



Fermanagh & Omagh  
District Council  
Comhairle Ceantair  
Fhear Manach agus na hÓmaí

## Local Development Plan 2030

### Addendum to Rural Needs Impact Assessment (RNIA) of the LDP Draft Plan Strategy

October 2020

## **Executive Summary**

This document comprises an Addendum to the Draft Plan Strategy Rural Needs Impact Assessment (RNIA), October 2018, one of the plan documents prepared for Fermanagh and Omagh District Council's Local Development Plan (LDP) 2015 -2030.

All Representations - including those relating to the RNIA - received during the public consultation exercise held between 26 October and 21 December 2018, and the Council's response to them, are dealt with in the LDP Draft Plan Strategy Consultation Report.

However, following consideration of the Representations received, the Council has recommended a number of 'proposed changes' to the published Draft Plan Strategy. These can be found in the Schedule of Proposed Changes, published alongside this document.

This report assesses these changes through the RNIA process comprising:

- Screening all the proposed changes to policies to identify whether further assessment is required; and
- if necessary, to undertake an assessment of the changes that have not been screened out.

The findings are set out in this document in Table 1.

This addendum highlights the effects that the proposed changes to the LDP Draft Plan Strategy have had in regard to the RNIA of the Draft Plan Strategy. Following consideration of the updated appraisal no implications on the overall RNIA of the Draft Plan Strategy were identified.

## **1. Introduction**

- 1.1 The public consultation on Draft Plan Strategy took place in October-December 2018 and as a result of that exercise the Council wishes to make certain changes to the LDP. All the changes proposed can be found in the 'Schedule of Proposed Changes' Report. The changes include some minor and some focussed changes as defined in DPPN 10 Submitting Development Plan Documents for Independent Examination. However, the majority of the changes do not fall within either of those categories but are changes which are considered to represent logical and rational amendments to a policy or policy clarification in response to representations received during the consultation period.
- 1.2 Those Proposed Changes relating to policies require consideration in order to check if they alter the predicted influence by rural needs of the policy or policies in the published RNIA Report.
- 1.3 This document forms an Addendum to the October 2018 RNIA and identifies whether the outcomes of that report should be varied from those originally reported as a result of the LDP Proposed Changes. As such, this addendum should be read in conjunction with the RNIA which accompanied the published Draft Plan Strategy.
- 1.4 This Addendum includes the following:
  - Screening of the Proposed Changes to see if they 'materially' change (i.e. change what actions the LDP might inevitably lead to) what the RNIA assessed; and
  - Conclusions to clarify why an updated RNIA is not required.

## **2. Statutory Requirements**

- 2.1 The Rural Needs Act 2016 came into operation on 1 June 2017 and requires district councils and other public authorities to have due regard to rural needs when developing, adopting, implementing or revising policies, strategies and plans, and when designing and delivering public services. The principles of rural proofing are incorporated in the RNIA process.
- 2.2 The purpose of the Act is to ensure that public authorities have due regard to the social and economic needs (i.e. rural needs) of people in rural areas when carrying out certain activities and to provide a mechanism for ensuring transparency in relation to how public authorities consider rural needs when undertaking these activities.
- 2.3 Most strategies and policies developed and implemented across government have a rural dimension and it is recognised that they can have a different impact in rural areas than urban areas due to issues relating to, for example, geographical isolation and lower population densities. It is recognised that as a result of rural circumstances people in rural areas may have different needs

and therefore a policy or public service that works well in urban areas may not be as effective in rural areas.

### **3. Screening of Proposed Changes**

- 3.1 During the Draft Plan Strategy consultation exercise held between 26 October and 21 December 2018, a total of 322 individual Representations raising 659 issues, were made in relation to the DPS and associated assessments. Of the 322 representations received, 4 raised 2 issues related specifically to the RNIA. A copy of all representations received and the Council's response to them are dealt with in the LDP Draft Plan Strategy Consultation Report.
- 3.2 As a result of analysis and consideration of the representations received, the Council has recommended a number of Proposed Changes to the published Draft Plan Strategy. A list of these can be found in the Schedule of Proposed Changes.
- 3.3 An initial 'screening' of all the Proposed Changes to policies to identify whether there were any changes to the assumptions made regarding rural impact and the assessment of how individual policies have been influenced by rural needs which would change the final outcome of the RNIA. Each proposed policy change was compared against the original RNIA in terms of the aim of the policy, the rural impact and influence of rural needs on the policy.
- 3.4 Whilst many of the proposed changes range from minor to significant changes to policy or relate to clarification or updates, all are considered to have no change in terms of their overall impact. Changes to introductory text, administrative text or to appendices have not been included in the screening as they are not considered relevant to the purposes of the RNIA which is focused on what impact policies may have on the needs of rural areas.

### **4. Conclusions**

- 4.1 The proposed amendments to the Draft Plan Strategy (dPS) does not introduce any new policies, rather they represent logical and rational amendments to ensure coherence and consistency.
- 4.2 The aims and influence of the policies are unaltered either by or due to the policy amendments; nor is the overall 'Vision' for the District as set out in the dPS, affected. In reassessing the Rural Needs Impact of the amended policy, the outcomes are unchanged from that originally identified and considered.
- 4.3 Three policies (HOU08, OSR03 and HE01) have been deleted from the dPS, due to them being adequately addressed by other policies within the plan. None of the three was identified as being primarily or significantly influenced by Rural Need rather they had been influenced by a range of drivers including Rural Need. Consequently, their omission does not affect the Rural Needs Impact of the dPS.

- 4.4 The changes do not alter the likely impact on people in rural areas by the dPS, or the rural policy areas that the plan is likely to primarily impact on, nor does it alter the impact on people in rural areas or whether the policy would have a differing impact to people in urban areas or vice versa.
- 4.5 Consequently, the amended policies do not affect the draft Plan Strategy Rural Impact any differently than previously identified and considered.

**Table 1 – Reassessment of the Rural Needs Impact of the amended policy**

<b>Proposed Change Ref Number &amp; Policy</b>	<b>Summary of change/ Justification</b>	<b>Has the aim of the policy changed? Yes/No</b>	<b>Reconsideration of Rural Impact</b>
5 SP01 – Furthering Sustainable Development	Amend policy wording to comply with the demonstrable harms test in the SPPS.	No	Unchanged
8-12 SP03 – Strategic Allocation and Management of Housing	Amendments to policy to confirm it applies to Housing Supply within settlements only and amendments to policy to ensure it relates to allocation and management of housing supply (and not windfall sites (see HOU01)). Re-wording to clarify the intent of the policy. Amended table 4.	No	Unchanged
15, 16 DE01 – General Amenity Requirements	Amendment to policy and clarification.	No	Unchanged
17 DE02 – Design Quality	Amendment to para 2.11 to provide a fuller definition of connectivity by different travel modes.	No	Unchanged
18 DE03 – Sustaining Rural Communities	Delete reference to policy OSR03 (as it will be deleted) and add reference to TR03 as this could potentially allow development that would be within the countryside.	No	Unchanged
19 DE07 – Advertisements	Amendment and add text to confirm public safety includes road safety.	No	Unchanged
20 DE08 – Advertisements and the Historic Environment	Amendment to text to confirm signage requirements.	No	Unchanged
21, 22 HOU01 - Housing in Settlements	Amendments to policy to confirm it relates to the consideration of applications on Windfall sites in settlements only (and not allocation or management of housing supply (See SP03)). Re-wording to clarify the intent of the policy.	No	Unchanged

Proposed Change Ref Number & Policy	Summary of change/ Justification	Has the aim of the policy changed? Yes/No	Reconsideration of Rural Impact
23, 24 HOU3- Affordable Housing in Settlements	Additional text in para 3.12 & 3.14 to confirm development viability is a material consideration and reflect that there are circumstances where social rented housing cannot be maintained in perpetuity	No	Unchanged
25 HOU05 - Shaping our Houses and Homes	Additional criteria to ensure 10% of all units (for development of 20 or more units) meet wheelchair standard units, except within smaller settlements where there would be a lower threshold.	No	Unchanged
26 HOU06 - Public Open Space in new Residential Developments	Delete two criteria and replace with a general 'exception' criterion.	No	Unchanged
27, 28 HOU08 - Annex Living	Delete policy and clarification as it is adequately covered by other policies in the Plan Strategy	Policy deleted, overall aim consumed within other policies	N/A
29 HOU09 – Rural Replacement Dwellings	Para 3.37 deleted and replaced with alternative clarification to support policy intent.	No	Unchanged
30 HOU10 – Replacement of Other Rural Buildings	Insertion of the word 'all' to ensure consistency of language used throughout the DPS.	No	Unchanged
31 HOU14 – Rounding Off and Infilling	Amendment to policy wording of what constitutes a group of buildings at criteria 1 (c) to address concerns identified by Dfl and more fully reflect intent of the policy and amendment to criterion 2 (Infilling), to accommodate two rather than one dwelling in a small gap.	No	Unchanged
32 HOU17- Affordable Housing in the Countryside	Increase from 6 to 8 dwellings in a group. Deletion of references to Rural Development/Community Association in line with	No	Unchanged

Proposed Change Ref Number & Policy	Summary of change/ Justification	Has the aim of the policy changed? Yes/No	Reconsideration of Rural Impact
	representation from NIHE and legal advice.		
33 CF01 - Community Facilities	Amend wording of policy.	No	Unchanged
34, 35 OSR01 - Protection of Open Space	Identify that open space should be protected irrespective of its current condition and to align with the SPPS. Provide additional clarification.	No	Unchanged
36, 37 OSR02 - Intensive Sports Facilities	Delete (d) as this is covered by other policies of the plan and third para. of policy so it aligns with SPPS. Amend description of Intensive Sports facilities so it aligns with the SPPS.	No	Unchanged
38 OSR03 - Outdoor Recreation in the Countryside	Delete policy and clarification as policy is sufficiently covered by other policies of the plan.	Policy deleted; overall aim consumed within other policies.	N/A
39, 40 OSR04 - Protection of Lough Shores	Delete 'significant' from criteria (a) to align with SPPS. Provide additional clarification of a lough shore.	No	Unchanged
41 OSR05 - Development Adjacent to a Main River	Delete criterion c and e as covered under other policies.	No	Unchanged
42 RCA01 – Rural Community Areas	Change to para 3.89 to provide further clarification on workspace/business start-up units.	No	Unchanged
43, 44 IB02 - Loss of Industry and Business Uses	Move from policy clarification to policy confirmation that the reallocation of land zoned for Industrial and Business would be through the LDP process.	No	Unchanged
45 IB03 – Development Incompatible with Economic Development Uses	Provide additional clarification on details of mitigation.	No	Unchanged



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46 IB05 – Farm Diversification	Remove criteria (c) to be consistent with policy IB06 and as these matters are covered by other policies of the plan.	No	Unchanged
47 IB06: Agricultural and Forestry Development	Add criteria referring to ammonia emissions and clarify the potential significant adverse effects of ammonia emissions referred to in the policy.	No	Unchanged
48 TCR04 - Villages and Small Settlements	Additional bullet point to confirm retail development in a village or small settlement would not be of a scale to impact on nearby town centres.	No	Unchanged
49, 50 TCR05 - Petrol Filling Stations	Amend threshold to align with threshold in TCR01 relating to small scale convenience outside a town centre; Add bullet point to allow for exceptional cases outside of settlements; and add bullet point to confirm retail development at a PFS would not be of a scale to impact on nearby town centres.	No	Unchanged
51, 52, 53 TOU01 - Protection of Tourism Assets and Tourism Development	Reworded to reaffirm the policy intent of protecting tourism assets and strengthening the test for justifying the loss of a tourism amenity. Additional clarification to demonstrate marketability/viability of a facility.	No	Unchanged
54, 55 TOU02 - Tourism Development in Settlements	Restructuring of the policy in line with the policy intent and inclusion of additional criteria relating to reuse and adaption. Additional clarification.	No	Unchanged
56, 57 TOU03 - New Build Hotel, Guest House and Tourist Hostel Outside Settlement Boundaries	Addition of the word 'only' to support policy intent. Amended clarification to define periphery.	No	Unchanged

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58, 59 TOU04 - Holiday Parks, Touring Caravan and Camping Sites	Alternative wording, in line with the SPPS, provided for Criterion C.	No	Unchanged
60, 61, 62 MIN01 - Minerals Development	Additional policy wording for valuable minerals. Amended wording to include clear presumption against mineral development in an ACMD; additional text relating to commercial peat extraction; additional criteria on cumulative effects. Amended wording to improve clarity.	No	Unchanged
63 MIN04 - Unconventional Hydrocarbon Extraction – Policy Clarification	Additional text to provide policy clarification on the definition of hydraulic fracturing or fracking.	No	Unchanged
65, 66, 67 HE01 - Historic Environment Overarching	Delete policy as it can be adequately addressed by other policies of the plan	Policy deleted; overall aim consumed within other policies.	N/A
68 – 73 HE02 Archaeology	Amendments to para 5.8, 5.9, 5.11, 5.12, 5.13, 5.14 and new para after 5.14 to provide clarification and confirmation of approach.	No	Unchanged
74 – 78 Policy HE03(a) Listed Buildings and their Settings Policy HE03(b) Listed Buildings and their Settings	Alterations to improve clarity of policy and align with SPPS and delete reference in policy re considering demolition of a listed building “where the structural integrity of the building is dangerous and beyond repair” as this does not align with the SPPS.	No	Unchanged

Proposed Change Ref Number & Policy	Summary of change/ Justification	Has the aim of the policy changed? Yes/No	Reconsideration of Rural Impact
79 – 82 Policy HE04 (a) Conservation Areas Policy HE04 (b) Conservation Areas	Reflect wording in SPPS and additional wording to reflect the SPPS ‘presumption’ against demolition. Amend incorrect CA boundary to reflect boundary as shown in the Enniskillen Conservation Area Guide (March 1988).	No	Unchanged
83 – 87 Policy HE05 (a) Areas of Townscape Character (ATCs) and Areas of Village Character (AVCs)  Policy HE05 (b) Areas of Townscape Character (ATCs) and Areas of Village Character (AVCs)	Remove reference to archaeology as this is already addressed by other policy and change wording to reflect SPPS. Removal of part of policy test regarding setting to align with SPPS.	No	unchanged
88 HE06 - Historic Parks, Gardens and Demesnes	Change wording to better reflect SPPS.	No	Unchanged
89, 90 HE07 - Local Landscape Policy Areas (LLPAs)	Change wording to better reflect SPPS. Additional clarification.	No	Unchanged
91, 92 HE08 - Enabling Development	Inclusion of additional wording to enhance intent of policy.	No	Unchanged
93, 94 HE09 - Change of Use, Conversion or Re-use of an Unlisted Locally Important Building or Vernacular Building	Amend policy wording to better reflect SPPS and improved clarification.	No	Unchanged
95 NE01 - Nature Conservation	Amend policy wording so it fully reflects approach in SPPS and Legislation	No	Unchanged

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96 NE02 - Protected Species and their Habitats	Amend policy wording so it aligns with SPPS and distinguishes between the different policy tests for EU and nationally protected species.	No	Unchanged
97, 98 NE03 –Other Habitats, Species or Features of Natural Heritage Importance	Amend policy title to fully reflect the revised policy intentions and amend policy wording to more fully align with the SPPS.	No	Unchanged
99, 100 L01 - Development within the Sperrin Area of Outstanding Natural Beauty	Amendments to policy to more closely reflect the requirements of the SPPS and to provide detail of what is considered to be the distinctiveness of the AONB and specifying the requirement for a LVIA.	No	unchanged
101, 103 Policy L02 - Special Countryside Areas	Amendments made to reflect the exceptional circumstances upon which planning permission would be granted for development in the SCA. Specify requirement for LVIA. Additional clarification.	No	Unchanged
103 Policy L03 - Areas of High Scenic Value (AoHSV)	Amendment to policy to reflect policy intent and to remove duplication.	No	Unchanged
105, 106, 107 Policy FLD01 - Development in Floodplains	Amendment to policy to improve structure. Additional clarification.	No	Unchanged
108 Policy FLD02 - Development affected by Surface Water Flooding Outside Floodplains	Movement of text from policy clarification into policy so as to reflect the SPPS.	No	Unchanged
109 FLD03 - Sustainable Drainage Systems (SuDs)	Amendment to policy to increase its application to all types of development given the benefits of this type of drainage solution.	No	Unchanged
110	Amendment to policy to more closely reflect the SPPS.	No	Unchanged

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FLD04 - Protection of Flood Defences and Drainage Infrastructure			
111 FLD05 - Artificial Modification of Watercourses	Amendment to policy to more closely reflect the SPPS.	No	Unchanged
112 – 114 FLD06 - Development in Proximity to Controlled Reservoirs	Amendment to title of policy and movement of text from policy clarification to policy so as to reflect the SPPS. Additional clarification.	No	Unchanged
116 – 122 Policy RE01 - Renewable and Low Carbon Energy Generation	Amendments to more closely reflect the regional strategic policy within the SPPS with additional criteria relating to decommissioning and restoration and fall distance from public road and to remove reference to large scale solar installations. Additional clarification.	No	Unchanged
124, 125 Policy TR01 – Land use Transport and Accessibility	Amendment to the title and test of the policy to assist with the understanding of the policy and to avoid duplication of other policies. Add footnote to confirm basis for TA's. Clarification amendment.	No	Unchanged
126, 127 Policy TR02 - Car Parks and Service Provision	Amendment to policy to confirm it applies to temporary car parking and there will be a presumption against temporary car parking. Additional clarification.	No	Unchanged
128, 129 Policy TR04 - Protected Routes	Amendment to include additional criteria to comprehensively address all aspects where an access to a Protected Route may be acceptable.	No	Unchanged
130 Policy TR05 – Safeguarding New Transport Schemes	Amendment to para 6.53 to include reference to the Regional Strategic Transport Network Transport Plan (RSTNTP) and confirm that the source for information on New Transport Schemes, and any updates, will be Dfl.	No	Unchanged

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131 Policy TR06 – Disused Transport Routes	Change wording of definition of disused transport routes to reflect the SPPS.	No	Unchanged
132 Policy WM01 - Waste Management Facilities	Minor amendment to reflect SPPS policy test in relation to location of a regional waste management facility.	No	Unchanged
133 Policy WM03 – Development in the vicinity of Waste Management Facilities	Minor amendment to para 6.71 to confirm that an Odour Consultation Zone may be identified for a WwTW.	No	Unchanged