

**Independent Examination**  
**Fermanagh and Omagh District Council Local Development Plan**  
**2030**

**Draft Plan Strategy**  
**Questions for weeks 1 and 2**

**TUESDAY 18<sup>TH</sup> JANUARY 2022**

**Topic 1: Legal and Procedural Matters**

**Issue: Sustainability Appraisal**

**Participants:**

- Fermanagh and Omagh District Council
- Historic Environment Division-Department for Communities
- MKA Planning
- SSE Renewables
- Mr Patrick Haughey
- Dalradian Gold

**Questions**

1. (A) In relation to the historic environment, should the Sustainability Appraisal have included an appraisal of an alternative option as to the effect of the plan without the policies i.e. using the SPPS policies or existing policy to demonstrate how the proposed draft policies provide equal or enhanced protection to the historic environment compared to the SPPS and PPS 6?  
(B) Are there inconsistencies in relation to whether a proposed change to a policy should be subject to an appraisal again or not and is there sufficient clarity as to why this is the case?
2. (A) In relation to Draft Policy RE01, has there been sufficient reasoning and justification why the preferred option was chosen?  
(B) How would the suggested reasonable alternative of including a strategic policy approach that does not seek to prevent wind energy development from designated landscapes differ from Option 1?  
(C) The dPS Sustainability Appraisal (FODC 103 pg 220) states that following the consultation process a combination of Option 1 and 2 has been carried forward in the development of this policy. Should this preferred hybrid option been subject to SA as an explicit option to establish its performance across the SA objectives?

3. Has the Council met the requirements of the Environmental Assessment of Plans and Programmes Regulations NI 2004 (EAPP Regulations) with respect to the identification, appraisal and selection/rejection of reasonable alternatives to the draft mineral policies presented within the dPS?
4. Without identifying the proposed Mineral Safeguarding Areas (MSAs) is there a means of ascertaining the potential sustainability implications of this policy? Is it reasonable for this assessment to occur at the local development plan stage?
5. Has the Sustainability Appraisal considered the cumulative impact of minerals developments and their effect on the environment, tourism, health and agriculture as well as their impact on air and water quality?

### **WEDNESDAY 19<sup>TH</sup> JANUARY 2022**

#### **Topic 2: People and Places-Housing in the Countryside**

##### **Issues**

- **Rural Replacement Dwellings**
- **Replacement of Other Rural Buildings**

##### **Participants:**

##### **Rural Replacement Dwellings**

- Fermanagh and Omagh District Council
- Historic Environment Division-Department for Communities
- SSE Renewables Developments
- Dalradian Gold
- Department for Infrastructure-Roads

#### **Questions**

1. Draft Policy HOU 09 states that the replacement of an unlisted vernacular dwelling will only be permitted where the building is structurally unsound and incapable of conversion or sympathetic refurbishment. Is there a contradiction in the proposed clarification text wording contained within proposed change 29 (Document FODC 110) which states that where the replacement of an unlisted vernacular dwelling is considered acceptable in principle the encouragement provided in the policy is to retain it and incorporate the existing structure into the overall layout of the development scheme? Is proposed change 29 a focused or minor change? Is it required to make the plan sound?
2. Within Draft Policy HOU 09 would it be appropriate to have the criterion 'the existing building is not suitable for conversion under Policy HE 09' similar to Draft Policy HOU 10?

## **Replacement of Other Rural Buildings**

### **Participants:**

- Fermanagh and Omagh District Council
- Historic Environment Division-Department for Communities
- Department for Infrastructure-Planning and Roads

### **Questions**

3. Is there a duplication between criteria (a) and (c) of Draft Policy HOU 10?
4. Is there a conflict between criterion (c) and Paragraph 6.1 of the SPPS which recognises vernacular buildings as a built heritage asset?

## **Topic 3: People and Places-Housing in the Countryside**

### **Issue: Redevelopment of a former site for dwelling**

### **Participants:**

- Fermanagh and Omagh District Council
- Historic Environment Division-Department for Communities
- SSE Renewables
- Dalradian Gold
- Department for Infrastructure-Planning and Roads

### **Questions**

5. Draft Policy HOU 09 requires that all structural walls be intact however criterion (c) of Draft Policy HOU 11 states that two or three walls have to be substantially intact; is there a conflict between these draft policies and would it lead to confusion?
6. Could Draft Policy HOU 11 lead to the removal of historic ruined farmsteads resulting in a negative outcome for the historic environment?

## **THURSDAY 20<sup>TH</sup> JANUARY 2022**

### **Topic 4: People and Places-Rural Community Areas** **Issue: Rural Community Areas (RCAs)**

#### **Participants:**

#### **Rural Community Areas**

- Fermanagh and Omagh District Council
- Fermanagh Rural Community Network
- Department for Infrastructure-Planning

#### **Questions**

1. Should it be stated within the Draft Plan Strategy that the existing Dispersed Rural Communities (DRCs) will be considered as RCAs as per page 127 of Document FODC 109?
2. Should the Draft Plan Strategy take account of PPS 21's Policy CTY 2 Development in Dispersed Rural Communities which allows planning permission to be granted to suitable proposals for a small cluster or 'clachan' style development of up to 6 houses at an identified focal point?
3. Should Draft Policy RCA 01 Rural Community Areas refer to affordable housing as per Draft Policy HOU 17?
4. Are DRCs being identified in adjoining council districts and if so is a different approach justified in the Fermanagh and Omagh area?

### **Topic 5: People and Places-Open Space Strategy**

#### **Issues**

- **Intensive Sports Facilities**
- **Outdoor Recreation in the Countryside**

#### **Participants:**

- Fermanagh and Omagh District Council
- Department for Infrastructure-Planning and Roads

#### **Questions**

5. Paragraph 6.207 of the SPPS states that intensive sports facilities shall be located within settlements with an exemption being that a sports stadium may be allowed outside of a settlement but only where clear criteria is established

which can justify a departure from this approach. In permitting an intensive sports facility outside a settlement where it meets a number of criteria, does Draft Policy OSR 02 take account of regional policy?

6. Policy OS 4 Intensive Sports Facilities of PPS 8: Open Space, Sport and Outdoor Recreation requires an intensive sports facility to meet all of a number of identified criteria. In light of Policy OS 4 of PPS 8 ceasing to have effect upon adoption of the Draft Plan Strategy, does the Draft Plan Strategy allow for the assessment of a proposal for an intensive sports facility within a settlement?
7. The Council now proposes to delete Draft Policy OSR 03 Outdoor Recreation in the Countryside. Paragraph 6.212 of the SPPS advises that the LDPs should contain policy for the consideration of development proposals for outdoor recreation. Does the Draft Plan Strategy provide adequately policy in relation to this matter and is this in line with regional policy? Is proposed change 38 a focused or minor change? Is it required to make the plan sound?

## **TUESDAY 25<sup>TH</sup> JANUARY 2022**

### **Topic 6: Economy-Industry and Business**

#### **Issues**

- **Strategic Allocation of land for industry and business**
- **Loss of industry and business uses**

#### **Participants:**

- Fermanagh and Omagh District Council
- Provincial Developments Ltd

### **Questions**

1. Draft Strategic Policy SP04 Strategic Allocation of Land for Industry and Business states that the strategy of providing zoned business and industry land will be complemented by one of protecting existing industry and business sites. Does this allow for flexibility if the land uses in the area have changed since it was originally zoned and given that some of the land has been judged to be unsuitable for development, for example at Gillygooley Road, Omagh (page 72 SA FODC 103), is it appropriate to carry forward all previously zoned industrial land into the new plan?
2. Should Draft Policy IB02 incorporate a degree of flexibility in order to facilitate a mixed use scheme on zoned land?

## **Topic 7: Economy-Town centres and retailing**

### **Issue: Town centres**

#### **Participants:**

- Fermanagh and Omagh District Council
- Fane Valley
- Elm Grange

#### **Questions**

3. Is there regional policy support within the SPPS for the requirement to carry out a retail impact assessment for all retail applications outside the Primary Retail Core (PRC)? Is the PRC already protected by the sequential test approach?
4. Is the PRC identified in Enniskillen appropriate? Should Enniskillen's PRC align with the Commercial Core contained within FAP 2007?
5. Paragraph 6.277 of the SPPS states that LDPs should define a network and hierarchy of centres-town, district and local centres. Is it appropriate to define district centres within the Fermanagh and Omagh District?
6. Should the Draft Plan Strategy identify Development Opportunity Sites?

## **THURSDAY 27<sup>TH</sup> JANUARY 2022**

### **Topic 9: People and Places-Housing in settlements**

#### **Issue: Affordable Housing in settlements**

#### **Participants:**

- Fermanagh and Omagh District Council
- MKA Planning
- Omagh Housing Consortium

#### **Questions**

1. In terms of Draft Policy HOU 03, for proposals for residential developments of 10 housing units or more or on a site of 0.5ha or more, have alternatives to imposing a threshold that at least 10% of the units be for affordable housing where a need has been established by the Housing Needs Assessment been fully considered?
2. Would the suggested change 23 contained within Document FODC 110, which seeks to confirm that development viability is a material consideration, overcome the concern that Draft Policy HOU 03 does not take account of the viability of a development? Is proposed change 23 a focused or minor change? Is it required to make the plan sound?
3. Page 103 of the SA (Document FODC 103) states that there is a social housing need for 67 houses for 2015-20. How does this figure correspond with the 145 figure on page 73 and 290 figure for 2016-21 identified on page 201 within the same document?
4. Reference is made within Document FODC 109 (page 62) to the production of a supplementary planning guidance note to address detailed issues of viability, tenure mix etc. At what stage in the plan process will this be produced and what weight would be attached to it?