

Report on	Mid Ulster District Council
Date of Meeting	1st September 2020
Reporting Officer	Chris Boomer - Planning Manager
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Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	x

1.0	Purpose of Report
1.1	To provide members with a revised Timetable for the production of the new Local Development Plan (LDP) for Mid Ulster District Council Area. This timetable details the key stages, actions and timescales in the plan preparation process.
2.0	Background
2.1	Legislation, namely the Planning (NI) Act 2011, requires the council to produce and review such a timetable when preparing and adopting a LDP. Regulation 7 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 requires that the timetable is approved by resolution of the council prior to submission to the Department for its agreement.
3.0	Main Report
3.1	The revised timetable sets out Mid Ulster Councils programme for the production of its LDP and includes details of the key stages in the process. It will help ensure that the plan process is efficiently managed and that key stakeholders such as consultation bodies and the Planning Appeals Commission (PAC) are kept informed and can manage their own resources to facilitate their involvement in the LDP process.
3.2	Members will be aware that there has been slippage in the date for submission to the Department for Independent Examination which was scheduled for Winter 2019/20. This is due to the identification of a procedural error in the original consultation on the Local Development Plan 2030 – Draft Plan Strategy. A re-consultation on the DPS was initiated in March 2020, however due to lockdown restrictions imposed as a result of the Coronavirus pandemic the closing date for representations to the DPS has been extended to 5pm on 24 th September 2020. This have inevitably caused further slippage to our timetable, which we have now revised for member's consideration.
3.3	The timetable contains revised <i>indicative</i> dates as well as actions for the various stages of the plan preparation process. A number of assessments are required to be carried out in the preparation of the LDP, including a Strategic Environmental Assessment, a Sustainability Assessment, a Habitats Regulations Assessment and an Equality Impact Assessment and Rural Proofing. These are factored into the various key stages in the timetable.

3.4	Formal consultation was carried out with relevant bodies including the Planning Appeals Commission who raised no concerns. Informal consultation on the revised timetable has taken place with the Department for Infrastructure who raised some questions in relation to the timescales allocated to Independent Examination (IE) of the DPS. They indicated that this timeframe should cover the period of time from submission to the Department to cause the Independent Examination, the IE itself and lastly the issue of the Departments binding report to the Council. They refer to 'Development Plan Practice Note 10: Submitting Development Plan Documents for Independent Examination' and note their aim is to consider a Development Plan Document for IE within 8 weeks, Commissioner involvement is anticipated at 9-12 months and a further 8 weeks is estimated for consideration of the PAC's report to the Department.
3.5	<p>In light of this, additional information and amendments have been made to the revised timetable to provide clarity and reflect the recommendations of the Department. Members will note that the timeframe within the timetable extends significantly beyond the 40 months suggested by the Department in their guidance. This extended timeframe is considered to be a realistic reflection of the actions necessary to ensure the production of a sound and robust LDP for the District and reflective of the timescale that would be necessary to address any issues that may arise during the process.</p> <p>The next step in the progressing the revised timetable is to submit it to the Department for agreement.</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial:
	Human:
	Risk Management:
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications:
	Rural Needs Implications:
5.0	Recommendation(s)
5.1	Members are requested to consider and agree the attached revised Timetable which will then be submitted to the Department for its agreement.
6.0	Documents Attached & References
	LDP Revised Timetable August 2020.



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

MID ULSTER DISTRICT COUNCIL LOCAL DEVELOPMENT PLAN REVISED TIMETABLE

August 2020

1.0 Introduction

- 1.1 This revised timetable sets out Mid Ulster Council's program for the production of its local development plan (LDP) and includes details of the key stages in the process. The timetable will help ensure that the plan process is efficiently managed and that the key stakeholders such as the consultation bodies and the Planning Appeals Commission (PAC) are kept informed and can manage their own resources to facilitate their involvement in the LDP process. In relation to public consultation this timetable should be read alongside the Mid Ulster Statement of Community Involvement.
- 1.2 Under **Section 7 of the Planning (Northern Ireland) Act 2011** a council has a duty to prepare, and keep under review, a timetable for the preparation and adoption of the local development plan. Sections 8(4)(a) and 9(4)(a) require both the Plan Strategy and Local Policies Plan to be prepared in accordance with the timetable.
- 1.3 **Regulations 5 to 8 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015** (LDP Regulations) sets out the requirements for the preparation, form and content, agreement and availability of the timetable.

2.0 Purpose and Status of the Local Development Plan

- 2.1 The purpose of the Mid Ulster Council Local Development Plan, comprising the Plan Strategy and Local Policies, is to inform the general public, statutory authorities, developers and other interested bodies of the policy framework and land use proposals that will implement the strategic objectives of the Regional Development Strategy and guide development decisions within Mid Ulster District Council up to 2030.
- 2.2 The preparation of the LDP will take account of the Council's Corporate Plan and Community Plan so that there is a shared vision for the council area and communities and it will set out the long-term social, economic and environmental objectives for the district. The LDP will also take account of 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, the Strategic Planning Policy Statement and Planning Policy Statements.
- 2.3 The Mid Ulster Local Development Plan will replace the Cookstown Area Plan 2010, Dungannon and South Tyrone Area Plan 2010 and the Magherafelt Area Plan 2015. The Plan will be produced in two stages consisting of two separate documents, which will shape development within our district in the period to 2030. The first stage will be a Plan Strategy followed by Local Policies Plan.
- 2.4 Prior to the preparation of the Plan Strategy and Local Policies Plan the Council will identify the key issues in the plan area and will formulate a series of options for dealing with them. This information will be published as a

Preferred Options Paper which will indicate a Council's preferred options for growth and development in their area and will be the basis for consulting with the public and stakeholders who will have an opportunity to put forward views and influence the local development plan from the outset.

- 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. The Strategy will set the aims, objectives, overall growth strategy and associated subject policies applicable to the Plan Area.
- 2.6 The Local Policies Plan (LPP) will be consistent with the plan strategy. In contrast to the Plan Strategy the LPP will deal with 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. Prior to the publication of the Local Policies Plan (LPP) the Council will publish a Local Policies Plan 'Key Issues' Paper identifying the key issues in the area and will provide the public with the opportunity to comment them to inform the preparation of the LPP. The document will outline key issues such as settlement limits, location of housing and economic development land within the towns, town centre boundaries etc. and invite comments on them.
- 2.7 A Sustainability Appraisal (incorporating Strategic Environmental Assessment) of the Local Development Plan will run in parallel with the preparation of various stages of the plan and will be an ongoing process. The purpose of the Sustainability Appraisal is to promote sustainable development through the integration of social, environmental and economic considerations into the preparation of the Local Development Plan. Reports from the various stages of the Sustainability Appraisal will be published at the key stages of the plan preparation as detailed in the Timetable at Appendix 1.

3.0 Timetable of Actions

- 3.1 The Mid Ulster Local Development Plan revised Timetable is set out at Appendix 1. In accordance with Regulation 6 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 the Timetable contains indicative dates for the various stages of the plan preparation process.
- 3.2 The timetable details the various actions at the key stages of the preparation of the Plan. The timetable also includes those actions that also relate to the Sustainability Assessment and other assessments that are required to be carried out in the preparation of the plan including a Strategic Environmental Assessment, Habitats Regulations Assessment and Equality Impact Assessment.
- 3.3 In accordance with **Regulation 5 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015**, in preparing the timetable, consultation has been undertaken with the Planning Appeals Commission (PAC) and key consultation bodies.

- 3.4 There are a number of factors that may impact on the delivery of the Local Development Plan within the indicative timescales indicated. Annual monitoring of the plan will take place and a report will be produced to inform Members and the Department on progress in meeting the timetable and on the land availability for housing and employment. In the event that progress is not in line with the timetable the Council has the power under the Planning Act 2011 to publish a revised timetable.

4.0 Project Management

- 4.1 Meeting the attached timetable is dependent upon Member involvement, adequate resourcing of the Local Development Plan, brokering agreement with neighboring councils and risk management.

Member Involvement

- 4.2 To date members have made the following key decisions:

- In September 2016 the Council agreed the Preferred Options Paper. This was published in November 2016 and subject to a 12 week public consultation period.
- Following consideration of the representation and other evidence the Council agreed the Draft Plan Strategy with accompanying Sustainability Appraisal (incorporating SEA) on January 2019.
- The draft plan and accompanying documentation was published February 2019 and subject to an 8 week consultation. The representations were then published and subject to an eight week period to allow for counter representations.

- 4.3 Prior to taking a Council decision on submission of the Plan to the Department, an error in the advertisement procedures was identified, resulting in the need to repeat the consultation exercise. The re-consultation period was set for a period of 8 weeks commencing in March 2020 and closing in May 2020. Due to the COVID19 pandemic, the consultation closing date was suspended. In July 2020 Notice of a new closing date in September 2020 was issued. An 8 week period will then be allowed for counter representations.

- 4.4 Members will then make the following key decisions:

- In Winter of 2020-21 having considered any representations, the Council will decide whether they wish to submit the Plan to the Department for independent examination. (If they choose not to, the timetable will need to be amended.)

- By Spring of 2022 the binding report of the Department should have been presented to the Council for adoption of the Plan. The Council will also decide on the Public Consultation paper for the Local Policies Plan, where if required a call for sites in particular sites will be issued.
- In Winter of 2022/23 the council will decide on publication of the Sustainability Appraisal (incorporating SEA) and Draft Local Policies Plan.
- In Summer 2023 the Council will decide on submitting the Plan with any representations to the Department for an Independent Examination.
- In Autumn 2024 the binding report of the Department will be presented to the Council for adoption of the Plan.

Risk Management

- 4.3 The timetable is challenging and there are a number of risks that could slow down the Plan Program. In order to manage risk, a Risk Management Log (Table 1) assesses a variety of risks, processes countermeasures to mitigate delay.

Area of Uncertainty/Risk	Effect	Likelihood	Impact	Response/Counter measure	After response Likelihood	After response Impact
Pandemic (Covid 19)	4. Large	Likely	Significant delays	Social distancing, use of ICT	3. medium	Short to medium delay
Brokering agreement with neighbouring councils	3. Medium	Likely	Significant delays	Ongoing discussion via cross boundary forums.	2. Unlikely	Short term delays
Member Involvement	3. Medium	Likely	Significant delays	Ongoing member engagement	2. Unlikely	Short term delays
Department/PAC involvement in terms of delivery	3. Medium	Likely	Significant delays	Liaise closely with PAC	2. Unlikely	Significant delays
Legal Challenge	3. Medium	Likely	Long term delay	Meaningful consultation and ongoing legal audit	2. Unlikely	Short term delays
Adequate team resources	3. Medium	Likely	Significant delay	Adjustment of service priorities and redeployment of staff	3. unlikely	Short delays

Table 1: Risk Management Log for Mid Ulster Local Development Plan

5.0 Annual Monitoring

- 5.1 An annual monitoring report will be produced to inform Council and the Department on progress in meeting the timetable and on the land availability for housing and employment. 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.

Mid Ulster Council Local Development Plan Timetable

