



Derry City & Strabane
District Council

Comhairle Chathair
Dhoire & Cheantar
an tSratha Báin

Derry Cittie & Strabane
Destrict Council

DERRY CITY & STRABANE DISTRICT COUNCIL

LOCAL DEVELOPMENT PLAN (LDP) 2032



PLAN STRATEGY

Rural Needs Impact Assessment (RNIA) Second Addendum (Changes per DfI
Direction & Public Consultation Responses) – May 2025

<https://www.derrystrabane.com/subsites/ldp>

Executive Summary

A Rural Needs Impact Assessment (RNIA) was prepared by Derry City and Strabane District Council and published along with the Council's LDP draft Plan Strategy (dPS) and other associated documents on 2nd December 2019.

A first Addendum to the RNIA of the dPS was published alongside the Schedule of Proposed Changes to the dPS in November 2021. These previously-published RNIA documents were subject to formal consultation alongside other published Derry City and Strabane District Council Local Development Plan (LDP) 2032 documents as part of the plan process and none of the representations received raised any issues in regard to the RNIA or the first Addendum to the RNIA.

Following submission of the dPS and associated documents to the Department for Infrastructure (DfI) for Independent Examination (IE) on 26th May 2022, DfI appointed the Planning Appeals Commission (PAC) on 20th September 2022 to cause an IE. Hearings took place from 5th September 2023 until 4th October 2023 and during the hearing sessions, the Council brought forward additional proposed Further Changes (FCs) for consideration.

Subsequently, on the 10th May 2024, the PAC produced a report on the dPS and the Council's proposed Further Changes and concluded that the dPS met the tests of soundness as required, subject to Recommended Amendments (RAs). DfI accepted the concluding findings of the PAC and considered the RAs within the report. On 17th December 2024, DfI issued a Direction to the Council to adopt the dPS with Modifications. These Modifications were presented in Schedules 1A, 1B and 2 of DfI's Direction. Subsequently, DfI produced an updated Direction on 5th February 2025 due to minor and typographical errors.

This Second Addendum to the RNIA of the LDP Plan Strategy has been prepared by Derry City and Strabane District Council to consider any of the 'more-substantive' Modifications to the dPS that were presented in DfI's Direction which had not been previously assessed for any potential impact on rural needs.

It was published for public consultation between 19th March and 1st May 2025, during which time 12 representations were received. Of these 12, 4 contained comments on the RNIA document and /or impacts on the rural area generally. In addition to considering the Modifications contained in the DfI Direction, this report addresses the comments contained in the representations received through the public consultation exercise.

This Addendum to the RNIA comprises the following stages:

- Screening of any Modifications to the dPS that are within DfI's Direction and have not been previously assessed to determine if any of the Modifications materially change the outcomes of the Rural Needs Impact Assessment i.e. whether they alter the assessed impact that the LDP Plan Strategy is likely to have on the rural community or the influence rural needs has had on the LDP Plan Strategy;
- If necessary, to undertake an assessment of the Modifications that have not been screened out.
- Consideration of public consultation comments
- Conclusions of the assessment of Modifications to the LDP draft Plan Strategy in the context of the requirement to have due regard to rural needs.

The findings of this assessment exercise are contained within Table 1 of this document, having considered those changes that have been identified as ‘more-substantive’ for rural needs screening purposes and which have not been previously assessed, and having considered the comments received through public consultation. All other Modifications not included in the table have either been screened-in and assessed together (relatively minor changes) or screened-out altogether (very minor changes).

Following consideration of the Modifications to the dPS that are within DfI’s Direction (namely the Modifications listed within Schedule 2 of DfI’s Direction and updated Direction) and the comments received from public consultation, it has been concluded that those Modifications assessed do not alter the outcomes of the RNIA of the dPS or the first Addendum to it. Therefore, it is anticipated that the PS is not likely to have an adverse impact with regard to rural needs, either directly or indirectly.

1.0 Introduction

- 1.1 A Rural Needs Impact Assessment (RNIA) of the LDP draft Plan Strategy was prepared by Derry City and Strabane District Council and published alongside the Council’s LDP draft Plan Strategy (dPS) and other associated assessment documents on 2nd December 2019. An Addendum to the Rural Needs Impact Assessment, was prepared alongside the Schedule of Proposed Changes to the LDP draft Plan Strategy and published in November 2021. These RNIA documents were subject to formal consultation alongside other published Local Development Plan (LDP) documents as part of the plan-making process and none of the representations received raised any issues with regard to the RNIA or the first Addendum to the RNIA.
- 1.2 This document, the Second Addendum to the RNIA, has been prepared alongside the DfI Direction to the LDP draft Plan Strategy, and identifies whether the outcomes of the Rural Needs Impact Assessment should be amended as a result of the Modifications to the LDP draft Plan Strategy and the representations received from the formal consultation exercise held from 19th March to 1st May 2025. Therefore, this Addendum should be read in conjunction with the RNIA and the first Addendum published November 2021.

Independent Examination and Department for Infrastructure Direction

- 1.3 Following submission of the dPS and associated documents to the Department for Infrastructure (DfI) for Independent Examination (IE) on 29th March 2021, DfI appointed the Planning Appeals Commission (PAC) on 20th September 2022 to cause an IE. The hearing took place from 5th September 2023 until 4th October 2023 and during the hearing sessions, the Council brought forward additional proposed further changes for consideration. Subsequently, the PAC produced a report on the dPS and the Council’s proposed further changes to it and concluded that the resulting Plan Strategy (PS) met the tests of soundness as required, subject to Recommended Amendments (RAs). The RAs were made in accordance with Section 10 (8) of Part 2 of the Planning Act (NI) 2011.
- 1.4 DfI accepted the concluding findings of the PAC and considered the RAs within the Report. In December 2024, DfI issued a Direction to the Council to adopt the PS with Modifications, in accordance with Section 12(1)(b) of Part 2 of the Planning Act (NI) 2011. These Modifications were presented in Schedules 1A, 1B and 2 of DfI’s Direction and the updated Direction published

on 5th February 2025 which included updates to Schedule 2 Annex 2, Annex 4, Annex 5 and Annex 6 due to minor errors or omissions.

- 1.5 Para 1.26 of the PAC Inspector's report refers to RNIA. It points out that the original RNIA followed intensive research, policy reviews, face to face engagements and public consultation. It identified a number of social, economic and environmental issues as being particularly relevant to the rural area in Derry City and Strabane District Council. As a result, a range of measures were included in the dPS to try to address issues such as appropriate growth for villages and small settlements based on their size and role within the settlement hierarchy to sustain them as vibrant rural communities. The first Addendum to the Draft RNIA highlighted the effects that the Proposed Changes to the dPS have in regard to the RNIA. The Addendum concluded that the Proposed Changes do not alter the likely impact of the dPS policies and strategies on the rural community nor do they alter how much regard the dPS has had to rural needs. This current Second Addendum considers any further changes or Modifications and relevant public representations since that time.

Categories of Modifications

- 1.6 Schedule 1A lists recommendations that the PAC consider necessary to make the dPS sound. These Modifications or corrections were Proposed Changes put forward by the Council and have no further amendments. The Council consulted on these Modifications between 9th December 2021 and 3rd February 2022.
- 1.7 Schedule 1B lists Modifications proposed by the Council that the PAC do not consider necessary to make the dPS sound, though DfI commends their inclusion in the PS. They were also consulted on during 9th December 2021 to 3rd February 2022.
- 1.8 The Modifications within Schedules 1A and 1B have already been screened for any potential impact on rural needs in the Addendum to the RNIA of the dPS and any further amendments by DfI were minor editing changes which do not alter the nature or intent of the Modifications.
- 1.9 Schedule 2 lists 113 Modifications (MODs) that are required to make the PS sound. These Modifications are a combination of Council Proposed Changes (PCs) that have been amended, and Further Changes (FCs) offered at the IE and new changes recommended by the PAC following the conclusion of the IE process (RAs). DfI has updated some of these changes for clarity and consistency. This Second Addendum to the RNIA of the PS assesses these Modifications for any potential impact on rural needs.

Formal Consultation Representations

- 1.10 The Council received 12 representations following the formal consultation exercise. Of these 12, 4 comment on potential rural impacts and/or the RNIA Report and this second addendum. The issues raised are summarised as follows:
- The allocation of rural housing (1100 - 1400) is not sustainable and will have additional impacts over housing in urban areas. The cumulative impacts of such numbers in the rural area will be detrimental to rural character, biodiversity/environment.

- Rural households are more isolated and disadvantaged than their urban counterparts as they age and/or are subject to financial stress. The 'unsustainable' allocation contributes to this.
- The Rural Needs Impact Assessment is required to incorporate the principles of rural proofing. There is acknowledgement of the importance of rural infrastructure, but no reference made to the role or importance of locally generated renewable energy and the positive impact this could have on rural communities. Renewable energy infrastructure should be recognised as rural economic assets.
- The Second Addendum to the Rural Needs Impact Assessment (RNIA) heavily relies on earlier assessments from 2019 and 2021 without fresh analysis or engagement with new risks. The High Court ruling in *Mid Ulster District Council v Department for Communities* (March 2025) confirmed that relying on previous decisions or formulas is insufficient. Authorities must actively and meaningfully reconsider rural needs. This has not been done.
- There is no assessment of how cumulative energy infrastructure (including wind farms and grid expansions) will impact rural housing, tourism, farming, wellbeing, or amenity.
- Renewable energy schemes are a key enabler of rural regeneration — not merely neutral.
- the report does not acknowledge ongoing wastewater treatment and sewerage capacity challenges in certain rural areas. Areas with known constraints have been identified and should be considered when assessing if rural development remains sustainable.
- Omits environmental and infrastructure-specific. It is recommended the RNIA incorporate environmental infrastructure as a distinct rural constraint influencing both location and scale of rural development.
- There is no reference to sustainable drainage systems (SuDS) in the RNIA. Promoting SuDS within policy implementation would enhance both rural sustainability and compliance with water utility standards.
- The RNIA notes that MOD 27 could positively impact rural communities by clarifying support for small scale economic development in the countryside. However, the utility implications of this expansion such as demand on small wastewater treatment works and limited wastewater networks are not discussed. The RNIA should recommend coordination with NI Water in areas where existing rural services are already close to or beyond operating limits.
- The RNIA notes five-year LDP review cycle but does not recommend any utility-specific review mechanisms. A more structured recommendation for ongoing infrastructure capacity reviews involving statutory consultees would strengthen the RNIA's alignment with deliverability and long-term resilience objectives.

2.0 Statutory Requirements

- 2.1 The Rural Needs Act (NI) 2016 which came into operation on 1st June 2017, places a duty on councils to have due regard to the needs of people in rural areas when developing, adopting, implementing, or revising, a policy, strategy, or plan, and when designing and delivering public services.

- 2.2 The DAERA publication ‘A Guide to the Rural Needs Act (NI) 2016 for Public Authorities (Revised)’ (April 2018) states that the purpose of the Rural Needs Act is to ensure public authorities have due regard to the social and economic needs of people in rural areas when carrying out certain activities and to provide a mechanism for ensuring greater transparency in relation to how public authorities consider rural needs when undertaking these activities. The DAERA guidance recommends that a Rural Needs Impact Assessment (RNIA) should be conducted to assist public authorities in fulfilling their due-regard duty.
- 2.3 ‘Rural proofing’ seeks to identify the potential impacts that a policy or strategy would have on a rural area, to make a proper assessment of those impacts if they were deemed to be significant and, where appropriate, to adjust a policy or strategy to take account of rural circumstances. DAERA guidance states that the principles of rural proofing should be incorporated in the Rural Needs Impact Assessment (RNIA).
- 2.4 Various policies within the LDP draft Plan Strategy relate directly to the rural area and will therefore have some impact on the rural community. Other policies relate to both rural and urban areas, and could, therefore, impact on the rural community in cases where such policies are applicable. It is recognised that rural communities are likely to have some specific needs that are not applicable to, or so pronounced for, urban communities. For example, rural communities have lower population densities and can experience geographical isolation which can lead to specific needs for those areas, such as problems with local service provision and public transport provision etc. Therefore, a policy or public service that is appropriate for an urban area may not be as effective in rural areas.
- 2.5 The Rural Needs Act seeks to help deliver fairer and more equitable treatment for people in rural areas by requiring public authorities to have due regard to rural needs. This will help to deliver better outcomes for people in rural areas and help make rural communities more sustainable.
- 2.6 This Addendum screens and assesses the Modifications to the LDP draft Plan Strategy and the representations received in relation to same to ensure that the Council has had due regard to the needs of the rural community of Derry City and Strabane District during this stage of the Local Development Plan process.

3.0 Screening of Modifications

- 3.1 In bringing forward the LDP, the Council is committed to ensuring that due regard is had to the needs of the rural community.
- 3.2 Given the statutory requirement to have due regard to rural needs when developing, adopting, implementing or revising policies, strategies and plans, it is imperative for the Council to screen Modifications to the dPS in order to identify if those Modifications will affect the level of influence that the dPS was predicted to have on the ability to meet the needs of the rural community, as assessed in the RNIA and the Addendum (first Addendum) to the RNIA of the dPS.

- 3.3 The Modifications within Schedules 1A and 1B of DfI's Direction have already been subject to screening for any impact on rural needs.
- 3.4 The Modifications to the PS listed in Schedule 2 involve changes that have not been previously assessed for their potential impact on rural needs. Therefore, these Modifications needed to be screened. This Second Addendum to the RNIA of the PS should be read in conjunction with the RNIA of the dPS and the Addendum to the RNIA of the dPS. Readers are also directed where necessary, to Schedules 1A, 1B and 2 of the DfI Direction, the updated DfI Direction letter and associated documents dated 5th February 2025 and the PAC's Independent Examination Report of Derry City and Strabane District Council's Local Development Plan 2032: Draft Plan Strategy.
- 3.5 The majority of the changes are considered to represent logical and rational amendments to a policy, clarification or minor changes. The Council has screened all 113 Modifications proposed; the changes have been considered cumulatively and it is considered that these proposed changes have no differential impact on rural needs.
- 3.6 The findings of this assessment exercise are contained within Table 1 of this document and considered those changes that have been identified as 'more-substantive' for Rural Needs screening purposes. Table 1 sets out 27 Modifications to the PS that were included within Schedule 2 of the DfI Direction and presents the outcomes of the screening of these Modifications to determine whether any of these Modifications 'materially change' the outcomes of the RNIA of the dPS or, where applicable, the outcomes of the first Addendum to the RNIA.
- 3.7 These Modifications were assessed for any differential impact they may have when compared to the original or, where applicable, modified dPS strategy or policy, in terms of the aim of the policy or strategy, the likely impact on the rural community and the influence of rural needs on the PS approach. Any likely cumulative impact resulting from several related Modifications was also considered through the screening process.
- 3.8 Table 1 presents the following:
- An assessment of whether these selected Schedule 2 Modification(s) impact on the overall aim/purpose of the policy or strategy as previously assessed; and
 - An assessment as to whether the Schedule 2 Modification(s) affect the original RNIA assessment of the likely impact(s) of the dPS on the rural community and/or the influence that 'rural needs' has on the dPS policy or strategy.

4.0 Screening of Representations

- 4.1 In terms of the 12 representations received through the public consultation, these have also been screened and relevant comments (as set out under para. 1.10) are addressed below. Several of these representations provide comment on the draft Plan Strategy policies pre-Modifications and are replications of previous comments. As such, they have been considered under the previous consultation exercises held December 2019 to January 2020, and again from September to November 2020.
- 4.2 One of the representations appears to have misunderstood the purpose of the latest consultation exercise in that it related solely to the assessment of any further impacts the

Modifications (put forward by the PAC and included in the DfI Direction to adopt the Plan Strategy after it has been found to be sound) potentially may have.

- 4.3 Therefore, the replicated comments and those relating to soundness have been screened out and are not considered in this second Addendum.
- 4.4 In respect of those comments received which disagree with the second addendum as published for consultation or indeed the full RNIA (as an ongoing assessment up to the point of adoption), having fully considered the issues raised in isolation and cumulatively, it has been determined that the second Addendum nor overall RNIA does not require further revision.
- 4.5 The twin issues of the sustainability of rural housing numbers and the asserted additional negative impact on rural character, rural people and rural biodiversity/environment is considered to be addressed by related policies such as GDPOL 1 and those contained in the Housing, Natural Environment and Place-making & Design chapters. These policies and others require that such impacts are avoided or appropriately mitigated both within and outside settlements.
- 4.6 The policies are worded so that the criteria are applied relative to the location and other detail of specific proposals. For example, the requirement to have no net loss of biodiversity will normally be addressed differently between urban rural contexts and it would be expected that a rural site would have more biodiversity to protect. While this then may seem overly onerous for rural applications, when considered alongside proposed planting which is normally a feature of such applications it will not often require much, if any, additional mitigation.
- 4.7 Regarding renewable energy policy impacts, one respondent welcomes the acknowledgment of the importance of rural infrastructure but argues that there should be reference made to the role or importance of locally generated renewable energy and the positive impact this could have on rural communities. While it is accepted that rural energy proposals can have multiple positive impacts on rural areas it is also accepted that the erection and operation of such infrastructure can have significant negative impacts also, particularly in relation to compatibility with existing and proposed surrounding development. Therefore, the assessment as neutral impact remains.
- 4.8 The issue of cumulative assessment of potential impacts has also been raised with the assertion that there is no evidence that policy impacts have been assessed in this way. Respondents are directed to the original RNIA and first Addendum which include references to cumulative impacts. This second Addendum focusses on Modifications only; the majority of which are minor text changes for clarification. None alter the intent or purpose of the policies.
- 4.9 NI Water raised several issues in respect of wastewater treatment works and other water infrastructure and SuDS. It suggests that the RNIA should recommend coordination with NIW in areas where existing rural services are close to or operating beyond limits. The comments from NIW are welcomed but it is considered they relate to the text of the policies and related justification and amplification rather than the impacts of the policies themselves. It should be noted that SuDS requirements apply within and outside settlements and there are ongoing infrastructure and capacity issues across Northern Ireland. In any event, the dPS text (and SPG) has consideration of such impacts built in and it is considered that this is the appropriate place for such matters.

- 4.10 In addition, NIW suggested that a more focussed review of infrastructure capacity involving statutory consultees is needed. The monitoring and review process exists to determine, over time and with suitable evidence, which policies are working as intended or otherwise. Should the evidence (some of which will likely come from statutory consultees) suggest a policy is not working for reasons to do with infrastructure, the next steps will involve statutory consultation around how to address this.
- 4.11 It has also been asserted that the RNIA has not been carried out properly as it relies too heavily on earlier assessments (the RNIA 2019 and first Addendum 2021). A recent High Court judgement is referenced: *Mid Ulster District Council v Department for Communities* (March 2025).
- 4.11 It should first be noted that the characterisation of the elements of the judgement asserted to have implications for the carrying out of this impact assessment is disputed. The judgement pertains to discretionary central government funding allocations to councils and the differential impacts on those councils with significant rural demographics. Rather, in this instance the assessment is of policy impacts on this one District. The profile of the District is central to dPS and its emerging policies and so from the outset, potential differential impacts have been considered in all documents from POP to PS and associated impact assessments. It is therefore not unusual that the findings would not deviate significantly throughout the process.

5.0 Conclusion

- 5.1 The Modifications to the dPS do not introduce any new policies and they vary in nature. The Modifications include minor editing corrections to address typographical errors along with corrections to ensure factual accuracy. Other amendments have been included as logical changes to a strategy or policy and/or associated text to provide or improve coherency and consistency.
- 5.2 The assessment which has informed this Addendum has determined that the Modifications do not materially change the aims or influence of the policies or strategies to which the proposed Modifications relate; nor have any of the Modifications impacted on the overall 'Vision' for the District as set out in the PS.
- 5.3 The majority of the Modifications have been screened out as having no differential impact on the rural community and are not considered further in this Addendum and can be viewed in Schedule 2 of the DfI Direction. Table 1 below only considers those changes that have been identified as 'more-substantive' for Rural Needs screening purposes.
- 5.4 The assessment did identify that proposed changes to ED 5 through FC 25 (MOD 27) could have a differential impact on rural needs as the proposed changes would slightly expand the ED 5 policy wording to provide suitable 'policy hooks' within this policy which allows for small-scale economic development in the countryside. This FC builds upon PC 52, a change that was highlighted in the previous Addendum, which came about to provide further detail and strengthened the J&A paragraphs, in order to aid the implementation of this policy. This change

would provide a minor positive impact on the rural community as it provides clarity for developers and ensures sustainable development in the countryside.

- 5.5 Upon reassessing the findings of the original RNIA, the first Addendum with regard to the Proposed Changes/Modifications and the second with regard to the Modifications and public representations, it is considered that those outcomes remain unchanged from the original assessment. Therefore, it is considered that the Proposed Changes/Modifications do not alter the likely impact of the LDP draft Plan Strategy policies and strategies on the rural community, nor do they alter how much regard the LDP draft Plan Strategy has had to rural needs.
- 5.6 The LDP will also be subject to further rural needs screening at Local Policies Plan stage. Monitoring and review of the LDP is an integral part of the plan-making process. The LDP draft Plan Strategy includes a Monitoring and Review Framework, which highlights that a five-year review of the LDP will be carried out post-adoption to ensure the policies and proposals are achieving their objectives. There will be further scope for rural needs impacts to be considered through this review.

Table 1: RNIA Assessment of LDP - Schedule of Departmental Modifications (all new MODs, All FCs, any altered Commissioner RAs) to be made to LDP prior to Adoption

Recommended Amendment/ Modification Ref no.	Council Proposed/Further Change no.	Section within the LDP Plan Strategy	Summary of Change	Will the proposed change(s) impact on the aim of the policy / strategy? Yes/No	Reconsideration of Rural Impact
MOD 05	FC 09	<p>Part B Overall Strategy</p> <p>6. Spatial Strategy for the Derry City and Strabane District Part B Overall Strategy</p> <p>7. General Development Principles & Policies</p>	<p>DfI directs the Council to modify paragraphs 6.14, 7.50 and 7.53- 7.57 in accordance with Schedule 2 Annex 7 of the Direction:</p> <p>Amend the 2nd & 3rd sentences of para 6.14 to read as follows: ‘The Council will explore opportunities to demonstrate / test climate change / adaptation processes, but any new form of settlement would be of modest scale and most-probably based upon an existing cluster or settlement – if / when it is developed over the life of this LDP or possibly after 2032. Any such development would respect and enhance sustainable development patterns within existing settlements, be an ‘exceptional case’, considered on its individual merits and it would need to fit in the appropriate tier within the LDP’s settlement hierarchy.’</p> <p>Amend para 7.50 measure iii as follows: ‘iii considering the feasibility of a pilot ‘form of resilient settlement’ project at LPP stage to</p>	No	No differential impact on rural community. The MOD is for clarification only - that the idea of a ‘resilient form of settlement’ (within the existing settlement hierarchy) is to be considered and a ‘new settlement’ is not envisaged. The original purpose of the text is unchanged from that originally assessed.

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			<p>promote sustainable, climate resilient settlement form; and'</p> <p>Amend para 7.53, 3rd line to ...'resilient form of settlement'</p> <p>Amend para 7.57, 3rd sentence to: This 'resilient form of development', subject to the feasibility study, would be an exceptional case and would need to fit in the appropriate tier normally be expected to lie within an existing settlement and respect and enhance sustainable development patterns, within the LDP's settlement hierarchy. Refer also to Chapter 6 of the LDP Spatial Strategy, Para 6.14</p>		
MOD 09		<p>Part B Overall Strategy</p> <p>7. General Development Principles & Policies</p>	<p>DfI directs the Council to modify paragraph 7.4, page 73 of the dPS as follows:</p> <p>'This chapter sets out those key development principles GDP 1 to GDP 8. These are not formal planning policies against which proposals will be assessed but rather underlying criteria</p>	No	No differential impact on rural community as MODs are for clarification only, to distinguish the GDPs from subsequent policies.

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			which all development requiring Planning permission will seek to achieve. General policy is formally set out at GDPOL 1 & GDPOL 2 providing requirements that relevant development proposals should meet in order to secure planning permission. This chapter also gives further detail on how these principles will be implemented.		
MOD 16	FC 16	Part B Overall Strategy 7. General Development Principles & Policies	DfI directs the Council to amend para 7.44 page 85 by removing most of the para which was mostly a direct repetition of SPPS, this was to prevent confusion of readers thinking these were LDP policies. The text is amended to read as follows: The SPPS sets out strong regional policies for developments in relation to the protection of the natural environment. Development proposals will be assessed against the detailed planning policy contained in Chapter 21: Natural Environment.	No	No differential impact on rural community. The MOD is a text revision only. Text is removed as direct repetition of SPPS para 6.192 and covered in any case by Policy NE 3.
MOD 25 RA 33	FC 23	Part C Economy Strategy, Designations & Policies	DfI directs the Council to modify Policy ED 3, page 121.	No	No differential impact on rural community as the MOD relates to a text revision only

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		9. Economic Development	In ED 3, under (b) Villages and Small Settlements, amend the end of criteria (i) as follows: '(i) the land is identified as a Land Use Policy Area (LUPA) for economic development use. An exemption will apply to allow economic development in smaller settlements with no relevant LUPA, provided it complies with (ii) and (iii) below.'		to clarify the policy if there is no LUPA.
MOD 26 RA 34	PC 50 FC 24	Part C Economy Strategy, Designations & Policies 9. Economic Development	Dfl directs the Council to modify Policy ED 4 page 122 to read as follows: 'Zoned Land in all Locations Development that would result in the loss of land or buildings zoned for economic development use in the LDP to other uses will not be permitted except: (a) where an essential need has been demonstrated and the proposed use is a small scale, complementary / ancillary use that meets the day-to-day needs of local employees or	No	No differential impact on rural community. MOD for clarity to emphasise that any non-compatible uses on ED land will only be approved in exceptional circumstances and exception for <i>sui generis</i> uses on Zoned ED land.

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			<p>(b) where an essential need has been demonstrated, for development of a compatible sui generis employment use that is of a scale, nature and form appropriate to the location.</p> <p>In the case of proposals under either (a) or (b), it must also be demonstrated that the approval of the proposal would not lead to a significant diminution of economic development / employment land either in the locality or in the District generally.'</p> <p>Within ED 4, within the section 'Unzoned Land in Settlements', amend part (h) as follows: '(h) where an essential need has been demonstrated, it is a small scale complementary / ancillary use that meets the day-to-day needs of local employees'.</p> <p>DfI directs the Council to amend the opening of J&A paragraph 9.30 to read as follows:</p>		

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			<p>'Exceptionally, a small-scale complementary / ancillary use ...'</p> <p>At the end of 9.30, insert new text: 'Particular care is needed to avoid soft play areas, jump zones, care settings, etc. that can attract the public and vulnerable users such as children, those with disabilities, parent drop-offs, etc. that are incompatible with an Economic Development area. Therefore, to maintain the integrity of these areas, such non-compatible uses will only be approved in exceptional circumstances, where it can be clearly demonstrated that it is ancillary to the main use and would primarily meet the needs of the immediately nearby employees.'</p>		
MOD 27 RA 35	FC25	<p>Part C Economy Strategy, Designations & Policies</p> <p>9. Economic Development</p>	<p>DfI directs the Council to modify the four categories within Policy ED 5 page 124 and accompanying J&A. For clarity this should read as follows;</p> <p>(a) development of a small rural community enterprise / centre, that needs to be located</p>	Yes	Minor positive impact on rural community - provides clarity for developers as the proposed changes would slightly expand the ED 5 policy wording to provide suitable 'policy hooks' within this

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			<p>outside of a village or small settlement where the use will be associated with the settlement. Where practicable, an appropriate edge-of-settlement location will be favoured; or</p> <p>(b) small-scale Class B2, B3 or B4 business use / building adjacent to the main dwelling of business owner, provided they are of appropriate nature and design and meet other normal Planning and Environmental requirements; or</p> <p>(c) re-development of an established economic development use or re-use of existing or redundant non- residential rural buildings, provided they meet the requirements set out in Paragraph 9.37 below; or</p> <p>(d) homeworking, provided they meet the requirements set out in Paragraph 9.38 below.</p>		policy which allows for small-scale economic development in the countryside.

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			<p>On the 1st line of the final paragraph, replace the word Criteria with the word Category to read: 'Proposals for Category b development.'</p> <p>Amend the J&A paragraphs paragraph 9.33- 9.38 to read as follows;</p> <p>'9.33 In the interests of rural amenity and wider sustainability objectives, the extent of new buildings outside of settlement limits will be controlled and the sympathetic extension or re-use of existing buildings will be preferred. However, in some circumstances, it may be possible to justify a small-scale new build economic development use outside of a development limit, particularly where there is no suitable site within the settlement. Applicants will be required to demonstrate that they meet normal planning and other environmental considerations as set out in other chapters of this LDP.</p>		

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			<p>Para 9.34 The guiding principle for policies and proposals for economic development in the countryside is to provide opportunities likely to benefit and sustain the rural community, while protecting or enhancing the character of the rural area. A number of economic development opportunities exist for small-scale economic development, home-working, appropriate re-development and re- use of rural buildings for a range of appropriate uses.</p> <p>Para 9.35 Proposals to be assessed against Category a) should demonstrate that they would benefit the local economy or contribute to community regeneration, that there is no suitable site within the settlement and that the development is clearly associated with the settlement, but will not dominate it, adversely affect landscape setting or otherwise contribute to urban sprawl. In assessing the acceptability of sites, preference will be given to sites in the following order:</p>		

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			<p>1) land adjacent to the existing settlement limit, subject to amenity and environmental considerations;</p> <p>2) a site close to the settlement limit which currently contains buildings or where the site is already in a degraded or derelict state and there is an opportunity to improve the environment; and</p> <p>3) an undeveloped site in close proximity to the settlement where the development could be visually integrated into the landscape. Storage or distribution uses will only be permitted where these are clearly ancillary to a proposal for a community enterprise park/centre or an economic development use.</p> <p>9.36 Category b) is intended to... [paragraph unchanged] other than to insert the following 3 words mid- paragraph: 'Proposals are expected to comply with the design and location requirements...'</p>		

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			<p>9.37 Opportunities may also exist for proposals under Category c) relating to the redevelopment of an existing site or the conversion or re- use of existing buildings for certain industry and business uses. Applicants should demonstrate that the scale and nature of the proposal does not harm the rural character or appearance of the local area and there is only a limited increase in the site area. There should be environmental benefits as a result of the redevelopment and the redevelopment scheme should deal comprehensively with the full extent of the existing site The overall visual impact of replacement buildings should not be significantly greater than that of the buildings to be replaced. The redevelopment of an established storage or distribution site for continuing storage or distribution use will also be permitted subject to the above criteria. However, the redevelopment of an established industrial or business site for storage or</p>		

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			<p>distribution purposes will only be permitted in exceptional circumstances. Proposals involving the conversion or re- use of listed or unlisted vernacular buildings or other historic buildings of local importance must also meet the requirements of Policies HE 4 and HE 8.</p> <p>9.38 Homeworking does not necessarily require planning permission. Permission is not normally required where the use of part of a dwelling house for business purposes does not change the overall scale, nature and character of the property's use as a single dwelling. Assessment of whether a material of change of use has taken place is matter of fact and degree. Those considering working from home are advised to seek the advice of the Council at an early stage. Homeworking businesses that do require planning permission, under category d), will be assessed on an individual basis, they should be of an appropriate scale and nature for its location and meet the requirements for</p>		

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			amenity, transport and other relevant policies in the LDP.		
MOD 28 RA 36	PC 55 FC 27	Part C Economy Strategy, Designations & Policies 10. City / Town Centres, Retailing, Offices, Leisure and Other Uses	DfI directs the Council to modify Policy RP 1 in accordance with Schedule 2 Annex 1 of this direction. The last sentence of the first paragraph of Policy RP 1 page 131 will read as follows: 'DCSDC will require proposals for other main town centre uses to be considered sequentially in the following order of appropriate preference as applicable to the specific nature of the proposal and the centre(s) in question.'	No	No differential impact on rural community. MOD is for clarification only. Policy RP 1 amended to take account of SPPS and sequential consideration of other main town centre uses. The word 'centre(s)' is included to strengthen this sequential ordering. The Retail hierarchy is amended by 'spelling out' each location. Additional text to highlight that in a situation where a proposal falls within the catchment of two centres, sequential preference will be given to the higher order centre.

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MOD 30 RA 42		Part C Economy Strategy, Designations & Policies 10. City / Town Centres, Retailing, Offices, Leisure and Other Uses	Dfl directs the Council to modify Policy RP 6, criterion 2 to read as follows: Amend to read: 'That the proposal makes a positive contribution to meeting the day-today needs and be of a design appropriate to the village or small settlement.'	No	No differential impact on rural community. MOD changes the wording from 'to the shopping environment and appearance of the village or small settlement', for clarity.
MOD 32 RA 44		Part C Economy Strategy, Designations & Policies 10. City / Town Centres, Retailing, Offices, Leisure and Other Uses	Dfl directs the Council to modify Policy RP 9 page 141 to read '...will need to be accompanied by a retail impact assessment and an assessment of need. This includes applications for an extension/s which would result in the overall development exceeding 1,000sqm gross external area '.	No	No differential impact on rural community. MOD for clarification only.
MOD 40 RA 66		Part C Economy Strategy, Designations & Policies 12.Tourism Development	Dfl directs the Council to modify paragraph 12.12 of Policy TOU 1, page 186 of the dPS, to refer to 'Appendix 2' in the last sentence and modify Appendix 2, pages 477-478 to read:	No	No differential impact on rural community. MOD for clarity refers to Appendix 2 and adding definitions.

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			<p>Appendix 2: Indicative list of tourism assets contained within Document DS- 200. Glossary: Tourism Asset: any feature associated with the built or natural environment which is of intrinsic interest to tourists.</p> <p>Tourist amenity: an amenity, facility or service provided primarily for tourists but does not include tourist accommodation.</p> <p>Tourist accommodation: overnight sleeping accommodation for tourists provided by way of trade or business.</p> <p>See Schedule 2 Annex 2 of the Direction.</p>		
MOD 41 RA 69		<p>Part C Economy Strategy, Designations & Policies</p> <p>12.Tourism Development</p>	<p>DfI directs the Council to modify Policy TOU 2, page 187 of the dPS as follows;</p> <p>Amend the 3rd line to read: ‘...appropriate to the settlement and respects the site context, character and setting in terms of scale, massing and design’.</p>	No	No differential impact on rural community. MOD is a minor text change for clarity.

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MOD 42 RA 70		Part C Economy Strategy, Designations & Policies 12.Tourism Development	Dfl directs the Council to modify paragraph 12.16, page 187 of the dPS by amending the 5th line to read: ‘....ensure that there are sufficient environmental, social and economic benefits derived from them...’	No	No differential impact on rural community. MOD is a minor change for clarity.
MOD 43 RA 71		Part C Economy Strategy, Designations & Policies 12.Tourism Development	Dfl directs the Council to modify paragraph 12.18 as follows: 12.18 There can be tourist accommodation which is marketed under short-term let tourist accommodation such as B&Bs and serviced / self -catering apartments. Some B&B uses and some self - catering properties are not considered to be development requiring planning permission, in urban and rural situations; however, where there is a new -build or material change of use, planning applications are required and will be assessed under this policy, as well as policy HOU 4. Such accommodation is often found in residential areas and in addition to the relevant policy	No	No differential impact on rural community . MOD relates to a minor clarification re rural self-catering and a reference to appendix 2.

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			<p>above, they will also be considered against other general planning criteria including the quality of proposal, the design, impact on residential amenity, parking, noise and traffic generated from the proposal (see Chapter 7: General Development Principles & Policies). Applications for such proposals in the Countryside will be dealt with in policy TOU 4, TOU 6 and policy ODC 4.</p> <p>Dfl directs the Council to include a monitoring indicator on this matter in the monitoring framework. See UPDATED Schedule 2 Annex 2.</p>		
MOD 44 RA 72	PC 99	<p>Part C Economy Strategy, Designations & Policies</p> <p>12.Tourism Development</p>	<p>Dfl directs the Council to modify Policy TOU 4, page 190-191 and Appendix 2, pages 477- 478 of the dPS as set out in UPDATED Schedule 2 Annex 2 of this Direction.</p> <p>Please see UPDATED Annex 2 for full details of amendments, changes are underlined and in yellow.</p>	No	No differential impact on rural community. MOD relates to text revision for clarity re 'existing tourist facilities' part of policy and that relating to new tourist facilities and by adding further detail and clarification around B&B's.

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MOD 47 RA 77	PC 105	Part C Economy Strategy, Designations & Policies 13. Minerals Development	Dfl directs the Council to modify paragraph 13.10, page 200 of the dPS as follows: 'The Natural Environment – An extension to an existing mineral working, which minimises additional environmental impact in the countryside will normally be preferred to new workings <u>on green- field sites</u> . Minerals development within (or in close proximity to , or with <u>potential to adversely affect</u>) protected habitats or designated areas which have been declared <u>or proposed for declaration</u> on the basis of their scientific value in regard to flora and fauna, will not normally be given permission where they would prejudice the <u>essential character</u> of such areas (<u>These habitats and areas are as defined in Policy NE 1 and NE 2 of Chapter 21 Natural Environment, particularly those that have European / International and National / Regional protection.</u>) Earth science features, which underpin AONB designations, will also be protected from minerals development. In applying this policy, it is acknowledged that	No	No differential impact on rural community. MOD relates to minor text changes for clarity.

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			there can also be biodiversity enhancement as a result of minerals development'		
MOD 51 RA 81	FC 39	Part C Economy Strategy, Designations & Policies 13. Minerals Development	<p>Dfl also directs the Council to modify Policy MIN 2 by moving the J&A text paragraph 13.25 of page 203 of the dPS and adding it to the end of the Policy MIN 2, to form a third paragraph, for clarity this should read as follows:</p> <p>Within Areas of Constraint on Mineral Development, there will be a presumption against the granting of planning permission for the extraction and/or processing of minerals, including extensions to existing operations. These areas are protected from minerals development because of their intrinsic landscape, amenity, scientific or heritage value (including natural and historic environment). Application within Areas of Constraint on Minerals development (ACMD) must be accompanied by landscape and visual impact assessments. Exceptions*to this policy may be made where the Council is satisfied that the proposed operations are short-term and the</p>	No	No differential impact on rural community. MOD relates to a text revision only by bringing the 'exceptions' wording in Para. 13.25 to the Policy Box for MIN 2, as a clearer distinction between policy and J&A.

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			environmental and amenity implications are not significant*. Applications for development within an ACMD will be assessed on a case-by-case basis and the short-term period will depend on the nature and scale of the proposal and its potential impacts on amenity and the environment. In such cases, the Council are unlikely to favour on-site processing. SCAs and AHLIs are also considered as ACMD and MIN 2 will apply.		
MOD 53 RA 84		Part C Economy Strategy, Designations & Policies 13. Minerals Development	Dfl directs the Council to modify paragraph 13.35, page 206 of the dPS by adding to the end of Para 13.35: 'The Council will publish an SPG on the issue of restoration bonds or other financial provision, such as a Restoration Guarantee Fund'	No	No differential impact on rural community – MOD adds text to clarify an SPG will be published.
MOD 54 RA 86		Part C Economy Strategy, Designations & Policies 14. Signs & Outdoor Advertising	Dfl directs the Council to modify the J&A text on page 208 of the dPS and re-number the remaining paragraph numbers accordingly. (This can be dealt with under MOD 113).	No	No differential impact on rural community. MOD relates to a minor text revision only.

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			Add the following text after RA 85 : ‘the position of the advertisement on the host building and its scale and size in relation to that building; the cumulative effect of the proposal when read with other advertisements on the building or in the surrounding area and whether the proposal will result in clutter; the size, scale, dominance and siting of the advertisement in relation to the scale and characteristics of the surrounding area; the design and materials of the advertisement, or the structure containing the advertisement, and its impact on the appearance on which it is attached; in the case of a freestanding sign, the design and materials of the structure and its impact on the appearance and character of the area where it is located’.		
MOD 59 RA 92	PC121	Part C Economy Strategy, Designations & Policies	DfI directs the Council to modify policies ODC 2,3 &4 by inserting the following words near the end of the policies: ‘... cannot be located outside of the Green Belt or in a nearby settlement.’	No	No differential impact on rural community. Minor drafting changes to provide clarity re Green Belt for each policy.

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		15. Agriculture & Other Development in the Countryside	<p>DfI directs the Council to modify the J & A for each of the policies ODC 2,3 &4 by inserting a paragraph similar to 16.140 page 262 to clarify GB avoidance where possible.</p> <p>For clarity in Policy ODC 2 J&A add the following paragraph after 15.8 and amend numbering of paragraphs:</p> <p>‘Within the Green Belt, there is likely to be greater urban-generated development pressure than in the countryside generally so it will be particularly important to carefully manage the numbers and locations of farm or forestry diversification proposals. Therefore, within the Green Belt, planning permission will be granted for farm or forestry diversification proposals only where applicants demonstrate a site specific need to be located within the Green Belt and provide justification as to why the proposal cannot be located in a nearby settlement.’</p>		

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			<p>For clarity in Policy ODC 3 J&A add the following paragraph after 15.17 and amend numbering of paragraphs: 'Within the Green Belt, there is likely to be greater urban-generated development pressure than in the countryside generally so it will be particularly important to carefully manage the amount of development on an active and established agricultural or forestry holding. Therefore, within the Green Belt, planning permission will be granted for farm or forestry development, only where it is demonstrated that the development is needed to meet the essential requirements of the farm holding or forestry enterprise.'</p> <p>For clarity in Policy ODC 4 J&A add the following paragraph after 15.18 and amend numbering of paragraphs: 'Within the Green Belt, there is likely to be greater urban-generated development pressure than in the countryside generally so it will be particularly important to carefully manage the numbers and locations of conversions, change of uses and re-uses of</p>		

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			existing buildings for agricultural and other suitable rural uses. Therefore, within the Green Belt, re-use will take priority over conversion / extension and planning permission will be granted only where it is demonstrated that a conversion or extension is required and the building cannot be re-used in its current form.'		
MOD 60 RA 93	FC 41	Part D Social Development Strategy, Designations & Policies 16. Housing in Settlements and in the Countryside	DfI directs the Council to remove the last sentence of Para. 16.7 and also replace the words in the penultimate sentence, to read as: 'As per the SPPS31, it would be important to maintain a five-year land supply.' Also amend the last two lines of Para.16.15, to read: '... by 2032 and maintain a 5-year land supply.'	No	No differential impact on rural community. Minor clarification re five year housing land supply.
MOD 61	FC 42	Part D Social Development Strategy, Designations & Policies 16. Housing in Settlements and in the Countryside	DfI directs the Council to modify Appendix 5 Table 1 page 501 - 503 of the dPS as shown in UPDATED Schedule 2 Annex 4 of the Direction.	No	No differential impact on rural community. Minor corrections to housing allocations table in appendix to align with figures elsewhere including percentage share of households by settlement.

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MOD 62 RA 96	FC 43 PC 126 FC 44	Part D Social Development Strategy, Designations & Policies 16. Housing in Settlements and in the Countryside	DfI directs the Council to amend the wording within paragraph 16.17 on page 224 to read as follows: Amend wording, as follows: 'The LDP will identify Housing Zonings and Land Use Policy Areas (LUPAs); it will carry forward most of the Housing Zonings / designations from the Derry Area Plan 2011 and the Strabane Area Plan 2001, namely the (substantially) unimplemented Housing Zonings, Flats Policy Area (formerly the DAP designated Flat Zone FL 1) and the associated Flats Prevention Areas (formerly the DAP Flat Exemption Areas). These zonings / designations, together with a series of Houses in Multiple Occupancy (HMO) Management Areas, are being designated in the LDP Plan Strategy and will be further considered in the Local Policies Plan and detailed boundaries shown as appropriate. (A full list of the existing zonings / designations can be found in the existing area plans).'	Yes	No differential impact on rural community. Provides clarity re treatment of extant zonings from Derry and Strabane Area Plan until LPP adopted.

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			Furthermore, DfI directs the Council to modify Policy HOU 1 and J&A on pages 225 – 228 (including footnote), these changes are detailed in full in Schedule 2 Annex 4 of the Direction.		
MOD 63 RA 97	FC 46	Part D Social Development Strategy, Designations & Policies 16. Housing in Settlements and in the Countryside	DfI directs the Council to modify Policy HOU 1 and J&A on pages 225 – 228 (including footnote) as follows: In HOU 1 part '(b) Villages and Small Settlements', insert the following words below onto the end of the second sentence, to read: '... will be located and also their appropriate scale and form generally.' This change is detailed in Schedule 2 Annex 4 of the Direction.	No	No differential impact on rural community. To provide policy hook for LUPAs in the policy.
MOD 65 RA 99	FC 48	Part D Social Development Strategy, Designations & Policies	DfI directs the Council to modify Policy HOU 2 and J&A on pages 225 – 228 (including footnote) as follows: Amend the opening sentence of para 16.30 to read: 'In addition to the lands identified under HOU 1, Housing will also be permitted on	No	No differential impact on rural community. The MOD is based on an FC intended to clarify the approach to brownfield sites.

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		16. Housing in Settlements and in the Countryside	<p>brownfield sites, small white land sites or open space (in accordance with OS 1). Housing will not normally be permitted elsewhere, as such developments would undermine the LDP Housing Strategy.'</p> <p>Amend para 16.32 to read: 'This approach is in accordance with the sequential approach in the SPPS; however, the LDP will only identify brownfield sites as HOU 1 Phase 1 sites at LPP stage in local areas where there is an identified housing need. Otherwise, brownfield sites can come forward under this policy, with a presumption in favour of their permission, subject to meeting the other relevant LDP policies, including the ED 4 protection of Economic Development land'.</p> <p>In accordance with Schedule 2 Annex 4 of the Direction.</p>		
MOD 85	FC 61	Part D Social Development	DfI directs the Council to modify paragraph 20.24, page 319 of the dPS as follows:	No	No differential impact on rural community. Minor change for clarification.

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		Strategy, Designations & Policies 20. Waste Planning	Add in the following wording at the end of the penultimate sentence of Para 20.24: ' <i>... outside the LDP, unless it is demonstrated that the proposal would not cause harm to, or undermine the reason for, that designation, also being consistent with the respective policy in Chapter 1: Natural Environment.</i> ' Delete the final sentence of Para 20.24.		
MOD 97 RA 159	PC 202	Part E Environment Strategy, Designations & Policies 23. Historic Environment	DfI directs the Council to modify Policy HE 8, page 359 of the dPS as set out in UPDATED Schedule 2 Annex 5 of this Direction. Additional alterations have been made at para's 23.50-23.53 and 23.57 as part of this MOD.	No	No differential impact on rural community. Minor change for clarification.
MOD 101 RA 188		Part F - Place - Making and Design Vision 26. Place-Making & Design Vision For Development In The District	DfI directs the Council to modify the first line of paragraph 26.5, page 400 of the dPS to read: 'PDOs and PDPs will be given weight alongside SDPs...' in accordance with this PAC Recommended Amendment. For clarity paragraph 26.5 should read: '26.5 PDOs and PDPs will be given weight alongside SDPs, as well as other policy in the LDP and in particular GDPOL 2: Design Policy in Settlements in	No	No differential impact on rural community. Minor change for clarification.

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			Chapter 7; General Development Principles and Policies. Particular chapters within the LDP, such as Housing, City/ Town Centres and Retailing, Historic Environment and Transport may provide further detailed policy in relation to Place-making and Design.'		