Designations DN 01 & DN 10, Industry Land Use Policy Areas (ILUPA) at Magherafelt Road.	That specified lands be zoned as an ILUPA.	244-247	That proposed Designation DN 10 at Magherafelt Road be extended as indicated on PAC Map 26/2.	The Department accepts this recommendation and has amended the Plan accordingly.

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Designations DN 01 & DN 11, Industry Land Use Policy Areas east of Cahore Road.	That specified lands be zoned as an ILUPA.	244-247	That proposed Designation DN 11 to the east of Cahore Road be extended as indicated on PAC Map 26/2.	The Department accepts this recommendation and has amended the Plan accordingly.

Table 7 – Tobermore

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Designation TE 01, Settlement Development Limit.	That specified lands be included within the settlement development limit.	250-255	That the settlement development limit be amended as indicated on PAC Map 27/2. to include: <ul style="list-style-type: none"> 1) Lands at Magherafelt Road; 2) Playing fields off Calmore Road; 3) Lands west of Lisnamuck Road; 4) Lands east of Lisnamuck Road. 	The Department accepts these recommendations and has amended the Plan accordingly.
Designation TE 04, Housing Land Use Policy Area at Nos. 62-66 Main Street.	That the density restrictions in Designation TE 04 are too high.	255-256	That the 1st KSR of Designation TE 04 be deleted.	The Department accepts this recommendation and has amended the Plan accordingly.
Designation TE 05, Housing Land Use Policy Area at land between Lisnamuck Road and Maghera Road.	Objection to the access requirements.	255-256	That the 2nd, 3rd & 5th KSRS of Designation TE 05 be deleted.	The Department accepts these recommendations and has amended the Plan accordingly.
Designation TE 09, Lisnamuck/Clooney Road Local Landscape Policy Area (LLPA).	That lands to the east of Lisnamuck Road should be excluded from the LLPA.	256-257	That lands between Lisnamuck Road and the laneway to Nos. 8-14 Fortwilliam Road be deleted from Designation TE 09.	The Department accepts this recommendation and has amended the Plan accordingly.

PAC Recommendations and the Department’s Decision on the Proposed Changes Relating to Small Settlements.

Table 8 – Ballymaguigan

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner’s Recommendation	Department’s Decision
Designation BN 01, Settlement Development Limit.	That specified lands be included within the settlement development limit.	258-261	That the settlement development limit be amended as indicated on PAC Map 28/2. to include part of the lands north of No. 237 Shore Road.	The Department accepts this recommendation and has amended the Plan accordingly.

Table 9 – Clady

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner’s Recommendation	Department’s Decision
Designation CY 02, Local Landscape Policy Area (LLPA).	That the boundaries of Designation CY 02 be amended to exclude the overlap with Designation IH 02.	267-268	That LLPA Designation CY 02 be amended to exclude the area shown on PAC Map 30/2.	The Department accepts this recommendation and has amended the Plan accordingly.

Table 10 – Creagh

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Designation CH 01, Settlement Development Limit.	That specified lands be included within the settlement development limit.	269-274	That the settlement development limit be extended to include Sean O'Leary's Gaelic Football Grounds as indicated on PAC Map 31/4.	The Department accepts this recommendation and has amended the Plan accordingly. Any development of this land will be subject to the provisions of prevailing regional planning policy, including PPS8: Open Space, Sport and Outdoor Recreation.

Table 11 – Curran

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Designation CU 01, Settlement Development Limit.	That specified lands be included within the settlement development limit.	279-281	That the settlement development limit be extended as indicated on PAC Map 33/2 to include: 1) Part of lands east of No. 48 Lurgangoose Road and 2) Lands adjoining Curran Presbyterian Church.	The Department accepts these recommendations and has amended the Plan accordingly.

Table 12 – Glen

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Designation GN 01, Settlement Development Limit.	That specified lands be included within the settlement development limit.	287-290	That the settlement development limit be amended as indicated on PAC Map 35/2 to include lands adjoining the car sales yard.	The Department accepts this recommendation and has amended the Plan accordingly.

Table 13 – Glenone

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Designation GE 03, Local Landscape Policy Area (LLPA).	That Designation GE 03 be extended north to Clady Road.	294	That LLPA Designation GE 03 be amended to extend to Clady Road as indicated on PAC Map 36/2.	The Department accepts this recommendation and has amended the Plan accordingly.

Table 14 – Gulladuff

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Designation GF 01, Settlement Development Limit.	That specified lands be included within the settlement development limit.	297-304	That the settlement development limit be extended as indicated on PAC Map 38/2 to include lands to: <ul style="list-style-type: none"> 1) North east and south west of School Lane; 2) North east of No. 50 Mayogall Road, south west of the Hall; and 3) East of Hall Lane. 	The Department accepts these recommendations and has amended the Plan accordingly.

Table 15 – Inishrush

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Designation IH 01, Settlement Development Limit.	That specified lands be included within the settlement development limit.	305-307	That the settlement development limit be extended to include lands at Ford Road, as indicated on PAC Map 39/2.	The Department accepts this recommendation and has amended the Plan accordingly.

Table 16 – Longfield

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Designation LD 01, Settlement Development Limit.	That specified lands be included within the settlement development limit.	312-314	That the settlement development limit be extended as indicated on PAC Map 42/2.to include: 1) The approved curtilage of the dwelling directly to the rear of No 77 Iniscarn Road; and 2) Land opposite No 66 Iniscarn Road.	The Department accepts these recommendations and has amended the Plan accordingly.

Table 17 – Moneyneany

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Designation MY 01, Settlement Development Limit.	That specified lands be included within the settlement development limit.	315-317	That the settlement development limit be amended to include lands east of Douglas Bridge (opposite 26 Moneyneany Road) as indicated on PAC Map 43/2.	The Department accepts this recommendation and has amended the Plan accordingly.

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Designation MY 02, Local Landscape Policy Area.	That lands east of Douglas Bridge be excluded from Designation MY 02.	317-318	That Designation MY 02 be amended as indicated on PAC Map 43/2.	The Department accepts this recommendation and has amended the Plan accordingly.

Table 18 – Straw

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Designation SW 02, Local Landscape Policy Area (LLPA).	That lands to the south west of No. 82 Sixtowns Road be excluded from Designation SW 02.	322-323	That the boundary of LLPA Designation SW 02 be reduced at the river corridor to 10m as indicated on PAC Map 44/2.	The Department accepts this recommendation and has amended the Plan accordingly.

Table 19 – Swatragh

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Designation SH 01, Settlement Development Limit.	That specified lands be included within the settlement development limit.	324-330	That the settlement development limit be amended as indicated on PAC Map 45/2. to include lands at: <ul style="list-style-type: none"> 1) Ringsend Park, Killelagh Church and lands south and east of the Church; 2) East of Swatragh Business Park; and 3) To the rear of 80-90 Drumbane. 	The Department accepts these recommendations and has amended the Plan accordingly. Any development of these lands will be subject to the provisions of prevailing regional planning policy, including PPS8: Open Space, Sport and Outdoor Recreation.

Plan Proposal	Issue Raised	PAC Report page no.	Commissioner's Recommendation	Department's Decision
Designation SH 01, Settlement Development Limit.	That the Protected Route should be shown within the settlement development limit.	324-330	That the Protected Route extend from the northern edge of the settlement to the southern edge.	The Department accepts this recommendation and has amended the Plan accordingly.
Designation SH 02, Local Landscape Policy Area (LLPA).	Objection to the LLPAs.	330-331	That the LLPA Designation SH 02 be deleted.	The Department accepts this recommendation and has amended the Plan accordingly.

Appendix 2

Final Plan Housing Distribution and Housing Supply

Settlement	Final Plan Total Supply*	Proportion
Magherafelt	2,130	29
Maghera	820	12
Bellaghy	385	5
Castledawson	480	7
Draperstown	610	8
Tobermore	310	4
Total Urban	4,735	65
Rural Element	2,600	35
Total	7,335	100

* rounded to the nearest 5

Appendix 3

THE PLANNING (NORTHERN IRELAND) ORDER 1991

MAGHERAFELT AREA PLAN 2015 (ADOPTION) ORDER (NORTHERN IRELAND) 2011

Made 5 December 2011

WHEREAS the Department of the Environment (hereinafter referred to as 'the Department') in accordance with Part III of the Planning (Northern Ireland) Order 1991 (hereinafter referred to as 'the Order') has consulted with Magherafelt District Council and prepared a Development Plan in respect of the local government district of Magherafelt.

AND WHEREAS the Department has complied with Article 5 of the Order;

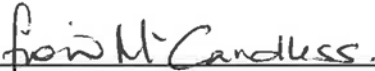
AND WHEREAS objections and representations have been duly made within the time stated for making objections, the Department caused an Independent Examination to be held, in accordance with Article 7 of the Order, by the Planning Appeals Commission over the period 2 February 2009 to 17 June 2009 for the purpose of considering such objections;

AND WHEREAS the Department has considered the said objections and representations and the Report of the Planning Appeals Commission on the said Independent Examination;

NOW THEREFORE the Department in exercise of the powers conferred by Article 8 of the Order and all other powers enabling it in that behalf hereby orders as follows:

1. This Order may be cited as the Magherafelt Area Plan 2015 (Adoption) Order (Northern Ireland) 2011;
2. (i) The Plan is hereby adopted as a Development Plan to the extent approved and endorsed by the Department in the Statement entitled 'Magherafelt Area Plan 2015 Adoption Statement 2011';
(ii) The Plan together with the said Statement shall be known as the Magherafelt Area Plan 2015 which shall become operative on 14 December 2011.

Sealed with the Official Seal of the Department of the Environment on 5 December 2011.


Senior Officer of the Department of the Environment

Planning (Amendment) (Northern Ireland) Order 2003

Statement as to general conformity of the proposed Magherafelt Area Plan 2015 with the Regional Development Strategy pursuant to Article 28 (7) of the Planning (Amendment) (Northern Ireland) Order 2003 (hereinafter called “the Order”).

Whereas the Department for Regional Development has, in relation to the proposed Magherafelt Area Plan 2015, considered the relevant documents received by it on 12 October 2011 in accordance with Article 28 (6) of the Order;

Now, therefore, the Department for Regional Development hereby determines, in accordance with Article 28 (7) of the Order, that the proposed Magherafelt Area Plan 2015 is in general conformity with the Regional Development Strategy.

Sealed with the Official Seal of the Department for Regional Development on 2nd day of November 2011.



**A senior officer of the
Department for Regional Development**

Magherafelt Area Plan 2015

Adoption Statement 2011

This document may be made available in alternative formats, please contact us to discuss your requirements.

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