

6.13 Policies and Plans

6.13.1 Introduction

This section of the Environmental Assessment reviews the key planning policies, which are pertinent in consideration of the approved route options for the proposed high standard dual carriageway between Toome and the Castledawson Roundabout.

These policies have been extracted from the following documents:

- Regional Development Strategy for Northern Ireland 2025;
- Regional Transportation Strategy 2002-2012;
- Regional Strategic Transport Network Transport Plan 2015;
- Planning Strategy for Rural Northern Ireland 1993;
- Planning Policy Statements; and
- Development Plans.

6.13.2 Regional Development Strategy for Northern Ireland 2025 – Shaping Our Future

In September 2001, the Department for Regional Development (DRD) published the final version of a Strategy to guide the future development of Northern Ireland to 2025. Advice within the Regional Development Strategy (RDS) relevant to the current proposal is set out below.

A substantial part of the document is devoted to Strategic Planning Guidelines (SPG's) and a Spatial Development Strategy that recognises a need to encourage sustainable patterns of development of the region. Indeed, sustainability is a recurring theme that runs through the RDS. The chapter on 'Caring for the Environment' "... embraces the protection and management of resources – both natural and man-made – and the creation of healthy living environments ... Energy efficiency, waste management, and the cleaning up of our air and water are promoted".

6.13.2.1 Chapter 4 - 'Strengthening Regional Cohesion in a Global Context'

The Strategy seeks to strengthen economic and social cohesion by enhancing linkages. Strengthening the external transport linkages and improving Northern Ireland's image in the world are vital in helping local industry to exploit worldwide markets. Fast and efficient accessibility from Northern Ireland to the continental core of Europe's transport network is identified as vital to assist future economic growth. Improved inter-modality, particularly on transport corridors such as the new dual carriageway from Randalstown to the Castledawson Roundabout, and providing alternatives to traffic bottlenecks, will help Northern Ireland maintain competitiveness.

SPG-SRC 2: To Increase links with neighbouring regions and capitalise on trans-regional development opportunities.

This policy recognises the potential to develop Londonderry as the hub for the north-west corner of the island of Ireland, thus enhancing its major service role in relation to its catchment area extending into

County Donegal, and strengthening its position as the focal point and major business centre of a north-west development corridor taking in Limavady, Strabane and Letterkenny.

6.13.2.2 Chapter 5 - Spatial Development Strategy (SDS) for Northern Ireland.

This chapter recognises that existing infrastructure needs to be improved:

"It is essential that the existing engines of growth are not impeded by deficiencies in infrastructure if the Regional Development Strategy is to be successful. The need will be to continue to improve the 'hard' physical infrastructure incorporating the roads, rail, water and sewerage and drainage systems, and energy and telecommunications serving the 'soft' infrastructure of social and community facilities which enhance the quality of life... while safeguarding environmental assets."

The SDS for Northern Ireland is designed to maximise the potential of the whole Region by seeking to integrate development in order to optimise the distinctive contributions of the principal component areas, such as Londonderry and its associated sub-region in the North West. It is a framework for the future physical development of the Region, based on urban hubs and clusters, key and link transport corridors and the main regional gateways of ports and airports. The aim of the hub, corridor and gateway approach is to give a strategic focus to future development and achieve balanced growth within the Region. Londonderry is a major regional city, with a major Inter-Regional Gateway role. The existing route between the Cities of Belfast and Londonderry is a designated Key Transport Corridor, of which this scheme is a significant part.

6.13.2.3 Chapter 7 - Londonderry: Regional City for the North West

The North West encompasses the City Council area of Derry, and the Borough council areas of Limavady and Strabane together with the greater part of County Donegal. Londonderry, Limavady and Strabane share many common economic and social characteristics, including strong linkages with Donegal.

Areas of disadvantage exist on both sides of the Border highlighting the need to achieve more economic growth across the whole of the North West.

Strategic objectives for Londonderry and the North West include:

- to strengthen the role of Londonderry as the regional city and transport hub of the North West, offering key infrastructure and services in administration, education, health, energy, industry, commerce, shopping, cultural and tourism amenities; and reinforce the complementary employment and services roles of Limavady and Strabane;
- to encourage economic growth and industrial development to meet the employment needs of a fast growing population; and
- to enhance the city through continuing regeneration and the sensitive development of its exceptional riverside setting and unique walled core; and establish a unique city tourism market based on its reputation, as a historic city, in the network of European walled cities.

*SPG-LNW 1: To develop a strong North West centred on Londonderry
LNW1.1 Strengthen the economy of the North West:*

One of the objectives of this policy is to upgrade strategic transport links to the rest of the Region and cross-border; which directly supports the proposed road scheme.

6.13.2.4 Chapter 10 - Supporting Economic Development

SPG-ECON 1 – To promote a balanced spread of economic development opportunities across the region focused on the Belfast Metropolitan Area (BMA), Londonderry, Craigavon and the urban hubs/clusters, as the main centres for employment and services.

ECON 1.2 seeks to focus economic development on Londonderry, hub for the North West, and the hubs/clusters located on the key and link transport corridors, such as the proposed new dual carriageway between Toome and the Castledawson Roundabout.

SPG-ECON 2 – To exploit economic development of the Key Transport Corridors.

This SPG recognises that there is the potential for a range of special business opportunities to cluster on the northwest corridor. The economic potential of this corridor is further strengthened by its alignment along the transport axis with European status ('TENS' Route), where there is a significant international movement of goods.

In support of economic development, policy *SPG-ECON 5* seeks: *To undertake or, where appropriate, facilitate a programme of infrastructure improvements essential to business needs.*

The text accompanying *SPG-ECON 5* acknowledges that “... serious deficiencies in essential infrastructure assets have been identified as a result of years of under-investment”.

Moreover, it is recognised that: “tackling these deficiencies will require a strategic long-term perspective on infrastructure – co-ordinating, planning, programming and setting regional priorities – not just within the region, but also in terms of national, cross-border and EU provision including the use of ‘Strategic Environmental Assessment’ in the forward planning process”.

6.13.2.5 Chapter 11 - Developing a Regional Transportation System

The Regional Strategic Transport Network (RSTN) has a fundamental role to play in contributing to the achievement of sustainable progress on social, economic and development goals in Northern Ireland. The ‘Transportation Vision’ of Shaping Our Future includes:
‘promote accessibility for all to jobs, services and facilities through improvements to transportation infrastructure and public transport services’

SPG-TRAN 1 - To develop a Regional Strategic Transport Network (RSTN) based on key transport corridors, to enhance accessibility to regional facilities and services.

The Belfast to Londonderry corridor is recognised as one of the five Regional Strategic Transport Networks (RSTN). The development of these route options will provide a number of benefits for the Province. Policy *TRAN 1.3* examines access to regional Gateways and cross-border links with an emphasis on improving connections from the 5 Key Transport corridors.

TRAN 1.2 Develop and maintain the identified RSTN to enhance accessibility on an integrated basis for all users, including freight.

To achieve this, one of the aims of the Strategy is to target improvements to upgrade the network, road and rail, giving priority to the Key, Link and Metropolitan Transport Corridors. It should be introduced at significant bottlenecks, thereby relieving congestion and facilitate efficiency for all road users.

6.13.2.6 Chapter 12 - Caring for the Environment

The Strategy aims to promote, within the wider community, a greater awareness of environmental issues and the important links between environment, health and well being.

SPG-ENV3 To Conserve the Built Environment.

This policy is to cherish and protect the Region's inheritance of buildings, fine monuments and other heritage resources and promote community-wide appreciation and stewardship of this heritage. Of relevance to this proposal, the aims of the policy, amongst others, is to safeguard the archaeological resource; safeguard buildings of special architectural or historic interest; conserve parks, gardens and demesnes which are of historic interest; promote the retention of vernacular buildings; and industrial heritage features in urban and rural areas.

6.13.3 Regional Transportation Strategy for Northern Ireland 2002 – 2012

The Regional Transportation Strategy (RTS) for Northern Ireland 2002-2012 identifies strategic transportation investment priorities and considers potential funding sources and affordability of planned initiatives over the next ten years. The RTS is a “daughter document” of the Regional Development Strategy (RDS) which sets out the spatial development framework for Northern Ireland up to 2025. The purpose of the RTS is to support the RDS and to make a significant contribution over the ten years towards achieving the longer-term vision for transportation contained within the RDS:

“to have a modern, sustainable, safe transportation system which benefits society, the economy, and the environment and which actively contributes to social inclusion and everyone’s quality of life”.

The RTS incorporates the dualling along the north-west corridor between Toome and the Castledawson Roundabout as a Strategic Highway Improvement initiative, which will ultimately increase the economic well-being of the Region, from journey time reduction.

New bypasses, traffic calming measures and improved pedestrian infrastructure will serve to reduce community severance for many people in urban areas, and improve local road safety, especially for children and older people. However these benefits will be partially offset by the introduction of severance for those living adjacent to new bypasses and widened sections of the RSTN.

6.13.4 Regional Strategic Transport Network Transport Plan 2015

The delivery of the RTS is being progressed through three Plans, one of which is the Regional Strategic Transport Plan 2015 (RSTN TP). The Plan consists of proposals for the maintenance, management and development of the transport network up to the end of 2015. It includes the A6 Randalstown – Castledawson Roundabout upgrading to dual carriageway status as one of the priority schemes to improve the Key Transport Corridors (KTC's) in Northern Ireland. The A6 forms a part of the KTC between Belfast and Londonderry. The Plan also states that Strategic Road Improvement (SRI) schemes, such as the A6 dualling, will be given the highest priority, and is expected to be implemented within the next five years. The implementation of the Plan over the coming years will start to bring significant benefits to users of the RSTN alongside a wide range of other benefits: to the environment; to the economy; to road safety; and to the quality of life in areas across Northern Ireland.

6.13.5 Planning Strategy for Rural Northern Ireland

The Planning Strategy for Rural Northern Ireland (PSRNI) covers all the towns, villages and countryside outside Belfast and Derry. It establishes the objectives and policies for land use and development appropriate to the particular circumstances of Northern Ireland, and which need to be considered on a scale wider than the individual District Council area.

6.13.5.1 *Policy SP 11 Transportation*

This policy aims to facilitate the maintenance and development of an effective and efficient transport network. Northern Ireland is served by a transport system based principally upon a road network. The regional road network joins the cities and larger towns, the ports and airports and thus provides main linkages with the Republic of Ireland and Great Britain. The main road network is clearly an asset, contributing to the efficiency of the local economy and reducing, to some extent, the maintenance and effects of peripherality both within Northern Ireland and Europe. The local road network serves development of the countryside and links the small towns and villages with larger settlements. This network provides a high degree of accessibility.

Given the importance of the transportation system to the economy and life of Northern Ireland, the Department will protect the main elements of the system and facilitate its upgrading, subject to appropriate planning and environmental considerations, including visual amenity and the natural and

man-made environment. Where necessary, improvements and extensions to the transportation network will be added as resources permit.

6.13.5.2 *Policy GB/CPA1 Designation of Green Belts and Countryside Policy Areas*

This policy establishes Green Belts and Countryside Policy Areas through the Development Plan process. The strategic objectives of these planning policy areas are:

- to prevent the unrestricted sprawl of large built-up areas;
- to prevent neighbouring settlements from merging;
- to safeguard the surrounding countryside;
- to protect the setting of settlements; and
- to assist in urban regeneration.

It will be essential to strictly control development within Green Belts in order to achieve these strategic objectives, however development proposals which show an over-riding reason why the development is essential, such as a new road, will be considered by the Department.

6.13.6 Planning Policy Statements

Further advice on Government policy priorities is given in Planning Policy Statements (PPS) which are statements of Department policy on aspects of land use planning. They are used in the preparation of development plans and are material to decisions on planning applications. Relevant to the current scheme will be:

- PPS 1: General Principles (March 1998)
- PPS 2: Planning and Nature Conservation (June 1997)
- PPS 3: (Revised) - Access, Movement and Parking (February 2005)
- PPS 4 (Revised) (Draft) Industry, Business and Distribution (January 2003)
- PPS 6: Planning Archaeology and the Built Heritage (March 1999)
- PPS 13: Transportation and Land Use (February 2005)
- PPS 15: Planning and Flood Risk (December 2004)

6.13.6.1 *PPS 1 – General Principles (March 1998)*

This Planning Policy Statement was published in March 1998 and sets out the principles that the Planning Service observes in formulating planning policies, making development plans and exercising control of development. These principles set out the key themes that underlie the Department of Environment's overall approach to planning across the whole range of land use topics, and provide strategic guidance on issues such as sustainability, the status of various planning documents and environmental assessment.

The Regional Development Minister, John Spellar MP and Angela Smith MP, Minister for the Environment issued a statement on 31 January 2005 regarding the importance of emerging Development Plans in deciding planning applications. It was felt that elements of the RDS are being compromised by development decisions, based on provisions within extant Development Plans, drawn up prior to the publication of the RDS.

The statement confirms that where a Development Plan is under preparation or review and is being drawn up within the context of the RDS framework, there are circumstances where planning permission could be refused on the grounds of prematurity. For example, where the Department can demonstrate that proposals:

- would prejudice the ability of the emerging new or replacement plan to achieve or retain conformity with the RDS; or
- would prejudice the outcome of the plan process by predetermining decisions that ought to be taken in the context of a Public Inquiry.

Planning applications will continue to be considered in the light of both current policies and policies in emerging Development Plans that are going through the statutory procedures.

However, greater weight will be given to the provisions of the emerging new or replacement Development Plan, where the proposed development accords with the provisions of the extant Development Plan but prejudices the ability of the emerging plan to achieve or retain general conformity with the RDS, or prejudices the outcome of the plan process.

In all other circumstances the weight to be attached to policies in emerging plans will depend upon the stage of plan preparation or review, increasing as successive stages are reached.

6.13.6.2 PPS2 – Planning and Nature Conservation (June 1997)

Strongly guided by Government policy, PPS2 states the Department's planning policy for nature conservation for the whole of Northern Ireland. It helps to protect designated areas and advises on the treatment of nature conservation issues in development plans. In addition, it outlines the criteria that the Planning Service employs when processing planning applications which might affect nature conservation interests, and to which developers should have regard when preparing proposals.

Within the study area, there are two Areas of Scientific Interest (Lough Neagh ASI and Lough Beg ASI), three Areas of Special Scientific Interest (Lough Neagh ASSI, Lough Beg ASSI and Toome ASSI), one National Nature Reserve, one Special Protection Area (Lough Neagh and Lough Beg ASSI), and a Ramsar site which would be traversed by the Red Route, and skirted by the Red Variant. Neither the Blue nor Brown routes would affect formally designated nature conservation sites. Where a route option is likely to have a significant effect on these designations, it will be assessed to decide whether the

nature conservation interest will be damaged. If so, the route option shall only proceed where there is no alternative solution and where it must be carried out for imperative reasons of overriding public interest.

6.13.6.3 PPS3 (Revised) – Access, Movement and Parking (February 2005)

This PPS sets out the Department's planning policies for vehicular and pedestrian access, transport assessment, the protection of transport routes and parking. It replaces PPS3 on Development Control and Roads Issues, and forms an important element in the integration of transport and land use planning. It embodies the Government's commitments to the provision of a modern, safe, sustainable transport system, the improvement of mobility for those who are socially excluded or whose mobility is impaired, the promotion of healthier living and improved road safety.

Policy AMP 3 – Access to Protected Routes

The Department will restrict the number of new accesses and control the level of use of existing accesses onto Protected Routes.

The existing A6 is a protected route and the Department has a long established policy of restricting access onto main roads that facilitate the efficient movement of traffic over long distances in Northern Ireland. Hence, there will be no direct access onto this dual carriageway.

Policy AMP 4 – Protection for New Transport Schemes

Planning permission will not be granted for development that would prejudice the implementation of a transport scheme identified in development plans.

This shows the Department's commitment to prioritising road schemes. Development proposals that may prejudice road proposals will be considered in terms of the nature of the development, the programming of the road and the extent to which the proposal may compromise the implementation of the road scheme.

6.13.6.4 PPS4 (Revised) (Draft) – Industry, Business And Distribution (January 2003)

PPS 4 is applicable to this proposal as the Brown Route would pass through an industrial park at the disused Toome Airfield, as well as land zoned for industry under the Magherafelt Area Plan – Draft 2015.

This draft PPS sets out the Department's planning policies for industrial development, and other defined business uses, and indicates how economic and employment growth associated with such uses can be accommodated and promoted in development plans. Although the majority of this PPS is not entirely relevant to this road scheme, the proposal to build a dual carriageway through existing industrial land, and proposed industrial land (the Brown Route) would have a future beneficial economic impact by opening up the land and providing good transport infrastructure to it.

6.13.6.5 PPS 6 - Planning, Archaeology and the Built Heritage (March 1999)

This PPS states that the Department of Environment is committed to environmental stewardship of our archaeological and built heritage. In assessing the archaeological implications of a development proposal, the Department will consider whether it would damage or destroy a site or monument, result in

inappropriate change to its setting or whether the existing quality and character of the site or monument would be retained. Within the study area, there are a number of known features of archaeological and built heritage interest. Where these may be affected by the proposed road scheme, it is important to consider the mitigating procedure to be put in place, or if other such sites were uncovered during construction.

6.13.6.6 PPS 13– Transportation and Land Use (February 2005)

PPS 13 has been prepared to assist in the implementation of the RDS. It will guide the integration of transportation and land-use, particularly through the preparation of Development Plans and Transport Plans. PPS 13 will be a material consideration in dealing with individual planning applications and appeals.

General Principle 8 – Land required to facilitate improvements in the transport network should be afforded protection.

The RDS has recognised that the proposed new dual carriageway from Randalstown to Castledawson forms part of the overall Regional Strategic Transport Network, therefore the route will be safeguarded to allow the development of transportation infrastructure.

6.13.6.7 PPS 15 – Planning and Flood Risk (December 2004)

This PPS is relevant as the Red Route, the Red Variant, and more importantly, the Brown Route would lie within floodplains. It sets out the Department's planning policies to reduce flood risk to people, property and the environment. The susceptibility of all land to flooding is a material consideration in determining planning applications. The Department will consult the Department of Agriculture and Rural Development's Rivers Agency and the Environment and Heritage Service on all planning applications that fall on land within river and coastal floodplains. The following policy applies to the proposal:

Policy FLD 1 Development in Floodplains

This policy states that the Department will only permit development within a river or coastal floodplain where the development is essential for operational reasons, for example navigation and water-based recreation uses, transport, or some utilities infrastructure where an alternative location is not available.

6.13.7 Area Plans

The approved route options all fall within Magherafelt District Council area. The applicable Development Plan is therefore the Magherafelt Area Plan 2015, currently in draft, which follows on from the Magherafelt Area Plan 1976-1996.

6.13.7.1 *Magherafelt Area Plan 1976 – 1996*

Generally the standard of the road provision in the district is good, with linkages to Belfast and Londonderry. Due to increased private car ownership and high levels of commuting traffic to centres

outside the district, three new road schemes have been proposed. One of these is located with the corridor of interest, where the Department proposed the A6 Annahorish-Castledawson Roundabout road link.

6.13.7.2 *Magherafelt Area Plan 2015 (Draft)*

In line with the RDS and RTS, the Plan wishes to create a “modern, sustainable, safe transportation system which benefits society, the economy and the environment, and which actively contributes to social inclusion and everyone’s quality of life”.

The plan contains a portion of the Regional Strategic Transport Network (RSTN), covering:

- A6 Belfast – Toomebridge – Londonderry;
- A29 Newry – Armagh – Dungannon – Cookstown – Maghera – Coleraine; and
- A31 Moneymore – Magherafelt – Castledawson.

The Sub-Regional Transport Plan covering the plan area will provide major commitment to upgrading local public transport, walking and cycling measures across the district and through significantly increased expenditure, improve the condition of the existing road network.

Policy TRAN 1 Planning protection for road schemes identifies the following road lines for the following schemes.

- Upgrading and dualling of the A6 between the western end of the Toome bypass and the junction of the A31 and A6 at Castledawson;
- Eastern Bypass Road, Magherafelt, between the Moneymore Road and Castledawson Road;
- A6 road widening at Curran, between Curran Link Road and McCooles Road; and
- A6 road widening between the junction of the A6 and the A31 at Castledawson and the Tamnadeese Road.

These schemes are considered necessary for the proper development of the district and planning permission will not be granted for development that would prejudice the availability of land required for their construction.

6.13.8 Summary

This stage of the road proposal has narrowed the number of route options down to four. The above planning policy reflects these route options, and highlights in particular the strategic importance of Londonderry as a main hub for further development and the role the road has to play in the future economic development of the area. The following summarises the policy impacts of the proposed route options:

Regional Development Strategy and Regional Transportation Strategy

Any of the approved route options conform to policies in the RDS and RTS in terms of its designation as a Key Transport Corridor, and the importance of economic development along this corridor. Good transport links will be key to the successful economic growth.

Regional Strategic Transport Network Transport Plan

The Plan consists of proposals for the maintenance, management and development of the transport network up to the end of 2015. The A6 Randalstown – Castledawson Roundabout upgrading to dual carriageway status is one of the priority schemes to improve the KTC's in Northern Ireland. It is expected to be implemented within the next five years.

Planning Policy Statements

The final selection of road alignment must take into consideration the following:

- Sites of nature conservation importance are identified, and if at all possible avoided;
- There should be no direct access onto this dual carriageway;
- Must ensure that the “interests of acknowledged importance” are adhered to, so that residents adjacent to the proposed road will be affected as little as possible by noise, and/or loss of light, and that pollution will be kept to a minimum;
- The policies give priority to road proposals over development proposals;
- The preferred route must consider views and access to sites and monuments of archaeological interest. It may impact on buried archaeology and as such, an assessment of potential sites and mitigation must be carried out. There may also be listed buildings along the preferred route, the setting of which must be preserved. The demolition of listed buildings will have to be balanced against the importance of the road.

It will be necessary to take cultural and natural heritage issues into consideration, but there is no other strong planning policy or land use zoning that is likely to affect the dualling proposal. Most policies at the strategic level recognise that road transport will remain the predominant means of transport for the foreseeable future but seek to utilise alternative forms of transport.