

<p>Title of Report:</p> <p>Overview of LDP Process and Structures for Delivery</p>	<p>Officer presenting:</p> <p>Principal Planning Officer</p>
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1 Purpose of Report/Recommendations

- 1.1 The purpose of this Paper is to advise Members about the process of preparing the new Local Development Plan 2030 (LDP) for Derry City and Strabane District, as well as to set out the structures to be established to deliver the Plan. The Paper will also summarise the main component elements involved in preparing the Plan, together with an indication of the required work commitment and key milestones for Members' input.
- 1.2 There have previously been a number of presentations and Papers to the Shadow Planning Committee, as well as to the Environment and Regeneration Committee, the Governance and Strategic Planning Committee and to full Council. Now that the LDP is to be progressed primarily through the Planning Committee, this Paper brings together the key content of those earlier documents so as to ensure that Members are aware of the LDP process, delivery structures, progress to-date and next-steps.

2 Background

- 2.1 Members will be aware of the priority that the Council is placing on the early delivery of a new Local Development Plan (LDP). Accordingly, the new Local Development Plan 2030 for Derry City and Strabane District will replace the Derry Area Plan 2011 (adopted in May 2000) and the Strabane Area Plan 2001 (adopted in April 1991).
- 2.2 Members will also be aware that a 'Structures for Delivery' Paper was agreed by the Governance and Strategic Planning Committee on 2nd February 2016 and ratified by full Council on 25th February 2016. It was agreed that the Local Development Plan (LDP) will be progressed through the Council's Planning Committee, requiring the appropriate capacity building, protocols put in place, an additional special meeting each month along with two-monthly workshops open to all Council Members on key specific Plan topics.
- 2.3 It is believed that it will be more practical to operate, more professionally effective and be of sounder governance for the Planning Committee to take responsibility for the progression of the LDP, for the following reasons:

- It is likely to benefit the creation of more applicable and quality strategic and local policies if they are drafted by the same committee that will eventually have to implement and use them when determining applications.
- Members of Planning Committee already have a specific planning focus and are gaining specialist knowledge and understanding of issues, having initially benefited from planning training.
- Planning Committee Members have already signed up to and operate under a planning (Development Management) Code of Conduct for determining planning applications. Propriety for LDP preparation will be also vital and it is considered beneficial to develop such a LDP protocol with the Committee already operating under a similar code.
- All except one of the other NI Councils are progressing or intending to progress their LDPs through their Planning Committee for similar reasons.
- The currently diverse and significant workload covered monthly by the E&R Committee would be put under extreme pressure in attempting to accord the appropriate time necessary for the steady progression of the LDP.
- To ensure wide and active participation in the LDP process, all Councillors will be encouraged to attend the topic-based Plan-making workshops.

2.4 In light of the above decision, the Planning Committee is now embarking on its role of taking the lead in progressing the preparation of the new LDP, though the previous arrangement will continue, whereby it is necessary that key stages of the plan preparation will be presented to Full Council for ratification. This Paper will assist the Committee in commencing this new role.

3 Key Issues

- 3.1 At the outset, it is important that Members understand the overall process of LDP preparation, including the key component stages involved. This is a new plan-making system, designed by DOE prior to transfer of Planning powers in 2015. Whilst most Councils continue to have reservations about certain aspects of its practical implementation (especially indicative timescales), this process is now set out in legislation through Part 2 of the Planning (Northern Ireland) Act 2011, as well as the Planning (Local Development Plan) Regulations (NI) 2015 and a series of nine DOE Development Plan Practice Notes <http://www.planningni.gov.uk/index/advice/practice-notes/common-newpage-9.htm> .
- 3.2 Therefore, a summary is attached at Appendix 1 which summarises and explains each stage the LDP-making process.
- 3.3 We are currently at Stage One in the process, having completed a considerable amount of the 'evidence' base in the form of:

- Drafts prepared of eighteen topic-based baseline reports that will cover the key components of the LDP content (further detail in Para 3.5 below).
- The Statement of Community Involvement (SCI) has been drafted, subjected to public consultation, presented to Environment & Regeneration and Planning Committee (2nd March 2016, Item 13), ratified by Full Council and has recently been submitted to DOE for final clearance, in accordance with the Regulations.
- A draft of the formal LDP Timetable has been prepared (see Committee Item 8), ready for comment from the Planning Committee and consultation with the Planning Appeals Commission (PAC), TransportNI, NIEA and other key consultees / stakeholders.

3.4 The formal structures are now being established to oversee and implement the LDP, so that the workplan and timescales can be agreed by all parties, with a view to progressing towards the Preferred Options Paper within a reasonable and achievable time period:

- the governance arrangements have been established, whereby this Planning Committee will lead the LDP preparation, with input from all Councillors and reporting to Full Council of key stages / decisions in the LDP .
- a LDP Steering Group is being established, to comprise of agreed Members of the Planning Committee, the Chief Executive / Director of Environment & Regeneration and the Head of Planning, as the high level co-ordinating body that will ensure oversight and strategic input on behalf of the whole community, as well as from planning professionals.
- An LDP Project Management Team will be established comprising of the LDP PPTO and other senior Council Officers (including Community Planning) and representatives from the key Statutory / Government Departments, as well as a representative from the adjoining Councils. The purpose of the team will be to ensure key consultees co-operate in the plan making process.
- The LDP Project Management Team will also be established so that it can be iteratively consulted on and act as the Screening and Scoping Group for the Sustainability Appraisal of the Plan.
- The necessary Protocols will be put in place (starting from the Workshop on the matter on 26th April 2016) in order to ensure appropriate propriety for Members of the Planning Committee and the other Councillors who will be involved in the LDP decision-making process.
- The 'capacity' and knowledge of the Committee and wider Council will be developed over the coming months, beginning with these Papers, future topic-based Papers to Committee and participatory Workshops.

3.5 In terms of the substantive content of the LDP itself, it is proposed to work closely with the elected Members via up to twenty topic-based Discussion Papers, delivered via regular Workshops (open to all Councillors, from May 2016, with papers issued in advance, over the 8 to 9 months prior to the publication of the Preferred Options Paper, see Item 7) on the following Topics:

- LDP Context
- Policy Review
- Population & Growth Strategy
- Housing in the Settlement Hierarchy
- Built and Natural Environment
- Economic Development
- Retailing and City / Town Centres, incl. Regeneration
- Urban Design & Townscape
- Open Space & Recreation
- Countryside / Landscape Assessment
- Coastal Development & Protection
- Tourism
- Transport & Movement
- Renewable Energy
- Waste Management
- Minerals
- Public Utilities & Community Infrastructure
- Settlement Evaluation and Strategic Allocation
- Options and Preferred Options

3.6 Following on from the discussion at the above-mentioned Councillor Workshops during 2016, the outcomes will be brought together at occasional Meetings of the Planning Committee every two to three months in order to allow decisions to be made on the various LDP topic directions, moving towards the options, alternatives and then preferred options - for publication in the Preferred Options Paper and then Draft Plan Strategy.

3.7 A Baseline study of the current state of the environment (to set the context and framework for the Sustainability Appraisal and provide the basis for the preparation of a Scoping Report) will also be presented to the Committee.

- 3.8 In addition to the above-mentioned input from Councillors, there will need to be a Sustainability Assessment (including SEA), an Appropriate Assessment, an EQIA, Rural Proofing, Health Impact Assessment (HIA) and Promoting Social Inclusion (PSI) assessment – all progressed throughout the LDP process.
- 3.9 It will be necessary to commission a Retail Capacity Study as well as studies on Transport / Accessibility and on Urban Design / Place-making (prior to preparation of the Draft Plan Strategy). At this stage, it is hoped to undertake the Sustainability Appraisal (and other assessments) largely in-house with support from Shared Environmental Services (SES); whilst this would save considerable cost, it should be noted that this will require training and additional time for officers throughout the LDP process.
- 3.10 It is also proposed to organise a number of Stakeholder Engagement Groups, for consultation / engagement, organised around the main Plan topic areas, for environmental stakeholders, urban centres, rural development and commerce.
- 3.11 Based upon the Statement of Community Involvement, it will be necessary to undertake considerable public consultation / engagement / involvement throughout the LDP preparation, particularly with Section 75 Groups and at formal consultation periods. Detailed proposals will be discussed with Members at a later date.
- 3.12 As can be seen from the foregoing, the LDP preparation is indeed 'challenging' for officers, Members, key stakeholders and the public. At this stage, it is anticipated that the Preferred Options Paper (and associated documents) can aim to be Drafted for publication in Spring of 2017. This timescale would then aim to have the Draft Plan Strategy published in late 2017, followed by the Local Policies Plan, with the overall LDP adopted by end of 2020. These timescales will be discussed with Members in the Draft Workplan and Timetable Papers at Items 7 and 8.

4 Financial, Equality, Legal, HR and Other Implications

- 4.1 As stated for Item 6, there are financial, legal and HR implications associated with this report. The DOE has agreed to finance a notional cost of the first LDP (at £26k p.a. over 15 years, plus staff costs for the initial years). An LDP Risk Assessment will be prepared in order to identify any factors that are currently unpredictable, especially in terms of potential to significantly affect the timescales or budget. Planning officials will continue to liaise with Council HR officers to ensure adequate staffing levels and with Finance officers to quantify and minimise any uncertainty, thus to ensure appropriate budget cover and value for money.
- 4.2 The preparation of the LDP is a statutory requirement, subject to scrutiny and sanction from the DOE. There is also potential for legal challenges throughout the LDP process.

5 Recommendations

5.1 Members are requested to note the contents of this Paper, in relation to the LDP preparation process, LDP content and delivery structures to administer the LPD. Members are asked to consider the indicative timescales and particularly to comment on the implications for their time commitment.

Background Papers

Appendix 1 - Summary of LDP Preparation Process