



Your Ref

Our

Date 14<sup>th</sup> February 2020

Planning Department

Dear Sir/Madam,

**Re: Fermanagh and Omagh District Council LDP 2030 – Revised Timetable**

Fermanagh and Omagh District Council has formally revised and published the Timetable for the production of the Fermanagh and Omagh District Local Development Plan 2030 which will subsequently replace both the Fermanagh Area Plan 2007 and Omagh Area Plan 2002. The Timetable sets out when the Council expects to reach key stages of the process. The Council published its draft Plan Strategy in October 2018 and now anticipates progressing to Independent Examination by late autumn 2020.

The Timetable meets the requirements of the Planning Act (Northern Ireland) 2011 and the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 which require the Council to prepare and keep under review a Timetable for the preparation and adoption of its LDP. The Council is also legislatively required to consult consultation bodies, as per Part 2, Regulation 5 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015.

The attached Timetable sets out our programme of work and hopefully will assist you in terms of your own work commitments and involvement with other LDPs.

Yours faithfully

Principal Planning Officer  
Development Plan



Fermanagh & Omagh  
District Council  
Comhairle Ceantair  
Fhear Manach agus na hÓmaí

# **Local Development Plan 2030 - Timetable**

*Revised January 2020*

## **Keeping in Touch**

You can contact the Council's Planning Department in the following ways:

**By email** to: [planning@fermanaghomagham.com](mailto:planning@fermanaghomagham.com)

**By post** to: Planning Department  
Strule House  
16 High Street  
Omagh  
BT78 1BQ

**By telephone** on: 0300 303 1777

Should you require a copy of this Timetable in an alternative format, it can be made available on request in large print, audio format, or Braille. It may also be made available in minority languages to meet the needs of those for whom English is not their first language.

# 1 Introduction

- 1.1 The purpose of this Timetable is to set out the key stages of and indicative timescale for the production of the Fermanagh and Omagh Local Development Plan 2030 (LDP).
- 1.2 The Timetable meets the legislative requirements of the Planning Act (Northern Ireland) 2011 and the associated Planning (Local Development Plan) Regulations (Northern Ireland) 2015.
- 1.3 The purpose of the Timetable is to help ensure that the plan process is efficiently managed and that the key stakeholders such as consultation bodies and the Planning Appeals Commission (PAC) are kept informed and can manage their own resources to facilitate involvement in the LDP process.

The original Timetable was approved by resolution of the Council in May 2016. Following completion of the first key stage of the LDP process - the publication of the Preferred Options Paper in October 2016 and subsequent consultation – the Council agreed to review the LDP Timetable. A revised Timetable was agreed by the Council in June 2018.

- 1.4 This further Revised Timetable is required to provide a more realistic timeframe for the key remaining stages of the LDP process which includes the Independent Examination of the draft Plan Strategy and publication of the Local Policies Plan. The timings of these key stages required adjustment to take account of:
  - the detailed consideration of issues raised in representations received to the Draft Plan Strategy;
  - the completion of LDP Steering Group meetings to discuss and agree the responses to these issues raised;
  - LDP workshops with Councillors prior to formal consideration before the Regeneration and Community Committee; and
  - the completion of key evidence updates.
- 1.5 As outlined in Development Plan Practice Note 10 ‘Submitting Development Plan Documents for Independent Examination’ (December 2019), the Department aims to consider the Council’s submission within 8 weeks, and this has also been factored into the revised Timetable.
- 1.6 In relation to public consultation, this Timetable should be read alongside the Fermanagh and Omagh Statement of Community Involvement (SCI).
- 1.7 The Timetable meets the requirements of the Planning Act (Northern Ireland) 2011 and the Planning (Local Development Plan) Regulations (Northern Ireland) 2015, which requires Council to prepare and keep under review a Timetable for the preparation and adoption of its LDP. The Timetable has also been developed within the context of the Council’s Corporate Plan.

- 1.8 This Timetable will be approved by resolution of Fermanagh and Omagh District Council prior to being submitted to and agreed by the Department for Infrastructure (DfI) in accordance with Regulation 7 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015.

## **2 Purpose and Status of the Local Development Plan**

- 2.1 The purpose of the Fermanagh and Omagh Local Development Plan, comprising the Plan Strategy and Local Policies Plan, is to inform the general public, statutory authorities, developers and other interested parties of the policy framework and land use proposals that will guide development decisions within the District up to 2030.
- 2.2 The LDP will be prepared within the context of the Council's Corporate Plan and Community Plan to ensure that there is a shared vision for the council area and communities. It will set out the long term social, economic and environmental objectives for the district and ensure that lands are appropriately zoned and that our infrastructure is enhanced to meet future development needs.
- 2.3 The LDP will also take account of the regional policy context set by the Northern Ireland Executive and Central Government Departments. This includes, amongst others, the Sustainable Development Strategy, the Regional Development Strategy, Strategic Planning Policy Statement and Planning Policy Statements.
- 2.4 The LDP will be produced in two stages and will comprise two separate Development Plan Documents (DPD) – the **Plan Strategy** and **Local Policies Plan** - that will shape development within the District up to 2030.
- 2.5 The **Plan Strategy** will establish the strategic direction of the plan in order to provide a level of certainty on which to base key development decisions in the area as well as the necessary framework for the preparation of the local policies plan. It will set the aims, objectives, overall growth strategy and associated generic policies applicable to the Plan area.
- 2.6 Once the Plan Strategy is adopted, a **Local Policies Plan** will be prepared which will be consistent with the Plan Strategy. In contrast to the Plan Strategy, it will include site-specific policies and proposals associated with settlement limits, land use zonings and environmental designations required to deliver the council's vision, objectives and strategic policies.
- 2.7 The LDP will, on adoption, replace the current development plans for the District and operational planning policies that were produced by the Department. These are:
- Fermanagh Area Plan 2007 (adopted March 1997)
  - Omagh Area Plan 2002 (adopted September 1992)

- 2.8 Parallel to the preparation of the Plan Strategy and the Local Policies Plan is the process of **Sustainability Appraisal**. This appraisal process aims to ensure that the policies and proposals in the LDP are socially, economically and environmentally sustainable. Relevant reports will be published at each of the key stages of the plan making process as detailed in the Timetable at Appendix 1.

### 3 The Timetable

- 3.1 The Timetable provides indicative<sup>1</sup> dates for the key stages in the production of the local development plan. Prior to work commencing on the production of the DPDs, two key documents must be produced and agreed with the Department. One is this Timetable, and the other is the Statement of Community Involvement (SCI). The SCI sets out how and when we will engage with the local community in both the preparation of planning policy and decisions around planning applications. The Council's SCI is available to view on its website [www.fermanaghmagh.com](http://www.fermanaghmagh.com).
- 3.2 The key elements of the plan process as shown in the diagram on Page 7 can be summarised as follows:

**Preferred Options Paper (POP)** - The publication of the POP represents the formal statutory commencement of the LDP process. This public consultation document sets out the key issues for the District and the preferred options available to address them. The POP seeks to promote debate on issues of strategic significance which are likely to influence the shape of future development in the District. Any representations or views received as a consequence of its publication will be considered whilst formulating the draft Plan Strategy and Local Policies Plan.

**Draft Plan Strategy (PS)** - The Draft Plan Strategy is a public consultation document (not the final plan). It shall give an indication of the Council's intentions regarding the future development of the District and is a key part of the public participation process.

- **Independent Examination (IE)** - An IE will be held to determine the 'soundness' of the Draft Plan Strategy, taking into account any representations or counter representations. An Advisory Report of the findings from the Independent Examiner will be issued to the Department<sup>2</sup>.
- **Binding Report** – following consideration of the Advisory Report, the Department will issue a Binding Report to the Council. The Council

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<sup>1</sup> In accordance with Regulation 6 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015.

<sup>2</sup> There is no statutory timeframe for this period of time.

must incorporate any changes outlined in the Binding Report into the Plan Strategy.

- **Adoption of Plan Strategy** – Following the Independent Examination, and direction from the Department, the Plan Strategy will be formally adopted by the Council.

**Local Policies Plan** – The Local Policies Plan is the second document comprising the LDP. The Draft Local Policies Plan is a public consultation document and will contain the Council’s detailed land use proposals regarding the future development of the District.

- **Independent Examination** – An IE will also be held to determine the ‘soundness’ of the Draft Local Policies Plan, taking into account any representations or counter representations. Following the IE, an Advisory Report of its findings will be issued to the Department.
- **Binding Report** – following consideration of the Advisory Report, the Department will issue a Binding Report to the Council. The Council must incorporate any changes outlined in the Binding Report into the Local Policies Plan.
- **Adoption of Local Policies Plan** – Following the Independent Examination, and direction from the Department, the Local Policies Plan will be formally adopted by the Council.

3.2 In addition to the various actions at the key stages of the preparation of the Plan, the Timetable includes actions relating to a number of assessments which the Council is required to carry out to accompany preparation of the local development plan. These include:

- **Sustainability Appraisal (SA)** (incorporating the Strategic Environmental Assessment, SEA) - A tool for appraising policies to ensure they reflect development objectives (that is social, environmental and economic factors). This is required in relation to both development plan documents and also involves consultation on the scope of the appraisal alongside the POP consultation. The SA also incorporates the procedure for SEA which contributes to the integration of environmental considerations in the preparation and adoption of plans and programmes.
- **Habitats Regulations Assessment (HRA)** - This considers the potential impact of LDP policies and proposals on European designated nature conservation sites. Prior to completing an HRA, an initial screening exercise will be undertaken at the POP stage to determine if the LDP requires a full HRA.

- **Equality Impact Assessment (EqIA)** - In line with the Council's Equality Scheme, an Equality Screening will be undertaken at the POP stage to assess if the LDP is likely to have an impact on specific groups identified in Section 75 of the Northern Ireland Act 1998. If required, a full EqIA will be undertaken for both the Plan Strategy and the Local Policies Plan.
- **Rural Proofing** – Rural proofing is the process by which all major policies and proposals (including LDPS) are assessed to determine whether they will have a differential impact on rural areas. If so, mitigation measures need to be considered. A Rural Needs Impact Assessment is the document produced when rural proofing is carried out.



## Fermanagh and Omagh Local Development Plan 2030 Timetable

Local Development Plan Process Key Stages	Notes and accompanying Assessments	Indicative Timescales
<b>Agree Timetable and Statement of Community Involvement</b>	<ul style="list-style-type: none"> <li>Invite comments from Consultation Body (NIEA) on Sustainability Appraisal (incorporating SEA) Scoping Report</li> </ul>	1 <sup>st</sup> Quarter 2016/2017
<b>Publication of Preferred Options Paper (POP)</b>	<ul style="list-style-type: none"> <li>Publication of Sustainability Appraisal (SA) Interim Report comprising Scoping Report and appraisal of alternatives.</li> </ul>	2 <sup>nd</sup> Quarter 2016/2017
Statutory Public Consultation (8 weeks)		
<b>Publication of draft Plan Strategy (PS)</b>	<ul style="list-style-type: none"> <li>Publication of Sustainability Appraisal Report (incorporating SEA)</li> <li>Publication of Draft Habitats Regulations (HRA) and Equality Impact Assessment (EqIA)</li> </ul>	3 <sup>rd</sup> Quarter 2018/2019
Statutory Public Consultation (8 weeks: For Representations) (8 weeks: For Counter-representations)		
<b>Independent Examination</b>	<ul style="list-style-type: none"> <li>Submission to DfI</li> </ul>	4 <sup>th</sup> Quarter 2019/2020
	<ul style="list-style-type: none"> <li>Hearing Sessions</li> </ul>	3 <sup>rd</sup> Quarter 2020/2021
	<ul style="list-style-type: none"> <li>Advisory Report to Department</li> <li>Department Issues Binding Report to Council</li> </ul>	1 <sup>st</sup> Quarter 2021/2022
<b>Adoption of Plan Strategy</b>	<ul style="list-style-type: none"> <li>Publication of Sustainability Appraisal Adoption Report (incorporating SEA)</li> <li>Publication of HRA and EqIA</li> </ul>	2 <sup>nd</sup> Quarter 2021/2022
<b>Publication of draft Local Policies Plan</b>	<ul style="list-style-type: none"> <li>Publication of Sustainability Appraisal Report (incorporating SEA)</li> <li>Publication of Draft HRA and EqIA</li> </ul>	3 <sup>rd</sup> Quarter 2021/2022
Statutory Public Consultation (8 weeks: For Representations) (8 weeks: For Counter-representations)		
<b>Independent Examination</b>	<ul style="list-style-type: none"> <li>Submission to DfI</li> </ul>	2 <sup>nd</sup> Quarter 2022/2023
	<ul style="list-style-type: none"> <li>Hearing Sessions</li> </ul>	1 <sup>st</sup> Quarter 2023/2024
	<ul style="list-style-type: none"> <li>Advisory Report to Department</li> <li>Department issues Binding report to Council</li> </ul>	3 <sup>rd</sup> Quarter 2023/2024
<b>Adoption of Local Policies Plan</b>	<ul style="list-style-type: none"> <li>Publication of Sustainability Appraisal Adoption Report (incorporating SEA)</li> <li>Publication of HRA and EqIA</li> </ul>	1 <sup>st</sup> Quarter 2024/2025
<b>Monitoring and Review of Local Development Plan</b>	Monitoring of Sustainability Appraisal and other Assessments	Ongoing
<ul style="list-style-type: none"> <li>Annual Monitor</li> <li>5 &amp; 10 Year Review</li> </ul>		

Note 1: SEA (Strategic Environmental Assessment); HRA (Habitats Regulation Assessment); EqIA (Equality Impact Assessment); SA (Sustainability Appraisal) Note 2: These timescales which refer to quarters in the financial year are indicative only and do not take account of any factors which may delay the progress of the plan such as any legislative changes, any regional policy changes, the availability of resources and other factors outside the control of the Council.

## **4 Delivery of the Local Development Plan**

- 4.1 There are a number of factors which could potentially impact on the delivery of the Local Development Plan. Meeting the indicative timescales set out within the timetable is dependent upon factors such as effective governance arrangements, involvement of elected Members, adequate resourcing and the management of risk. There are also a number of a factors which are outside the Council's control including input from consultees, the duration of the Independent Examination and reporting period, subsequent consideration by the Department and any potential judicial proceedings.
- 4.2 To manage the plan making process, the following steps have been put in place:
- A Steering Group has been established comprising of council members, the Chief Executive, Directors, Head of Planning and Head of Community Planning and Performance. This is a high-level co-ordinating body that will ensure overview and strategic input on behalf of the whole community as well as from the planning professional.
  - A Project Management Team has been established comprising key officers from the Council, the Principal Planning Officer and invited representatives from the key statutory/government departments. The purpose of the team is to ensure key consultees are able to contribute to and co-operate in the plan-making process. The project management team will be consulted on emerging plan policies and act as an initial scoping group for the SA.
  - Progress report on the LDP will be submitted on a regular basis to the Regeneration and Community Committee.
  - Informal workshops will be held at appropriate stages with elected Members as the POP, Plan Strategy and Local Policies Plan are developed.
- 4.3 The Timetable takes account of the statutory consultation periods required at each stage of the publication of each plan document (Plan Strategy or Local Policies Plan). An allowance for the Planning Appeals Commission's (PAC) involvement in the Independent Examination process through to the submission of their report to the Department is also included. The PAC have indicated that this involvement could last on average 9 to 12 months. The Council will require a minimum 2 months to make the necessary arrangements for adoption and publication of each plan document.

## **5. Risks**

- 5.1 The delivery of a successful LDP is extremely challenging and there are a number of risks that could slow down the production of the LDP. In order to manage risk, a Risk Register will be established for the project and risk identified. Appendix A sets out the key risks identified in relation to the overall project plan and proposed mitigation measures to be implemented in order to ensure that sound documents are prepared in a timely manner.

## **6. Review**

- 6.1 An annual monitoring report will be produced by the Council to inform Elected Members and the Department on progress in meeting the Timetable. If progress on plan production has slipped, the Timetable will need to be revised and agreed with the Department in accordance with the Development Plan Regulations. Any amendments will be publicised and made available on the Council's website.

## Appendix A – Risk Associated with the LDP Timetable

Issue	Risk	Mitigation
Scale and nature of work – LDP timeframe too exacting to match resources. Staff resource levels to match task.	Scale and uncertainty of new LDP process. Impediments to delivery could pose reputational harm.	Continued corporate commitment to a robust level of resourcing the LDP work. The LDP will continue to be recognised as a high priority. Robust management of staff resources and cross service working as appropriate.  Ensure sufficient staff resources to match work requirement. Further recruitment potential.
Lack of specialist resources.	Elements of the LDP will require specialist technical skills and there is a risk that some of this work cannot be progressed in-house.	Close working with partners who have the necessary skills. Use of external consultants to support LDP team as appropriate.
Financial resources.	Sufficient resources required for all elements - especially consultancy work.	Financial planning and resourcing.
Unquantifiable level of likely public interest.	Number and nature of representations are not quantifiable. Issues may arise in consultation that lead to longer response times by the Council and longer examination and reporting time.	Resources required to manage consultation process (including ICT requirements to manage representations)
Lack of capacity of other statutory agencies.	Statutory agencies will need to be adequately resourced to ensure there is capacity to engage with and respond to multiple LDP preparation processes across the region.	The LDP Timetable provides forward notice.
Securing political consensus on elements of the LDP.	A divergence in views on some elements of the LDP could lead to delays in securing consensus amongst Members at key stages.	Build in sufficient time in the Timetable to allow for the necessary political consensus to be agreed.  Cross-party representation on the LDP Steering Group to help aid political buy-in for policies and proposals.

Issue	Risk	Mitigation
		Engage with wider membership of Council through workshops. Regular reporting to committees.
Changes to regional policy, legislation or guidance during the preparation of the LDP.	Changes in regional statutory or non-statutory policy guidance and advice could affect the content and direction of local policy preparation and decisions may cause delays in the LDP. Similarly, changes to planning legislation and/or subordinate regulations could introduce amendments to the plan making process, introducing new obligations and necessitating additional work. Unforeseen additional work may also be required as a result of new emerging evidence at a local or regional level.	Monitoring of likely changes.  Engagement with the Department and PAC/IE body.
Potential delays associated with the Independent Examination & subsequent Binding Report	The timescales associated with the Soundness Based Independent Examination are beyond the control of the Council and could vary considerably depending on the capacity of the Planning Appeals Commission or other independent body; the scale and complexity of the LDP or the level of public interest. Potential to result in prolonged timescales associated with both the holding of public examinations and the subsequent issuing of the Binding Reports.	LDP Timetable provides forward notice of the resource requirements from the Department and PAC.  Early notice will be given to the Department and PAC/Independent Examiner of the request to hold a public examination. Close liaison with Department/PAC/Independent Examiner to highlight any potential issues/problems at an early stage.
Tests of soundness.	Potential risk of the LDP documents being unsound, which could result in major delays to the implementation of the policies or an inability to adopt the LDP.	Effective scoping of work and development of a robust evidence base to support the soundness of the LDP.
Legal challenge	Potential Risk of legal challenge to process of LDP. Likely potential impact as a result – additional work or delay to adoption.	Compliance of LDP process against legislative requirements.