

<b>Item/Min Ref:</b>	<b>Title of Report:</b>	<b>Officer presenting:</b>
<b>12</b>	<b>Policy Review - Options for LDP POP</b>	<b>Principal Planning Officer</b>

## **1 Purpose of Report/Recommendations**

- 1.1 The purpose of this Paper is to present a summary of the salient issues, discussed at the LDP Workshops or supplied by Members in subsequent responses, that dealt with the respective LDP Topics. The Paper also seeks agreement from Members as to how best to progress these Topics towards the Preferred Options Paper (POP) stage of the LDP in Spring next year.

## **2 Background**

- 2.1 As previously explained, the various technical aspects of Planning which comprise the LDP are each being considered systematically, each marked by the series of councillor Workshops and meetings of this Planning Committee. In accordance with the Workplan, this Committee meeting is a further stage in that Plan-making process. The meeting summarises the Discussion Papers from the above-mentioned Workshop, combines feedback from the wider body of Councillors and points towards the identification of Options. The Committee is asked to make preliminary decisions on the proposed Options, regarding this aspect, that the LDP is considering, as we proceed towards further evidence gathering, consultee and stakeholder input and then further Committee meetings (plus full Council approval) to finally decide on the LDP Preferred Options, to be published in the Spring of 2017.

## **3 Key Issues**

- 3.1 The Workshop and Discussion Paper at Appendix 7 sought to advise Members about the requirement and potential for Council to provide for their own locally-strategic and operational planning policies to guide development within the Derry City and Strabane District, as part of the new Local Development Plan (LDP).
- 3.2 The Paper presented an initial evaluation of the existing policies, from the 21 Planning Policy Statements (PPSs, including Addendums and Clarification documents) and the Planning Strategy for Rural NI, as well as the various advice notes and guidance documents. This evaluation is part of a process to consider how appropriate the policies are for inclusion in the new LDP, either:

**a) retaining each of the existing policies, simply transferring them (with minor amendments) to the LDP Plan Strategy, or**

**b) revising the policy, and having a tailored subject policy for this District in our LDP.**

- 3.3 In actuality, each PPS comprised strategic planning policy, as well as detailed operational policy for all of NI. Much of the strategic policy is now included in the new SPPS (and the RDS) as well as quite detailed operational policy for each subject area that is similar to that in the PPSs. Therefore, there may realistically be limited scope for the Council to actually form divergent policies for this District in the LDP. (Under Part 1 of the Planning Act (NI) 2011, the LDP must 'take account' of the SPPS).
- 3.4 It is accepted that this is potentially a very extensive task for the Council, given that the DOE / DRD prepared these PPSs and PSRNI over 20 years, and they were then revised, clarified and tested by practice, planning appeals and legal judgements. Policy revision will be time consuming, every word needing to be carefully considered and legally proofed.
- 3.5 The attached Policy Review paper at Appendices 2 and 3 presents Members with an initial 'scoping' review by Planning officials of all the existing policies, thus to allow an informed discussion and eventually decision by Members on the extent of new / revised policies to be included in the LDP Plan Strategy. The amount of policy change that is required will have implications for the timetable and resourcing of the Plan Strategy and the LDP overall.
- 3.6 Given the initial evaluation of each of the extant policies from Councillor's Workshops (at Appendix 7), it is suggested that Planning Officials proceed to give formal consideration and review to the relevant identified policies, particularly those in PPS4 (Economic Development), PPS7 (Quality Residential Environments), PPS 16 (Tourism), PPS18 (Renewable Energy) and PPS21 (Development in the Countryside).
- 3.7 As part of the ongoing review of the above identified policies, planning officials will now undertake consultation with relevant consultees and also colleagues in Development Management for their experienced input as we seek to review strategic and operational policy for the benefit of our District. Reviews of relevant PAC decisions will also be important to gauge the scope for policy amendment or creation. The Landscape Assessment and Development Pressure Analysis undertaken as part of the baseline studies to underpin a Countryside Assessment will be extremely useful in identifying what level of rural policy protection is necessary and appropriate.
- 3.8 Conversely, it is suggested that all the other policies in the above-mentioned documents, and the other PPSs should be subjected to SEA and if applicable transposed into the LDP 2030 Plan Strategy (PS). Should policy amendment become necessary later in the PS preparation process, this can occur. Similarly, if any of the adopted PS policies are shown to be problematic, they could be assessed in the annual monitoring, 5 year review and amended in the subsequent LDP.

3.9 The feedback and comments from Councillors accepted that it would not be feasible to revise all policies so the more focussed effort is preferable. However, it was apparent that Councillors held strong opinions about the appropriateness and previous application / interpretation of several policies within the District.

#### **4 Financial, Equality, Legal, HR, Improvement and Other Implications**

4.1 There are no financial, equality, legal, HR, Improvement or other implications arising from this report, beyond those already outlined.

#### **5 Recommendations**

5.1 Members are requested to accept the contents of this Paper as part of the Council's LDP 'evidence base'.

5.2 Members are also asked to agree that Planning officials proceed to consultation with key consultees and stakeholders regarding the identification of the various policies which require review, with resultant policy options. These options or policy directions can then be firmed up and reported to and discussed with Members as part of the subsequent LDP Preferred Options stage.

### **Background Papers**

#### **Appendix 7 - 'LDP Policy Review' Discussion Paper, 4th July 2016**