

Guidance Notes on the Tests of Soundness and Submitting a Representation

Public Consultation from 26th October 2018 to 21st December 2018

We have produced this Guidance Note to help you complete our Representation Form for the Draft Plan Strategy to ensure that your comments can be considered as fully as possible during the plan-making process.

Please contact us if you need any further advice or have any questions. Our contact details are at the end of this document.

Representations made to this consultation will be treated as a formal representation and considered at the Independent Examination (IE) conducted by the Planning Appeals Commission or other independent body. The purpose of an IE in respect of a Development Plan Document (DPD), in this case the Plan Strategy, is to determine whether it satisfies certain legislative requirements and whether it is 'sound'. In carrying out the examination, a series of tests will be applied taken from the Department for Infrastructure's Development Plan Practice Note (DPPN) 06 (see www.infrastructure-ni.gov.uk)

As the focus will be on the soundness of the DPD and not on individual representations or sites, any representation proposing a change to a DPD should demonstrate why the document (stating the exact paragraph, policy etc.) is not sound or how changes would make it sound. The representation should include details on the proposed change as well as provide evidence to justify the change in terms of the tests of soundness.

How to Make Comments

There is an online version of the Representation Form you can complete on the Council's website www.fermanaghomagh.com. You can also download a copy of the form and which can be used for postal or email comments from the Council's website. If you are responding by email, please use the word compatible version.

Your Contact Details

Please complete this section so that:

- We can contact you, if necessary, to clarify the response you have made to ensure that we have understood, recorded and considered your comments appropriately;

- The Planning Appeals Commission can contact you as part of the examination process to, if necessary, clarify the responses you have made or to invite you to participate in the examination;
- We can notify you about the progress of the Plan Strategy following this consultation.

Please note that your comments will be made public but your personal details will not be shared.

The Agent's contact details are only needed to be completed if someone is sending representations on your behalf. This could be someone you have paid to make representations (such as a Planning Consultant) or a family member or friend. While we will deal with your agent on a day to day basis, the representations are classed as your own.

If you are responding online, you (or your agent) will need to provide an email address along with a postal address.

Making Your Representation

You can submit comments on any part of the Plan Strategy as follows:

- Paragraph
- Policy
- Proposals Map

If you wish to make comments about more than one part of the Plan Strategy you must complete further copies of the Representation section. For the online version of the Representations Form you can do this by using the (+) button at the bottom of the page. When making representations, your response should be based on soundness, so please keep in mind the following:

Procedural tests

- | | |
|----|---|
| P1 | Has the Plan Strategy been prepared in accordance with Council's Timetable and the Statement of Community Involvement? |
| P2 | Has the Council prepared its Preferred Options Paper (POP) and taken into account any representations made? |
| P3 | Has the Plan Strategy been subject to sustainability appraisal including Strategic Environmental Assessment? |
| P4 | Did the Council comply with the regulations on the form and content of its Plan Strategy and procedure for preparing the Plan Strategy? |

Consistency tests

- | | |
|----|---|
| C1 | Did the Council take account of the Regional Development Strategy? |
| C2 | Did the Council take account of its Community Plan? |
| C3 | Did the Council take account of policy and guidance issued by the Department? |

C4	Has the plan had regard to other relevant plans, policies, strategies relating to the Council's district or to any adjoining council's district?
Coherence and effectiveness tests	
CE1	Does the Plan Strategy set out a coherent strategy from which its policies and allocations logically flow and where cross boundary issues are relevant it is not in conflict with the DPDs of neighbouring councils?
CE2	Are the strategy, policies and allocations realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base?
CE3	Are there clear mechanisms for implementation and monitoring?
CE4	Is it reasonably flexible to enable it to deal with changing circumstances?

Having considered the Draft Plan Strategy against all these tests, please tell us if you consider it to be sound or not sound. If you consider it to be unsound, you need to identify which of the soundness tests your representation relates and tell us:

- What changes you consider necessary to make it sound. This may, for instance, include suggested revised wording for any policy or supporting text. These must be supported by relevant information and evidence necessary to support/justify your submission. Please be as precise as possible;
- Each suggested change should be the subject of a separate representation.

Please note that reference may be made to links to external websites. However, in doing so, you should identify precisely which part of the webpage you are utilising as your evidence, including section, paragraph and relevant sentences or content as applicable.

Submitting Your Response

To ensure your comments are considered, please ensure we receive them by **12.00 noon on Friday 21st December 2018**.

Comments received after the closing date will not be recorded and will not be considered by the Council.

Completed forms can be returned to:

Development Plan Team	Or by email to:	Or complete it online at:
Strule House 16 High Street Omagh Co Tyrone BT78 1BQ	developmentplan@fermanaghmagh.com	www.fermanaghmagh.com

Next Steps

It is anticipated that the Planning Appeals Commission or other independent body will hold an Independent Examination by the spring of 2020. An indicative timetable for this will be posted on the Commission's website.

For further information, please visit www.fermanaghomagh.com or email developmentplan@fermanaghomagh.com

Data Protection

In accordance with the Data Protection Act 2018, Fermanagh and Omagh District Council has a duty to protect any information we hold on you. The personal information you provide on the Representation Form will only be used for the purpose of Plan Preparation and will not be shared with any third party unless law or regulation compels such a disclosure. It should be noted that in accordance with Regulation 17 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015, the Council must make a copy of any representation available for inspection. The Council is also required to submit representations to the Department for Infrastructure and they will then be considered as part of the Independent Examination process.

For further guidance on how we hold your information, please visit the Privacy section at www.fermanaghomagh.com/your-council/privacy-statement/

By submitting your representation, you confirm that you have read and understood the privacy notice and you give your consent for Fermanagh and Omagh Council to hold your personal data for the purposes outlined.