

Fermanagh & Omagh Local Development Plan
Draft Plan Strategy 2030
MATTERS ARISING

Week 1 - 18th – 20th January 2022

Date - Tuesday 18th January 2022

Topic 1: Legal and Procedural Matters

Matter arising (MA001)

Fermanagh & Omagh District Council to provide Case Law documentation referred to in their response to Question 3.

Response:

Please see attached list of case law references and also cases attached:

- List of Legal Authorities (CoF 180122); [[Commission reference MA001.A](#)]
- R. (Friends of the Earth England, Wales and Northern Ireland Ltd) v The Welsh Ministers [2015] EWHC 776 (Admin) (paragraphs 88(iv), (v), (vi) and (viii)); [[Commission reference MA001.B](#)]
- Ashdown Forest Economic Development v Wealdon District Council [2015] EWCA Civ 681 (paragraph 42); [[Commission reference MA001.C](#)]
- Ashdown Forest Economic Development v Wealdon District Council [2014] EWHC 406 (Admin) (paragraph 90); [[Commission reference MA001.D](#)]
- R. (RLT Built Environment Ltd) v Cornwall Council [2016] EWHC 2817(Admin) (paragraph 46); [[Commission reference MA001.E](#)]
- Heard v Broadland District Council [2012] EWHC 344 (Admin) (paragraph 12, 66 and 67); [[Commission reference MA001.F](#)]
- Save Historic Newmarket Ltd v Forest Heath DC [2011] EWHC 606 (Admin) (paragraph 16); and [[Commission reference MA001.G](#)]
- R. (Friends of the Earth Ltd) v Heathrow Airport Ltd [2020] UKSC 52 (paragraphs 66 and 41 - 47). [[Commission reference MA001.H](#)]