

Local Development Plan 2035 – Revised Timetable	28th August 2019
Planning Committee	

Linkage to Council Strategy (2015-19)	
Strategic Theme	Outcome
Leader and Champion	<ul style="list-style-type: none"> • Our Elected Members will provide civic leadership to our citizens, working to promote the Borough as an attractive place to live, work, invest and visit. • We will establish key relationships with Government agencies and potential strategic partner in NI and external to it which helps us to deliver our vision for this Council area.
Protect the environment in which we live	<ul style="list-style-type: none"> • All environments in the area will benefit from pro-active decision making which protects the natural features, characteristics and integrity of the Borough; • Our citizens will be given the maximum opportunity to enjoy our natural environments; and • Our natural assets will be carefully managed to generate economic and social returns without compromising their sustainability for future generations.
Lead Officer	Local Development Plan Manager
Cost:	N/A

FOR DECISION

1.0 Background

- 1.1 It is a statutory requirement for the Council to prepare a Local Development Plan (LDP). In preparing its LDP the Council must provide a 15-year plan framework to support the economic and social needs of the Borough in line with regional strategies and policies, while providing for the delivery of sustainable development.
- 1.2 It is a statutory requirement to prepare, and keep under review, a timetable for the preparation and adoption of the LDP. The timetable must include indicative dates for each stage of the LDP preparation and the publication of the Preferred Options Paper and the development plan documents (Draft Plan Strategy and Draft Local Policies Plan) as well as accompanying documents

such as the Sustainability Appraisal (SA) including Strategic Environmental Assessment (SEA).

2.0 Detail

- 2.1 Prepared within the context of the Council's Strategy and Community Plan, the initial LDP Timetable was approved at the 26th June 2016 Planning Committee. It was agreed (as legislatively required) by both the Planning Appeals Commission (PAC) and the Department for Infrastructure (the 'Department') prior to its formal publication on 29th November 2016.
- 2.2 A revised timetable, approved at the 25th October 2017 Planning Committee, was agreed by the PAC and the Department prior to its formal publication w/c 4th December 2017. The revision was necessary to enable the LDP team to undertake further evidence gathering prior to the publication of the Preferred Options Paper (POP) to ensure that it was prepared on the basis of 'sound' evidence.
- 2.3 The Council's Development Plan team is currently working towards the preparation of the LDP Draft Plan Strategy, with an indicative timeframe of publication in autumn/winter 2019. However, the ability to meet this date is likely to be impacted by the following:

Preferred Option Paper (POP) - Representations received

- 2.4 The LDP will be examined in relation to the "soundness" tests set out by the PAC. The Council must ensure that representations received have been given full consideration and the additional work generated by these must be completed to establish a robust evidence base to inform the preparation of the Draft Plan Strategy.
- 2.5 The Council received a total of 101 POP representations during the 12 week consultation period (a number were also received outside of this period). The issues raised vary, in terms of both their topics and level of detail/evidence submitted. Whilst the Development Plan team has no control over this, it has resulted in a greater workload than was originally anticipated.
- 2.6 In addition to this, one of the key representations received was from the Department. Due to their key role in overseeing the production of LDP's across all 11 councils their commentary is assisting the Council in determining the most appropriate way forward in the preparation of its draft Plan Strategy. Discussions are ongoing with the Department in relation to this, however, it has also resulted in a greater workload than originally anticipated.

Draft Guidance: 'Development Plan Practice Note (DPPN) 10: Submitting Development Plan Documents for Independent Examination'

- 2.7 In preparing its LDP the Council must take account of guidance issued by NI government departments.
- 2.8 The Department carried out research into LDP preparation in other jurisdictions. In response to this it published Draft DPPN 10 on 2nd July 2019. This practice note introduces a new, non-statutory (good practice), stage known as 'Focussed Changes' to the Northern Ireland LDP process. This is likely to have an impact on existing LDP Timetables as it was not previously anticipated by the Department or local councils.
- 2.9 The 'Focussed Changes' stage applies after the publication of the Draft Plan Strategy or Draft Local Policies Plan, when it may prove necessary for the Council to propose changes to the document, prior to submitting it to the Department for IE, for example:
- following the consideration of representations where an unforeseen issue has been raised that impacts upon the 'soundness' of the DPD, or
 - where there has been a sudden change in local circumstances, or
 - where new regional planning policy and/or guidance has been introduced.
- 2.10 However, focussed changes should:
- only be considered in exceptional circumstances;
 - be small in number;
 - reflect key pieces of evidence,
 - not go to the heart of the DPD; and
 - affect only limited parts of the DPD.
- 2.11 In order for the focussed changes to be considered at the IE satisfactory consultation should take place. The Department therefore advises that the Council should prepare, publish and consult on them. It is recommended that an 8 week public consultation is carried out. Comments made can only address and relate to the 'soundness' of proposed focussed changes. This consultation is not an opportunity to add to the previous representations or to make new comments on parts of the original DPD (either the Draft Plan Strategy or Draft Local Policies Plan).

Landscape Character Assessment

- 2.12 Members will be aware of the recent Landscape Character Assessment: Award of Tender paper approved at the 26th June 2019 Planning Committee. The Council requires the expertise of external consultants to undertake a comprehensive review of the existing local Landscape Character Areas (LCAs) identified in the borough, to provide an up to date and 'sound' evidence base for the preparation of the Council's LDP.

- 2.13 The tender process was much longer than originally anticipated as the first advert yielded no bid submissions. Given the level of expertise required to complete this work it was considered necessary to repeat the tender process. Following further research on potential sources of such expertise, a second tender exercise was undertaken (including an advert in the UK Landscape Institute's website). Two bids were received in response to this and the winning bid has been awarded.
- 2.14 On completion this key document will provide the robust 'sound' evidence base that will inform the draft LDP policies and proposals to protect the landscape.

Other factors

- 2.15 There are a number of additional factors that could potentially impact upon the LDP timetable. Section 5 of the revised timetable (attached at Appendix 1) sets them out, and lists the steps and safeguards to manage the plan making process and to highlight any potential impacts to Members.

3.0 The Revised Timetable

New LDP Guidance and Procedures

- 3.1 It is important to note that the NI LDP process is totally new. Although it was anticipated that the new regime would take some time to settle down, it is fair to say that it has been a much steeper learning curve than was originally anticipated, for all 11 council's and the Department.
- 3.2 As an evolving process it is inevitable that further up to date departmental guidance will emerge throughout the lifetime of the LDP preparation. The Council has a statutory duty to take account of such guidance, and a failure to do so could result in the LDP being found 'unsound' at IE or potential legal challenges.
- 3.3 This, in turn, has the potential to impact on the LDP timetable as it may result in additional stages of LDP preparation and/or increased workloads.

LDP End Date

- 3.4 In preparing its LDP the Council must provide a 15-year plan framework to support the economic and social needs of the Borough in line with regional strategies and policies, while providing for the delivery of sustainable development.
- 3.5 To plan for this the LDP is given what is known as a "notional" end date. However, the Plan will not suddenly end on this date, unless a replacement plan is adopted.

3.6 Work on the LDP commenced in 2015 following the transfer of planning powers to the Council. Based on that commencement date, the original LDP end date was 2030. However, given that the LDP timetable has been amended it is important that the LDP end date also changes to reflect the extended period. Given this, and previous timetable revisions, a new end date of 2035 will be adopted.

4.0 Review

4.1 The LDP Timetable will be kept under review. Under the Planning Act 2011, the Council may carry out a revision, however, this must be agreed with both the PAC and the Department and publicised in the local newspaper and made available to view on the Council's website.

5.0 Recommendation

5.1 **IT IS RECOMMENDED** that Members agree to the Draft Revised LDP Timetable attached at Appendix 1.



**Causeway
Coast & Glens
Borough Council**

2019

Local Development Plan 2035 Revised Timetable

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First Published November 2016

Revised (1) December 2017

Revised (2) August 2019

1.0 Introduction

1.1 The purpose of this timetable is to set out the key stages and the indicative timescale for the production of the Causeway Coast and Glens Borough Council Local Development Plan (LDP) 2030. It meets the requirements of the Planning Act (NI) 2011 and the Planning (Local Development Plan) Regulations (NI) 2015, which require Council to prepare, and keep under review, a timetable for the preparation of its LDP. It has also been prepared within the context of the Council's Strategy and Community Plan.

1.2 The timetable was approved by the Council and agreed with both the Department for Infrastructure (DfI) and the Planning Appeals Commission (PAC) and is a public statement of the Council's commitment to the efficient management of its LDP process, giving certainty to key stakeholders and consultation bodies in managing their own resources to facilitate their participation in the LDP process.

2.0 Purpose of the Local Development Plan (LDP)

2.1 The purpose of the Causeway Coast and Glens LDP is to inform the general public, statutory authorities, developers and other interested parties of the planning policy framework and land use proposals that will guide development decisions in this Borough up to 2030.

2.2 The LDP will set out a clear vision for how the Borough should look in the future by deciding what type and scale of development should be encouraged and where it should be located. It will ensure that lands are appropriately zoned and that our infrastructure is enhanced to develop the area for future generations.

2.3 The LDP will take account of the regional policy context set by the Northern Ireland Executive and Central Government Departments. This includes, amongst others, The Programme for Government; The Sustainable Development Strategy; The Regional Development Strategy (RDS) 2035; and The Strategic Planning Policy Statement (SPPS).

2.4 When adopted, the LDP will replace the current Plan covering the Borough, the Northern Area Plan (NAP) 2016. It will be produced in two stages, as follows:

- **The Plan Strategy** – this is the strategic policy framework for planning in the Borough. It will cover a wide range of topics and outline the Council's vision for the Borough. It will also state the aims; objectives; international and national environmental designations; overall growth strategy; and generic planning policies applicable to the Borough. This will ensure strategic direction early in the LDP process, providing a level of certainty on which to base planning decisions as well as the necessary framework for the preparation of the next LDP document, the Local Policies Plan.
- **The Local Policies Plan** – in contrast this document will contain the site specific policies and proposals associated with settlement development limits, land use

zonings and local environmental designations required to deliver the Council's vision as set out in the Plan Strategy.

3.0 The Timetable

3.1 The LDP Timetable provides indicative timeframes for the key stages and associated documents to be published in the production of the Plan. These are set out briefly below. The indicative timetable is set out in Appendix 1.

- **Statement of Community Involvement in Planning (SCI)** - This document sets out how the Council intends to engage with the local community, stakeholders and Government Departments during the preparation of its LDP.
- **Preferred Options Paper (POP)** - This is a public consultation document which will indicate the key plan issues for the Borough and the Council's preferred options to address them.
- **Draft Plan Strategy** - The Draft Plan Strategy is a public consultation document which will set out the Council's strategic intentions regarding the future development of the Borough.
- **Independent Examination (IE) of Draft Plan Strategy** - This will be held to determine the 'soundness' of the Draft Plan Strategy, taking into account any representations or counter representations received. An Advisory Report of the findings arising from the IE will be issued to Dfl.
- **Binding Report on Draft Plan Strategy** - Following consideration of the Advisory Report, Dfl will issue a Binding Report to the Council.
- **Adoption of Plan Strategy** - The Plan Strategy will be formally adopted by the Council.
- **Draft Local Policies Plan** - The Draft Local Policies Plan is a public consultation document which will contain the Council's detailed land use policies and proposals regarding the future development of the Borough.
- **Independent Examination (IE) of Draft Local Policies Plan** - This will be held to determine the 'soundness' of the Draft Local Policies Plan, taking into account any representations or counter representations received. An Advisory Report of the findings arising from the IE will be issued to Dfl.
- **Binding Report on Draft Local Policies Plan** - Following consideration of the Advisory Report, Dfl will issue a Binding Report to the Council.

- **Adoption of Local Policies Plan** - The Local Policies Plan will be formally adopted by the Council.
- **Monitoring & Review of LDP** - The LDP will be monitored annually and reviewed every 5 years.

4.0 Assessments

4.1 The Council will carry out a number of assessments alongside the preparation of its LDP.

- **Sustainability Appraisal (SA)**. This will be undertaken to help the Council assess the sustainability of the LDP policies and how the Plan will contribute to the achievement of sustainable development, with regard to social, environmental and economic factors. The Council's Strategic Environmental Assessment (SEA) will be incorporated into its overall SA document.
- **Habitats Regulation Assessment (HRA)**. This will consider the potential impact of the Plan's policies and proposals on designated European nature conservation sites.
- **Equality Impact Assessment (EQIA)**. This will assess if the Plan is likely to impact adversely different sections of the community and if so, the mitigating measures required.
- **Rural Impact Assessment**. This will be undertaken, as part of the SA, to help the Council assess the impact a new policy might have on the people in the rural area.

5.0 Delivery of the LDP

5.1 Meeting the revised timetable is dependent upon Member involvement and risk management. The steps below will be used to ensure, as much as possible, that the timetable is met:

- A Steering Group has been established in line with our "Statement of Community Involvement in Planning (SCI)". It comprises members of the Council's Planning Committee and the Head of Planning. Key council officials also attend this high level co-ordinating body, which ensures oversight and strategic input on behalf of the whole community, as well as from planning professionals.
- Our Elected Members will continue to be presented with discussion papers and attend workshops to keep them informed of key planning topics, issues and findings as they emerge.
- Members will be presented with 6-month LDP Work Programmes outlining the work areas to be covered and corresponding indicative dates. This will continue throughout the LDP process.

- A Project Management Team has also been established in line with our SCI. It comprises Elected Members, senior council officers, the Local Development Plan Manager, key stakeholders and government departments. The team facilitates key consultee co-operation in our plan-making process.

5.2 There are also a number of factors lying outside the Council's control, which could potentially impact on the Council's delivery of the LDP. These are set out in Table 1:

Table 1: Risk Management Log

Issue	Risk	Likelihood	Impact	Mitigating Action
Member Involvement	Medium	Unlikely	Significant delay	Ensure on-going Member engagement.
Breach of Confidentiality	Very high	Unlikely	Major delay/failure to prepare LDP	Ensure on-going Member and Statutory Consultee engagement and capacity building. Watermarking of all LDP documents.
Adequate resources	Medium	Likely	Significant delay	Seek additional resources.
Amount of representations received & resultant workload	Medium	Likely	Significant delay	Outside the Council's control.
Statutory Agency involvement – multiple LDP's across NI	Medium	Likely	Significant delay	Liaise regularly with relevant agencies.
PAC involvement (IE and Advisory Report)	Medium	Likely	Significant delay	Outside the Council's control. However, liaise closely with the PAC.
Dfl involvement (Binding Report)	Medium	Likely	Significant delay	Outside the Council's control. However, liaise closely with Dfl.
Test of 'Soundness'	Very high	Likely	Major delay/failure to prepare LDP	Ensure robust evidence base to support decisions. On-going liaison with PAC & Dfl.
Legal Challenge	Very high	Likely	Long term delay & possible major delay/failure to prepare LDP	Ensure robust evidence base to support decisions. On-going liaison with PAC & Dfl. Meaningful consultation and on-going legal audit.
Changes to regional policy, legislation and guidance	Medium	Likely	Significant delay	Carefully monitor changes. On-going liaison with PAC & Dfl and legal audit.

5.4 Annual Monitoring of both the LDP Steering Group and Project Management Team will be undertaken to assess the progress in meeting its LDP Timetable. In the event that progress is not in line with the timetable, Council has the power to publish a revised timetable.

Appendix 1: Revised LDP Timetable

Causeway Coast & Glens Borough Council Local Development Plan (LDP) – Revised Timetable (2019)		
Key LDP Stages	Accompanying Assessments*	Indicative dates**
STATEMENT OF COMMUNITY INVOLVEMENT (SCI) & LDP TIMETABLE		
Publish Draft SCI Non-statutory Public Consultation 8 weeks for comment	n/a	Winter 2016
Publish SCI & LDP Timetable	n/a	Winter 2016
PREFERRED OPTIONS PAPER (POP)		
Stakeholder Engagement Member Engagement Evidence Base gathering	Invite comments from Consultation Body (NIEA) on Draft SA (Inc SEA) Scoping Report	Autumn/Winter 2016 - Autumn/Winter 2017
Publish Preferred Options Paper Statutory Public Consultation 12 weeks for Representations	Publish POP, SA Scoping & Interim Reports, HRA and EQIA Screenings	Summer/Autumn 2018
PLAN STRATEGY (PS)		
Analyse POP Representations Consultee & Stakeholder Engagement Member Engagement Evidence Base update	Update SA Report (Inc SEA); Draft HRA, EQIA & Rural Needs Assessment Invite comment from Consultation Body (NIEA) on SA/SEA	Winter 2018 – Summer 2020
Publish Draft Plan Strategy Statutory Public Consultation 8 weeks for Representations 8 weeks for Counter-representations	Publish SA Report (Inc SEA); Draft HRA, EQIA & Rural Needs Assessment	Autumn/Winter 2020
Focussed Changes ***		
INDEPENDENT EXAMINATION		
IE of Draft Plan Strategy (Submission of Draft Plan Strategy for IE; IE Hearing; PAC Advisory Report to Dfl; and Dfl Binding Report to Council)	SA (inc SEA), HRA, EQIA & Rural Needs Assessment	Spring/Summer 2021 – Spring/Summer 2022
Council considers Binding Report/Direction from Dfl – incorporate required changes to PS	May require further consultation with statutory consultees	Autumn/Winter 2022
Adopt Plan Strategy	Publish Adoption Statements, HRA, EQIA & Rural Needs Assessment and other relevant assessments	Spring/Summer 2023

LOCAL POLICIES PLAN (LPP)		
Consultee & Stakeholder Engagement Member Engagement Evidence Base update	Update SA Report (Inc SEA); Draft HRA, EQIA & Rural Needs Assessment Invite comment from Consultation Body (NIEA) on SA/SEA	Autumn/Winter 2023
Publish Draft Local Policies Plan Statutory Public Consultation 8 weeks for Representations 8 weeks for Counter-representations Focussed Changes ***	Publish SA Report (Inc SEA); Draft HRA, EQIA & Rural Needs Assessment	Spring/Summer 2024
INDEPENDENT EXAMINATION		
IE of Draft Local Policies Plan (Submission of Draft Local Policies Plan for IE; IE Hearing; PAC Advisory Report to DfI; and DfI Binding Report to Council)	SA (inc SEA), HRA, EQIA & Rural Needs Assessment	Autumn/Winter 2024 – Autumn/Winter 2025
Council considers Binding Report/Direction from DfI – incorporate required changes to LPP	May require further consultation with statutory bodies	Spring/Summer 2026
Adopt Local Policies Plan	Publish Adoption Statements, HRA, EQIA & Rural Needs Assessment and other relevant assessments	Autumn/Winter 2026
MONITOR/REVIEW OF LDP		
<ul style="list-style-type: none"> • Annual Monitor • 5 and 10 Year Reviews 	Monitor SA & other necessary assessments	On-going

* **Definitions:** See table below.

****Indicative dates:** These will be reviewed regularly and reported on annually. Please note that these dates may be affected by other internal/external factors.

*** **Focussed Changes:** this new (non-statutory) stage of LDP preparation has not been taken into account in the indicative dates specified in Appendix 1. Therefore, if the Council considers it necessary to carry out this additional stage, a revision to the LDP Timetable may be required.

'Soundness' Whilst the term 'sound' is not defined in the Planning Act (NI) 2011, it may be considered in this context within its ordinary meaning of 'showing good judgement' and 'able to be trusted' and within the context of fulfilling the expectations of legislation.

* Definitions			
DfI	Department for Infrastructure	LPP	Local Policies Plan
EQIA	Equality Impact Assessment	PS	Plan Strategy
HRA	Habitats Regulation Assessment	SA	Sustainability Appraisal
IE	Independent Examination	SEA	Strategic Environmental Assessment
LDP	Local Development Plan	SCI	Statement of Community Involvement in Planning

