

<b>Report on</b>	Report on Schedule of Proposed Changes to Fermanagh and Omagh District Council's Draft Plan Strategy 2030.
<b>Date of Meeting</b>	1 <sup>st</sup> September 2020
<b>Reporting Officer</b>	Chris Boomer
<b>Contact Officer</b>	Chris Boomer

<b>Is this report restricted for confidential business?</b>	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	x

<b>1.0</b>	<b>Purpose of Report</b>
1.1	The purpose of this report is to advise members of some of the changes, which have been proposed to the Fermanagh and Omagh District Council's draft Plan Strategy. The report will also advise on the position of MUDC in relation to those various changes
<b>2.0</b>	<b>Background</b>
2.1	Fermanagh and Omagh District Council (FODC) published their draft Plan Strategy for public consultation on 26 <sup>th</sup> October 2018. Following an 8-week consultation period, they received 322 individual representations. Having considered all of these representations, FODC now propose to make a range of changes to the draft Plan Strategy.
2.2	The extent of any proposed changes has been considered whilst taking account of Development Plan Practice Note 10 (DPPN 10) – "Submitting Development Plan Documents for Independent Examination." DPPN 10 states that there are two kinds of changes which can be made; <ul style="list-style-type: none"> <li>i. Minor Changes – such as minor editing changes for factual correction which do not need public consultation</li> <li>ii. Focussed Changes – changes made in exceptional circumstances which deal with unforeseen issues and which fundamentally impact upon the soundness of the Plan.</li> </ul>
2.3	FODC have also identified changes which they view as rational and logical changes to policy and/or policy clarification as a result of issues raised during consultation. These issues whilst not constituting minor changes, are not considered to be a response to any issues relating to soundness.

2.4	The changes, which are being proposed, are now out for public consultation and the 8 week consultation period runs from 16 <sup>th</sup> July – 11 <sup>th</sup> September.
<b>3.0</b>	<b>Main Report</b>
3.1	The attached letter details the relevant comments MUDC feel are appropriate to be made in relation to certain proposed changes. It is not been considered expedient to comment on minor editing and grammatical changes. Excluding these minor changes, there are 133 proposed changes. MUDC will not provide comment on each of these changes but having examined them all we feel there are certain aspects of some of the changes which are worthy of comment, particularly where the issues involved are common issues to both jurisdictions and which are issues where a joined up and common approach is considered important.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: None identified
	Human: None identified
	Risk Management: None identified
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications: None identified
	Rural Needs Implications: None identified
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	Members are requested to note and agree the contents of the attached letter which will be sent to Fermanagh and Omagh District Council in response to the consultation on the Schedule of Proposed Changes to the draft Plan Strategy 2030 .
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	Appendix 1 – Letter to be sent to FODC.

## APPENDIX 1



Mid Ulster District Council  
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Local Development Plan Team  
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Magherafelt  
BT45 6EN  
Tel – 03000 132 132  
Email – [developmentplan@midulstercouncil.org](mailto:developmentplan@midulstercouncil.org)

Sinead McEvoy  
Development Plan Team  
Fermanagh & Omagh District Council  
Strule House  
16 High Street  
Omagh  
BT78 1BQ

September 2020

Dear Sinead,

### **Local Development Plan 2030 Draft Plan Strategy - Schedule of Proposed Changes**

I write in relation to the above matter. Mid Ulster District Council have considered the Schedule of Proposed Changes, which has been published by Fermanagh and Omagh District Council and would make the following comments, which have been laid in the table below for ease of reference.

For expediency, we have not commented upon minor or grammatical changes but we feel there are certain aspects of some of the other changes which are worthy of comment, particularly where the issues involved are issues common to both our jurisdictions and which are issues where a joined up and common approach is considered to be important.

In addition to the comments included in the table below, we note the general trend across the schedule of proposed changes, which removes certain pieces of text either from policy wording or from policy clarification because it is already included in other parts of the draft Plan Strategy. For example, proposed change no. 26 removes the entire policy HOU 8 because it is “adequately covered by other policies in the Plan Strategy”. This general trend of streamlining policy is something, which we welcome, in the interests of removing duplication within the draft Strategy and making it a more condensed and user-friendly document.

The table below sets out the main comments that MUDC would make in relation to the Schedule of Proposed Changes.

FODC PROPOSED CHANGE REFERENCE	DETAIL OF PROPOSED CHANGE	MUDC COMMENT
20	<p>Inclusion of wording to state that housing on un-zoned greenfield land within a village or small settlement will only be permitted where the need cannot be met on zoned land or housing policy areas;</p> <p><i>“The Council will only permit housing on unzoned greenfield land within the settlement limits of a village or small settlement where either;</i></p> <p>(i) <i>The future housing need exceeds the number of existing commitments and there is no evidence of this housing need being met on sites within any Housing Policy Areas”</i></p>	<p>MUDC note the inclusion of this policy wording.</p> <p>Whilst the rationale behind this policy wording is clear, it has the potential to result in less flexibility in terms of available land supply within small settlements. Where un-zoned greenfield land is excluded from development then it can lead to increased demand for zoned land / brownfield sites, which can often increase land values and make it less likely for the land to be released for development.</p> <p>Mid Ulster’s approach is to state that housing in settlements will be acceptable on zoned or un-zoned land where it contributes to a quality residential environment. This will result in a more flexible supply of land within settlements.</p>
30	<p>Alteration of policy wording to state that rounding off / infilling opportunities must be linked with a group of buildings constituting a minimum of 4 buildings, instead of 3 as contained in the original policy.</p>	<p>MUDC welcome this alteration, as it will bring the policy into line with that of Mid Ulster, which states that the cluster must provide a group of <i>“4 or more substantial buildings.”</i></p>

FODC PROPOSED CHANGE REFERENCE	DETAIL OF PROPOSED CHANGE	MUDC COMMENT
31	Increase the amount of affordable housing deemed acceptable in the countryside, at or near a village or small settlement.	NIHE will identify a need in a particular area and if this need exceeds 8 houses then this policy will not be capable of meeting the identified need. The corresponding MUDC policy does not place a cap on number of units, rather it leaves it open so that the policy is <i>“capable of meeting the needs of the rural community as identified by NIHE.”</i>
57	Minerals – inclusion of direct presumption against valuable minerals in Special Countryside Areas;  <i>“In considering a proposal for the extraction of valuable minerals including metalliferous minerals, where the site is within a designated area in the Local Development Plan, due weight will be given to the reason for statutory zoning. There will be a presumption against their exploitation within designated Special Countryside Areas.”</i>	MUDC note the inclusion of this policy wording and also note that it is contrary to the provisions of the SPPS which state at para. 6.157 that there will not be a presumption against the exploitation of valuable minerals “in any area.”

FODC PROPOSED CHANGE REFERENCE	DETAIL OF PROPOSED CHANGE	MUDC COMMENT
60	<p>Change of wording in relation to policy MIN04 – Unconventional Hydrocarbon Extraction. Change of wording regarding unconventional hydrocarbon extraction;</p> <p><i>“The Council will not permit the exploitation of unconventional hydrocarbon extraction until <u>there is sufficient and robust evidence on all associated impacts on the environment and human health.</u>”</i></p>	<p>MUDC welcome this change of wording from the original;  <i>“it is proved that there will no adverse effects on the environment or public health”</i></p> <p>It is felt that this is a more robust policy wording and accords with the wording of policy MIN 3 of MUDC’s draft Plan Strategy in relation to unconventional hydrocarbons.</p>

Please feel free to contact me should you wish to discuss any of the comments outlined above.

Thank you for the opportunity to comment on the Schedule of Proposed Changes for the draft Plan Strategy.

Kind Regards

A handwritten signature in black ink, appearing to read 'C. Boomer', with a long horizontal flourish extending to the right.

Chris Boomer  
Planning Manger