

Appendix 2: The Planning (LDP) Regulations (NI) 2015 Tests

No.	<u>PART 2: Timetable: Preparation of the timetable</u>
1.	Were the Planning Appeals Commission (PAC) and any other consultation bodies the council considered appropriate consulted?
No.	<u>PART 2: Timetable: Content of the timetable</u>
1.	Has the timetable included indicative dates for each stage of the preparation of the LDP including; <ul style="list-style-type: none"> • Publication of the preferred options paper (POP)? • Publication of the plan strategy (PS) and publication of the local policies plan (LPP)? and • Adoption of the PS and LPP? • The carrying out of the sustainability appraisal under section 8(6) (a) and the preparation of the report on the findings of the appraisal?
No.	<u>PART 2: Timetable: Agreement of the timetable</u>
1.	Has the timetable been approved by resolution of the council prior to submission to the Department for its agreement?
2.	Has the timetable been submitted to the Department?
3.	Was the timetable agreed by the Department and was this before any advertisement of POP?
No.	<u>PART 2: Timetable: Availability of the timetable</u>
1.	Has the council made the agreed timetable available for inspection at its principal office and any other places within the district considered appropriate?
2.	Has the council given notice by local advertisement that the timetable is available for inspection and the place and times at which it can be inspected?
3.	Has the council published the timetable on its website?
4.	Has any revision of the timetable been in accordance with the requirements of Regulations 7 & 8?

No.	<u>PART 3: Preferred Options Paper: Preparation of the preferred options paper</u>
1.	Has the council (for generation alternative strategies and options) engaged the consultation bodies before publishing POP?
2.	Has the council taken into account any representations received from the consultation bodies?

No.	PART 3: Preferred Options Paper: Availability of the preferred options paper
1.	Has the council made the following documents available for inspection:- <ul style="list-style-type: none"> • A copy of the preferred options paper? • Relevant supporting documents? • Dates within which representation on the POP may be made? • Address where representations can be sent?
2.	Has the council made a copy of documents available for inspection at the principal offices and other appropriate places within the district?
3.	Has the council sent the information set out in paragraph (a) Regulation 10, to the consultation bodies?
4.	Has the council given notice by local advertisement of the following:- <ul style="list-style-type: none"> • The title of the local development plan? • A statement that the POP is available for inspection and the places and times at which it can be inspected? • A brief description of the content and purpose of the preferred options paper? • Details of how further information on the preferred options paper may be obtained?
5.	Has the council published the following on its website:- <ul style="list-style-type: none"> • The POP? • Such supporting documents relevant to the POP? • The document stating dates of public consultation and address to which representations can be sent?
No.	PART 3: Preferred Options Paper: Public consultation on the preferred options paper
1.	Was the public consultation period for the POP between 8 and 12 weeks?
2.	Has the council taken account of any representations made in accordance with paragraph (2) Regulation 11, before it prepares a development plan document?

No.	PART 4: Form and Content of Development Plan Document:
1.	Does the development plan document contain:- <ul style="list-style-type: none"> • A title which must give the name of the council district for which the LDP is prepared and indicate whether it is a plan strategy or local polices plan? • A sub-title which must indicate the date of the adoption of the development plan document?
2.	Does the development plan document contain a reasoned justification of polices contained within it?

3.	Are those parts of a development plan document which comprise policies of the LDP and those parts which comprise the reasoned justification readily distinguishable?
No.	<u>PART 4: Form and Content of Development Plan Document: Proposals map</u>
1.	Does the development plan document contain a map or maps describing the policies and proposal set out in the development plan document, so far as practicable to illustrate such policies or proposals spatially?
2.	Is the proposals map sufficiently detailed so as to enable the location of proposals for the development and use of land to be identified?
No.	<u>PART 4: Form and Content of Development Plan Document: Additional matters to be taken into account</u>
1.	Has the council taken into account when preparing the LDP the objectives of preventing major accidents and limiting the consequence of such accidents?
2.	Has the council taken into account when preparing the LDP the long term to maintain appropriate distances between establishments covered by the Directive and residential areas, buildings and areas of public use, major transport routes as far as possible, recreational areas of particular natural sensitivity or interest?
3.	Has the council taken into account when preparing the LDP, in the case of existing establishments, for additional measures in accordance with Article 5 of the Directive so as not to increase the risks to people?

No.	<u>PART 5: Development Plan Document Procedure: Availability of a development plan document</u>
1.	Is a copy of the development plan document available for inspection (during normal working hours)?
2.	Is a copy of the sustainable appraisal report available for inspection?
3.	Is a copy of any relevant supporting documents in the preparation of the LDP available for inspection?
4.	Is copy of the statement indicating the period within which representations on the LDP may be made and notice of the address available for inspection?
5.	Notice of the address to which representations can be sent?
6.	Has a copy of all documents specified in paragraph (a) regulation 15 of The Planning (LDP) Regulations (NI) 2015 been sent to the consultation bodies?
7.	Has notice been given in the Belfast Gazette and by local advertisement which include the title of the development plan document and details of places and times the document can be inspected?
8.	Is the development plan document, any supporting documentation and the notice mentioned in paragraph regulation 15 (a) (iv) published on the council website?

No.	<u>PART 5: Development Plan Document Procedure: Availability of representations on a development plan document</u>
1.	Has the council made the following available for inspection after the statutory 8 weeks consultation period: <ul style="list-style-type: none"> • A copy of the representations? • Document with the dates within which counter representations may be made? • Notice of the address to which counter representations can be sent?
2.	Has the council made a copy of documents available for inspection at the principal offices and other appropriate places within the district?
3.	Are the representations published on the council website?
4.	Has notice been given in the Belfast Gazette and by local advertisement which state that representations are available for inspection and the place and times which they can be inspected?
5.	Has the council notified the consultation bodies of the fact that representation are available for inspection and the places and times at which they can be inspected?
6.	Has the council notified any person who has made (and not withdrawn) a representation in accordance with regulation 16(3)?
No.	<u>PART 5: Development Plan Document Procedure: Public consultation on site specific representations</u>
1.	Has the counter representations: <ul style="list-style-type: none"> • Been made within a period of 8 weeks starting on the day the council complies with regulation (17) (a)? • Sent to the address specified in regulation 17(1) (a) (iii)?
No.	<u>PART 5: Development Plan Document Procedure: Availability of representations on site specific policy representations</u>
1.	Has the council (as soon as reasonable practicable after the statutory 8 weeks consultation period): <ul style="list-style-type: none"> • Made a copy of the counter representation available for inspection at- <ul style="list-style-type: none"> ○ Its principle offices?, and ○ Such other places within the district of the council as the council considered appropriate? • Publish this information on its website?
No.	<u>PART 5: Development Plan Document Procedure: Submission of documents for independent examination</u>
1.	Has the council considered representations made under regulation 16 and, as the case may be, regulation 18 (public consultation on a development plan document)?
2.	Has the council submitted the following prescribed documents to the department; <ul style="list-style-type: none"> • The sustainability appraisal report under section 8(6) (b)? • The statement of community involvement?

	<ul style="list-style-type: none"> • Evidence that the council has complied with the statement of community involvement? • Copies of the notices (POP, DPS & reps stages)? • The timetable? • A statement setting out- <ul style="list-style-type: none"> ○ A summary of the main issues raised in representations in accordance with regulation 11(2)? ○ How those main issues have been taken into account in the preparation of the development plan document? • A statement setting out- <ul style="list-style-type: none"> ○ If representations were made in accordance with regulation 16(2), the number of representation made and a summary of the main issues raised on those representations?, or ○ That no such representation were made; • Copies of any representations made in accordance with regulation 16(2) or 18(2)? • Any additional documents the council consider relevant to the preparation of the development plan document?
3.	Has the council sent the department a copy of DPS?
No.	<u>PART 5: Development Plan Document Procedure: Availability of submission documents?</u>
1.	<p>As soon as reasonably practicable after a council submits a development plan document to the Department it must;</p> <ul style="list-style-type: none"> • Make the following documents available for inspection at the places referred to in paragraph (b) <ul style="list-style-type: none"> ○ a copy of the development plan document, ○ the documents specified in regulation 20(2), and ○ such other documents as in the opinion of the council are relevant to the preparation of the development plan document; • The places referred to in paragraph (a) are- <ul style="list-style-type: none"> ○ the council's principal offices, and ○ Such other places in the district of the council as the council considers appropriate. • Notify the consultation bodies of the fact that the development plan document and the documents mentioned in paragraph (a) are available for inspection and the places and times at which they can be inspected; • Notify any person who has made (and not withdrawn) a representation in accordance with regulation 16(2) or 18(2) of those matters;

	<ul style="list-style-type: none"> • Give notice in the Belfast Gazette and by local advertisement of the fact that the development plan document has been submitted to the Department; and • Publish the notice mentioned in paragraph (e) on its website.
No.	<u>PART 5: Development Plan Document Procedure: Publicity of the independent examination</u>
1.	<p>Has the council (at least four weeks before the opening of an independent examination):</p> <ul style="list-style-type: none"> • Notified the consultations bodies of the matters referred to in paragraph (2)? • Give notice in the Belfast Gazette and by local advertisement of those matters? • Publish those matters on its website? • Notify any person who has made (and not withdrawn) a representation in accordance with regulation (16) (2) or 18(2) of those matters?
2.	<p>The matters referred to in paragraph (1) are;</p> <ul style="list-style-type: none"> • The time and place at which the examination is to be held?, and • Whether the planning appeals commission or the person appointed will carry out the independent examination and if the latter, the identity of that person?