



Derry City & Strabane  
District Council

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DERRY CITY & STRABANE DISTRICT COUNCIL

# LOCAL DEVELOPMENT PLAN (LDP) 2032



## DRAFT PLAN STRATEGY

DS-600 - Self-Assessment of Soundness Statement (SASS), March 2022

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**DERRY CITY AND STRABANE DISTRICT COUNCIL**

**LOCAL DEVELOPMENT PLAN (LDP) 2032**



**LDP draft Plan Strategy**

**SELF-ASSESSMENT OF SOUNDNESS STATEMENT (SASS)**

**March 2022**

This Document is one in a series which comprises the evidence base that informs the preparation of the Derry City and Strabane District Local Development Plan (LDP 2032) Plan Strategy.

This is a Submission document in accordance with Section 10 of the Planning (NI) 2011 and Regulation 20 of the Planning (LDP) Regulations (NI) 2015.

**This overall SASS document (DS-600) should be read in conjunction with the other LDP dPS Submission documents as referenced in the Document Library, particularly DS-600a – Approval of LDP Documents, DS-600b – Public Notices for LDP Stages and DS-600c – Consultation Evidence for LDP Stages.**

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### **Appendices**

Appendix 1- Soundness Tests from DPPN 6

Appendix 2- Procedural Tests from the LDP Regulations 2015

## **1.0 Introduction**

1.1 This document has been produced in accordance with the [Planning Act \(NI\) 2011](#), the [Planning \(Local Development Plan\) Regulations \(NI\) 2015](#) and relevant guidance in [Development Plan Practice Note, DPPN 6: Soundness](#) & [DPPN 10: Submitting DPDs for IE](#). The 2011 Act requires the Local Development Plan (LDP) to be examined in public in order to determine whether it has been prepared in a procedurally correct manner and whether it is ‘sound’. This requires the Council to submit the LDP, together with all associated documents, for the consideration by the Independent Examination (IE).

1.2 Section 10 of the 2011 Act deals with the IE of each LDP development plan document (DPD) and states that the Council must submit each DPD (i.e. draft Plan Strategy and Local Policies Plan) to the Department for Infrastructure (DfI) for IE. However, the Council must not submit the dPS unless it has a) complied with any relevant requirements contained in Regulations, and b) it thinks the document is ready for IE. DPPN 6 (para 4.3) and DPPN 10 (paras 5.3 & 6.12) encourage the Council to use a checklist to demonstrate how it considers it has met each of the tests of soundness and to use self-assessment documents and submit these to the Department as supporting documents to demonstrate that the dPS has fulfilled legislative requirements.

1.3 Derry City & Strabane District Council considers that it has prepared the LDP documents in accordance with the respective Regulations and also that the draft Plan Strategy is ‘sound’ and therefore that it is ready for Independent Examination (IE). Accordingly, this document is the Council’s ‘self-assessment’ of the LDP draft Plan Strategy (dPS) procedural process and compliance with the Tests of Soundness.

## 2.0 Tests of Soundness

2.1 Part 2 of the 2011 Act sets out the general requirements for the LDP. Section 10 of the 2011 Act deals with the IE. The purpose of the IE is to determine:

- Whether it satisfies the requirements relating to the preparation of the DPD; and
- Whether it is sound.

2.2 The ‘soundness’ of the LDP dPS requires it to be tested in terms of content, conformity and the process by which it was produced. The tests of soundness are therefore based upon three categories, as follows:

- Procedural tests;
- Consistency tests;
- Coherence and effectiveness tests.

2.3 The full list of soundness tests is set out within Development Plan Practice Note 6: Soundness. These aim to provide a framework to assess the soundness of the dPS, while taking account of all relevant procedural, legislative and policy considerations (See Summary of the Tests at Appendix 1).

2.4 Whilst the 12 tests of soundness are based upon the three categories, there is a degree of overlap in terms of the criteria used for each test. In addition, Development Plan Practice Note 6: Soundness, also suggests that these examples may not constitute an inclusive and definitive list. Therefore, it is a matter for the Council to decide the most appropriate evidence to demonstrate how it has met each test of soundness.

2.5 The first requirement of Section 10 (2) of the Act i.e. to comply with any relevant requirements contained in Regulations, also overlaps with many of the Soundness Tests – which reference the content of the various Regulations.

### 3.0 LDP Regulations Tests

3.1 The Regulations Tests require that the dPS has been prepared in compliance with the relevant legal and legislative requirements and, in particular, The Planning (Local Development Plan) Regulations (NI) 2015. The regulatory requirements are set out in Appendix 2.

3.2 The following section is structured around the requirements of the Regulations for ease of reference and includes an explanation of how the Council has met these tests.

No.	<b>PART 2: Timetable: Preparation of the LDP Timetable</b>	Y/N	Reg.	Comments
1.	Were the Planning Appeals Commission (PAC) and any other consultation bodies the Council considered appropriate consulted?	Yes	5	The Council consulted with the PAC and other appropriate Consultation bodies, at the time of preparation of the LDP Timetable in 2016, as well as at the Timetable Revisions in 2018, 2019 and 2021. See DS-600a and DS-600c for details.
No.	<b>PART 2: Timetable: Content of the Timetable</b>	Y/N	Reg.	Comments
1.	Has the Timetable included indicative dates for each stage of the preparation of the LDP including; a) <ul style="list-style-type: none"> <li>• Publication of the preferred options paper (POP)?</li> <li>• Publication of the plan strategy (PS) and publication of the local policies plan (LPP)? and</li> <li>• Adoption of the PS and LPP?</li> </ul> b) <ul style="list-style-type: none"> <li>• The carrying out of the sustainability appraisal and the preparation of the reports on the findings of the appraisal?</li> </ul>	Yes	6	The LDP Timetable sets out the key stages and indicative timescales in the process to produce the LDP. Its purpose is to help ensure that the plan process is efficiently managed and that the key stakeholders, including the consultation bodies and the Planning Appeals Commission (PAC), are kept informed and can manage their own resources.  The Council adopted the initial Local Development Plan Timetable in May 2016, following approval by the Department of Infrastructure (DfI). There were subsequent Revised versions in 2018, 2019 and 2021. See DS-603a, b, c and d for details. Each version of the LDP Timetable has included indicative dates for: <ul style="list-style-type: none"> <li>• Publication of the preferred options paper (POP);</li> <li>• Publication of the plan strategy (PS) and publication of the local policies plan (LPP);</li> <li>• Adoption of the PS and LPP;</li> <li>• The carrying out of the sustainability appraisal and the preparation of the reports on the findings of the appraisal.</li> </ul>
No.	<b>PART 2: Timetable: Agreement of the Timetable</b>	Y/N	Reg.	Comments
1.	Has the Timetable been approved by resolution of the	Yes	7	The original LDP Timetable and the 3 subsequent Revisions were each approved by the Planning

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	Council prior to submission to the Department for its agreement?			Committee and ratified by full Council, prior to submission to DfI for agreement on each occasion. See DS-600a for actual dates.
2.	Has the Timetable been submitted to the Department?	Yes	7	The original LDP Timetable and the 3 subsequent Revisions were each submitted to DfI for agreement. See DS-600a for details.
3.	Was the Timetable agreed by the Department and was this before any advertisement of POP?	Yes	7	The original Timetable was approved by DfI on 21 <sup>st</sup> June 2016; see DS-600a for details. The statutory advertisement notice for the POP was published for two weeks starting on 1 <sup>st</sup> June 2017 – see DS-600b.

No.	<b>PART 2: Timetable: Availability of the Timetable</b>	Y/N	Reg.	Comments
1.	Has the Council made the agreed Timetable available for inspection at its principal office and any other places within the District considered appropriate?	Yes	8	The original LDP Timetable and the 3 subsequent Revisions were each made available for inspection at the Council's two principal offices, in Derry and Strabane. See the wording in the Public Notices at DS-600b.
2.	Has the Council given notice by local advertisement that the Timetable is available for inspection and the place and times at which it can be inspected?	Yes	8	The original LDP Timetable and the 3 subsequent Revisions were each subject of a Public Notice in 6 local newspapers, each with the place and times for inspection. See the wording in the Public Notices at DS-600b.
3.	Has the Council published the Timetable on its website?	Yes	8	The original LDP Timetable and the 3 subsequent Revisions were each published on the Council's website, at: <a href="https://www.derrystrabane.com/Subsites/LDP/Local-Development-Plan">https://www.derrystrabane.com/Subsites/LDP/Local-Development-Plan</a> See also the Latest News tab at lhs of the webpage and the links in the Public Notices at DS-600b.
4.	Has any revision of the Timetable been in accordance with the requirements of Regulations?	Yes	4-8	As set out above, the original LDP Timetable and the 3 subsequent Revisions were each prepared in accordance with the Regulations.

No.	<b>PART 3: Preferred Options Paper (POP): Preparation of the POP</b>	Y/N	Reg.	Comments
1.	Has the Council (for generation of alternative strategies and options) engaged the Consultation Bodies before publishing and consulting on the POP?	Yes	9	The Council engaged extensively with the consultation bodies before publishing the POP. At this early stage in the LDP process, alternative strategies were considered including the options that were published in the POP and associated documentation.  Specifically, an engagement / consultation letter was issued to all the consultation bodies, follow-up letters were issued and a series of focussed engagement meetings, workshops and a major stakeholder event were held in early 2017, prior to the POP being prepared.

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				<p>Engagement, including with a number of the consultation bodies, was further facilitated through the Council's extensive engagement around its new community plan, called the Inclusive Strategic Growth Plan (SGP). Indeed, the content, timing and roll-out of the SGP and the LDP POP were closely co-ordinated.</p> <p>In addition to the above, engagement was facilitated through the Development Plan Working Group and a series of focussed topic meetings with consultation bodies e.g. Minerals Working Group. The Sperrins Forum also met on several occasions at that time and agreed a Draft Statement of Common Ground. (See EVB 2) See DS-600c for the sample engagement / consultation letters and details of the meetings/ workshops with the consultation bodies.</p>
2.	Has the Council taken into account any representations received from the Consultation Bodies?	Yes	9	The Council has taken account of all representations received from the consultation bodies arising from the pre-POP engagement outlined above.
<b>No.</b>	<b><u>PART 3: Preferred Options Paper: Availability of the POP</u></b>	<b>Y/N</b>	<b>Reg.</b>	<b>Comments</b>
1.	<p>Has the Council made the following documents available for inspection:</p> <ul style="list-style-type: none"> <li>• A copy of the preferred options paper?</li> <li>• Relevant supporting documents?</li> <li>• Dates within which representation on the POP may be made?</li> <li>• Address where representations can be sent?</li> </ul>	Yes	10	<p>Each document as specified in Regulation 10(a) was made available for inspection at the Council's two principal offices, in Derry and in Strabane, during normal office hours.</p> <p>This information and the details of their availability are all confirmed / repeated in the public adverts (see DS-600b) and inside the front cover of the POP document itself, as well as on a Regulation 10 Statement, the publicity flyer, the Council's website and all PR articles. See DS-600c for details of the above.</p>
2.	Has the Council made a copy of the POP document available for inspection at the principal offices and other appropriate places within the district?	Yes	10	As stated above, each document as specified in Regulation 10(a) was made available for inspection at the Council's two principal offices, in Derry and in Strabane, during normal office hours. Copies of the POP and the Summary were also made available for inspection and to take away, at the Public Libraries and Leisure Centres throughout the District.



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3.	Has the Council sent the information set out in paragraph (a) Regulation 10, to the consultation bodies?	<b>Yes</b>	10	The Council notified the consultation bodies on 1 <sup>st</sup> and 2 <sup>nd</sup> June 2017 regarding availability of the POP and supporting documents for inspection with notice of address to which representations should be sent. A notification e-zine was issued to a database of 293 bodies / individuals, which included all the consultation bodies. (see DS-600c for details.)
4.	Has the Council given notice by local advertisement of the following: <ul style="list-style-type: none"> <li>• The title of the local development plan?</li> <li>• A statement that the POP is available for inspection and the places and times at which it can be inspected? A brief description of the content and purpose of the preferred options paper?</li> <li>• Details of how further information on the preferred options paper may be obtained?</li> </ul>	<b>Yes</b>	10	Notice of the POP was published in the six local newspapers in the week commencing 29 <sup>th</sup> May 2017 and week commencing 6 <sup>th</sup> June 2017. The notice was in accordance with Regulation 10 (d). See DS-600b for details of the notice.
5.	Has the Council published the following on website: <ul style="list-style-type: none"> <li>• The POP?</li> <li>• Such supporting documents relevant to the POP?</li> <li>• The document stating dates of public consultation and address to which representations can be sent?</li> </ul>	<b>Yes</b>	10	The Council published on its website the POP and all supporting documents, including stating dates of public consultation and address to which representations should be sent in accordance with regulation 10(e). See DS-600b for references to the website. They are still on the website: <a href="https://www.derrystrabane.com/pop">https://www.derrystrabane.com/pop</a>

No.	<b>PART 3: Preferred Options Paper: Public consultation on the LDP POP</b>	Y/N	Reg.	Comments
1.	Was the public consultation period for the POP between 8 and 12 weeks?	<b>Yes</b>	11	The public consultation period for the POP was from 31 <sup>st</sup> May 2017 to 22 <sup>nd</sup> August 2017 i.e.12 weeks.
2.	Has the Council taken account of any representations made in accordance with paragraph (2) Regulation 11, before it prepared a development plan document?	<b>Yes</b>	11	The Council has taken account of all representations made on the POP in accordance with regulation 11(2). The Council has presented these in documents DS-704a - the LDP Interim POP Representations Report and DS-704b - the LDP POP Representations Schedule (both dated Nov 2017), as well as DS-705 - LDP final POP

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				<p>Representations Report (dated December 2019, before the dPS).</p> <p>These documents provide a summary of the representations received as well as highlighting the responses to the preferred options.</p>
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No.	<b>PART 4: Form and Content of Development Plan Document:</b>	Y/N	Reg.	Comments
1.	<p>Does the development plan document (dpd) contain:</p> <ul style="list-style-type: none"> <li>• A title which must give the name of the Council district for which the LDP is prepared and indicate whether it is a plan strategy or local polices plan?</li> <li>• A sub-title which must indicate the date of the adoption of the development plan document?</li> </ul>	Yes	12	<p>The title on the front cover of the dPS is: 'Derry City &amp; Strabane District Council Local Development Plan (LDP) 2032 - Draft Plan Strategy'</p> <p>The dPS has not yet been adopted and therefore no adoption date has been finalised. The adoption date will be added as a sub-title, upon its adoption.</p>
2.	Does the development plan document contain a reasoned justification of polices contained within it?	Yes	12	Each policy has the relevant Justification and Amplification (J&A) text located below each policy box.
3.	Are those parts of a development plan document which comprise polices of the LDP and those parts which comprise the reasoned justification readily distinguishable?	Yes	12	Every policy is comprised within a separate coloured box (the colour of the boxes are in line with that Part of the LDP). The Justification and Amplification follows each policy, is clearly titled and is readily distinguishable from the respective policy.

No.	<b>PART 4: Form and Content of Development Plan Document: Proposals map</b>	Y/N	Reg.	Comments
1.	Does the development plan document contain a map or maps describing the policies and proposal set out in the development plan document, so far as practicable to illustrate such policies or proposals spatially?	Yes	13	<p>The draft Plan Strategy includes two District-scale maps at Appendix 1, as well as a number of map-diagrams, to illustrate the policies at a level deemed acceptable for a strategic document, in compliance with Departmental guidance. Further clarification on the Council's approach is set out in paragraph 1.3 on page 8 of the LDP draft Plan Strategy.</p> <p>As this is a two-stage LDP, more-detailed maps describing the site-specific designations, zonings, settlement limits, etc. will be included at the LDP's Local Policies Plan (LPP) stage.</p>

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2.	Is the proposals map sufficiently detailed so as to enable the location of proposals for the development and use of land to be identified?	Yes	13	Each map is sufficiently detailed with a clear title and key illustrating the location of proposals for the development and use of land, insofar as it is appropriate to this strategic stage of the LDP process.
<b>No.</b>	<b><u>PART 4: Form and Content of Development Plan Document: Additional matters to be taken into account</u></b>	<b>Y/N</b>	<b>Reg.</b>	<b>Comments</b>
1.	Has the Council taken into account when preparing the LDP, the objectives of preventing major accidents and limiting the consequence of such accidents?	Yes	14	The objectives of preventing major accidents and limiting the consequence of such accidents are taken account of in the dPS Chapter 33: Hazardous Substances, COMAH & Major Accidents. Additionally, Proposed Change PC 30 involves a new criterion for all development to meet, into Policy GDPOL 1 to directly address this issue, generally as well as for COMAH sites. PC 247 also reinforces this point. Section 2 of the Evidence base paper EVB G also applies. Paragraphs 37.3 – 37.5, as well as PC 249 also take account of airport safety consideration / avoidance of accidents. Site-specific considerations will be taken into account at the LDP LPP stage.
2.	Has the Council taken into account when preparing the LDP the long term objective to maintain appropriate distances between establishments covered by the Directive and residential areas, buildings and areas of public use, major transport routes as far as possible, recreational areas and areas of particular natural sensitivity or interest?	Yes	14	The objective of maintaining appropriate distances between establishments and the specified areas is incorporated in the dPS, in particular through Policy GDPOL 1. Such COMAH and other hazardous sites would be considered to be normal Planning constraints, to be part of the consultation and site assessment process in advance of any designations or zonings – at the LDP Local Policies Plan stage. In addition, the Council continues to consult the relevant authorities regarding development proposals that may impact on these sites.
3.	Has the Council taken into account when preparing the LDP, in the case of existing establishments, for additional measures in accordance with Article 5 of the Directive so as not to increase the risks to people?	Yes	14	Similar to the above point, the objective of not increasing risks to people arising from existing establishments is incorporated in the dPS, in particular through Policy GDPOL 1 and the hazards / constraints and consultation processes (at /LPP & DM). The existing COMAH sites have been identified in EVB G of the dPS, so have been taken into account, adequately at this LDP Plan Strategy stage. Regulation 5 of the COMAH Regs (NI) 2015 (2) applies.

No.	<b>PART 5: Development Plan Document Procedure: Availability of a development plan document</b>	Y/N	Reg.	Comments
1.	Is a copy of the development plan document available for inspection (during normal working hours)?	Yes	15	Since the launch of the LDP dPS in December 2019, a copy of the dPS document (plus a copy of the Addendum: Schedule of dPS Proposed Changes, since Dec. 2021) is available for inspection at the Council's two principal offices in Derry and in Strabane town, during normal office hours. (Since July 2020, in line with Covid-safe arrangements, the documents have been available for inspection at the principal offices by prior appointment only, or by using alternative means of inspection; this has been widely publicised in all notices and PR materials.) The Council also considered it appropriate to make the dPS document available at the public libraries and Council leisure centres throughout the District following the launch. This availability is publicised widely, in the opening page of the LDP dPS document itself, as well as on the Council's website and in all PR materials.
2.	Is a copy of the sustainability appraisal report available for inspection?	Yes	15	A copy of the sustainability appraisal report (plus a copy of the SA Addendum re. Schedule of dPS Proposed Changes, since Dec. 2021) is also available for inspection at the Council's two principal offices in Derry and in Strabane town, during normal office hours.
3.	Is a copy of any relevant supporting documents in the preparation of the LDP available for inspection?	Yes	15	Copies of all relevant supporting documents in preparation of the LDP are available for inspection at the Council's two principal offices in Derry and in Strabane town, during normal office hours.
4.	Is a copy of the statement indicating the period within which representations on the LDP may be made and notice of the address available for inspection?	Yes	15	A copy of the statement indicating the period within which representations on the LDP can be made and notice of the address, is available for inspection at the Council's two principal offices in Derry and in Strabane town, during normal office hours. This period and address has been publicised widely, in the opening page of the LDP dPS document itself, as well as on the Council's website and in all PR materials. A copy of the Regulation 15 Statement is included at DS-600c.
5.	Notice of the address to which representations can be sent?	Yes	15	Notice of address to which representation can be sent was publicised widely, in the opening page of the LDP dPS document itself, as well as on the Council's website and in all PR materials. It is also included in the formal Regulation 15 Statement and in the Public Notices. See DS-600a, DS-600b and DS-600c for details.

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6.	Has a copy of all documents specified in paragraph (a) regulation 15 of The Planning (LDP) Regulations (NI) 2015 been sent to the consultation bodies?	Yes	15	The Council notified the consultation bodies on 28 <sup>th</sup> November 2019, giving details of the consultation period, the availability of all documents and how/when to make any submission. The document also contained the links to the dPS documents (See details of the notification at document DS-600c). The Council also did a Re-Consultation in September 2020, so a similar letter was issued to all the consultation bodies on 10 <sup>th</sup> September 2020; again, details are at DS-600c.
7.	Has notice been given in the Belfast Gazette and by local advertisement which include the title of the development plan document and details of places and times the document can be inspected?	Yes	15	Notice of the dPS was published in the Belfast Gazette on the week commencing 25 <sup>th</sup> November 2019. It stated the title of the development plan document and details of places and times the document could be inspected. A similar notice was placed on 4 <sup>th</sup> September 2020, at the time of the Re-Consultation – see document DS-600b.
8.	Is the development plan document, any supporting documentation and the notice mentioned in paragraph regulation 15 (a) (iv) published on the Council website?	Yes	15	The dPS and all supporting documentation have been published on the Council’s website since December 2019. The webpage stated the period within which representations on the development plan may be made (initially from 2 <sup>nd</sup> December 2019 to 27 <sup>th</sup> January 2020, and then from 11 <sup>th</sup> September to 6 <sup>th</sup> November 2020 for the Re-Consultation. See: <a href="https://www.derrystrabane.com/Subsites/LDP/LDP-draft-Plan-Strategy-(dPS)/LDP-Plan-Documents">https://www.derrystrabane.com/Subsites/LDP/LDP-draft-Plan-Strategy-(dPS)/LDP-Plan-Documents</a>

No.	<b>PART 5: Development Plan Document Procedure: Public consultation on a DPD</b>	Y/N	Reg.	Comments
1.	Have the representations: <ul style="list-style-type: none"> <li>• Been made within a period of 8 weeks starting on the day the Council complies with regulation 15(d)?</li> <li>• Sent to the address specified in regulation 15 (a)(v)</li> </ul>	Yes	16	The dPS was advertised in the Belfast Gazette on w/c 29 <sup>th</sup> November 2019 and in the local newspapers on 26 <sup>th</sup> /27 <sup>th</sup> /28 <sup>th</sup> November & 3 <sup>rd</sup> /4 <sup>th</sup> /5 <sup>th</sup> December 2019; the consultation period was specified as the 8-weeks from 2 <sup>nd</sup> December 2019 to 27 <sup>th</sup> January 2020. All in-time representations were received within the specified period and to the specified address. Several Late representations were also received after the specified period. To ensure compliance / alignment of these dates/period, the Council decided to run a Re-consultation in September 2020; the Notice in the Belfast Gazette was on 4 <sup>th</sup> September and the local advertisement was on 1 <sup>st</sup> /2 <sup>nd</sup> /3 <sup>rd</sup> & 8 <sup>th</sup> /9 <sup>th</sup> /10 <sup>th</sup> September 2020. The specified Re-consultation period was the 8-weeks from 11 <sup>th</sup>

				September to 6 <sup>th</sup> November 2020. Again, all in-time representations were received within the specified period and several Late representations were also received.
No.	<b>PART 5: Development Plan Document Procedure: Availability of representations on a DPD</b>	Y/N	Reg.	Comments
1.	Has the Council made the following available for inspection after the statutory 8 weeks consultation period: <ul style="list-style-type: none"> <li>• A copy of the representations?</li> <li>• Document with the dates within which counter representations may be made?</li> <li>• Notice of the address to which counter representations can be sent?</li> </ul>	Yes	17	<p>The Council has made a copy of the representations and details of the dates within which counter representations may be made and the address to which counter representation can be sent available for inspection during the statutory 8-weeks period. The details are included in the adverts (see DS-600b) and on the website and in the Reg 17 Statement. See DS-600c.</p> <p>The inspection / Counter Reps period commenced on 5<sup>th</sup> March 2020 and was due to last for 8-weeks until 30<sup>th</sup> April 2020. However, the onset of the Covid-19 pandemic meant that the Council's principal offices closed to the public in mid-March – in line with government restrictions; therefore, it was necessary to terminate the above-mentioned inspection / Counter Reps period. A notice was placed on the Council's website - see explanation in Latest News on 20<sup>th</sup> March 2020, at: <a href="https://www.derrystrabane.com/planningnews">https://www.derrystrabane.com/planningnews</a></p> <p>A letter was also issued to all interested parties on 8<sup>th</sup> April 2020, to explain – see DS-600c.</p> <p>Following the Re-Consultation, in November 2020, all the Reps and the Regulation 17 details were again made available – see DS-600c for details.</p>
2.	Has the Council made a copy of documents available for inspection at the principal offices and other appropriate places within the district?	Yes	17	The Council has made a copy of the representations and the Reg 17 Statement available for inspection at the Council's two principal offices in Derry and in Strabane town, during normal office hours. This was done firstly in March 2020 and then again following the Re-Consultation, in November 2020. See DS-600c for details.
3.	Are the representations published on the Council website?	Yes	17	The representations have been published on the Council's website. See: <a href="https://www.derrystrabane.com/Subsites/LDP/LDP-draft-Plan-Strategy-(dPS)/How-to-Respond/Representations-To-The-Draft-Plan-Strategy">https://www.derrystrabane.com/Subsites/LDP/LDP-draft-Plan-Strategy-(dPS)/How-to-Respond/Representations-To-The-Draft-Plan-Strategy</a>
4.	Has notice been given in the Belfast Gazette and by local advertisement which state that	Yes	17	Notice of the availability of representations was published in the Belfast Gazette on 6 <sup>th</sup> March 2020 and local papers on the weeks commencing 2 <sup>nd</sup> and 9 <sup>th</sup> March

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	representations are available for inspection and the place and times which they can be inspected?			2020. The notice stated the place and times when they can be inspected.  Following the Re-Consultation, the notice was published in the Belfast Gazette on 20 <sup>th</sup> November 2020 and local papers on the weeks commencing 16 <sup>th</sup> and 23 <sup>rd</sup> November 2020. See DS-600b for details of the notices.
5.	Has the Council notified the consultation bodies of the fact that representations are available for inspection and the places and times at which they can be inspected?	<b>Yes</b>	17	The Council notified the consultation bodies on 5 <sup>th</sup> March 2020, and again on 26 <sup>th</sup> November 2020, that the representations were available for inspection and the places and times at which they can be inspected (See DS-600c for details.)
6.	Has the Council notified any person who has made (and not withdrawn) a representation in accordance with regulation 16(2)?	<b>Yes</b>	17	The Council notified each respondent deemed necessary under regulation 16(2), on 5 <sup>th</sup> March 2020 and on 26 <sup>th</sup> November 2020. (See DS-600c for details.)
<b>No.</b>	<b><u>PART 5: Development Plan Document Procedure: Public consultation on site-specific representations</u></b>	<b>Y/N</b>	<b>Reg.</b>	<b>Comments</b>
1.	Have the counter representations: <ul style="list-style-type: none"> <li>• Been made within a period of 8 weeks starting on the day the Council complies with regulation (17)(1)(a)?</li> <li>• Sent to the address specified in regulation 17(1)?</li> </ul>	<b>Yes</b>	18	All in-time counter representations were received within the statutory 8-week period from 27 <sup>th</sup> November 2020 to 22 <sup>nd</sup> January 2021, sent to the specified address. (The Council had complied with Regulation 17(1)(a) on 27 <sup>th</sup> November 2020.)
<b>No.</b>	<b><u>PART 5: Development Plan Document Procedure: Availability of representations on site specific policy representations</u></b>	<b>Y/N</b>	<b>Reg.</b>	<b>Comments</b>
1.	Has the Council (as soon as reasonable practicable after the statutory 8 weeks consultation period):	<b>Yes</b>	19	A copy of all counter-representation documents was made available for inspection at the Council's two principal offices in Derry and in Strabane town, during normal office hours, commencing on 2 <sup>nd</sup> February 2021. These were also made available for inspection on the Council's website, from that date. See Latest News at: <a href="https://www.derrystrabane.com/planningnews">https://www.derrystrabane.com/planningnews</a> View the C-Reps on the Council's website, at:

	<ul style="list-style-type: none"> <li>• Made a copy of the counter representation available for inspection at-</li> <li>• Its principle offices?, and</li> <li>• Such other places within the district of the Council as the Council considered appropriate</li> <li>• Publish this information on its website?</li> </ul>			<a href="https://www.derrystrabane.com/Subsites/LDP/LDP-draft-Plan-Strategy-(dPS)/How-to-Respond/Representations-To-The-Draft-Plan-Strategy">https://www.derrystrabane.com/Subsites/LDP/LDP-draft-Plan-Strategy-(dPS)/How-to-Respond/Representations-To-The-Draft-Plan-Strategy</a>
PART 5: Development Plan Document Procedure: Submission of documents for independent examination				
No.	PART 5: Development Plan Document Procedure: Submission of documents for independent examination	Y/N		Comments
1.	Has the Council considered representations made under regulation 16 and, as the case may be, regulation 18?	Yes	20	The Council has fully considered the representations made in relation to the draft Plan Strategy and counter representations, as set out in the dPS Consultation Report.
2.	<p>Has the Council submitted the following prescribed documents to the department;</p> <ul style="list-style-type: none"> <li>• The sustainability appraisal report under section 8(6) (b)?</li> <li>• The statement of community involvement?</li> <li>• Evidence that the Council has complied with the statement of community involvement?</li> <li>• Copies of the notices (POP, dPS &amp; Reps stages)?</li> <li>• The timetable?</li> <li>• A statement setting out- <ul style="list-style-type: none"> <li>• A summary of the main issues raised in representations in accordance with regulation 11(2)?</li> <li>• How those main issues have been taken into account in the preparation of the development plan document?</li> </ul> </li> </ul>	Yes	20	<p>The Council has submitted all the specified documents, as follows:</p> <p>See submitted documents DS-100 to DS-102</p> <p>See submitted documents DS-602a to DS-602c</p> <p>See SCI Compliance report DS-602d</p> <p>See Reg 10, 15 &amp; 17 Notices at DS-600c</p> <p>See submitted documents DS-603a to DS-603d</p> <p>See submitted documents DS-704a, DS-704b &amp; DS-705</p>



	<ul style="list-style-type: none"> <li>• A statement setting out- <ul style="list-style-type: none"> <li>• If representations were made in accordance with regulation 16(2) and 18(2), the number of representations made and a summary of the main issues raised in those representations?, or</li> <li>• That no such reps were made;</li> </ul> </li> <li>• Copies of any representations made in accordance with regulation 16(2) or 18(2)?</li> <li>• Any supporting documents the Council considers relevant to the preparation of the DPD?</li> </ul>			<p>A statement is included as part of document DS-500 (Consultation Report), of the number of Representations and Counter Representations, together with a summary of the main issues raised. The main issues are also summarised in the submitted Spreadsheet at DS-400. The table (at the top of the page) on the Council’s website also summarises the number of Reps and C-Reps received, at:</p> <p><a href="https://www.derrystrabane.com/Subsites/LDP/LDP-draft-Plan-Strategy-(dPS)/How-to-Respond/Representations-To-The-Draft-Plan-Strategy">https://www.derrystrabane.com/Subsites/LDP/LDP-draft-Plan-Strategy-(dPS)/How-to-Respond/Representations-To-The-Draft-Plan-Strategy</a></p> <p>See documents at DS-401, and online (redacted) at:</p> <p><a href="https://www.derrystrabane.com/Subsites/LDP/LDP-draft-Plan-Strategy-(dPS)/How-to-Respond/Representations-To-The-Draft-Plan-Strategy">https://www.derrystrabane.com/Subsites/LDP/LDP-draft-Plan-Strategy-(dPS)/How-to-Respond/Representations-To-The-Draft-Plan-Strategy</a></p> <p>All main relevant supporting documents submitted are listed in the Submission Document Library. A number of other publicly-available documents are also referenced or a link provided, within the dPS documents.</p>
3.	Has the Council sent the department a copy of dPS?	Yes	20	See submitted document DS-001 (together with DS-001a – dPS Schedule of Proposed Changes, which is an Addendum to the dPS, as per DPPN 10, p7)
<b>No.</b>	<b><u>PART 5: Development Plan Document Procedure:</u></b> <b>Availability of submission documents?</b>	<b>Y/N</b>		<b>Comments</b>
1.	<p>As soon as reasonably practicable after a Council submits a development plan document to the Department, it must;</p> <ul style="list-style-type: none"> <li>• Make the following documents available for inspection at the places referred to in paragraph (b) <ul style="list-style-type: none"> <li>- a copy of the development plan document,</li> <li>- the documents specified in regulation 20(2), and</li> <li>- such other documents as in the opinion of the Council are relevant to the preparation of the DPD;</li> </ul> </li> </ul>	Yes	21	As soon as reasonably practicable following submission of the development plan documents to DfI, the Council will make the relevant documents available as required.

<ul style="list-style-type: none"> <li>• The places referred to in paragraph (a) are- <ul style="list-style-type: none"> <li>- the Council’s principal offices, and</li> <li>- Such other places in the district of the Council as the Council considers appropriate.</li> </ul> </li> <li>• Notify the consultation bodies of the fact that the DPD and the documents mentioned in paragraph (a) are available for inspection and the places and times at which they can be inspected;</li> <li>• Notify any person who has made (and not withdrawn) a representation in accordance with regulation 16(2) or 18(2) of those matters;</li> <li>• Give notice in the Belfast Gazette and by local advertisement of the fact that the development plan document has been submitted to the Department; and</li> <li>• Publish the notice mentioned in paragraph (e) on its website.</li> </ul>			

#### 4.0 Procedural Tests

Soundness Test	Y/N	Comments
<p><b>P1. Has the dPS been prepared in accordance with the Council’s timetable and the Statement of Community Involvement? (Section 8 (4) of the Planning Act (NI) 2011)</b></p>	<p><b>Yes</b></p>	<p><b>Timetable</b></p> <p>In accordance with section 7 of the 2011 Act, Derry City &amp; Strabane District Council published its original LDP Timetable in July 2016. In its preparation, the Key LDP Consultees were consulted and the agreement of PAC was secured on 31<sup>st</sup> May 2016. DfI subsequently agreed to the Timetable on 21<sup>st</sup> June 2016. It was then advertised, made available and relevant notifications issued – all in accordance with the LDP Regulations and the Planning Act. (See DS-602a &amp; DS-600a-c)</p> <p>This Timetable document largely reflected the initial government guidelines on the process diagram and indicative timelines for the key stages of the new LDP-preparation process. Specifically, the Timetable anticipated the POP in Quarter 1 of 2017 and the actual document was finalised in early 2017, then approved and launched during May 2017 – which is broadly in accordance with the indicative timescale given.</p> <p>A Timetable-Revision 1 was then necessary, published in May 2018, in the light of experiences of the POP preparation and its subsequent consultation, as well as the greater knowledge of the processes and practicalities of LDP preparation (as explained in para 1.2 of the document). Again, this Revised Timetable was prepared fully in accordance with the LDP Regulations, approved by PAC and DfI, before being made widely available. (See DS-602b &amp; DS-600a-c)</p> <p>The Timetable-R1 anticipated the next stage of the LDP, the draft Plan Strategy, being in Q3-Q4 of 2018 -2019 i.e. Oct 2018 to March 2019.</p> <p>In line with the statutory requirement to keep the Timetable under review, the Council monitored progress against the indicative targets and decided in mid-2019 that it was necessary to publish a Revision 2 Timetable. The explanation for the delay was given in para 1.3 (to reflect the reality of the scale of work that had been involved with preparing the dPS, its SA, the considerable amount of evidence base documents and realistic time requirements</p>

	<p>of extensive stakeholder and Member engagement in this new council-Planning and LDP system).</p> <p>The Council’s Planning Committee publicly approved the revised LDP workplan and Timetable in March 2019, following which it was approved by the full Council, PAC and DfI and then published, advertised, etc. all in line with the Regulations. (See DS-602c &amp; DS-600a-c) Timetable-R2 anticipated that the next stage, the publication of the LDP dPS, would be in Q3 &amp; Q4 of 2019-2020 i.e. Oct 2019 to March 2020. In actuality, the dPS was launched on 2<sup>nd</sup> December 2019 and was being consulted-upon, on schedule, during March 2020 when the Covid-19 pandemic restrictions occurred.</p> <p>Due to the exceptional and un-precedented circumstances of the Covid-related government restrictions and the uncertain timeframes of the pandemic, it was impossible for the Council to predict when it would be able to resume the necessary dPS consultations and move the process towards the next stage – the Independent Examination of the dPS (IE).</p> <p>In the end, the Council persevered and managed to re-commence dPS consultations from Sept to Nov 2020 and then Counter-Reps from Nov 2020 to February 2021. It was apparent that the IE would not now occur in March 2021, as per the Timetable, so the Council proceeded to prepare a Timetable-Revision 3. The Council consulted / wrote to the PAC, DfI and the LDP Key Consultation Bodies on 28<sup>th</sup> April 2021, to advise them of the likely new timescales and imminent Timetable Revision in May 2021. (See letters at DS-600-c).</p> <p>However, during the Council’s consideration of the Reps issues, Members had a particular difficulty with the dPS provision of land for social housing in Derry City and this required several meetings and negotiations (including with the NIHE Chief Exec) over the spring / summer of 2021. Consequently, it was not possible to agree a Timetable-R3 until the Council could resolve this key LDP issue. The Council did write to update the PAC, DfI and key Consultees on 9<sup>th</sup> July 2021, as well as placing an update on the Council’s website on 30<sup>th</sup> July – see <a href="https://www.derrystrabane.com/planningnews">https://www.derrystrabane.com/planningnews</a></p>
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	<p>The Council kept the PAC and DfI updated with further letters on 2<sup>nd</sup> Sept, 12<sup>th</sup> Nov and finally on 29<sup>th</sup> Nov 2021 – whilst the Planning issues were being resolved. The Planning Committee publicly agreed the Timetable Revision 3 in Sept and Nov 2021, with the PAC and DfI also agreeing it at this time, thus allowing it to be published and advertised in November 2021. All LDP stakeholders were advised of the Timetable-Revision 3 at this time. (See DS-602d &amp; DS-600a-c for letters, Notices, etc.).</p> <p>The LDP Timetable-R3 indicated that the Council would publish / consult on the dPS Proposed Changes from December 2021 to February 2022 (which was achieved) and then to Submit the dPS documents to DfI before the end of Quarter 4 of 2021-22; this Submission will now take place at the end of April or early May 2022, which is still broadly in accordance with the current LDP Timetable.</p> <p>In summary, Derry City &amp; Strabane District Council considers that the LDP dPS has been prepared in accordance with the Council’s LDP Timetable, as revised. Each version of the Timetable, agreed by PAC and DfI, included indicative timescales for achieving the next LDP stages, recognising that certain tasks and events would be difficult to predict and outside of the Council’s control. DfI has also indicated that a 3-months tolerance would generally be considered acceptable for any stage.</p> <p><b>Statement of Community Involvement (SCI)</b></p> <p>The Council’s SCI sets out how and when engagement on the LDP (&amp; DM Planning) would occur and sets out how and when stakeholders and the community could contribute to preparing the LDP and its Sustainability Appraisal (SA). It also includes commitments to publish statutory notices, undertake public launch, public exhibitions and events that provides an opportunity for members of the public to comment on the LDP.</p> <p>The SCI was prepared in accordance with the Planning (SCI) Regulations (NI) 2015 and also Development Plan Practice Note 2 (DPPN 2, DOE, Aug 2015, plus Development Management DMPN 2) and is very much based on the Department’s template SCI format.</p> <p>In accordance with section 4 of the 2011 Act, Derry City &amp; Strabane District Council published its original SCI in July 2016. As part of its preparation, the Council undertook a public consultation exercise during late 2015 and early 2016 – advertising and inviting input from key user groups</p>
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	<p>and the general public – see details at document DS-600c. The Council’s elected Members discussed / input to the Draft SCI in 2015 and in 2016, with the Council approving it by resolution on 4<sup>th</sup> April 2016. Comments / advice was sought / received from DOE/Dfi in January &amp; May 2016 with its approval being received on 14<sup>th</sup> June 2016. The SCI was then made publicly available and advertised – all in accordance with the SCI Regulations. See DS-600a to DS-600c for details.</p> <p>In line with the statutory requirement (SCI Reg. 6(5)) to keep the SCI under review, the Council issued Revised versions of the SCI in July 2018 and in December 2021. Again, these Revisions were approved by the Council, agreed by Dfi, publicised and advertised – also in accordance with the SCI Regulations. See DS-600a to DS-600c for details.</p> <p>The original SCI and Revisions 1 &amp; 2 can be viewed as documents DS-602a to DS-602c.</p> <p>The SCI set out the principles of how the Council would involve the community in preparing the LDP and then it indicates the timing and the method by which participation would occur, how the Council would respond to the participation process and how the Council would use those responses at each stage in developing the content of its LDP. Specifically, the Council has endeavoured to apply the inclusive principles of community involvement, it has worked in tandem with the Community Plan, established governance structures for the LDP-preparation and has fully delivered on the specified consultation (numerous meetings, workshops, stakeholder events, outreach, letters, social media, etc.), publication, notification and advertisement requirements as set out in the SCI.</p> <p>In summary, Derry City &amp; Strabane District Council considers that the LDP dPS has been prepared in accordance with the Council’s SCI, as revised. This compliance with the SCI is further considered, as required by Reg 20(2)(c) of the LDP Regs, in document DS-602d.</p>
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Soundness Test	Y/N	Comments
<p><b>P2. Has the Council prepared its Preferred Options Paper and taken into account any representations made? (Section 8 (4 &amp; 5) of the Planning Act (NI) 2011), (Regs. 9-11 of the Planning (LDP) Regulations (NI) 2015)</b></p>	<p><b>Yes</b></p>	<p>The Council prepared and consulted upon its LDP Preferred Options Paper (POP) in May 2017 – done in accordance with Regs. 9 to 11 of the Planning (LDP) Regulations (NI) 2015. The POP is at document DS-700 and the Regulations-compliance is set out at Chapter 3, Part 3 of this document.</p> <p>The POP was also prepared and consulted in accordance with the LDP Timetable and SCI – as referenced in the Test P1 section above. See also documents DS-600a to DS-600c for details of the timing and consultations</p> <p>The POP and its associated documents including the Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) have outlined the vision, objectives and key Planning issues affecting the Council area. Specifically, Chapter 4 of the POP sets out the proposed Vision for the LDP, closely aligned to that of the District’s Community Plan, as well as a comprehensive set of 25 District-specific Objectives for the LDP.</p> <p>The POP then examined all the main Planning topics and set out a range of options of how the LDP might achieve its objectives and Vision. Generally, 3 Options were presented plus a Preferred Option - on the Growth Strategy, the Spatial Strategy and then on the Economic, Social and Environmental Planning topics. In nearly all cases, a range of options was provided, but in a few cases there weren’t really any / many realistic option – often as a result of the SA process e.g. for environmentally-friendly transport, or for the Planning Policies where the only realistic option was to align with the SPPS policy; in such cases, this was explained in the POP and the SA.</p> <p>The POP options were founded on an extensive and robust evidence base, comprising of 19 Evidence Base Papers (EBVs), 17 Policy Reviews and 3 Assessment reports. See: <a href="https://www.derrystrabane.com/Subsites/LDP/Preferred-Options-Paper-(POP)/Baseline-Evidence">https://www.derrystrabane.com/Subsites/LDP/Preferred-Options-Paper-(POP)/Baseline-Evidence</a></p> <p>The POP was prepared taking account of the District’s Community Plan – the Inclusive Strategic Growth Plan (SGP), as well as the Regional Development Strategy (RDS 2035) and the Strategic Planning Policy Statement for NI (SPPS) and other policy and guidance published by the</p>

	<p>Department. The POP does not significantly depart from the approach in regional guidance and strategic policy. POP Chapter 3 sets out the regional policy considerations, as does each topic section and also in the various EVB papers. Indeed, the LDP POP was prepared along with the SGP Community Plan, they were closely aligned and the consultation meetings for both documents were done together. See DS-602d for details of the meetings.</p> <p>The POP was the subject of a Sustainability Appraisal (SA) including Strategic Environmental Assessment (SEA), completed on an iterative basis by the LDP Team along with specialist input from Shared Environmental Services (SES). The POP-stage SA Scoping Report and SA Interim Report are included as DS-702 &amp; DS-703.</p> <p>As part of the preparation of the POP, the Council engaged extensively with the specified Consultation Bodies. At this early stage in the LDP process, alternative strategies were considered including the options that were published in the POP and associated documentation.</p> <p>Specifically, an engagement / consultation letter was issued to all the consultation bodies, follow-up letters were issued and a series of focussed engagement meetings, workshops and a major stakeholder event were held in early 2017, prior to the POP being prepared.</p> <p>Engagement was further facilitated through the Council's extensive engagement around its new community plan, called the Inclusive Strategic Growth Plan (SGP).</p> <p>See DS-600c for the sample engagement / consultation letters and details of the meetings/ workshops with the consultation bodies.</p> <p>The public consultation period for the POP was from 31<sup>st</sup> May 2017 to 22<sup>nd</sup> August 2017 i.e.12 weeks. The Council has taken account of all representations made on the POP in accordance with regulation 11(2). The Council has presented these in documents DS-704a - the LDP Interim POP Representations Report and DS-704b - the LDP POP Representations Schedule (both dated Nov 2017), as well as DS-705 - LDP final POP Representations Report (dated December 2019, before the dPS).</p>
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Soundness Test	Y/N	Comments
<p><b>P3. Has the plan been subject to sustainability appraisal including Strategic Environmental Assessment? (Section 8 (6) of the Planning Act (NI) 2011)</b></p>	<p><b>Yes</b></p>	<p>The LDP has been subject to Sustainability Appraisal (SA) which has included Strategic Environmental Assessment (SEA). Specifically, an initial SA Scoping Report was prepared at the LDP POP stage, together with an Interim SA/SEA, which was published alongside all the POP documents (in 2017, see above). Indeed, a summary SA of each Option was integrated within the POP itself, which was particularly well-received. The policy development of the draft Plan Strategy was subject to SA/SEA and the final SA Scoping and Appraisal reports were also published along with the dPS documents in December 2019. The dPS Proposed Changes Schedule in December 2021 was also accompanied by a SA Addendum.</p> <p>The SA/SEA was completed on an iterative basis by the LDP Team along with specialist input from Shared Environmental Services (SES), in line with the legislation and taking account of the guidance of Development Plan Practice Note 4 (DPPN 4, DOE 2015).</p> <p>The POP-stage SA Scoping Report and SA Interim Report are included as DS-702 &amp; DS-703. The dPS SA documents are at DS-100, DS-101 &amp; DS-102, along with DS-101a which is a SA Addendum to accompany the dPS Schedule of Proposed Changes, in December 2021.</p> <p>Each of the SA documents include the SEA element, as they clearly reference and incorporate the requirements of the SEA Directive and the Environmental Assessment of Plans &amp; Programmes Regulations (NI) 2004 (EAPP Regs.) In particular, see para 1.4 and Appendix 1 of the dPS SA Scoping Report (DS-100) which explains how the EAPP Regs have been complied-with throughout the SA process / documents.</p> <p>The Council has met all the legislative requirements of the SA and SEA. Specifically, the Council has engaged with DAERA: NIEA which is the ‘Consultation Body’ and their feedback was received at the post-POP stage on 21<sup>st</sup> August 2017. Those comments were duly taken into account in the preparation of the draft Plan Strategy and its iterative SA process. DAERA was again formally consulted at this stage and their further comments were received on 26<sup>th</sup> November 2018. See SEA / HRA</p>

	<p>Consultation letters at DS-601 and also DS-100, Appendix 6, for a summary of the comments received from DAERA-NIEA at both the POP stage and draft dPS Scoping Report stage, and importantly how they were considered and actioned in the dPS and SA documents / process.</p> <p>In accordance with the Regulations, the Council published the POP-stage SA documents as supporting documents and advertised them for consultation in the local newspapers and Belfast Gazette, appearing on weeks commencing 1<sup>st</sup> &amp; 8<sup>th</sup> June 2017. With the publication of the draft Plan Strategy, separate advertisement notices were published – on w/c 28<sup>th</sup> November &amp; 5<sup>th</sup> December 2019. Again, upon the Re-Consultation, the adverts were placed on w/c 1<sup>st</sup> &amp; 8<sup>th</sup> September 2020, all inviting ‘expressions of opinion’. The documents were also placed on the Council’s website and made available for public inspection. Details of the Notices are included in document DS-600b.</p> <p>Consultation letters, specifically naming the Sustainability Appraisal (SA/SEA), were issued to over 500 LDP Stakeholders, notifying them and seeking comments on the LDP documents. These letters went to all the government departments, those who had submitted POP representations or been involved in the dPS Stakeholder engagement, as well as to all the adjoining Councils (including Donegal CC in Rol).</p> <p>In summary, the Sustainability Appraisal findings were that “no significant adverse effects are identified for any of the Preferred Options”, as reported in Sections 3.2 - 3.5 of the SA report (pages 26 - 115) and the assessment of options for ODC 1 in the SA Addendum Report No 1 (page 14).</p> <p>A limited number of substantive comments/EOPs were received in relation to the SA Interim report or the dPS SA Report, though SA / alternatives was mentioned as a secondary point in quite a few representations. All such comments have been taken into account and were considered in the dPS and final SA report – see the POP Reps reports and the dPS Consultation Report at DS-704a to DS-705 and DS-500 for the Council’s response to such comments.</p>
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Soundness Test	Y/N	Comments
<p><b>P4. Did the Council comply with the regulations on the form and content of its dPS and on the procedure for preparing such documents? (Section 8 (2) of the Planning Act (NI) 2011), (Regs. 12-14 &amp; 15-21 of the Planning (LDP) Regulations (NI) 2015)</b></p>	<p><b>Yes</b></p>	<p>The Draft Plan Strategy complies with the requirements for form and contents, as set out in Section 8(2) of the Planning Act (NI) 2011). This includes:</p> <ul style="list-style-type: none"> <li>(a) the Council’s objectives in relation to the development and use of land in its district – see Pages 45 – 48 of the dPS for the LDP Objectives – Spatial &amp; Cross-Cutting, Economic, Social and environment-focussed;</li> <li>(b) its strategic policies for the implementation of those objectives – are clearly included, in Parts B to G of the dPS; and</li> <li>(c) Such other matters as may be prescribed; these are as per the Regulations.</li> </ul> <p>The Council has also met all the requirements of Regulations 12 to 14 on the form and content of the dPS, as well as Regulations 15 to 21 on the procedures for preparing the dPS. The confirmation and evidence regarding these Regulations is already set out above – in Chapter 3 of this document.</p>

## 5.0 Consistency Tests

Soundness Test	Y/N	Comments
<p><b>C1. Did the Council take account of the Regional Development Strategy? (Section 8(5)(a) of the Planning Act (NI) 2011)</b></p>	<p><b>Yes</b></p>	<p>The LDP POP and dPS have both taken account of the Regional Development Strategy (RDS 2035) and the LDP is very much in accordance with regional and spatial guidance of the RDS.</p> <p>The RDS provides an overarching strategic planning framework to facilitate and guide both public and private sectors. In broad terms, the RDS aims to take account of the ambitions and needs of the region, and put in place spatial planning, transport, housing and environmental priorities that will support and enable the aspirations of the Region to be met. The LDP is aligned-with and contributes towards the achievement of all 8 aims of the RDS, namely:</p> <ul style="list-style-type: none"> <li>• Support strong, sustainable growth for the benefit of <u>all parts of the Region</u>.</li> <li>• Strengthen Belfast as the regional economic driver and <u>Londonderry as the capital of the North West</u>.</li> <li>• <u>Support our towns, villages and rural communities</u> to maximise their potential.</li> <li>• Promote development which improves the <u>health and well-being</u> of communities.</li> <li>• <u>Improve connectivity</u> to enhance the movement of people, goods, energy and information between places.</li> <li>• <u>Protect and enhance the environment</u> for its own sake.</li> <li>• Take actions to reduce our carbon footprint and facilitate <u>adaptation to climate change</u>.</li> <li>• <u>Strengthen links between north and south, east and west, with Europe and the rest of the world</u>.</li> </ul> <p>The RDS is referred-to throughout the LDP documents; specifically, the LDP POP contains 43 references and the dPS has 74 references, whilst each of the topic-based evidence base papers has included a review of the relevant RDS and other regional guidance / policy.</p> <p>In particular, the LDP references and aligns-with the RDS in relation to e.g. the overall Policy Context; the</p>

		<p>spatial status of the City / Strabane main hub / NW Region; our Growth Strategy; the evaluation framework for our settlements in the hierarchy; economy ambitions; economic development land evaluation framework; focussed retailing in our centres; balanced transportation (but with more active travel emphasis); managed Housing supply (HGIs); sustaining the population and economy of rural areas; environmental protection: adaptation to climate change.</p> <p>Additionally, the SA and its Scoping Report contain a review of the RDS and the other context (with almost 200 RDS references between them).</p>
Soundness Test	Y/N	Comments
<p><b>C2. Did the Council take account of its Community Plan? (Section 8 of the Planning Act (NI) 2011, as amended by Section 72 of the Local Gov. Act 2014)</b></p>	<p><b>Yes</b></p>	<p>The Community Plan for Derry City &amp; Strabane District is called the Inclusive Strategic Growth Plan (SGP). It was prepared during 2016 and 2017, with the Council being lead partner, following a co-design process and extensive engagement with a whole range of stakeholders of the District. The Council was also preparing the LDP at this same time and there was close co-operation and involvement in the process and indeed a commonality of stakeholders. Therefore, the content, timing and roll-out of the SGP and the LDP POP were closely co-ordinated.</p> <p>Paragraphs 3.1 to 3.3 and 4.1 to 4.2 of the LDP POP explain the linkages and then the documents had a shared Vision for the District. In addition, both documents were structured along similar thematic outcomes and similar objectives, with the LDP necessarily seeking to be the spatial and Planning articulation of the SGP objectives. The LDP dPS ensures that it can accommodate the many site-specific and project-focussed actions of the SGP, though these will be accommodated more at the LDP Local Policies Plan stage.</p> <p>The launch of the LDP POP and the SGP were co-ordinated at the end of May 2017 and were followed by a series of 16 joint adverts, press releases, social media and also a series of joint consultation meetings during June 2017. See the POP leaflet / advert on the</p>

		<p>Council's LDP POP webpage at: <a href="https://www.derrystrabane.com/pop#Preferred%20Options%20Paper%20Leaflet">https://www.derrystrabane.com/pop#Preferred%20Options%20Paper%20Leaflet</a> , or in document DS-602d.</p> <p>The dPS and also the various Evidence Base papers (especially dPS EVB 3: Context) reference the SGP wherever it had a relevant objective or actions. The dPS itself includes over 30 references to the SGP across its chapters, including the foreword, the context, growth strategy, vision, population levels, economy / jobs targets, health &amp; well-being and environmental / climate change responsibility. Therefore, the LDP dPS has taken account of the SGP, as it has informed the LDP's growth strategy as well as its overall policy objectives and relevant strategic Planning policies.</p> <p>In addition, the Sustainability Appraisal references the SGP extensively - in its review of local policy documents and in its various relevant assessments; this also demonstrated how the LDP has taken account of our community plan. (see document DS-100 SA Scoping Report, 18 references and DS-101 SA Report, 12 references to the SGP)</p>
<p><b>C3. Did the Council take account of policy and guidance issued by the Department? (Sections 8(5)(b) &amp; 20 of the Planning Act (NI) 2011)</b></p>	<p><b>Yes</b></p>	<p>The LDP has taken full account of / had regard to, the relevant policy and advice issued by the relevant Departments.</p> <p>At the LDP POP stage, Chapter 3 set out the Policy Context for the LDP, including the SPPS, PPSs / PSRNI and other government documents considered to be relevant (including the Marine Plan / Policy Statement). Each topic-based section then considered the requirements of the Department's SPPS in particular.</p> <p>The POP Evidence Base also includes a suite of 17 specific Policy Review papers: <a href="https://www.derrystrabane.com/Subsites/LDP/Preferred-Options-Paper-(POP)/Baseline-Evidence">https://www.derrystrabane.com/Subsites/LDP/Preferred-Options-Paper-(POP)/Baseline-Evidence</a></p> <p>At the LDP dPS stage, the Council has also taken full account of the relevant government documents, especially the regional Planning policies in the SPPS</p>

		<p>and in the suite of PPSs. Again, dPS Chapter 3 set out the Policy Context for the LDP and each topic-based section considers the requirements of the SPPS in particular. The SPPS and existing PPS or PSRNI policies are also considered fully in the related EVB paper for that topic / chapter (especially dPS EVB 3: Context).</p> <p>The Sustainability Appraisal documents (at DS-100 to DS-102) also extensively reference the government documents and utilise / assess against them, as appropriate; this further demonstrates that the LDP has taken account of the government documents.</p> <p>The dPS Proposed Changes addendum and the updated evidence base also references and takes account of the latest government documents, prior to LDP dPS Submission.</p> <p>The LDP is considered to largely consistent with the policy approach in all these government documents, and any relatively minor deviations or changed emphases are explained in the documents.</p> <p>The LDP has also been prepared in accordance with the guidance issued and published by the DfI (and DoE), including the Development Plan Practice Notes.</p>
Soundness Test	Y/N	Comments
<p><b>C4.</b> Has the plan had regard to other relevant plans, policies and strategies relating to the Council's district or to any adjoining Council's district?</p>	<p><b>Yes</b></p>	<p>The LDP has taken full account of / had regard to, the relevant plans, policies and strategies relating to the Derry City &amp; Strabane District and to those of the 4 adjoining Council Districts.</p> <p>Within the District, relevant documents that were reviewed / considered are listed at the LDP POP para 3.26 and in the LDP dPS para 3.29, as well as in the evidence base papers, especially dPS EVB 3: Context. In many ways, the relevant 'spatial planning' documents for the District have been overtaken by the community plan – the Inclusive Strategic Growth Plan (SGP and the 8 DEA-based Local Growth Plans); the LDP has very much aligned with the SGP and taken it into account, as described / evidenced in the C3 section above.</p>

	<p>DC&amp;SD has 4 adjoining Districts i.e. Causeway Coast &amp; Glens, Mid-Ulster, Fermanagh &amp; Omagh and also County Donegal in RoI. DC&amp;SDC has engaged extensively with the respective Councils and the LDP has indeed taken account their plans, policies, strategies, etc.</p> <p>It is evident that both the POP and dPS documents have considered the wider, adjoining context – with the initial District Profile and maps setting our District in its context of adjoining Districts, settlements, infrastructure and environmental features. Specifically, paras 2.39 to 2.59 of the dPS, set out the Council’s commitment to the awareness, co-operation and co-ordination of development for mutual benefit, especially within the context of the North West region and Derry-Strabane as important sub-regional settlements. These paragraphs summarise the key commonalities of DC&amp;SD with each of the other Districts in turn, in terms of settlements, population, housing, services, infrastructure, economic development, environmental / landscape features / designations and of course our current and emerging Planning approaches.</p> <p>Particular attention is drawn to the dPS evidence base paper EVB 2 which includes over 100 pages of detailed description and consideration of the respective plans/policies/strategies and mutual Planning relationships with the 4 adjoining Districts.</p> <p>An indication of the level of understanding, having regard and co-operation between the 5 Districts is the amount of meetings and consultations / responses at the various stages of the LDP preparation. The adjoining Districts were always notified / consulted, as Consultation Bodies, and the letters and individual and group meetings are referenced at document DS-600c – Consultations Done and also engagement summarised in EVB 2.</p> <p>In particular, the 4 NI Councils which share the Sperrin AONB have met many times at POP and dPS stages (Members and Planning Officers) as part of the Sperrin Forum to discuss the issues of common concern and to agree upon broadly similar and</p>
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	<p>‘joined-up’ Planning responses through our respective LDPs. Indeed, a Draft Sperrins Statement of Common Ground (SOCG) was prepared in late 2018 / 2019. The outcome has been a broadly common approach towards the main ‘Planning issues’ of the Sperrins, including our ‘high-Sperrins SCA’, renewables and tall structures, minerals and tourism developments. See EVB 2 (updated) for details of the SOCG.</p> <p>In addition, the Council is part of the Development Plan Working Group (DPWG), where all 11 local authorities participate - covering a range of Planning topics that affect the whole of Northern Ireland.</p> <p>The Sustainability Appraisal documents (DS-100 to DS-102 &amp; DS-702 to DS-703) especially, the Scoping Report, include extensive references to the adjoining Councils and reviews their plans/policies/strategies and assesses against them. Ultimately, the conclusion has been that there would not be significant cross-district effects, but the other Councils have all been considered and consulted – generally on the dPS, SA and HRA, including RoI transboundary. See SEA / HRA Consultation letters at DS-601.</p> <p>Therefore, the LDP has taken full account of / had regard to, the relevant plans, policies and strategies relating to the Derry City &amp; Strabane District and to those of the 4 adjoining Council Districts.</p>
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## 6.0 Coherence and Effectiveness Tests

Soundness Test	Y/N	Comments
<p><b>CE1.</b> Does the plan set out a coherent strategy from which its policies and allocations logically flow? Where cross boundary issues are relevant is it in conflict with the plans of neighbouring Councils?</p>	<p><b>Yes</b></p>	<p>The LDP dPS comprises a coherent strategy for the sustainable Planning of development of the City and District to 2032 and beyond. The dPS is clearly set out in logical, colour-coded sections with a Strategy that logically flows - from its Vision, its objectives to achieve that Vision, an overall Growth Strategy, a Spatial strategy, Development Principles and then a suite of consistent and comprehensive topic-based Planning designations and Policies that will manage the type, quality and quantity of development to achieve the objectives, vision and hence the LDP Strategy for the District.</p> <p>The LDP commences with a survey / profile / analysis of the key characteristics and developmental issues for the City and District itself, which the LDP will seek to address and progress. This is set within the wider geographical context of the District, the NW Region and the role / status within N Ireland and beyond. The policy context for the LDP was identified, reviewing and considering the relevant plans, policies and strategies – locally, regionally and nationally.</p> <p>The LDP content flows from an extensive evidence base of over 50 documents (see <a href="https://www.derrystrabane.com/Subsites/LDP/LDP-draft-Plan-Strategy-(dPS)/LDP-Plan-Documents">https://www.derrystrabane.com/Subsites/LDP/LDP-draft-Plan-Strategy-(dPS)/LDP-Plan-Documents</a> ), including several substantial commissioned studies (e.g. Retail Capacity, Place-making/Design, LCA Review) and reports prepared by key partner organisations (e.g. DfI NW Transport Study, Parking Study, Pitches Strategy, UUEPC Economic Reviews).</p> <p>The extensive involvement of over 500 identified Stakeholders and engagement with the public has greatly contributed to the development of the LDP dPS, and to its reality-checking / robustness. Elected Members and officers have worked together extensively in numerous workshops and Committee meetings to decide on the Plan’s content – importantly to ‘take ownership’ of the LDP as the blueprint for the Council’s Planning over the next decade and beyond.</p>

	<p>The LDP’s Vision is similar to that of the District’s community plan, the Strategic Growth Plan and the overall Growth Strategy targets are also shared – for 9k new homes, 10k more people and 15k more jobs. The LDP and the UUEPC studies show that the ambitions are soundly-based – with the considerable lead-investments of the Council, new infrastructure, university expansion, and regeneration of Derry riverside &amp; Ebrington and Strabane town centre Canal Basin, all under the auspices of the multi-million pounds City Deal and other NW Region initiatives.</p> <p>The well-considered Spatial Strategy for the District includes a reviewed settlement hierarchy, that will seek to grow Derry City as a regional city as well as Strabane town as a main hub, both being key gateway settlements. The 3 local towns are identified to grow and service the rural areas of the District, while 23 villages and 19 small settlements will also help ensure a vibrant rural area. Beyond the main settlements, Green Belts will manage undue urban-generated pressure whilst an adjusted rural policy will provide opportunities for appropriate, sustainable development in the countryside.</p> <p>The LDP identifies strategic environmental spatial designations as a basis to protect and manage development in the most sensitive areas of the District. Indeed, across the LDP, there is an emphasis on high quality design and place-making, with a dedicated Plan section and links throughout.</p> <p>The LDP dPS sets out 31 comprehensive and supporting Plan objectives under the logical headings of spatial /cross-cutting, economic, social and environmental-focussed developments. Flowing from those objectives is a set of over-arching general development principles and policies to deliver them, followed by the whole suite of strategic designations and strategic policies, set out under the above-mentioned Planning themes.</p> <p>Together, the various Plan-making components comprehensively address the whole spectrum of development activity, complementing each other and</p>
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		<p>welding into a coherent strategy, from which the local and site-specific allocations at the LPP stage will logically flow.</p> <p>Therefore, the LDP dPS is a coherent strategy, incorporating the aims and objectives of the community plan (see C3 above). Its objectives are informed by an analysis of the characteristics of the area and it takes into account all the national and regional guidance / policies, aligns with them and will assist in their delivery (see C2 above).</p> <p>The LDP dPS is not in conflict with the emerging LDPs (or CDP) of any adjoining Councils, with there having been a high level of co-operation, consultation and co-ordination throughout. Any issues that have emerged have been discussed and are addressed in the Consultation Report at DS-500 (see also C4 above).</p> <p>The dPS policies and proposals have been prepared and presented in a clear and consistent manner, using the thematic areas mentioned above, with a readily distinguishable Justification &amp; Amplification of each one. The SA process has also ensured consistency in the policy approach, ensuring that all policies are working towards the agreed sustainability objectives (see P3 above).</p>
Soundness Test	Y/N	Comments
<p><b>CE2.</b> Are the strategy, policies and allocations realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base?</p>	<p><b>Yes</b></p>	<p>Derry City &amp; Strabane District Council considers that the LDP dPS strategy, policies and indicative allocations are indeed realistic and appropriate, having considered the relevant alternatives and are founded on a robust evidence base.</p> <p>Building upon that prepared at the LDP POP stage, the dPS is founded on an extensive evidence base of over 50 documents including several substantial commissioned studies (e.g. Retail Capacity, Place-making/Design, LCA Review) and reports prepared by key partner organisations (e.g. DfI NW Transport Study, Parking Study, Pitches Strategy, UUEPC Economic Reviews).</p>

		<p>The LDP has commenced with a survey / profile / analysis of the key characteristics and developmental issues for the City and District itself, which the LDP will seek to address and progress. Then, for each Planning topic, the respective EVB paper has considered the existing situation in the District for that subject, the issues to address, the current policies, LDP objective, the POP alternatives considered and the preferred option – in terms of designations and policies. From this approach, the Council considers that the resultant strategies / policies and any allocations are realistic and appropriate.</p> <p>In addition to the POP options / alternatives, the various Sustainability Appraisal assessments have identified and interrogated the alternatives (where there have been realistic alternatives e.g. in some cases, the other non-alternatives would have been contrary to the regional SPPS policy or just would not have met the LDP/SA objective) and shown why the policy / proposal was chosen as being the most appropriate.</p> <p>In those cases, where a balance had to be struck between competing alternatives, the responses from the consultation bodies and other stakeholders were taken into account; these inputs are mostly viewable on the website in the Representations, Counter-Reps, PC Comments and in the Consultation Report at DS-500. Indeed, the Council did consider them carefully and has decided to make almost 250 Proposed Changes to the dPS – in order to make the LDP even clearer, more implementable and ultimately more coherent and effective.</p>
Soundness Test	Y/N	Comments
<p><b>CE3.</b> Are there clear mechanisms for implementation and monitoring? <b>(Section 21 of the Planning Act (NI) 2011), (Reg. 23 of the Planning (LDP) Regulations (NI) 2015)</b></p>	<p><b>Yes</b></p>	<p>Against the background of the statutory requirement for Monitoring, the DC&amp;SDC LDP dPS has been prepared on the basis that ongoing monitoring and review of the LDP and its policies / outcomes is a fundamental part of the new LDP system. Consequently, monitoring has been an important consideration in the dPS and ideally all the key policies</p>

	<p>/ aspects would have a measurable baseline and the progress could be quantified / measured annually or over a longer period so as to allow assessment of whether the individual policies are being effective, requiring adjustment if necessary, so that ultimately the various LDP Objectives and the Vision of the overall LDP are being achieved.</p> <p>Consequently, each topic / chapter of the dPS concludes with a section / paragraph on ‘Monitoring &amp; Review of LDP’ and Chapter 40 specifically points to the LDP Monitoring &amp; Review Arrangements. The related EVB 40: Technical Monitoring Report is at DS-242 of the submitted documents (as updated, March 2022).</p> <p>The Technical Monitoring Report sets out the initial arrangements for monitoring of the LDP, including an Indicative Monitoring Framework Table with 43 initial Indicators spread across key aspects of the LDP topics and objectives. It covers the statutory AMR basics of houses built, housing land supply and economic development land supply, as well as the range of ‘other issues’ that the Council considers to be relevant for the LDP implementation. The identified indicators are preferably quantifiable (as well as some being qualitative), have a baseline to measure from, use publicly available and timely data where possible, sources are identified as well as a target level and a trigger – for concern or further investigation / review.</p> <p>An important part of the LDP’s Sustainability Appraisal is also its monitoring and therefore a Preliminary Monitoring Framework has been set out in the SA Report (see DS-101, page 148). It sets out 72 monitoring indicators across the 14 Sustainability Objectives of the LDP. As it has a SA focus, quite a few of the indicators are related to wider outcomes than the LDP alone can deliver, requiring input of other agencies. However, there is a considerable overlap with the mainstream LDP monitoring indicators and it will be important to simplify them, avoid duplication of effort and to use the monitoring resources efficiently.</p>
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	<p>The EQIA also needs to be monitored, using some of the same monitoring plus some other appropriate, focussed indicators that need to be put in place, to be agreed and measured in conjunction with the Council’s Equality Officer.</p> <p>The LDP Technical Monitoring Report is also intended to be subject to refinement, closer to implementation and particularly after the LDP Local Policies Plan, when the target land / allocation quantities are clearer and Key Site Requirements set. Detailed methodologies will be set-out for the collection of each dataset, some will use government data, e.g. census, unemployment / job nos., or transport modal usage. Other data will come from Council Departments e.g. Env. Health - air quality or Building Control on energy standards, or Parks Team on km of greenways delivered.</p> <p>However, the key indicators will be measured / collected by the Planning Team, building on the experience of the current Housing Monitor and Economic Development Land Monitor and the Retailing / Centres Monitor that the Council has undertaken in recent years to monitor the delivery of development and the uptake / supply of land (see DS-300, DS-212 and DS-214 respectively).</p> <p>Moreover, the Council will utilise the quarterly and annual official Planning Permission datasets from DfI ASRB Statistics Branch, filtering and analysing them for the number, type and location of permissions being granted. This can then be further interrogated against the Development Management files and Planning Portal Information. Indeed, the Council intends to utilise the considerable new policy-monitoring and area-based monitoring tools included in the new Planning Portal System. Importantly, the Council is committed to providing an ongoing Monitoring Resource within the Planning Department.</p> <p>In terms of structures for monitoring, the LDP Team will report to the Council’s LDP Steering Group and hence to the Planning Committee, which has already expressed an interest and commitment to measuring</p>
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		<p>and ensuring the effective implementation of <u>their</u> new LDP.</p> <p>It will also be important to monitor the wider ‘spatial planning’ aspects that will impact on the LDP delivery e.g. the level of infrastructure provision (continuing to liaise with NI Water, DfI Roads, etc., potentially phasing future development in line with any new infrastructure provision to ensure sustainable development), the implementation of the City Deal and indeed the health of the wider economy (post-Covid re-adjustments, job creation, construction levels / house-building, etc.).</p>
Soundness Test	Y/N	Comments
<p><b>CE4.</b> Is the plan reasonably flexible to enable it to deal with changing circumstances?</p>	<p><b>Yes</b></p>	<p>The LDP dPS is considered to be reasonably flexible to enable it to deal with changing circumstances. Over the LDP period, it can be expected that there will indeed be changing circumstances which will affect the level / type of development in the District and hence the delivery of the LDP objectives and Strategy.</p> <p>In its preparation, the evidence base has continued to review the changing economic, social and environmental trends and circumstances, to test/ensure that the LDP is flexible / adaptable. For example, the UUEPC update reports at DS-205 to DS-206c &amp; DS-605 help the Council to consider the effects of the changed HGIs, the impacts of Brexit, of post-Covid societal &amp; economic adjustments, mica-rebuilding in Donegal, rising construction costs and even the potential effects of the Ukrainian migrations, world/local energy resilience and global economic impacts.</p> <p>The paper at DS-606 also reviews and anticipates the ongoing climate-change crisis, various reports and government policy initiatives / targets and concludes that the LDP will positively contribute and is sufficiently flexible to adapt to continually changing circumstances over the coming decade.</p>



	<p>As stated above, there will inevitably be delays with delivery of some infrastructure that will impact on the LDP delivery e.g. the upgrade of WWTWs &amp; pipework, the A5 WTC project or City Deal implementation. Having said that, there has already been good progress on the A6 dual carriageway, University expansion / Medical School, job creation, etc. and the Council is continuing to liaise with NI Water, DfI Roads, DoF City Deal, etc. to ensure continued delivery.</p> <p>There will also be changes to the LDP policy context e.g. the community plan will be reviewed in 2022 Donegal will prepare a new County Development Plan and there will be policy reviews including Renewables and ROMPS. The Council will continue to feed into such reviews / consultations but it is found to-date that the LDP is indeed aligned with the latest thinking / policy direction emerging and indeed that it is adequately flexible.</p> <p>The LDP dPS largely reflects established Planning policies which are expressed in a relatively generic form to enable them to provide a robust and consistent framework for considering all Planning applications. In this regard, whilst it is acknowledged that individual policies cannot always cover every planning proposal that comes forward during the LDP period, the overall policy approach is clear and provides adequate context for every eventuality. Decision-making will be monitored to ensure that the policies remain relevant, robust and effective.</p> <p>Ongoing monitoring, as outlined in CE3 above, will ensure that the policies remain appropriate and effective. This includes the statutory Annual Monitoring Report, as well as other monitoring set out in the dPS and SA. As is already built-into the LDP system, if the monitoring does indicate that further change is required, the LDP will be reviewed and amended as required.</p>
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## **7.0 Conclusion**

7.1 In view of the above self-assessment, Derry City & Strabane District Council concludes that its draft Plan Strategy is considered to meet all the tests of Soundness, including in terms of Procedures, Consistency and Coherence & Effectiveness.

7.2 This document demonstrates that the dPS has been prepared in accordance with procedural requirements set out in the Planning act 2011 and the 2015 LDP Regulations. In summary, the LDP dPS is consistent with the RDS, SPPS, the District’s community plan / Strategic Growth Plan and other relevant plans and strategies, including those of adjoining Councils. The LDP dPS sets out a coherent strategy and detailed policies, having considered alternatives through the SA/SEA process. It also sets out a monitoring framework and review process to ensure effectiveness in delivery.

7.3 On the basis of the above, Derry City & Strabane District Council considers that the LDP dPS is ready for submission to DfI / PAC for Independent Examination and hereby submits the dPS and supporting documentation to the Department for Infrastructure for examination of Soundness, in accordance with Section 10 of the Planning Act (NI) 2011 and Regulation 20 of the Planning (Local Development Plan) Regulations (NI) 2015.

## APPENDICES

### APPENDIX 1 – LDP Soundness Tests

#### Full list of tests set out within Development Plan Practice Note 6 (DPPN 6, DfI May 2017)

- **Procedural tests**
  - P1. Has the plan been prepared in accordance with the council's timetable and the Statement of Community Involvement?
  - P2. Has the council prepared its Preferred Options Paper and taken into account any representations made?
  - P3. Has the plan been subject to sustainability appraisal including Strategic Environmental Assessment?
  - P4. Did the council comply with the regulations on the form and content of plans and on the procedure for preparing such documents?
- **Consistency tests**
  - C1. Did the council take account of the Regional Development Strategy?
  - C2. Did the council take account of its Community Plan?
  - C3. Did the council take account of policy and guidance issued by the Department?
  - C4. Has the plan had regard to other relevant plans, policies and strategies relating to the council's district or to any adjoining council's district?
- **Coherence and effectiveness tests**
  - CE1. Does the plan set out a coherent strategy from which its policies and allocations logically flow? Where cross boundary issues are relevant is it in conflict with the plans of neighbouring councils?
  - CE2. Are the strategy, policies and allocations realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base?
  - CE3. Are there clear mechanisms for implementation and monitoring?
    - CE4. Is the plan reasonably flexible to enable it to deal with changing circumstances?

## APPENDIX 2

### Procedural / Regulations Tests, from the Planning (LDP) Regulations (NI) 2015

<b>No.</b>	<b>PART 2: Timetable: Regulation 5 - Preparation of the timetable</b>
1.	Were the Planning Appeals Commission (PAC) and any other consultation bodies the Council considered appropriate consulted?
<b>No.</b>	<b>PART 2: Timetable: Regulation 6 - Content of the timetable</b>
1.	Has the timetable included indicative dates for each stage of the preparation of the LDP including; <ul style="list-style-type: none"> <li>• Publication of the preferred options paper (POP)?</li> <li>• Publication of the plan strategy (PS) and publication of the local policies plan (LPP)? and</li> <li>• Adoption of the PS and LPP?</li> <li>• The carrying out of the sustainability appraisal under section 8(6) (a) and the preparation of the report on the findings of the appraisal?</li> </ul>
<b>No.</b>	<b>PART 2: Timetable: Regulation 7 - Agreement of the timetable</b>
1.	Has the timetable been approved by resolution of the council prior to submission to the Department for its agreement?
2.	Has the timetable been submitted to the Department?
3.	Was the timetable agreed by the Department and was this before any advertisement of POP?
<b>No.</b>	<b>PART 2: Timetable: Regulation 8 - Availability of the timetable</b>
1.	Has the council made the agreed timetable available for inspection at its principal office and any other places within the district considered appropriate?
2.	Has the council given notice by local advertisement that the timetable is available for inspection and the place and times at which it can be inspected?
3.	Has the council published the timetable on its website?
4.	Has any revision of the timetable been in accordance with the requirements of Regulations 7 & 8?

<b>No.</b>	<b>PART 3: Preferred Options Paper (POP): Regulation 9 - Preparation of the POP</b>
1.	Has the council (for generation alternative strategies and options) engaged the consultation bodies before publishing POP?
2.	Has the council taken into account any representations received from the consultation bodies?

No.	<b>PART 3: Preferred Options Paper: Regulation 10 - Availability of the POP</b>
1.	Has the council made the following documents available for inspection:- <ul style="list-style-type: none"> <li>• A copy of the preferred options paper?</li> <li>• Relevant supporting documents?</li> <li>• Dates within which representation on the POP may be made?</li> <li>• Address where representations can be sent?</li> </ul>
2.	Has the council made a copy of documents available for inspection at the principal offices and other appropriate places within the district?
3.	Has the council sent the information set out in paragraph (a) Regulation 10, to the consultation bodies?
4.	Has the council given notice by local advertisement of the following:- <ul style="list-style-type: none"> <li>• The title of the local development plan?</li> <li>• A statement that the POP is available for inspection and the places and times at which it can be inspected?</li> <li>• A brief description of the content and purpose of the preferred options paper?</li> <li>• Details of how further information on the preferred options paper may be obtained?</li> </ul>
5.	Has the council published the following on its website:- <ul style="list-style-type: none"> <li>• The POP?</li> <li>• Such supporting documents relevant to the POP?</li> <li>• The document stating dates of public consultation and address to which representations can be sent?</li> </ul>
No.	<b>PART 3: Preferred Options Paper: Regulation 11 - Public consultation on the POP</b>
1.	Was the public consultation period for the POP between 8 and 12 weeks?
2.	Has the council taken account of any representations made in accordance with paragraph (2) Regulation 11, before it prepares a development plan document?

No.	<b>PART 4: Form and Content of Development Plan Document: Regulation 12</b>
1.	Does the development plan document contain:- <ul style="list-style-type: none"> <li>• A title which must give the name of the council district for which the LDP is prepared and indicate whether it is a plan strategy or local polices plan?</li> <li>• A sub-title which must indicate the date of the adoption of the development plan document?</li> </ul>
2.	Does the development plan document contain a reasoned justification of polices contained within it?
3.	Are those parts of a development plan document which comprise polices of the LDP and those parts which comprise the reasoned justification readily distinguishable?
No.	<b>PART 4: Form and Content of Development Plan Document: Regulation 13 - Proposals</b>

<b>map</b>	
1.	Does the development plan document contain a map or maps describing the policies and proposal set out in the development plan document, so far as practicable to illustrate such policies or proposals spatially?
2.	Is the proposals map sufficiently detailed so as to enable the location of proposals for the development and use of land to be identified?
<b>No.</b>	<b><u>PART 4: Form and Content of Development Plan Document: Regulation 14 - Additional matters to be taken into account</u></b>
1.	Has the council taken into account when preparing the LDP the objectives of preventing major accidents and limiting the consequence of such accidents?
2.	Has the council taken into account when preparing the LDP the long term to maintain appropriate distances between establishments covered by the Directive and residential areas, buildings and areas of public use, major transport routes as far as possible, recreational areas of particular natural sensitivity or interest?
3.	Has the council taken into account when preparing the LDP, in the case of existing establishments, for additional measures in accordance with Article 5 of the Directive so as not to increase the risks to people?

<b>No.</b>	<b><u>PART 5: Development Plan Document Procedure: Regulation 15 - Availability of a development plan document</u></b>
1.	Is a copy of the development plan document available for inspection (during normal working hours)?
2.	Is a copy of the sustainable appraisal report available for inspection?
3.	Is a copy of any relevant supporting documents in the preparation of the LDP available for inspection?
4.	Is copy of the statement indicating the period within which representations on the LDP may be made and notice of the address available for inspection?
5.	Notice of the address to which representations can be sent?
6.	Has a copy of all documents specified in paragraph (a) regulation 15 of The Planning (LDP) Regulations (NI) 2015 been sent to the consultation bodies?
7.	Has notice been given in the Belfast Gazette and by local advertisement which include the title of the development plan document and details of places and times the document can be inspected?
8.	Is the development plan document, any supporting documentation and the notice mentioned in paragraph regulation 15 (a) (iv) published on the council website?
<b>No.</b>	<b><u>PART 5: Development Plan Document Procedure: Regulation 16 – Public Consultation on a development plan document</u></b>
1.	Have the representations: <ul style="list-style-type: none"> <li>• Been made within a period of 8 weeks starting on the day the Council complies with regulation 15(d)?</li> </ul>

	<ul style="list-style-type: none"> <li>• Sent to the address specified in regulation 15 (a)(v)?</li> </ul>
<b>No.</b>	<b>PART 5: Development Plan Document Procedure: Regulation 17 - Availability of representations on a development plan document</b>
1.	<p>Has the council made the following available for inspection after the statutory 8 weeks consultation period:</p> <ul style="list-style-type: none"> <li>• A copy of the representations?</li> <li>• Document with the dates within which counter representations may be made?</li> <li>• Notice of the address to which counter representations can be sent?</li> </ul>
2.	Has the council made a copy of documents available for inspection at the principal offices and other appropriate places within the district?
3.	Are the representations published on the council website?
4.	Has notice been given in the Belfast Gazette and by local advertisement which state that representations are available for inspection and the place and times which they can be inspected?
5.	Has the council notified the consultation bodies of the fact that representation are available for inspection and the places and times at which they can be inspected?
6.	Has the council notified any person who has made (and not withdrawn) a representation in accordance with regulation 16(3)?
<b>No.</b>	<b>PART 5: Development Plan Document Procedure: Regulation 18 - Public consultation on site specific representations</b>
1.	<p>Has the counter representations:</p> <ul style="list-style-type: none"> <li>• Been made within a period of 8 weeks starting on the day the council complies with regulation (17) (a)?</li> <li>• Sent to the address specified in regulation 17(1) (a) (iii)?</li> </ul>
<b>No.</b>	<b>PART 5: Development Plan Document Procedure: Regulation 19 - Availability of representations on site specific policy representations</b>
1.	<p>Has the council (as soon as reasonable practicable after the statutory 8 weeks consultation period):</p> <ul style="list-style-type: none"> <li>• Made a copy of the counter representation available for inspection at- <ul style="list-style-type: none"> <li>○ Its principle offices?, and</li> <li>○ Such other places within the district of the council as the council considered appropriate?</li> </ul> </li> <li>• Publish this information on its website?</li> </ul>
<b>No.</b>	<b>PART 5: Development Plan Document Procedure: Regulation 20 - Submission of documents for independent examination</b>
1.	Has the council considered representations made under regulation 16 and, as the case may be, regulation 18 (public consultation on a development plan document)?
2.	<p>Has the council submitted the following prescribed documents to the department;</p> <ul style="list-style-type: none"> <li>• The sustainability appraisal report under section 8(6) (b)?</li> <li>• The statement of community involvement?</li> </ul>

	<ul style="list-style-type: none"> <li>• Evidence that the council has complied with the statement of community involvement?</li> <li>• Copies of the notices (POP, DPS &amp; Reps stages)?</li> <li>• The timetable?</li> <li>• A statement setting out-             <ul style="list-style-type: none"> <li>○ A summary of the main issues raised in representations in accordance with regulation 11(2)?</li> <li>○ How those main issues have been taken into account in the preparation of the development plan document?</li> </ul> </li> <li>• A statement setting out-             <ul style="list-style-type: none"> <li>○ If representations were made in accordance with regulation 16(2), the number of representation made and a summary of the main issues raised on those representations?, or</li> <li>○ That no such representation were made;</li> </ul> </li> <li>• Copies of any representations made in accordance with regulation 16(2) or 18(2)?</li> <li>• Any additional documents the council consider relevant to the preparation of the development plan document?</li> </ul>
3.	Has the council sent the department a copy of DPS?
<b>No.</b>	<b><u>PART 5: Development Plan Document Procedure: Regulation 21 - Availability of submission documents?</u></b>
1.	<p>As soon as reasonably practicable after a council submits a development plan document to the Department it must;</p> <ul style="list-style-type: none"> <li>• Make the following documents available for inspection at the places referred to in paragraph (b)             <ul style="list-style-type: none"> <li>○ a copy of the development plan document,</li> <li>○ the documents specified in regulation 20(2), and</li> <li>○ such other documents as in the opinion of the council are relevant to the preparation of the development plan document;</li> </ul> </li> <li>• The places referred to in paragraph (a) are-             <ul style="list-style-type: none"> <li>○ the council’s principal offices, and</li> <li>○ Such other places in the district of the council as the council considers appropriate.</li> </ul> </li> <li>• Notify the consultation bodies of the fact that the development plan document and the documents mentioned in paragraph (a) are available for inspection and the places and times at which they can be inspected;</li> <li>• Notify any person who has made (and not withdrawn) a representation in accordance with regulation 16(2) or 18(2) of those matters;</li> </ul>



	<ul style="list-style-type: none"> <li>• Give notice in the Belfast Gazette and by local advertisement of the fact that the development plan document has been submitted to the Department; and</li> <li>• Publish the notice mentioned in paragraph (e) on its website.</li> </ul>
<b>No.</b>	<b><u>PART 5: Development Plan Document Procedure: Regulation 22 - Publicity of the independent examination</u></b>
1.	<p>Has the council (at least four weeks before the opening of an independent examination):</p> <ul style="list-style-type: none"> <li>• Notified the consultations bodies of the matters referred to in paragraph (2)?</li> <li>• Give notice in the Belfast Gazette and by local advertisement of those matters?</li> <li>• Publish those matters on its website?</li> <li>• Notify any person who has made (and not withdrawn) a representation in accordance with regulation (16) (2) or 18(2) of those matters?</li> </ul>
2.	<p>The matters referred to in paragraph (1) are;</p> <ul style="list-style-type: none"> <li>• The time and place at which the examination is to be held?, and</li> <li>• Whether the planning appeals commission or the person appointed will carry out the independent examination and if the latter, the identity of that person?</li> </ul>