

<b>Local Development Plan (LDP): Establishment of a Project Management Team</b>	<b>28<sup>th</sup> June 2017</b>
<b>PLANNING COMMITTEE</b>	

<b>Linkage to Council Strategy (2015-19)</b>	
<b>Strategic Theme</b>	<b>Outcomes</b>
<b>Leader and Champion</b>	<ul style="list-style-type: none"> <li>• Our Elected Members will provide leadership to our citizens, working to promote the Borough as an attractive place to live, work, invest and visit.</li> <li>• We will establish key relationships with Government agencies and potential strategic partners in Northern Ireland and external to it which helps us to deliver our vision for this Council area.</li> </ul>
<b>Protecting and enhancing our environments and assets</b>	<ul style="list-style-type: none"> <li>• All environments in the area will benefit from pro-active decision making which protects the natural features, characteristics and integrity of the Borough.</li> <li>• Our citizens will have the maximum opportunity to enjoy our natural environments.</li> <li>• Our natural assets will be carefully managed to generate economic and social returns without compromising their sustainability for future generations.</li> </ul>
<b>Lead Officer</b>	Principal Planning Officer/Local Development Plan Manager
<b>Cost:</b>	N/A

## **For Decision**

### **1.0 Background**

- 1.1 Following the transfer of planning powers from the former Department of the Environment (DOE) to local councils on 1<sup>st</sup> April 2015, Council is now responsible for ensuring the “sustainable development” of its area.
- 1.2 The Regional Development Strategy 2035 (RDS) defines ‘sustainable development’ as *‘development that meets the needs of the present without compromising the ability of future generations to meet their own needs’*. The RDS therefore places an onus on Council to address the economic, social and environmental issues aimed at achieving sustainable development and social cohesion.

1.3 To assist Council the Executive's Sustainable Development Strategy (May 2010) 'Everyone's Involved' sets out six guiding principles, as follows:

- Living within environmental limits;
- Ensuring a strong, healthy, just and equal society;
- Achieving a sustainable economy;
- Promoting good governance;
- Using sound science responsibly; and
- Promoting opportunity and innovation.

1.4 Council's LDP, once adopted, will inform the public, statutory bodies and other stakeholders of how Council sees the Borough developing up to the year 2030.

1.5 The production of the LDP, however cannot operate in isolation. The European Union (EU) introduced a statutory requirement that all plans and programmes that are likely to have a significant environmental effect, must be subject to an environmental appraisal, more commonly referred to as a 'Strategic Environmental Assessment (SEA)'.

## **2.0 Legislative context**

2.1 Section 25 of the Northern Ireland (Miscellaneous Provisions) Act 2006 requires all NI Departments and District Councils, in exercising their functions, to act in the way they consider best calculated to contribute to the achievement of sustainable development. Section 5 of the Planning Act (NI) 2011 reaffirms this duty by requiring those who exercise any function in relation to LDPs to do so with the objective of 'furthering sustainable development'.

2.2 Furthermore, Sections 8(6) and 9(7) of the Planning Act (NI) 2011 require an 'appraisal of sustainability' to be carried out for both the LDP Plan Strategy and Local Policies Plan, respectively. As the sustainability appraisal (SA) for each of these development plan documents will incorporate an assessment of environmental effects, it must also comply with the requirements of the European Directive 2001/42/EC on the assessment of effects of certain plans and programmes on the environment (the 'SEA Directive').

2.3 EU Directive '2001/42/EC' states that an SEA is mandatory for plans/programmes which *'are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste/ water management, telecommunications, tourism, town & country planning or land use and which set the framework for future development consent of projects listed in the EIA Directive.'*

2.4 For Northern Ireland this Directive was transposed in the form of the 'Environmental Assessment of Plans and Programmes Regulations (NI) 2004.' Council's LDP constitutes a qualifying plan under this Directive and regional legislation and as such it is a statutory requirement to undertake an SEA of the plan.

### **3.0 Purpose of Sustainability Appraisal (SA), incorporating Strategic Environmental Assessment (SEA)**

- 3.1 A sustainability appraisal (SA) is a systematic, iterative process that must be carried out during the preparation of the LDP. Its role is to promote 'sustainable development' by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives. Sustainability appraisal ensures that potential environmental effects are given full consideration alongside social and economic issues. The SA will play an important part in demonstrating if a development plan document is 'sound'.
- 3.2 SA should help to improve the quality of the plan making process by:
- Raising awareness of the social, economic and environmental impacts of the plan;
  - Facilitating the identification and assessment of reasonable alternatives for the plan;
  - Demonstrating that the plan is the most appropriate given the reasonable alternatives;
  - Providing transparency in the decision making process and facilitating public participation;
  - Facilitating the effective monitoring of implementation of the plan.
- 3.3 The purpose of the SEA is to highlight any significant negative effects that land use change and development, brought about by the policies and proposals contained within the proposed LDP, may have on the environment only.
- 3.4 This is a key component of sustainable development, establishing important methods for protecting the environment and extending opportunities for public participation in decision making. SEA achieves this by:
- Systematically assessing and monitoring the significant environmental effects of councils strategies, plans and programmes;
  - Ensuring that expertise and views are sought at various points in the process from Northern Ireland Environment Agency, and the public;
  - Requiring a public statement as to how opinions have been taken into account.
- 3.5 The main difference between the two is that the SA has a wider scope (as it covers the social and economic effects of the plans), as well as the more environmentally focused considerations of the SEA.
- 3.6 Whilst the requirement to carry out a SA and SEA are distinct, it is possible to satisfy both these requirements through a combined appraisal process.
- 3.7 As the SA (including SEA) is an iterative process, the document will be updated and published at key stages of the Plan preparation, as follows;

- Preferred Options Paper (POP);
- Plan Strategy; and
- Local Policies Plan

3.8 The first SA document is the 'SA Interim Report' which will be published alongside Council's Preferred Options Paper (POP). The LDP Timetable outlines an indicative date for publication as Autumn/Winter 2017. The report will be subject to a 12 week public consultation period and the responses received during this period will be analysed and taken in to account in the preparation of the next Plan document, the draft Plan Strategy.

#### **4.0 The LDP Project Management Team**

4.1 In order to oversee the implementation and publication of the SA (inc SEA) and in line with Council's Statement of Community Involvement in Planning (SCI), a Project Management Team will be established, comprising the following:

- Senior Council Officers;
- Principal Planning Officer;
- Shared Environmental Services (SES); and
- Key statutory/government departments.

4.2 Key consultees (as stated above) will be invited to participate by providing information on key strategic issues that the LDP should address. An invite will also extend to all party leads (or a nominee) and Council Directors.

4.3 The purpose of the team is to facilitate key consultee co-operation in the plan making process. This team will be consulted on and act as the screening and scoping group for the SA (inc SEA) and any other necessary assessments and appraisals.

4.4 It is envisaged that this team would meet quarterly (or otherwise as may be required) to ensure that the deadlines set out in Council's LDP timetable are met.

#### **5.0 Recommendation**

5.1 **IT IS RECOMMENDED** that Members agree the establishment of an LDP Project Management Team.