

DERRY CITY AND STRABANE DISTRICT COUNCIL

LOCAL DEVELOPMENT PLAN (LDP) 2032



EVIDENCE BASE EVB 2

LDP CONTEXT (Updated May 2017)

This Document is one in a series, which builds up to form the 'evidence base' that informs the preparation of the Local Development Plan (LDP).

It comprises initial Workshop Paper(s) on this Planning topic that were presented to Council Members during 2016 / 2017, which have been subject to Member discussion and input, before further discussion at the Planning Committee (LDP) and in turn feeding into the LDP Preferred Options Paper (POP) and then the Plan Strategy (PS) and eventually the Local Policies Plan (LPP) which together form the LDP.

The afore-mentioned evidence base will be continually updated, to additionally include the latest information, input from public engagement, statutory consultees, stakeholder groups, Sustainability Appraisal and from other Departments within the Council, including Community Planning.

The Evidence Base is published as a 'supporting document' in accordance with Article 10(a) and 15(a) of the Planning (LDP) Regulations (NI) 2015



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Appendix 1: Context Map for Derry City and Strabane District LDP 2030

Derry City and Strabane District Council LDP Workshop 2 – LDP Context and Requirements

Purpose of Paper: To appraise Councillors and officials of the wider context (international, national and regional) in which we must prepare the LDP, in terms of the requirements of legislation / regulations and guidance, as well as the locational context for the LDP. Thus for Councillors to understand and to give informed input on this and any other appropriate contextual considerations.

Content: The Paper summarises the legislative, regulatory, policy and guidance context and requirements when preparing the LDP, including the various other iterative assessments and appraisals that are required to be undertaken. It also considers the key characteristics and existing / potential relationships with the neighbouring Council areas that need to be considered in preparing the LDP.

Recommendation: That Councillors consider the international, national and regional context in which the LDP will be prepared, as outlined in this Paper, and give informed comment on this and make known any other appropriate contextual considerations.

The discussion and input from Council Members at Workshop 2 will then feed into a forthcoming Paper on these matters to the Planning Committee (LDP) for decision, which will in turn feed into the LDP Preferred Options Paper (POP) which is due in Spring 2017.

1.0 Introduction to Paper

- 1.1 This Paper provides a literature review of the key legislative, regulatory, policy and guidance context and requirements that need to be taken into account when preparing the Local Development Plan (LDP) for the Derry City and Strabane District. As such, it sets out the necessary parameters within which LDP preparation must take place to ensure ‘soundness’ at the Independent Examination and legal compliance with all national / European Directives relevant to the iterative appraisals and assessments that must accompany the LDP.
- 1.2 It is within this context that the LDP aim, objectives and Plan Strategy (PS) will be developed and taken forward to inform the Local Policies Plan (LPP).
- 1.3 Any references to DOE, now relate to Department for Infrastructure (DfI) due to a restructuring of government departments, which came into effect on 9th May 2016.

2.0 Legislation for LDP Preparation

Planning Act (Northern Ireland) 2011

- 2.1 Under a remit of securing the orderly and consistent development of land and the planning of that development, the Act makes general provision for LDP's in Part 2 Section 3. Section 4 relates to the Statement of Community Involvement. Section 5 relates to Sustainable Development.
- 2.2 The following Sections of the Act define the documents that will constitute the development plan and the procedural tasks that will be required to timetable, examine, adopt and monitor the LDP.
- 2.3 Section 6 (2) defines that the development plan documents are the Plan Strategy and the Local Policies Plan and importantly, at (4) where, "in making any determination under the 2011 Act, regard is to be had to the LDP, the determination must be made in accordance with the plan unless material considerations indicate otherwise." This provides for the 'plan-led' system that ensures that the LDP will be the primary consideration in the determination of planning applications for the development or use of land.
- 2.4 Section 7 provides for the preparation and ongoing review by the Council of the LDP Timetable. The Timetable is a public statement of the Council's programme for the production of the LDP. Section 8 provides for the preparation of a Plan Strategy (PS). The PS is the first stage of the two stage LDP. Section 9 provides for the preparation of a Local Policies Plan (LPP). The LPP is the second part of the LDP process. Section 10 provides for the Independent Examination (IE). The Department will appoint the Planning Appeals Commission (PAC) or other independent examiners to hold the IE at each stage to examine the soundness of the PS and the LPP.
- 2.5 Section 12 provides for the Adoption of the plan documents. The LPP must be consistent with the adopted PS and incorporate detailed site-specific proposals for the plan area. The PS must be adopted before the draft LPP is published for consultation, subjected to IE and adopted.
- 2.6 Sections 13, 14 and 21 provide for the review, revision (of the PS or LPP) and annual monitoring of the LDP. These processes are essential in establishing how the objectives in the LDP are being achieved and whether any changes are required. The Annual Monitoring Report must also be submitted to the DfI. The Council will also be required to undertake regular reviews of the LDP at least every 5 years from the date of adoption of the LDP and submit its findings to the Department.

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- 2.7 The final Section (22) in Part 2 of the 2011 Act makes provision for Regulations to further detail the procedures, requirements, nature and consideration of all aspects of the plan preparation, its public engagement and consultation and representation consideration, etc.

3.0 Regulations for LDP Preparation

The Planning (Local Development Plan) Regulations (NI) 2015

- 3.1 The Regulations came into operation on the 1st April 2015 and set out the legislative definition of exactly what is to be contained within the LDP and how the preparation process is to run from start to adoption and subsequent monitoring. The constituent parts of the Regulations are as follows:

Part 1 – General - Interpretation:

- 3.2 Part 1 (Regulation 2) details specific clarification on certain phrases used throughout the Regulations to avoid any possible misinterpretation.

Part 2 - Timetable:

- 3.3 Part 2 (Regulations 5 – 8) provide regulations on the preparation, content agreement and availability of the plan Timetable.
- 3.4 **Timetable Preparation** (Regulation 5) – it is a statutory requirement that the LDP must be prepared in accordance with the Timetable. Before Council can consult on its Preferred Options Paper (POP), it must have an agreed / approved Timetable in place in order to inform the general public and all stakeholders of the key dates of the LDP process from the initial stages of the POP through to preparation and adoption of the PS and the subsequent LPP.
- 3.5 **Timetable Content** (Regulation 6) - The Timetable should set out Council's programme for the production of its LDP. The LDP Regulations provide that the Timetable must include indicative dates from the commencement of the LDP process up to its conclusion at the adoption of the Local Policies Plan. It must set out the timings of the publication and public consultation for the Preferred Options Paper and the development plan documents as well as accompanying documents such as the Sustainability Appraisal (SA) including Strategic Environmental Assessment (SEA).
- 3.6 Council may also wish to include timings for the Habitats Regulations Assessment, and EQIA reports which will also be published alongside the development plan documents. The Timetable should make the public aware of the plan preparation and public consultation programme well in advance of the events.
- 3.7 **Timetable Agreement** (Regulation 7)
Once the Timetable has been agreed by the DfI, the Council must comply with it when preparing all future documents in the LDP preparation process. Legislation requires a council to keep the Timetable under review to ensure that the preparation of the LDP is proceeding in accordance with it. Following any such review of the

Timetable, adjustments that may be required must be set out clearly and an explanation provided. The revised Timetable must also be submitted to the DfI for agreement.

- 3.8 **Timetable Availability** (Regulation 8) - Following agreement of the Timetable, Regulation 8 requires the Council to make the agreed Timetable publicly available for inspection at its principal offices and other places within the district. Council must also give notice by local advertisement that the Timetable is available for inspection and the place and times at which it can be inspected. Council must also publish the Timetable on its website.

Part 3 – Preferred Options Paper (POP):

- 3.9 Part 3 of the LDP Regulations sets out the requirements for the preparation of the POP. Regulation 9 requires a council to engage with the consultation bodies for the purpose of generating alternative strategies and options and to take account of any comments received in the preparation of the POP. Regulation 10 and 11 set out the requirements in relation to availability and public consultation on the POP, respectively.
- 3.10 A council must prepare a POP to inform interested parties and individuals on the matters that may have a direct effect on the plan area and to set out possible options for development as well as a council's preferred option. The purpose of the POP is to set out:
- a series of options for dealing with key issues in the plan area;
 - evidence to appraise the different issues and options; and
 - a council's preferred options and its justification.
- 3.11 **Engagement with Consultation Bodies** (Regulation 9) - Regulation 9 requires the Council to engage with the consultation bodies for the purpose of generating alternative strategies and options. In preparing the POP, the council must also take account of any representations received from the consultation bodies. Regulation 2 lists the consultation bodies.
- 3.12 **Availability of the POP** (Regulation 10)
- 3.13 **Public Consultation on the POP** (Regulation 11).

Part 4 – Form and Content of a Development Plan Document (DPD):

- 3.14 Part 4 of the Regulations deals with the necessary procedural content that must be contained within the LDP document. Regulation 12 provides for the title of the document, the council district for which it is prepared and whether it is a PS or LPP.

- 3.15 Regulation 13 states that a DPD must contain a map or maps, known as the proposals map(s) and states that these should illustrate the LDP policies or proposals spatially.
- 3.16 Regulation 14 provides for additional matters that Council must take into account when preparing the LDP – namely the objectives of preventing major accidents and limiting the consequences of such accidents. This relates to the need to maintain appropriate distances between establishments covered by European Council Directive 96/82/EC (the Seveso II Directive – The Control of Major Accident Hazards involving Dangerous Substances) and residential areas, buildings and areas of public use and major transport routes, etc. In 2012 Seveso-III (Directive 2012/18/EU) was adopted taking into account, amongst others, the changes in the Union legislation on the classification of chemicals and increased rights for citizens to access information and justice. It replaces the previous Seveso II directive.

Part 5 – Development Plan Document Procedure:

- 3.17 Part 5 provides for the procedural protocols that must be followed before the LDP is submitted by Council to DfI. This includes the necessary specifics required and set out by each of the following Regulations relevant to the various key stages:
- Regulation 15 – *The Availability of a Development Plan Document.*
 - Regulation 16 – *Public Consultation on a Development Plan Document.*
 - Regulation 17 – *Availability of Representations on a Development Plan Document.*
 - Regulation 18 – *Public Consultation on Site Specific Policy Representations.*
 - Regulation 19 - *Availability of Representations on Site Specific Policy Representations.*
 - Regulation 20 – *Submission of Documents for Independent Examination.*
 - Regulation 21 – *Availability of Submission Documents.*
 - Regulation 22 – *Publicity of the Independent Examination.*
 - Regulation 23 – *Withdrawal of a Development Plan Document.*
 - Regulation 24 – *Adoption of a Development Plan Document.*

Part 6 – Annual Monitoring Report and Review of the LDP:

- 3.18 Regulations 25, 26 and 27 provide for the Annual Monitoring, Review and Availability of the Annual Monitoring Report and Review respectively.
- 3.19 Regulation 25 specifies the annual monitoring period must be for the 12 month period commencing 1st April each and ending on the 31st March the following year and that the report must contain specific

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information on houses built and housing and economic land supply. The Report must also specify if any LDP policy is not being implemented and the reasoning, the steps (if any) to be taken to address it and any intentions to revise the LDP to replace or amend it.

3.20 Regulation 26 provides for the review of the LDP every 5 years and for Council to provide the DfI with a report on the findings of the review.

3.21 Regulation 27 provides for the public advertisement and inspection protocols in relation to the publication of the Annual Monitoring Report.

Part 7 & 8 – Intervention by the Department and Joint Plans:

3.22 Part 7 (Regulations 28) provides for the DfI to intervene prior to adoption, if it thinks a development plan document is unsatisfactory, and direct the Council to modify it. Part 7 (Regulation 29) applies if the DfI thinks that the Council is failing or omitting to do anything it is necessary for it to do in connection with the preparation or revision of a development plan document.

3.23 Part 8 (Regulation 30 & 31) provides for the scenario should two or more Councils agree to prepare a joint PS or a joint PS and a joint LPP, or alternatively if the DfI directs councils to prepare joint plans.

4.0 Strategic Planning Policy Statement (SPPS) and the LDP

- 4.1 The SPPS (published in final form by the DOE (now DfI) in September 2015) explains the new Development Plan and Development Management system requirements and consolidates the existing suite of strategic subject planning policies into a single document. In addition, it also brings forward new strategic town centres and retailing planning policy.
- 4.2 The SPPS has a statutory basis. It was prepared under Article 3 of the Planning (Northern Ireland) Order 1991 which requires the DOE to formulate and co-ordinate policy for securing the orderly and consistent development of land and the planning of that development. The SPPS is a statement of DOE policy on how regionally important land use planning matters should be addressed across Northern Ireland.
- 4.3 The SPPS must be “taken into account” in the preparation of the LDP. It is also a material consideration in planning decisions. As a statement of the Environment Minister’s expectations of the planning system, it carries significant weight. However the weight to be given to the SPPS and all other material considerations in any given case is a matter of planning judgement for the decision maker. The DOE considers where LDPs are in accordance with the provisions of the SPPS, their progression through the planning process should be timely and predictable.
- 4.4 The SPPS provides a new set of overarching core planning principles to underpin delivery of the planning reforms set out in the Planning Act (Northern Ireland) 2011. The core planning principles of the two-tier planning system are:
- Improving Health and Well-being
 - Creating and Enhancing Shared Space
 - Supporting Sustainable Economic Growth
 - Supporting Good Design and Positive Place-making
 - Preserving and Improving the Built and Natural Environment

Strategic Planning Policy Statement (SPSS) and LDP Guidance

- 4.5 Chapter 5 (pages 24-30) sets out the SPPS guidance in terms of LDP production following the transfer of responsibility of development plan production from DOE to Council. Guidance is provided under 8 main headings:
- Preparation;
 - Community Plans and Local Development Plans;

- Efficiency;
 - Engagement and Transparency;
 - Soundness;
 - Sustainability;
 - Accountability;
 - Implementation, Monitoring and Review.
- 4.6 **Preparation** - the SPPS states that the Council must take account of the RDS 2035, the Sustainable Development Strategy for NI, the SPPS and any other policies or advice in guidance issued by the DOE. These could include Landscape Character Assessments and Conservation Area Design Guides.
- 4.7 **Community Plans and Local Development Plans** - Councils must 'take account of' their current Community Plan when preparing a LDP. A LDP will provide a spatial expression to the Community Plan, thereby linking public and private sector investment through the land use planning system.
- 4.8 **Efficiency** – Council must prepare (and keep under review) a Timetable for the preparation and adoption of their plans. This should indicate the programme for the production of key documents and the timelines for reaching key stages in the LDP process. Development Plan Documents will be published, made subject to public consultation and independent examination and adopted separately and in sequence. The statutory requirement to monitor the LDP on an annual and five yearly basis will ensure that the LDP is kept up to date and reflects and responds to emerging issues so that the plan process is genuinely plan-led.
- 4.9 **Engagement and Transparency** - Enhancing stakeholder engagement and transparency provides for more meaningful participation, better informed plan preparation which should mean fewer representations and greater likelihood of support as a plan progresses to adoption. Councils must publish a Statement of Community Involvement (SCI) as a statement of its policy for involving interested parties in the preparation and revision of a LDP. The reformed plan making system provides for the preparation of a 'Preferred Options Paper' in order to front-load community and stakeholder involvement. The POP should contain a series of options for dealing with key issues in the plan area, as well as the Council's justification for its proposed approach.
- 4.10 **Soundness** - A key feature of the local development plan system is a requirement to test DPDs for 'soundness' by means of an independent examination. The tests of soundness include procedural, consistency, and coherence and effectiveness tests.

- 4.11 **Sustainability** - Councils must carry out a Sustainability Appraisal (SA, which will incorporate the Strategic Environmental Assessment) of LDPs to ensure that the Plan Strategy and Local Policies Plan are assessed against social and economic objectives, in addition to environmental considerations. This should ensure that all key objectives of sustainability (i.e. economic, social and environmental) are fully taken into account in assessing the effects of the Plan.
- 4.12 **Accountability** - Councils have the primary responsibility for the efficient and effective delivery of the LDP for which they are accountable.
- 4.13 **Implementation, Monitoring and Review** - Councils must keep under review the implementation of their plans and report annually to the Department on whether the objectives in the plan strategy or local policies plan are being achieved. A council may revise its plan strategy or local policies plan at any time (after adoption), or by direction by the Department. If a review identifies that changes are required then a revision to the plan should be made.
- 4.14 Better monitoring, together with more regular reviews of LDPs, will provide more flexibility and enable councils to adapt to changing circumstances.

SPSS and LDP account for Subject Planning Policies

- 4.15 The following topic areas provide the broad strategic planning policy framework that Council must 'take into account' in the preparation of the LDP.

Archaeology and Built Heritage

- 4.16 The aim of the SPPS is to manage change in positive ways so as to safeguard that which society regards as significant whilst facilitating development that will contribute to the ongoing preservation, conservation and enhancement of these assets.

Coastal Development

- 4.17 The aim of the SPPS is to protect the undeveloped coast from inappropriate development, consistent with the RDS; and to support the sensitive enhancement and regeneration of the developed coast largely within coastal settlements.
- 4.18 Of particular relevance to Councils, particularly those with an interface with the marine environment, will be the current legislative requirement (Section 58 Marine and Coastal Access Act) that all public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the Marine Policy Statement (MPS) unless relevant considerations indicate otherwise.

Control of Outdoor Advertisements

- 4.19 The regional strategic objectives are to:
- ensure that outdoor advertisements respect amenity and do not prejudice public safety, including road safety; and
 - help everyone involved in the display of outdoor advertisements contribute positively to the appearance of a well-cared for and attractive environment in our cities, towns, villages and the countryside.

Development in the Countryside

- 4.20 The aim of the SPPS is to manage development in a manner that strikes a balance between protection of the environment from inappropriate development, while supporting and sustaining rural communities consistent with the RDS.

Economic Development, Industry & Commerce

- 4.21 The aim of the SPPS is to facilitate the economic development needs of Northern Ireland in ways consistent with the protection of the environment and the principles of sustainable development.

Flood Risk

- 4.22 The aim of the SPPS is to prevent future development that may be at risk from flooding or that may increase the risk of flooding elsewhere.

Housing in Settlements

- 4.23 The regional strategic objectives, consistent with the RDS, are to:
- manage housing growth to achieve sustainable patterns of residential development;
 - support urban and rural renaissance; and
 - strengthen community cohesion.

Minerals

- 4.24 The regional strategic objectives are to:
- facilitate sustainable minerals development through balancing the need for specific minerals development proposals against the need to safeguard the environment;
 - minimise the impacts of minerals development on local communities, landscape quality, built and natural heritage, and the water environment; and
 - secure the sustainable and safe restoration, including the appropriate re-use of mineral sites, at the earliest opportunity.

Natural Heritage

- 4.25 The regional strategic objectives are to:
- protect, conserve, enhance and restore the abundance, quality, diversity and distinctiveness of the region's natural heritage;

- further sustainable development by ensuring that natural heritage and associated diversity is conserved and enhanced as an integral part of social, economic and environmental development;
- assist in meeting international (including European), national and local responsibilities and obligations in the protection and enhancement of the natural heritage;
- contribute to rural renewal and urban regeneration by ensuring developments take account of the role and value of natural heritage in supporting economic diversification and contributing to a high quality environment; and
- take actions to reduce our carbon footprint and facilitate adaptation to climate change.

Open Space, Sport and Outdoor Recreation

4.26 The regional strategic objectives are to:

- safeguard existing open space and sites identified for future such provision;
- ensure that areas of open space are provided as an integral part of new residential development and that appropriate arrangements are made for their management and maintenance in perpetuity;
- facilitate appropriate outdoor recreational activities in the countryside that do not negatively impact on the amenity of existing residents;
- ensure that new open space areas and sporting facilities are convenient and accessible for all sections of society, particularly children, older people and those with disabilities;
- achieve high standards of siting, design and landscaping for all new open space areas and sporting facilities; and
- ensure that the provision of new open space areas and sporting facilities is in keeping with the principles of environmental conservation and helps sustain and enhance biodiversity.

Renewable Energy

4.27 The aim of the SPPS is to facilitate the siting of renewable energy generating facilities in appropriate locations within the built and natural environment in order to achieve Northern Ireland's renewable energy targets and to realise the benefits of renewable energy without compromising other environmental assets of acknowledged importance.

Telecommunications and other utilities

4.28 The aim of the SPPS is to facilitate the development of such infrastructure in an efficient and effective manner whilst keeping the environmental impact to a minimum.

Tourism

- 4.29 The aim of the SPPS is to manage the provision of sustainable and high quality tourism developments in appropriate locations within the built and natural environment.

Town Centres and Retailing

- 4.30 The aim of the SPPS is to support and sustain vibrant town centres across Northern Ireland through the promotion of established town centres as the appropriate first choice location of retailing and other complementary functions, consistent with the RDS.

Transportation

- 4.31 The aim of the SPPS is to secure improved integration with land-use planning, consistent with the named documents; and to facilitate safe and efficient access, movement and parking.

Waste Management

- 4.32 The aim of the SPPS is to support wider government policy focused on the sustainable management of waste, and a move towards resource efficiency.

SPPS and the Suite of PPSs

- 4.33 The existing suite of Planning Policy Statements and the remaining provisions of 'A Planning Strategy for Rural Northern Ireland' will be cancelled when all eleven councils have adopted a new Plan Strategy for the whole of their council area. However, to ensure that there is continuity in planning policy for taking planning decisions whilst councils bring forward operational policies tailored to local circumstances within new LDPs, the following transitional arrangements shall apply.
- 4.34 A transitional period will operate until such times as a Plan Strategy for the whole of the council area has been adopted. During the transitional period planning authorities will apply existing policy contained within the documents identified below together with the SPPS. Any relevant supplementary and best practice guidance will also continue to apply.
- 4.35 Where a council adopts its Plan Strategy, existing policy retained under the transitional arrangements shall cease to have effect in the district of that council and shall not be material from that date, whether the planning application has been received before or after that date.
- 4.36 Any conflict between the SPPS and any policy retained under the transitional arrangements must be resolved in the favour of the provisions of the SPPS.

4.37 The policy provisions of the following documents are retained:

PPSs retained under transitional arrangements:

PPS 2 Natural Heritage	PPS 3 – Access, Movement & Parking	PPS 3 Clarification
PPS 4 Planning & Economic Development	PPS 4 Clarification PED 7	PPS 6 Planning, Archaeology and Built Heritage
PPS 6 Addendum ATC's	PPS 7 Quality Residential Environments	PPS 7 Addendum Residential Extensions & Alterations
PPS 7 Addendum Safeguarding Character of Established Residential Areas	PPS 8 Open Space, Sport and Outdoor Recreation	PPS 10 Telecommunications
PPS 11 Planning & Waste Management	PPS 12 Housing in Settlements	PPS 12 Policy HS 3 (Amended)
PPS 13 Transportation & Land Use	PPS 15 Planning & Flood Risk (under revision)	PPS 16 Tourism
PPS 17 Control of Outdoor Advertisements	PPS 18 Renewable Energy	PPS 21 Sustainable Development in the Countryside
PPS 23 Enabling Development for the Conservation of Significant Places	Relevant provisions of 'A Planning Strategy for Rural NI'	

PPSs replaced by the SPPS:

PPS 1 General Principles	PPS 5 Retailing & Town Centres
PPS 9 The Enforcement of Planning Control	

4.38 All Departmental planning documents which will continue to be treated as material considerations during the transitional period (or as the case may be after the expiry of the transitional period) are listed on the

Department's website. Paper 2 of this Workshop evaluates the above policies, as to their suitability for inclusion in the LDP Plan Strategy.

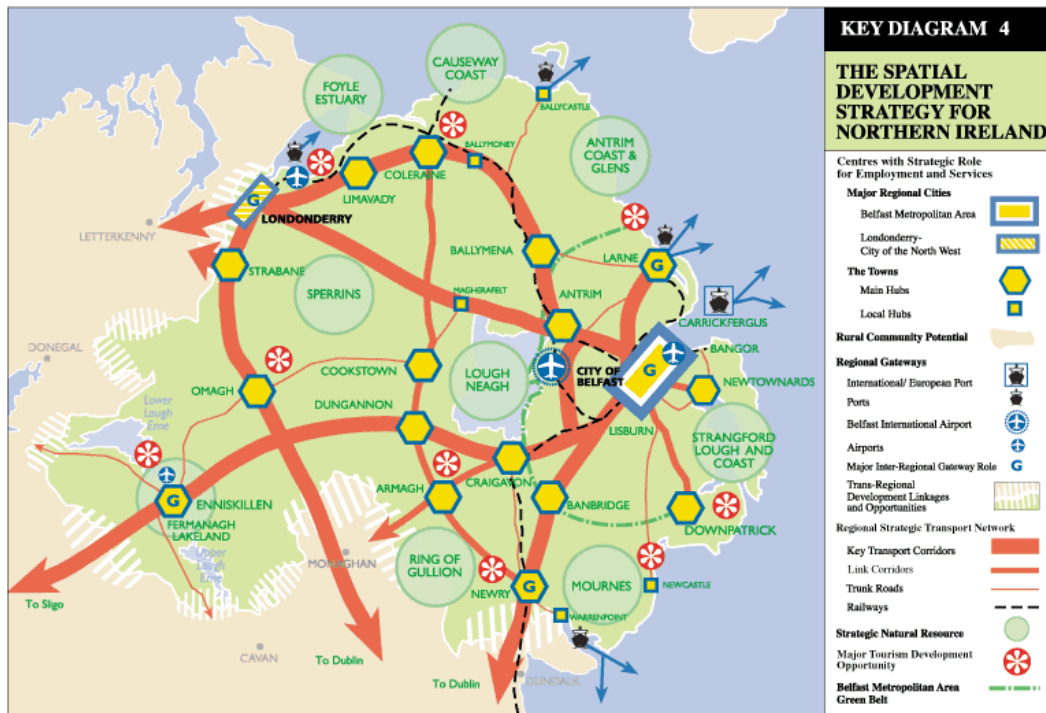
5.0 RDS, Council & Central Government Plans / Strategies – and the LDP

RDS

- 5.1 The Regional Development Strategy (RDS 2035) offers a strategic and long-term perspective on the future development of Northern Ireland up to 2035. The RDS contains regional guidance to provide policy direction in relation to the economy, society and environment and spatial framework guidance tailored to each component of the spatial planning framework. It sets the context in which to make policy and development decisions in order to achieve sustainable development throughout the region.
- 5.2 Ensuring a Sustainable Transport Future (ESTF) – A New Approach to Regional Transportation complements the RDS and contains high level aims and strategic objectives. The LDP will be a fundamental tool in the implementation of the RDS and ESTF. Sections 8 and 9 of the 2011 Act (see paragraph 2.4 above) require the Council to 'take account of' the RDS and any policy or advice contained in guidance issued by the DfI.
- 5.3 The RDS seeks to strengthen economic and social cohesion by enhancing external linkages and internally by helping to foster patterns of development that will assist community cohesion. This means being outward looking by encouraging cross-border networks of economic co-operation and enterprise, developing a cohesive network of cross-border and trans-regional infrastructure and extending co-operation in the protection and management of the environment. The border around Derry / Londonderry and Strabane is identified as having opportunity to develop cross border transportation and co-operation.
- 5.4 The RDS Spatial Development Strategy (SDS) provides a framework for future physical development across NI based on urban HUBS and CLUSTERS, key and link transport CORRIDORS and the main regional GATEWAYS of ports and airports. In accommodating growth, the SDS aims to give strategic focus to future development and achieve balanced growth within the Region by developing:
 - The key and link transport corridors and associated trunk road links.
 - A compact and dynamic metropolitan core centred on Belfast.

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- A strong North-west regional centre based on Londonderry.
- A vibrant rural Northern Ireland with balanced development spread across a polycentric network of hubs and clusters based on the main towns that have a strategic role of employment and services for urban and rural communities.

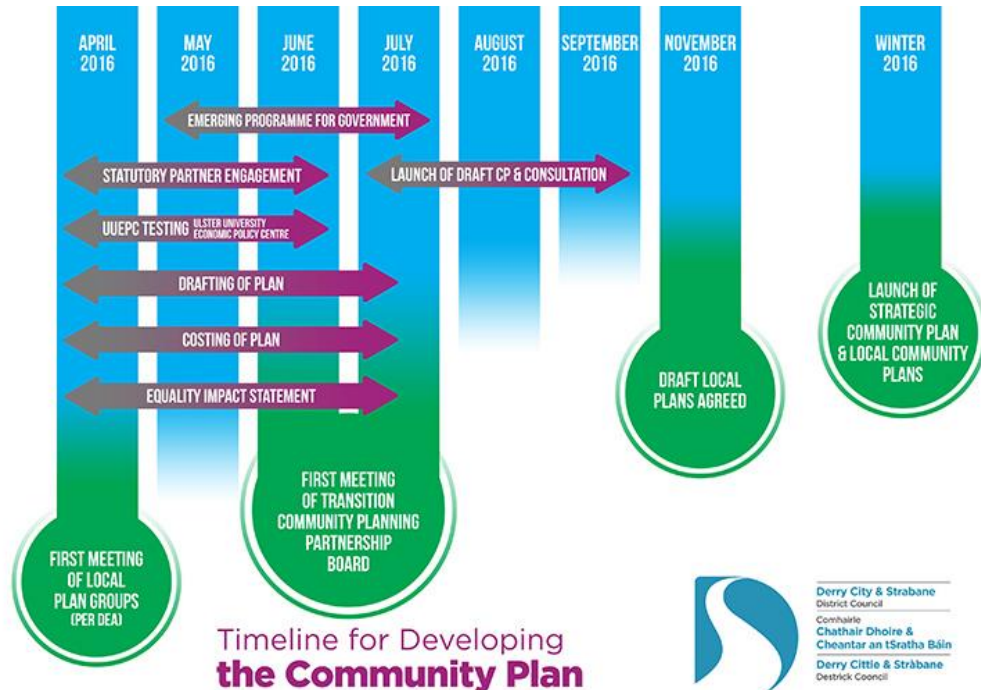


Linkage between LDP & Community Plan

- 5.5 The LDP system aims to move away from a narrow land use focus towards a ‘place shaping’ approach that incorporates a spatial analysis and visioning process. The new style of LDP provides a unique opportunity for the Council to genuinely shape the District for local communities and will enable them to adopt a joined up approach, incorporating linkages to other functions such as regeneration, local economic development and community planning.
- 5.6 The Local Government Act introduces a statutory link between the Strategic Growth Plan – our Community Plan (CP) and the LDP, in that the preparation of the LDP must ‘take account of’ the CP. It is intended that the LDP will be the spatial reflection of the CP and that the two should work in tandem towards the same vision for the Council area and our communities and set the long term social, economic and environmental objectives for the Council area.
- 5.7 The Community Plan for our District is currently at an advanced stage in the preparation process, with themes and priorities now emerging so that they can feed into, and co-ordinate with, the LDP as it is prepared over the coming months and years. Updates on Community Plan

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progress are available on the Council website, with the overall timescales as follows:



LDP links with other Council Plans & Strategies and other Masterplans

5.8 As well as the CP, the LDP will be central to the articulation of Council’s forthcoming plans and strategies, as well as considering / incorporating masterplans in which the Council is a lead partner, including:

- Corporate Plan
 - Economic Strategy
 - Biodiversity Action Plan
- Other Masterplans
- The One Plan (Derry City)
 - Strabane Masterplan (Strabane Town).
 - Foyle Valley Gateway Masterplan (draft published 2012).
 - Strategic Riverside Masterplan (draft published 2011).
 - Ebrington Development Framework (approved Spring 2016)
 - Fort George Masterplan

LDP links and other Central Government Strategies

5.9 There are a number of key central government plans and strategies that the Council must have regard to in the formulation of the LDP. These include:

- Section 75 of the Northern Ireland Act 1998, Equality of Opportunity;

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- Everyone's Involved - Sustainable Development Strategy (May 2010);
- Northern Ireland Biodiversity Strategy (currently under review)
- The Marine Policy Statement (March 2011) and the Marine Plan for Northern Ireland when adopted;
- The revised Northern Ireland Waste Management Strategy "Delivering Resource Efficiency" (October 2013);
- Lifetime Opportunities – Government's Anti-Poverty and Social Inclusion Strategy for Northern Ireland (November 2006); and
- Thinking Rural - The Essential Guide to Rural Proofing (March 2011).
- Living Places – An Urban Stewardship and Design Guide for NI – published in (Sept 2014)
- A Planning Strategy for Rural Northern Ireland - (Rural Strategy) largely superseded by the various PPS's and the Sept 2015 SPPS.

6.0 European Assessments & Appraisals and other LDP Assessments

Sustainability Appraisal incorporating Strategic Environmental Assessment

- 6.1 Section 25 of the Northern Ireland (Miscellaneous Provisions) Act 2006 requires all Councils and NI Departments, in exercising their functions, to act in the way they consider best calculated to contribute to the achievement of sustainable development. Section 5 of the Planning Act (Northern Ireland) 2011 (the 2011 Act) copper-fastens this duty by requiring those who exercise any function in relation to LDPs to do so with the objective of furthering sustainable development.
- 6.2 Furthermore, Sections 8(6) and 9(7) of the 2011 Act requires an appraisal of sustainability to be carried out for the Plan Strategy and Local Policies Plan, respectively. As the Sustainability Appraisal (SA) for each of these development plan documents will incorporate an assessment of environmental effects, it must also comply with the requirements of the European Directive 2001/42/EC on the Assessment of Effects of Certain Plans and Programmes on the Environment (SEA Directive) The SEA Directive was transposed into Northern Ireland legislation through the Environmental Assessment of Plans and Programmes Regulations (Northern Ireland) 2004 (the EAPP (NI) Regulations).
- 6.3 The purpose of SA is to promote sustainable development through the integration of social, environmental and economic considerations into the preparation of plans and programmes such as LDP's. The main difference between SA and Strategic Environmental Assessment (SEA) is that SA is wider in scope as it will cover the social and economic effects of the LDP, as well as the more environmentally focused considerations of SEA as required by the SEA Directive. Similar to SEA, SA must be carried out from the outset and in parallel with the LDP preparation process. In doing so, it will help ensure that decisions that are made will help contribute to the achievement of sustainable development. Whilst the requirement to carry out a SA and SEA are distinct, it is possible to satisfy both these requirements through a combined appraisal process.
- 6.4 SA should help to improve the quality of the LDP making process by:
- raising awareness of the social, economic and environmental impacts of the plan;
 - facilitating the identification and assessment of reasonable alternatives for the plan;

- demonstrating that the plan is the most appropriate given the reasonable alternatives;
 - providing transparency in the decision making process and facilitating public participation;
 - facilitating the effective monitoring of implementation of the plan.
- 6.5 It should be an integral part of the plan making process and perform a key role in providing a sound evidence base for the plan that will play an important part in demonstrating if a development plan document is 'sound'.
- 6.6 The SEA Directive requires authorities with environmental responsibilities to be consulted at specific stages in the SEA process. Regulation 4 of the EAPP (NI) Regulations designates the DfI as the 'consultation body' and delivery of this function is led by The Northern Ireland Environment Agency (NIEA).
- 6.7 The Council will usually contact the consultation body at the following four stages during SEA: Screening; Scoping; Public consultation on the draft plan and accompanying Environmental Report; and the Decision to adopt.
- 6.8 The Council may also consult other bodies and / or the public depending upon the nature of the information required e.g. social and economic objectives / issues relating to SA. Council should therefore exercise judgement in relation to the level of consultation required to ensure that the SA framework used to appraise the LDP is sufficiently robust and justified.
- 6.9 The SA process should be fully integrated into the LDP making process. The SA should be started at the same time as the LDP and should inform each stage where decisions are taken. It should also be used for developing arrangements for monitoring the implementation of the plan, in order to identify problems and inform the review of the LDP.
- 6.10 The SA process involves the following key stages;
- **Stage A(1): SA Scoping Report** - preparation of the evidence base to inform the appraisal, establishing the SA framework / objectives for undertaking the appraisal and seeking agreement with Consultation Body;
 - **Stage A(2): SA Interim Report:** consists of SA Scoping Report, assessment of reasonable alternatives against agreed SA framework and undertaking public consultation along with the Preferred Options Paper;
 - **Stage B: Assessment of alternatives and any likely significant effects of the draft plan against SA framework,** taking into account the evidence base and where necessary, proposing mitigation measures for alleviating any adverse effects;

- **Stage C: SA Report** to document the appraisal process and findings;
- **Stage D: Consultation** with the public, environmental authorities and any EU member state affected on the sustainability appraisal report and draft plan;
- **Stage E: SA Statement** to show how the SA and opinions / consultations have been taken into account, the reasons for choosing the plan as adopted and the proposed measures to monitor the plan;
- **Stage F: Monitoring:** establishing arrangements to monitor the significant effects of the implementation of the plan, to identify unforeseen adverse effects and undertake appropriate remedial action.

Habitats Regulation Assessment

- 6.11 HRA is required by The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) which transpose the Birds and Habitat Directives into NI legislation. Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) are designated to afford protection to habitats and species listed in the Habitats and Birds Directives. These designations form a suite of sites which are collectively known as the Natura 2000 network. Within our Council area, we have:
- One international Ramsar site; and
 - 6 European (SPA's / SAC's) designated sites,
- 6.12 HRA aims to assess possible adverse effects on Natura 2000 sites as a result of the implementation of policies and proposals contained in the PS and LPP of the LDP. Where significant negative effects are identified, alternative options should be examined as part of the LDP preparation process to avoid any potentially damaging effects.
- 6.13 The process of HRA may be undertaken in parallel with SA. The Shared Environmental Services (SES) team has been set up and financed by DfI with the 11 new District Councils to assist with the undertaking and overseeing of the HRA process. Whilst SES will undertake most of this HRA work on behalf of the Council, it is likely that there will be a certain amount of LDP input required to be undertaken by the LDP team as part of the HRA process.

Equality Impact Assessment

- 6.14 Section 75 of the Northern Ireland Act 1998, Equality of Opportunity places a statutory requirement on the Council to carry out their functions with due regard to the need to promote equality of opportunity and to promote good relations between persons of different religious belief, political opinion or racial group.

- 6.15 To ensure that the LDP is prepared in accordance with Section 75 statutory obligations, Council will have to undertake an Equality Impact Assessment (EQIA) to determine if there will be any potential impacts upon Section 75 groups as a result of the policies and proposals contained in the LDP. There will be a monitoring commitment as part of the EQIA to provide statistical evidence in terms of the LDP content and its potential impact on Section 75 groups.

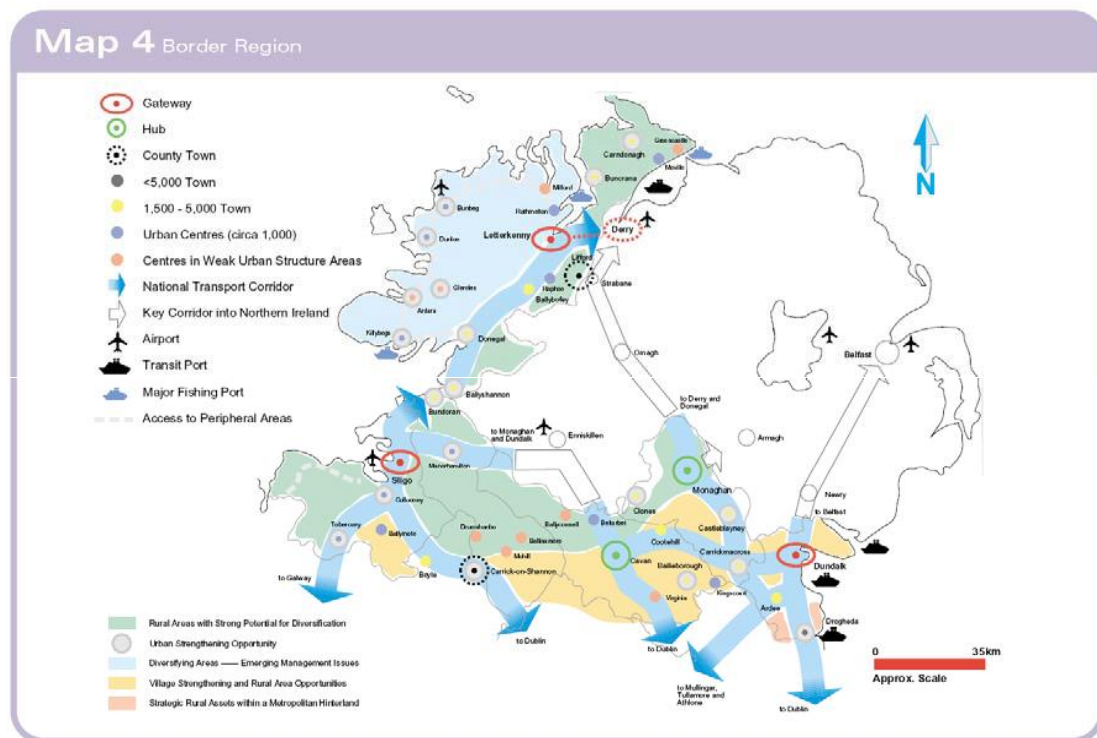
Rural Proofing

- 6.16 Rural areas differ from urban areas due to their greater geographical isolation, population dispersal, longer distances from key services like health, education or leisure facilities and limited employment opportunities.
- 6.17 The Rural Needs Act (Northern Ireland) 2016 was approved in May 2016 and, once commenced (not later than June 2018), will place a duty on public authorities, including district councils, to have due regard to rural needs when developing, adopting, implementing or revising policies, strategies and plans and designing and delivering public services. It also requires public authorities to provide information to DAERA on how they have fulfilled this duty on an annual basis to be published in a monitoring report to be laid before the Assembly.
- 6.18 Rural proofing will be used as part of the LDP policy making process to ensure fair and equitable treatment of rural communities and that a policy does not indirectly have a detrimental impact on rural dwellers and rural communities. Equitable means policies in the LDP should treat rural areas in a fair or reasonable way. This does not mean that rural areas should have an equal level of resources as urban, but rather that policies demonstrate proportionality to rural areas, taking into account their need and unique characteristics.

7.0 LDP in our North West Context

Overview – NW Region in the RDS 2035 and NSS

- 7.1 Planning for physical development, social infrastructure, physical infrastructure and economic development is central to the development of a strong North West. The RDS 2035 defines the North West as the council area of Derry and Strabane and also extending into County Donegal. The RoI National Spatial Strategy (NSS, see Diagram below) identifies Letterkenny-Londonderry as a linked gateway to the North West and recognises the importance of further development of this core area and its economic social and other relationships and functions in strengthening the wider North West region.



- 7.2 Derry / Londonderry sits naturally as the core settlement and regional gateway city for the North West. As the principal city of the North West, with a University, it is the key cross-border and international gateway providing access by road, rail and sea to the North West Region. Strabane is identified as a main hub and, due to its proximity, is clustered with Derry. The town has a close cross-border relationship with Lifford, which is an administrative centre for Donegal County

Council. The map at Appendix 1 summarises the District and its immediate locational context in the North West.

- 7.3 The proposed A5 Western corridor upgrade has the potential to create an economic corridor from Aghnacloy to North Donegal that will further strengthen Strabane and Lifford's locational advantage. Future development will require recognition of the complementary role of the two settlements in the North West cluster in order to provide the capacity to deliver quality services.
- 7.4 The RDS states that due to the geographic peripherality of the North West, transport, energy and telecommunication connections are important to the economic and social fabric of the Region. The RDS considers the main thrust to promote a strong North West should be:
- *Continue the high levels of co-operation* between Letterkenny and Derry and Strabane as evidenced by the creation of the North West Partnership Board.
 - *Enhance the role of Strabane.* Strabane performs an important role in providing services to local communities.
 - *Improve the energy infrastructure* across the Region to ensure that the North West, in particular, has access to reliable sustainable energy supplies to support economic growth and connectivity and to maximise the North West's significant renewable energy resource.
- 7.5 In preparing the LDP, 'account' must be taken of the guidance contained within the RDS which has a statutory basis. Relevant RDS Spatial Framework Guidance underpinning this thrust is as follows:
- *SFG7: Strengthen the role of Londonderry as the principal city for the North West.*
 - *SFG8: Manage the movement of people and goods within the North West.*
 - *SFG9: Protect and enhance the quality of the setting of Londonderry City and the North West and its environmental assets.*
- 7.6 To achieve the RDS objectives of promoting population growth and economic development in Derry as the principal city, and Strabane as the main hub, as well as sustaining rural communities living in the smaller towns, villages, small settlements and the open countryside, a strategy for accommodating growth is defined based on the following settlement hierarchy:
- *Principal City* – Derry-Londonderry.
 - *Regional Town* – Strabane is identified as a main hub and is clustered with Derry to benefit from and add value to regional economic growth.

- *Local / Smaller Towns* - Important local service centres. Growth should be balanced across these towns to sustain, consolidate and revitalise them.
- *Villages* – Important local service centres, meeting the daily needs of the rural area. They are good locations for rural businesses and can accommodate residential development in the form of small housing estates, housing groups and individual dwellings.
- *Small Settlements* – These act as a focal point for the rural community and take the form of a rural cluster or cross roads development, where consolidation of the built form can provide opportunity for individual dwellings and/or small groups of houses and small rural businesses.
- *The Open Countryside* - The rural area offers opportunities in terms of the potential for growth in new sectors, the provision of rural recreation and tourism, and its attractiveness as a place to invest, live and work.

Adjacent Council Areas & Key Settlements:

7.7 Our District, its settlements and the people cannot operate solely in isolation within our Council area. The LDP will seek to enhance the role of Derry and Strabane as the key settlements of the North West, thus providing services for the wider region in addition to servicing our own District e.g. in retail, health, social / recreation, education, employment and housing. Similarly, there will be some facilities that will service our population but that are located outside of this District. The challenge of LDP preparation will therefore be one of co-operation with our neighbours, in responsible, proper spatial planning - so as achieve efficient use of infrastructure, avoid duplication, back-to-back development and inappropriate competition between the districts and settlements. Nevertheless, it must be recognised that there will inevitably be some degree of ‘competition’ with our neighbouring districts, who will not necessarily accept that they have an ‘ancillary’ role as suggested in the RDS. Some main locational context considerations are set out below:

Fermanagh & Omagh District

7.8 Fermanagh and Omagh is situated to the south of our District, with a long ‘border’ extending from the Killeter / Killen / Drumquin areas in the west to Newtownstewart / Plumbridge / Gortin areas in the centre to Cranagh / Sperrins / Greencastle in the east. Fermanagh and Omagh is connected to our district by the RDS Western Economic Corridor, one of 5 Key Transport Corridors and 4 Link Corridors as defined in the Regional Strategic Transport Network set out in the Regional Transport Strategy.

- 7.9 *Omagh* (pop 22,000) has a RDS Main Hub role, located on the Western Economic Corridor that connects it northward, along the A5, to Derry / Strabane and southwards to Dublin. It is the main town of Tyrone, is a major administrative centre with a sub-regional campus for further education and a strong skills and knowledge-based economy. Much of the southern part of our District, south of Strabane, looks towards Omagh for schools, recreation, retail, employment, etc., whilst people from Omagh northwards increasingly utilise Derry for higher-level shopping, health, education, etc.; therefore, the LDP should recognise these strong inter-relationships
- 7.10 *Enniskillen* (pop 14,000 approx.) on the banks of Lough Erne, is a key tourist destination. It is recognised in the RDS as a Main Hub and also as an inter-regional gateway, but being almost 2 hours drive from Derry, it has a limited influence on this District.

Mid Ulster District

- 7.11 We have a very short interface with Mid Ulster, just in a sparsely populated rural area in the central Sperrins hills. The main connection is the shared Sperrins AONB identity and access via the A6 route to *Magherafelt* (pop 9,000), which is a RDS Local Hub and is strategically located mid-way between Belfast and Londonderry close to the North West Key Transport Corridor. It has a compact town centre which boasts an excellent independent retail offer and a strong entrepreneurial culture with a high rate of business start-up.
- 7.12 Of less direct relationship to our District's LDP are the two Tyrone towns of *Cookstown* (pop 12,000) and *Dungannon* (pop 14,000) which are both Main Hubs in the RDS. They are strong market towns, with an emphasis on manufacturing, construction and retail sectors, they provides services to a wider rural hinterland. Overall, the northern part of Mid Ulster does look to Derry, as well as to Belfast, as a high-level service centre in addition to cultural links with our rural District.

Causeway Coast and Glens District

- 7.13 Located immediately east of Derry City and Strabane, this district possesses some of the most magnificent landscapes on the island of Ireland – from the rich coastal environments of the north coast stretching from Lough Foyle and Magilligan to the Glens of Antrim, and Rathlin Island, and south as far as the Sperrin Mountains. The Giant's Causeway is NI's only World Heritage Site. The area has a range of top-class education facilities with several further and higher education institutions. The Ulster University has a campus at Coleraine. The district provides employment and recreational / tourism functions for our population and also hosts several prestigious events include the North West 200 Motorcycle Race, the NI International Airshow and the SuperCup NI.

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- 7.14 This district has a close relationship with Derry and Strabane, coming within a few miles of Derry, along the A2 (at the entrance to the Airport) and the Foyle Estuary, close to Campsie industrial areas and Eglinton. The new DARD HQ at nearby Ballykelly is set to employ 600 staff from 2017/2018, so will be an attractor of jobs, spending, housing, etc in our District. Further south, the rural areas of Claudy and Park have close associations with Feeney and other Limavady communities, especially along the major A6 Derry to Belfast transport corridor.
- 7.15 *Coleraine* (pop approx. 24,500) is a Main Hub and provides a strong district function with a wide range of services including a university campus, and a recent proposal for an Enterprise Zone. Along with the ‘triangle’ towns of Portrush, Portstewart and Castlerock, this area is just 1 hour from Derry and enjoys good road and railway connections.
- 7.16 *Limavady* (pop approx. 12,500) is a RDS Main Hub benefiting from tourism interest in its environmentally rich rural hinterland. Additionally, the small town of Dungiven, along the A6, has many associations with the south east of our district.
- 7.17 *Ballymoney* (pop approx. 10,500, a RDS Local Hub) and *Ballycastle* (pop approx. 5,500, a RDS Local Hub) are both some distance from our District so have limited relevance for our LDP.

County Donegal

- 7.18 The extensive western boundary of the Derry City and Strabane District consists of the border with County Donegal in the Republic of Ireland. Consisting mostly of the River Foyle and then the Finn, the border extends from near Culmore and the road to Inishowen to Coshquinn / Bridgend at the western edge of Derry city to Strabane and Lifford ‘twin towns’ and south to Clady / Castlefin and on to the sparse rural hills of Aghyaran / Killeter and Barnesmore. The settlements along the border corridor, the close links between the people as well as the important landscape features mean that the relationships with Donegal will be important for the preparation of the LDP. There are physical, environmental and visual linkages, as well as considerable movement of peoples across the border – for residence, employment, shopping / fuel, healthcare, recreation, etc. Therefore, the LDP will also need to consider the opportunities and impacts of development proposals and policies in relation to Donegal.
- 7.19 The Donegal County Development Plan 2012-18 promotes a Gateway focus (Letterkenny) followed by the key population settlements that provide a supporting role to the Gateway; including the bordering settlements of Buncrana, Bridgend and Lifford. The Gateway focus benefits the wider county in terms of realising the regionally significant role of Letterkenny, and the assets and investments associated with this role. The directing of population into surrounding key towns also

provides for a geographical spread of critical mass to key locations so as to attract sub-county level benefits.

7.20 Letterkenny (population 19,588 in 2011 Census)

The National Spatial Strategy (NSS, 2002) which sets out a strategic vision for the spatial development of Ireland over a 20-year period, identified Letterkenny as a linked Gateway with Derry. It is defined as a high priority development corridor of national, regional, local and cross-border economic importance (see map at 7.1).

Below the NSS, the Border Regional Authority has set out the Border Regional Guidelines for the border counties; these guidelines emphasise that it is the co-ordination of infrastructural development with Derry and the enhancement of a critical mass between the two settlements that will be vital in ensuring the future prosperity of Letterkenny town and in energising the wider Donegal and North Western area of the region.

The population of the Letterkenny development plan area was 19,363 in 2006 - a 22% population increase during the period 2002-2006 set against the growth trends in population at the national (8%), regional (9%) and county (7%) level. The population is projected to be in the region of 36,000 - 39,000 by 2020.

7.21 Buncrana (population 6,839 in 2011 Census)

Whilst the NSS does not make specific reference to Buncrana, the strategy considers the town generally falls into the category of 'County and Other Town Structure.' The strategy describes such towns as capitalising on local and regional roles and also states that these centres are linked to the roles of the gateways and development hubs as a support structure for balanced regional growth.

7.22 Lifford (population 1,658 in 2011 Census)

Within the Regional Planning Guidelines, Lifford is identified as a Town with a Special Function (Centre of Governance). The immediately adjacent town of Strabane (across the River Foyle) has a population of approximately 17,000. This represents a considerable catchment and arguably a critical mass that could support a shared number of important services (such as the cinema or the greyhound stadium currently). Lifford is conveniently located within 25 kilometres of Letterkenny and Derry.

7.23 Bridgend

The current planning framework for Bridgend is contained within the County Donegal Development Plan 2012- 2018 (as varied). It will eventually be replaced by a Local Area Plan, currently under preparation for it and other Tier 2 County Towns. The County Development Plan identifies Bridgend as a smaller sized town which

has strategic economic opportunities for internationally traded services (among other employment opportunities), due to its border location and proximity to Derry. Its immediate cross-border strategic location along the Letterkenny-Derry economic corridor is supported by good transport connections to City of Derry airport and Lisahally Port (made more accessible with the recent opening of the Skeoge link road) provide for important opportunities to promote the strategic economic growth of the town.

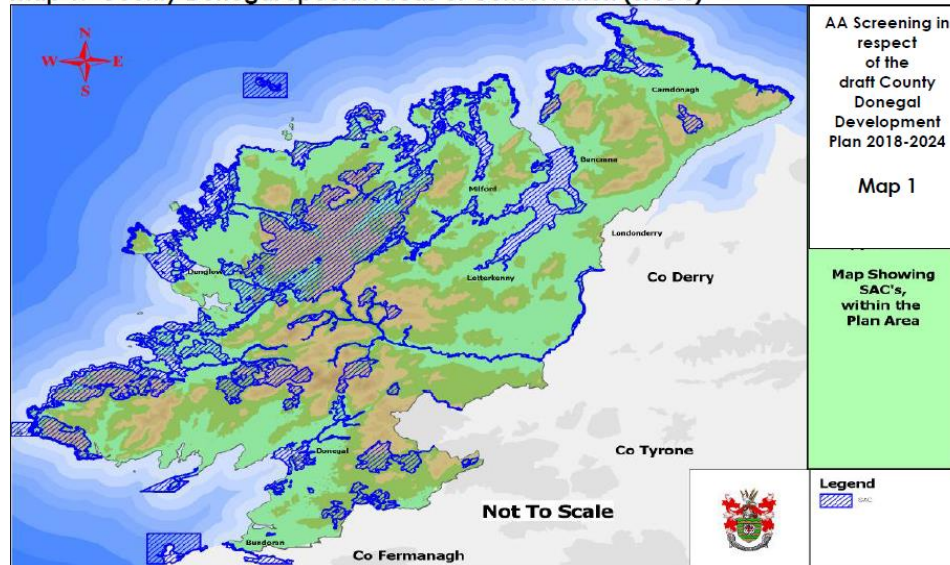
Historically a small rural settlement, Bridgend has evolved as a result of cross-border influences into a commuter village with a mismatch of functions for a settlement of its size. The population of Bridgend has grown by 48.8% over the period 2006- 2011 compared to population growth across Co Donegal as a whole of 9.4%. This surge in population since 2006 is attributed mainly to the location of the town in proximity to Derry city resulting in a demand for urban-generated housing and the resultant establishment of a significant commuter population.

7.24 County Donegal has a varied landscape comprising mountains, fertile plains, a deeply indented coastline of loughs, bays and peninsulas and 27 islands. Donegal has a large number of nationally and internationally important ecological sites and species that are afforded protection through European and Irish legislation. Current numbers of designated sites within Co. Donegal are as follows, and shown in the accompanying maps:

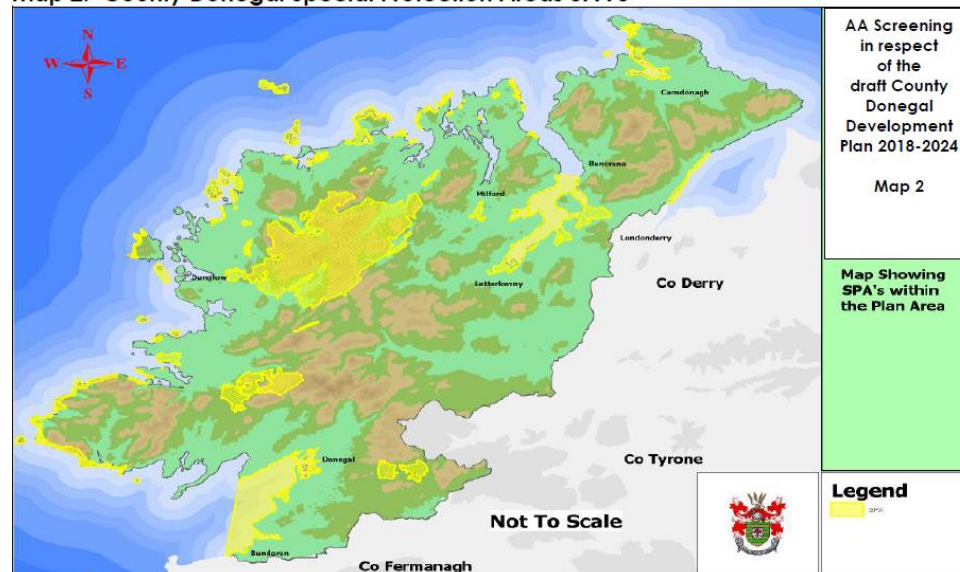
- Natura 2000 sites – SPA 28 & SAC 46. Of particular relevance is the River Finn SAC which is contiguous with the River Foyle & Tributaries SAC within our District.
- Ramsar Sites – 5; National Heritage Areas – 13,
- Nature Reserves 7; Designated ‘Shellfish Water’ Areas (Art 4 - EU Shellfish Waters) 2006 – 12
- National Park – Glenveagh (1984) - 170 kms²

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Map 1: County Donegal Special Areas of Conservation (SAC's)



Map 2: County Donegal Special Protection Areas SPA's



- 7.25 In developing our LDP, we will need to be very aware of the possibility of adverse transboundary effects on such sites. In particular, given that the River Foyle and Tributaries SAC within our District is contiguous with the River Finn SAC in Donegal and Atlantic salmon are a selection feature, it is essential that both Council's liaise together, early and effectively, and with relevant Agencies to ensure the protection of such sites and features.
- 7.26 Similarly, our shared landscapes / seascapes and their associated inter-visibility along the border require a holistic approach to be taken to the appreciation and management of our land and seascape in the northwest. Such environmental assets are very important in driving our

local tourism and economy – both within each District and collectively in the wider North West region. Key consideration across the border needs to be given to the potential for impacts arising from visibly significant development i.e. wind-farm proposals in landscape characters areas considered to be either at saturation point or unsuitable to visibly ‘absorb’ such significant proposals.

7.27 The following Landscape Characters Areas (LCAs) in Co Donegal are considered relevant to their proximity or inter-visibility to Derry City and Strabane District:

- LCA7 Lough Foyle Coast;
- LCA 10 South Inishowen farmland - this LCA forms the natural rural hinterland of Derry City.
- LCA 11 Grianan Slopes and Lowlands – as above.
- LCA 12 Laggan Valley (doesn't directly abut): is a vast undulating agricultural landscape of good quality pasture and arable land characterised by large, geometric, hedge trimmed agricultural fields extending over a wide geographical area.
- LCA 13 Foyle Valley - This LCA has a strong visual connection to its mirror landscape on the opposite side of the River Foyle in Derry City and Strabane District in terms of the similar landscape type and also that the Derry City and Strabane landscape inherently informs the views within and without of this LCA.
- LCA 14 Finn Valley: The eastern edge of this LCA borders Northern Ireland and the Northern Ireland Landscape Character Areas Foyle Valley (27) and Derg Valley (20).
- LCA 40 Cashelnavern Border & Uplands
- LCA 41 Croaghnameal Border & Uplands
- LCA 42 Lough Derg Uplands and Lakelands
- LCA 43 Pettigo Drumlins

7.28 Seascape Unit 1 Lough Foyle extends across the western shore of Derry City and Strabane District and into the mouth of the River Foyle towards Derry City. Donegal shares a long border with Derry City and Strabane District including the shared international marine border along Lough Foyle and the River Foyle. Lough Foyle and the Derry City and Strabane District coastline are inherently integral within the character of the Lough Foyle seascape unit and vice versa.

7.29 It is therefore important that the LDP for the Derry City and Strabane District takes into consideration its wider regional context, including Donegal. There are international / national, regional and local structures / contacts, legislation and strategies / plans in place to facilitate co-operation between the various Councils. In particular, the adjoining Districts are now also preparing their LDPs and the Donegal County Development Plan is currently in the early stages of

replacement, so Planning officials and Members can liaise over the coming months / years to ensure appropriate co-operation.

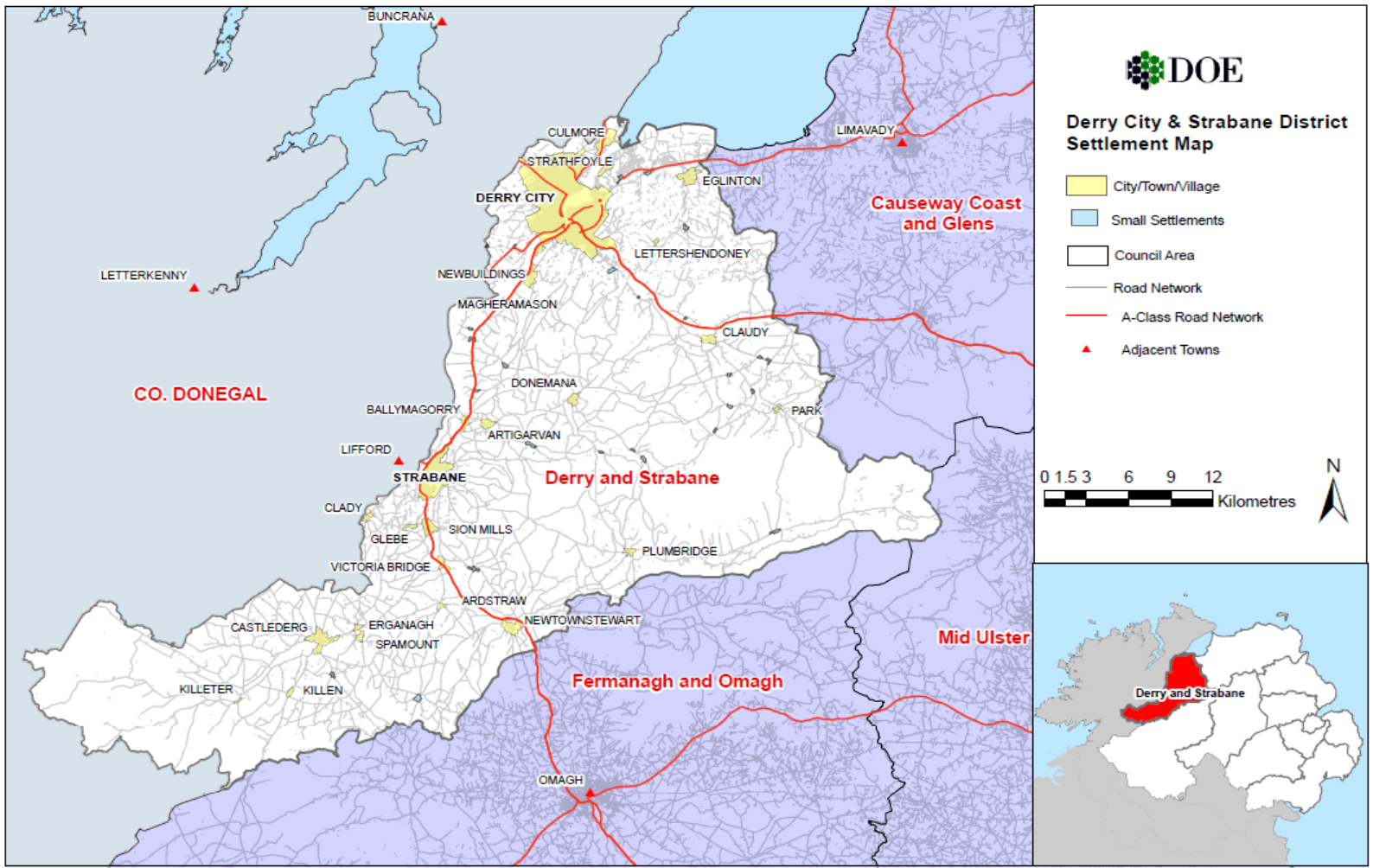
It should be noted that the recent decision of the UK to 'leave' the European Union has potential to have significant implications (positive, neutral or negative) for the economy, employment, retail / trading, residential locations / quantum, infrastructure, etc. These implications may affect development in our District and also in Donegal (within the EU) so the LDP will need to be sufficiently flexible to attempt to anticipate and accommodate future development, as well as any changes to legislation (on content and process). However, at this stage, the implications are very much unknown and are expected to emerge over the coming months and years – as we also prepare our LDP. Therefore, the Workshop 2 discussion on the LDP context does not propose to dwell on this matter or scenario-plan at this stage, leaving such discussions for other fora.

8.0 Conclusions & Recommendations

It is recommended that Committee members note the content of this paper and comment on any of the matters raised, especially on the LDP Context. In particular members should note:

- the significant legislative context in which the LDP must be prepared to ensure 'soundness' at the subsequent Independent Examinations;
- the significant requirements of undertaking the required Sustainability Appraisal which will incorporate a Strategic Environmental Assessment; and
- the various social, economic and environmental issues and relationships with the larger North West region, that must be considered when developing a fit for purpose LDP. The successful integration of these into the LDP will assist in the future regeneration and sustainability of our Council District and assist it to develop the critical mass necessary to play its pivotal role in the North West region.

The discussion and input from Council Members at Workshop 2 will then feed into a forthcoming Paper on these matters to the Planning Committee (LDP) for decision, which will in turn feed into the LDP Preferred Options Paper (POP) which is due in March 2017.



APPENDIX 1