



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

Fermanagh & Omagh Draft Plan Strategy Representations Form

Hard Copies of the Draft Plan Strategy are available for inspection during normal opening hours at the council's principal offices. The documents, electronic copies of this form, and our 'Guidance for Making Responses to the Plan Strategy' may be viewed at: <https://www.fermanaghomagh.com/>

How to respond

You can make representations about the Draft Plan Strategy by completing this survey form, or if you prefer, you can fill out this form online.

For further assistance contact: developmentplan@fermanaghomagh.com or Tel: 0300 303 1777; All representations must be received by 21st December 2018 at 12:00 noon.

SECTION 1. Contact Details

Individual ☒ Organisation ☐ Agent ☐ (complete with your client's details first)

First Name

DESMOND

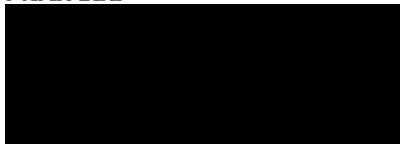
Last Name

O'NEILL

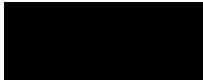
Job Title (Where relevant)

Organisation (Where relevant)

Address



Postcode



Telephone Number



Email Address



If you are an Agent, acting on behalf of an Individual or Organisation, please provide your contact details below. (Please note you will be the main contact for future correspondence).

First Name

Last Name

Job Title (Where relevant)

Organisation (Where relevant)

Address

Postcode

Telephone Number

Email Address

SECTION 2. Representation

What is your view on the Draft Plan Strategy?

Sound ☐

If you consider the Draft Plan Strategy to be **sound**, and wish to support the Plan Strategy, please set out your comments below.

(Continue on a separate sheet if necessary)

OR

Unsound ☒

If you consider the Plan Strategy to be **unsound**, please identify which test(s) of soundness your representation relates to, having regard to Development Plan Practice Note 6.

Soundness Test No:

- ☐ **P1 Has the Draft Plan Strategy been prepared in accordance with the council's timetable and the Statement of Community Involvement?**

- ☐ P2 Has the council prepared its Preferred Options Paper and taken into account any representations made? **NO -FODC has taken a very severe interpretation**
- ☐ P3 Has the Draft Plan Strategy been subject to sustainability appraisal including Strategic Environmental Assessment? **Dont Know**
- ☐ P4 Did the council comply with the regulations on the form and content of its Draft Plan Strategy and procedure for preparing the Draft Plan Strategy? **NO -FODC is depending on flawed data**
- ☐ C1 Did the council take account of the Regional Development Strategy? **NO -FODC has dismissed relevant comments**
- ☐ C2 Did the council take account of its Community Plan?
- ☐ C3 Did the council take account of policy and guidance issued by the Department? **NO -FODC has taken a very severe interpretation**
- ☐ C4 Has the plan had regard to other relevant plans, policies and strategies relating to the council's district or to any adjoining council's district? **NO - as FODC is current currently ahead of adjoining Council areas in the Plan process- their Draft proposals are not yet established**
- ☐ CE1 Does the Plan Strategy sets 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 Draft Plan Strategies of neighbouring councils? **NO - as FODC is current currently ahead of adjoining Council areas in the Plan process- their Draft proposals are not yet established**
- ☐ CE2 Are the strategy, policies and allocations realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base? **NO -FODC is depending on flawed data**
- ☐ CE3 Are there clear mechanisms for implementation and monitoring? **NO**
- ☐ CE4 Is it reasonably flexible to enable it to deal with changing circumstances? **NO**

Plan Component - To which part of the Draft Plan Strategy does your representation relate?

- (i) Relevant Paragraph
- (ii) Relevant Policy
- (iii) Proposals Map
- (iv) Other

Details

Please give details of why you consider the Plan Strategy to be unsound having regard to the test(s) you have identified above. Please be as precise as possible.

Draft Policy DE04 - SEE PAGES 54-55

The Draft Policy States The Council will support proposals for development in the countryside, including replacement buildings, where it can be demonstrated that: a) the proposed site has the capacity to absorb the building without adverse impact on visual amenity; b) it can be visually integrated into the surrounding landscape through the use and retention of established boundaries and landscaping and does not rely on new substantial landscaping for integration; c) the design of the building is of an appropriate scale and massing for the site and the locality; d) it will not result in a prominent or obtrusive feature in the landscape, including skyline or top of slope/ridge locations, when assessed from critical views; and e) it does not rely on significant and/or inappropriate earth works for integration.

All development proposals in the countryside must demonstrate how account has been taken of Building on Tradition: A Sustainable Design Guide for the Northern Ireland Countryside: Policy Clarification 2.16. Where the form, scale and massing of the proposed development exceed the capacity of the site, this can result in development which no longer integrates and which is prominent or obtrusive in the landscape.

2.17. Development includes new accesses, new laneways and associated boundary treatments and these have the potential, in themselves, to be prominent or obtrusive. Ancillary works such as accesses and services should use the field boundaries/hedgerows and the landform alongside additional landscaping measures to aid integration and to mitigate the impact of the development. Suburban style gardens and sweeping laneways can also result in prominent and obtrusive development.

2.18. The assessment of integration will be judged from critical views along stretches of the public road network; shared private lane-ways serving existing or approved dwellings; public rights of way and other areas of general public access and assembly, e.g. a car park. There may also be occasions where combined views from individual private laneways, located in close proximity to each other, will be relevant in assessing integration.

Where a site cannot be readily identified from critical viewpoints, it does not obviate the need for careful site selection to ensure the proposed building blends into its surrounding and is of a high standard of design.

2.19. Development proposals must include details of proposals for site works, spot levels, retention of curtilage/boundaries, hedges and boundary treatment, including walls and fences, and details of new landscaping.

The above draft policy represents a substantial over reach by FDOC. It adds further visual tests to be applied to all developments in the rural area from the public road and private lanes. Currently houses that are approved on farms achieve integration by visually linking or grouping with the farm group under that Policy CTY 10 – Dwellings on Farms Just resulted in a total of four hundred dwellings approved in FDOC from 2010-2016

Draft Policy DE04 will now add a further series of tests that will further restrict development in the rural area FDOC Planners seek to retain the ability to control development by inserting additional rules making rural applications (dwellings on farms) subject to their profession opinion This should be curtailed as it inevitably will lead to a stricter policy

The new policy HOU12 should be broadly similar to current Policy CTY 10 see attached - (Consideration of Representations Received to the Preferred Options) Paper October 2018- in that paper FODC makes it clear that development in Rural Areas is to be sustained but will not promote growth This should be challenged vigorously as growth is essential for all our rural areas Draft Policy DE04 is not detailed within HOU12 but will be a material consideration if implemented HOU12 should be amended to ensure that Draft Policy DE04 does not apply

(Continue on a separate sheet if necessary)

Modifications

What, if any, modifications do you think should be made to the section, policy or proposal? What specific modifications do you think should be made in order to address your representation?

The new policy HOU12 should be broadly similar to current Policy CTY 10 with integration achieved by visually linking or grouping with the farm buildings as stated before see attached - (Consideration of Representations Received to the Preferred Options) Paper October 2018- in that paper FODC makes it clear that development in Rural Areas is to be sustained but will not promote growth This should be challenged vigorously as growth is essential for all our rural areas Draft Policy DE04 is not detailed within HOU12 but will be a material consideration if implemented HOU12 should be amended to ensure that Draft Policy DE04 does not apply

(Continue on a separate sheet if necessary)

If you are seeking a change to the Draft Plan Strategy, please indicate how you would like your representation to be dealt with at Independent Examination:

☒ Written Representations ☐ Oral Hearing

SECTION 3. Data Protection and Consent

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 this 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 the 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 proceeding and submitting this representation you confirm that you have read and understand the privacy notice above and give your consent for Fermanagh and Omagh Council to hold your personal data for the purposes outlined.

Consent to Public Response

Under planning legislation we are required to publish responses received in response to the Plan Strategy. On this page we ask for your consent to do so, and you may opt to have your response published anonymously should you wish.

Please note: Even if you opt for your details to be published anonymously, we will still have a legal duty to share your contact details with the Department for Infrastructure and the Independent Examiner/Authority they appoint to oversee the examination in public into the soundness of the plan. This will be done in accordance with the privacy statement above.

- ☒ Yes with my name and/or organisation
☐ Yes, but without my identifying information

Signature



Date

20th Dec 2018.

Consideration of Representations Received to the Preferred Options Paper October 2018

	<p>The environment should be the over-riding factor when allocating land for economic development. The Plan should instruct that land will not be allowed for industrial development in the countryside where there is a risk that it could adversely affect an environmentally sensitive area, water or air purity, farming or a tourism resource.</p> <p>Jobs of any sort are needed in the Council area not a range of jobs. Targets are required for economy, broadband connectivity, no. of tourists, environment i.e. reduction in GHG emissions – all objectives need to be made SMART or left out.</p> <p>They consider there is a clear requirement for IT/Service based roles.</p>	<p>Strategy. The protection of Tourism Assets will also be reflected within the Plan Strategy. Industry and Business land will not be allocated in the Countryside. However, policy provision will be made to allow for Industry and Business uses in the countryside subject to criteria.</p> <p>The LDP objectives to achieve the LDP spatial vision provide the broad direction for the spatial approach and individual policies within the Plan Strategy. Monitoring indicators will enable the effectiveness of the LDP policies against the objectives.</p> <p>The LDP is required to ensure there is an ample supply of suitable land available to meet economic development needs within the plan area. Where this has been provided LDP policies in relation to economic development and public utilities will enable. Whilst the LDP provide policies to enable development, capital investment in infrastructure is outside the realm of the LDP.</p> <p>The viewpoints expressed in relation to the designation of Rural Protection Areas were taken into account and it was decided to not proceed with this Option. Instead the Council looked to the existing provisions within the SPPS, with reasonable variations to these suggested in representations to the Preferred Options Paper considered such as regeneration efforts, considering those historical housing sites which do not meet the current replacement tests and existing sites with good integration and no impact on rural character.</p>
Development in the Countryside/Sustaining Rural Communities	<p>The evidence base for the identification of Rural Protection Areas was queried with some arguing that the existing policy framework within PPS21 made adequate provision for new development in the countryside. Identified need to sustain rural communities and address the issue of the decline in rural population and the loss of young people away from the rural area. Views that there is a need to manage the rural landscape and make it more vibrant alongside a view that the integrity of the countryside should be protected for future generations.</p> <p>Specific issues related to single houses in the countryside – particularly houses on a farm, the criteria for replacement dwellings and houses for non-farming rural dwellers, Dispersed Rural Communities, affordable housing, the regeneration of rural areas and a call to enable 'good sites' to be taken forward where they do not meet the cluster test. There is a skewed interpretation for sustainable which needs to be corrected in relation to sustaining rural communities.</p> <p>Sustainable, sensibly located economic growth/development and industry should be supported within the villages, small settlements and countryside as well as the two main towns to assist with sustainable job creation. This should be facilitated through the revitalisation of some of the smaller settlements and through the creation of rural business hubs with accommodation and good digital connectivity in the countryside and which have long term benefit for local communities.</p>	<p>Other suggestions, such as providing for more than one opportunity for a dwelling on a farm within a ten year period was considered and set aside given the large number of farms within Fermanagh and Omagh and the potential for this to impact significantly on the spatial growth strategy for the plan area. Sustaining Rural Communities relates to enabling appropriate forms of development which ensures that these communities are sustained. It does not imply that they should grow.</p> <p>Policy has been taken forward to enable Industry and Business in the main towns, villages, small settlements (draft policy IB01 Industry and Business Development in the Settlements) and in the countryside (draft policy IB04 Industry and Business Development in the Countryside and draft policy IB05 Farm Diversification).</p>
Economic Development	<p>Consultation identified that previous economic development land allocations should be reviewed, including the availability of it and access to it, and that zonings should enable industry and business beyond the traditional manufacturing sector.</p> <p>General consensus that the FODC area needed to become more connected, both physically in terms of the road network and digitally, in order for it to advance in terms of Economic Development, Industry and Commerce.</p> <p>LDP should provide serviced sites to facilitate world leaders in the manufacture of quarrying equipment and split off companies.</p> <p>Strong objection to unconventional hydrocarbon extraction and gold mining, specifically in the Sperrin AONB, was expressed alongside the request for an increase in those areas where mining would be subject to further control or requesting an entire ban on fracking within the FODC area. Concerns related to impact on the economy including tourism, human health and natural environment including landscape/AONB. It was</p>	<p>Draft policy RCA01 Rural Community Areas provides for small-scale, rural start-up projects subject to criteria. It is clarified that examples of this include workspace/start-up units and community/social enterprise. There are other policies within other subject areas which are considered to enable other forms of industry and business.</p> <p>These matters will be addressed at Local Policies Plan Stage.</p> <p>Noted. The LDP will bring forward policies to enable the associated infrastructure.</p> <p>Land zoned for Industry and Business will be identified at Local Policies Plan stage.</p> <p>The 15 year period limit for planning permission for minerals is linked to the 15 year period associated with the yet to be enacted legislative provision, under Schedule 3 Periodic Review of Old Mineral Permissions of the Planning Act (Northern Ireland) 2011, which sets the first review date falling 15 years from the grant of planning permission. There is no basis for reducing this period to 5 and therefore could be considered unsound.</p>
Mineral Development		

The text boxed in red indicates that Fermanagh Omagh District Council considers that Rural Communities should just be sustained and their policies ensure that they will not grow