

Schedule 2– Derry City & Strabane District Council – Departmental MODs (all new MODs, All FCs, any altered Commissioner RAs)

Dfl MOD number	RA Number	Council's Amendment Number	Page Number	Paragraph Number	Recommended Amendment/Corresponding Text	Dfl Modifications
MOD 01	RA 01		45	Objectives (a) (ii) and (iii)	Add 'residential uses' to the list of identified land uses	Dfl directs the Council to modify objective (a)(ii) and (iii), page 45 of the dPS, in accordance with this PAC Recommended Amendment.
MOD 02	RA 02	PC 08 (FC 07A)	47	Objective d (i)	Amend wording to Objective d (i) line 4, to '...more tree cover (in the correct locations and of an appropriate type)	Dfl directs the Council to modify objective (d)(i), page 47 of the dPS, in accordance with this PAC Recommended Amendment. Note – This MOD is connected to changes made under RA18 (PC8) in Sch 1A
MOD 03	RA 03	PC 09	52	Table 6	Change the heading of table to 'Table 6: Overall Growth Strategy for District following LDP POP Stage'	Dfl directs the Council to modify Table 6, page 52 of the dPS, in accordance with this PAC Recommended Amendment.

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MOD 04	RA 04	FC 08	52	Para 5.7	Amend the preceding introductory paragraph as follows: 'In the POP, three 'Growth Strategy' Options were identified regarding the scale of target growth for the Council's District to 2032. That Growth Strategy focused on three key aspects, namely population, jobs and houses; similar options are summarised in the table below and explained in the following text:'	DfI directs the Council to modify paragraph 5.7, page 52 and paragraph 5.15, page 54 of the dPS in accordance with this PAC Recommended Amendment.
		PC10	54	Para 5.15	At the end of bullet point 3, insert sentence 'Additionally, to have a sustainable and secure energy infrastructure to meet the needs of the District and Region'	
MOD 05		FC 09	63	Para 6.14	Amend the 2nd & 3rd sentences of para 6.14 to read as follows: 'The Council will explore opportunities to demonstrate / test climate change / adaptation processes, but any new form of settlement would be of modest scale and most-probably based upon an existing cluster or settlement – if / when it is developed over the life of this LDP or possibly after 2032. Any such development would respect and enhance sustainable development patterns within existing settlements, be an 'exceptional case', considered on its individual merits and it would need to fit in the appropriate tier within the LDP's settlement hierarchy.'	DfI directs the Council to modify paragraph 6.14, page 63 of the dPS as follows: 'The Council will explore opportunities to demonstrate / test climate change / adaptation processes, but any new form of settlement would be of modest scale and most-probably based upon an existing cluster or settlement – if / when it is developed over the life of this LDP or possibly after 2032. Any such development would respect and enhance sustainable development patterns within existing settlements, be an 'exceptional case', considered on its individual merits and it would need to fit in the appropriate tier within the LDP's settlement hierarchy.'
			88	Para 7.50,	RELATED CHANGES elsewhere Amend para	

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			90	measure iii Paras 7.53 & 7.57	7.50 measure iii as follows: ‘iii considering the feasibility of a pilot ‘form of resilient settlement’ project at LPP stage to promote sustainable, climate resilient settlement form; and’ Amend para 7.53, 3rd line to ...‘resilient form of settlement’... Amend para 7.57, 3rd sentence to: This ‘resilient form of development’, subject to the feasibility study, would be an exceptional case and would need to fit in the appropriate tier normally be expected to lie within an existing settlement and respect and enhance sustainable development patterns, within the LDP’s settlement hierarchy. Refer also to Chapter 6 of the LDP Spatial Strategy, Para 6.14	<p>paragraph 7.50, measure iii, page 88 of the dPS as follows: ‘iii considering the feasibility of a pilot ‘form of resilient settlement’ project at LPP stage to promote sustainable, climate resilient settlement form; and’</p> <p>DfI also directs the Council to modify paragraph 7.53, 3rd line, page 90 of the dPS as follows: ...‘resilient form of settlement’...</p> <p>Furthermore, DfI directs the Council to modify paragraph 7.57, 3rd sentence, page 90 of the dPS as follows: This ‘resilient form of development’, subject to the feasibility study, would be an exceptional case and would need to fit in the appropriate tier normally be expected to lie within an existing settlement and respect and enhance sustainable development patterns, within the LDP’s settlement hierarchy. Refer also to Chapter 6 of the LDP Spatial Strategy, Para 6.14.</p> <p>Note – Please refer to Schedule 2 Annex 7</p>
MOD 06	RA 05	PC 11	64	Para 6.18	Amend the first two sentences as follows: ‘Local Landscape Policy Areas (LLPAs) will be identified and defined at LPP Stage. These consist of known features and areas of greatest amenity value, landscape quality or local significance, in terms of natural and	<p>DfI directs the Council to modify paragraph 6.18, page 64 of the dPS in accordance with this PAC Recommended Amendment. For clarity this should read: ‘Local Landscape Policy Areas (LLPAs) will be identified and defined at LPP Stage. These</p>

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		FC10			<p>historic environment, within or close to settlements. New LLPAS identified at LPP stage will replace...’</p> <p>Amend the second last sentence, as follows: ‘Areas of Townscape / Village Character (ATCs / AVCs) may also be defined, to protect areas of quality built-form and layout, as well as natural features (see Policy HE 6)’.</p>	<p>consist of known features and areas of greatest amenity value, landscape quality or local significance, in terms of natural and historic environment, within or close to settlements. New LLPAS identified at LPP stage will replace the existing AoLNCAI in the current DAP, as well as those LLPAS subsequently identified and included as part of settlement analysis in the forthcoming LPP (see Policy NE 8). Areas of Townscape / Village Character (ATCs / AVCs) may also be defined, to protect areas of quality built-form and layout, as well as natural features (see Policy HE 6). Arising from the detailed Settlement Appraisals at LPP stage, other policy areas and accompanying local policy may also be required.’</p>
MOD 07	RA 06	FC 10A	65	Designation AHLI 1	<p>Insert the word ‘adversely’ at the start of the 4th line, to read: ‘The LDP PS also designates Areas of High Landscape Importance (AHLIs). AHLIs will cover key coastal, river valley and settlement settings in our District (See PS Proposals Map 2). Proposals that would adversely affect or adversely change either the quality or character of the landscape within the AHLIs will not normally be permitted (see Policy NE 7)’.</p>	<p>DfI directs the Council to modify Designation AHLI 1, page 65 of the dPS in accordance with this PAC Recommended Amendment.</p>

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MOD 08		FC 11	72	Para 6.46	Amend the first sentence of para 6.46, as follows: 'Like Derry City, it is expected that the supply of housing and growth in Strabane Town during the plan LDP period will be substantially...'	DfI directs the Council to modify paragraph 6.46, page 72 of the dPS as follows: 'Like Derry City, it is expected that the supply of housing and growth in Strabane Town during the plan LDP period will be substantially...' Note – This is reflective of FC11 as listed in the Council's document MA007 October 2023.
MOD 09			73	Para 7.4		DfI directs the Council to modify paragraph 7.4, page 73 of the dPS as follows: 'This chapter sets out those key development principles GDP 1 to GDP 8. These are not formal planning policies against which proposals will be assessed but rather underlying criteria which all development requiring Planning permission will seek to achieve. General policy is formally set out at GDPOL 1 & GDPOL 2 providing requirements that relevant development proposals should meet in order to secure planning permission. This chapter also gives further detail on how these principles will be implemented.' Note – This is connected to MOD 13 & 17 (FC15 & FC17) set out below
MOD 10	RA11	PC 19	74	GDP 1	Amend part iv of GDP 1 to read 'development to work with natural environmental processes to prevent the loss of biodiversity...'	DfI directs the Council to modify Principle GDP 1, part iv, page 74 of the dPS in accordance with this Recommended Amendment.

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MOD 11	RA 12	FC 14	77	GDP 2	Amend the start of part x, to the following: 'working with natural environmental processes through promoting green infrastructure, including enhanced tree-planting, the use of ...'	DfI directs the Council to modify Principle GDP 2, part x, page 77 of the dPS in accordance with this PAC Recommended Amendment. For clarity this should read: 'working with natural environmental processes through promoting green infrastructure, including enhanced tree-planting and the use of Sustainable Drainage Systems (refer to Chapter 25: Development and Flooding Annexes contained within Appendix 4)'
MOD 12	RA13	PC 19	77	GDP 2	Amend part x of GDP2 to add the phrase 'incorporating biodiversity net gain' after the text in brackets	DfI directs the Council to modify Principle GDP 2, part x, page 77 of the dPS in accordance with this PAC Recommended Amendment.
MOD 13		FC 15	77	Para 7.16	Update the reference to the now-published document. Amend the final sentence, as follows: The Council is currently developing has prepared a Climate Change Adaptation Plan and this may...	DfI directs the Council to modify paragraph 7.16 page 77 of the dPS as follows: 'The Council has prepared a Climate Change Adaptation Plan and this may...' Note – This is reflective of FC15 as listed in the Council's document MA007 October 2023.
MOD 14	RA 14		82	GDP 4 (iii)	Insert at the end of the 1 st sentence 'and they are environmentally sensitive'.	DfI directs the Council to modify Principle GDP 4 (iii), page 82 of the dPS in accordance with this PAC Recommended Amendment.
MOD 15	RA15	PC 19	85	GDP 6	In GDP 6 alter the final paragraph, 1st line, to read 'Development proposals are required to incorporate biodiversity net gain and to be sensitive to all protected species...'	DfI directs the Council to modify Principle GDP 6, page 85 of the dPS in accordance with this PAC Recommended Amendment.

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MOD 16		FC 16	85-86	Para 7.44	<p>Amend para 7.44 to the following:</p> <p>7.44 The SPPS sets out strong regional policies for developments in relation to the protection of the natural environment. Development proposals will be assessed against the detailed planning policy contained in Chapter 21: Natural Environment.</p>	<p>DfI directs the Council to modify paragraph 7.44, page 85 of the dPS as follows: ‘7.44 The SPPS sets out strong regional policies for developments in relation to the protection of the natural environment. Development proposals will be assessed against the detailed planning policy contained in Chapter 21: Natural Environment.’</p> <p>Note – This is reflective of FC16 as listed in the Council’s document MA007 October 2023.</p>
MOD 17		FC 17	89	Para 7.51	<p>To further clarify the distinction between the GDPs and subsequent ‘policies’. See also the related Changes PC 14, FC 12, PC 25 and PC 26</p> <p>Insert New Paragraph after para.7.51 explaining: ‘For the avoidance of doubt, please note that the General Development Principles GDP 1 to GDP 8 are not formal planning policies against which development will be judged but they are the principles that underpin the policies in subsequent sections.’</p>	<p>DfI directs the Council to insert a new paragraph after paragraph 7.51, page 89 as follows: ‘For the avoidance of doubt, please note that the General Development Principles GDP 1 to GDP 8 are not formal planning policies against which development will be judged but they are the principles that underpin the policies in subsequent sections.’</p> <p>Note – This is reflective of FC17 as listed in the Council’s document MA007 October 2023.</p>
MOD 18		FC 12	88-108	General Development Principles	<p>General Development Principles & Policies</p> <p>Altered presentation of GDPs, to distinguish these ‘Principles’ from ‘Policies’.</p> <p>Change GDP ‘principles’ boxes to single textboxes, light blue with black text.</p>	<p>DfI directs the Council to modify the presentation of the General Development Principles boxes and J&A text titles, pages 88-108 of the dPS as follows: Change GDP ‘principles’ boxes to single textboxes, light blue with black text.</p>

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					Change ‘Justification & Amplification’ titles to ‘Rationale’ to demonstrate a difference from ‘policy’ boxes. See also the related Changes PC 14, PC 25, PC 26 and FC 17	Change titles to ‘Rationale’ to demonstrate a difference from ‘policy’ boxes. Note – This is reflective of FC12 as listed in the Council’s document MA007 October 2023.
MOD 19	RA 22	PC 30	93	GDPOL 1	Add a new part xii: ‘the development does not have a significant adverse impact on human health and wellbeing, and preferably that it enhances it.’ Insert a new point xiii of GDPOL 1 to read: ‘there will be no significant adverse impact on human health or the environment by increasing the likelihood of a major accident or significantly increasing the consequences of such accidents (see also Chapter 33)’.	DfI directs the Council to modify Policy GDPOL 1, page 94 and paragraph 7.116, page 103 of the dPS in accordance with this PAC Recommended Amendment.
			103	Para7.116	Add text to paragraph 7.116 of General Development Principles & Policies: ‘applicants should follow the guidance and Practice Note by DAERA Regulation Unit, Land & Groundwater Team (see DAERA website).’	NOTE: To clarify, paragraph 7.116 should be inserted at the end of this paragraph.
MOD 20		FC 18 PC32	97	Para 7.86 & 7.87	To provide an update on named document. As at mid-2023, the CASNI is still at Discussion stage. Amend line 1-2 of Para 7.86: ‘ an Air Quality Clean Air Strategy for Northern Ireland (AQCASNI)... It is anticipated that the strategy will be published for consultation in the latter half of 2019-2020. Delete the final	DfI directs the Council to modify paragraph 7.86 page 97 of the dPS as follows: ‘Central government has been preparing a Clean Air Strategy for Northern Ireland (CASNI) which will explore air pollution by sector.’” DfI also directs the Council to insert a new final sentence into paragraph 7.87 page 97

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					<p>sentence of this paragraph, as it is out of date.</p> <p>At the end of Para 7.87, insert new sentence: 'In 2020, Derry City and Strabane District Council adopted an Air Quality motion, by which its Departments will seek to work to phase out fossil fuel heating and stoves in new developments in the District.'</p>	<p>of the dPS as follows: 'In 2020, Derry City and Strabane District Council adopted an Air Quality motion, by which its Departments will seek to work to phase out fossil fuel heating and stoves in new developments in the District.'</p> <p>Note – This is reflective of FC18 as listed in the Council's document MA007 October 2023.</p>
MOD 21		FC 19	109		Delete Paragraph 8.5.	<p>DfI directs the Council to delete paragraph 8.5, page 109 of the dPS in accordance with this Recommended Amendment.</p> <p>Note – This is reflective of FC19 as listed in the Council's document MA007 October 2023.</p>
MOD 22	RA 24	FC 21	114-117	Tier 1 – Tier 5 Designation boxes	Remove the 'Relevant Planning Policies' from each of the Designation boxes.	DfI directs the Council to modify Tier 1 – Tier 5 Designation boxes, pages 114 - 117 of the dPS in accordance with this PAC Recommended Amendment.
MOD 23		FC 22	120	Para 9.21	For clarification, the Class B uses refers to those Part B Industrial & Business Uses as set out in the Schedule to the Planning (Use Classes) Order (Northern Ireland) 2015.	<p>DfI directs the Council to modify paragraph 9.21 of page 120 of the dPS, as follows: 'For clarification, the Class B uses refers to those Part B Industrial & Business Uses as set out in the Schedule to the Planning (Use Classes) Order (Northern Ireland) 2015.'</p> <p>Note – This is reflective of FC22 as listed in the Council's document MA007 October 2023.</p>

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MOD 24	RA27	PC 41C FC 21	117	NEDA Designation Box	<p>In the 1st column, insert the sub-title ‘Relevant Planning Policies’, the same as for all the other boxes.</p> <p>At the end of the main paragraph, insert ‘...section of the city. Strategically, it should be located on the mid-outer area of the Buncrana Road, with its scale and nature and boundary to be decided at the LDP Local Policies Plan stage, taking account of the existing ED land supply in the area and adequate to meet local-specific and accessible-employment requirements.’ Also, strengthen EVB 9 re this NEDA.</p>	<p>DfI directs the Council to modify the NEDA designation box, by inserting the following text after ‘...section of the city.’</p> <p>“Strategically, it should be located on the mid-outer area of the Buncrana Road, with its scale and nature and boundary to be decided at the LDP Local Policies Plan stage, taking account of the existing ED land supply in the area and adequate to meet local-specific and accessible-employment requirements.”</p>
MOD 25	RA 33	PC 49 FC 23	121 121	ED 3 ED 3 Para 9.23	<p>In ED 3, in sub-heading on the 5th line of page 121, insert an ‘s’ to end of ‘... Settlements’</p> <p>In ED 3, under (b) Villages and Small Settlements, amend the end of criteria (i) as follows: ‘(i) the land is identified as a Land Use Policy Area (LUPA) for economic development use. An exemption will apply to allow economic development in smaller settlements with no relevant LUPA, provided it complies with (ii) and (iii) below’.</p> <p>Insert wording at end of Para 9.23: ‘Consistent with Policy ED 2, if proposals for B1c (R&D) or B2 (Light) or even B3 (General) or B4 (S&D) are small to medium-scale, clean, compatible, etc., they are expected to</p>	<p>DfI directs the Council to modify Policy ED 3 and J&A para 9.23, page 121 of the dPS in accordance with PAC amendment.</p>

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					locate in the city / town centres firstly, then edge-of- centres, or otherwise they can locate in an ED 3 area. These will be dealt with on a case-by-case basis and mindful of any potential unintended consequences from incompatible uses.'	
MOD 26	RA 34	PC 50 FC 24	122	ED 4	<p>Replace the opening paragraph of Policy ED 4, to read as follows:</p> <p>'Zoned Land in all Locations Development that would result in the loss of land or buildings zoned for economic development use in the LDP to other uses will not be permitted except:</p> <p>(a) where an essential need has been demonstrated and the proposed use is a small scale, complementary / ancillary use that meets the day-to-day needs of local employees or</p> <p>(b) where an essential need has been demonstrated, for development of a compatible sui generis employment use</p> <p>that is of a scale, nature and form appropriate to the location.</p> <p>In the case of proposals under either (a) or</p>	DfI directs the Council to modify Policy ED 4, page 122 and paragraph 9.30, page 123 of the dPS, in accordance with this PAC Recommended Amendment.

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				<p>(b), it must also be demonstrated that the approval of the proposal would not lead to a significant diminution of economic development / employment land either in the locality or in the District generally.'</p> <p>Within ED 4, within the section 'Unzoned Land in Settlements', amend part (h) as follows: '(h) where an essential need has been demonstrated, it is a small scale complementary / ancillary use that meets the day-to-day needs of local employees'.</p> <p>Amend the opening of J&A paragraph 9.30 to read as follows: 'Exceptionally, a small-scale complementary / ancillary use ...'</p> <p>Para 9.30 At the end of 9.30, insert: 'Particular care is needed to avoid soft play areas, jump zones, care settings, etc. that can attract the public and vulnerable users such as children, those with disabilities, parent drop-offs, etc. that are incompatible with an Economic Development area. Therefore, to maintain the integrity of these areas, such non-compatible uses will only be approved in exceptional circumstances, where it can be clearly demonstrated that it is ancillary to the main use and would primarily meet the needs of the immediately nearby employees.'</p>	
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MOD 27	RA35	FC25	124	ED5	<p>Within Policy Box ED 5, amend the four categories as follows:</p> <p>(a) development of a small rural community enterprise / centre, that needs to be located outside of a village or small settlement where the use will be associated with the settlement. Where practicable, an appropriate edge-of-settlement location will be favoured; or</p> <p>(b) small-scale Class B2, B3 or B4 business use / building adjacent to the main dwelling of business owner, provided they are of appropriate nature and design and meet other normal Planning and Environmental requirements; or</p> <p>(c) re-development of an established economic development use or re-use of existing or redundant non- residential rural buildings, provided they meet the requirements set out in Paragraph 9.37 below; or</p> <p>(d) homeworking, provided they meet the requirements set out in Paragraph 9.38 below.</p>	<p>DfI directs the Council to modify the four categories within Policy ED 5, page 124 and accompanying J&A. For clarity this should read as follows:</p> <p>(a) development of a small rural community enterprise / centre, that needs to be located outside of a village or small settlement where the use will be associated with the settlement. Where practicable, an appropriate edge-of-settlement location will be favoured; or</p> <p>(b) small-scale Class B2, B3 or B4 business use / building adjacent to the main dwelling of business owner, provided they are of appropriate nature and design and meet other normal Planning and Environmental requirements; or</p> <p>(c) re-development of an established economic development use or re-use of existing or redundant non- residential rural buildings, provided they meet the requirements set out in Paragraph 9.37 below; or</p> <p>(d) homeworking, provided they meet the requirements set out in Paragraph 9.38 below.</p>
		PC52	124	ED5	<p>Within ED 5, on the 1st line of the final paragraph, replace a word: ‘Proposals for Category b development ...’</p>	<p>On the 1st line of the final paragraph, replace the word Criteria with the word Category to read: ‘Proposals for Category b development..’</p>
			124-125	Paras 9.33-	Amend the J&A paragraphs:	Amend the J&A paragraphs:

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				9.38	<p>'9.33 In the interests of rural amenity and wider sustainability objectives, the extent of new buildings outside of settlement limits will be controlled and the sympathetic extension or re-use of existing buildings will be preferred. However, in some circumstances, it may be possible to justify a small-scale new build economic development use outside of a development limit, particularly where there is no suitable site within the settlement. Applicants will be required to demonstrate that they meet normal planning and other environmental considerations as set out in other chapters of this LDP.</p> <p>9.34 The guiding principle for policies and proposals for economic development in the countryside is to provide opportunities likely to benefit and sustain the rural community, while protecting or enhancing the character of the rural area. A number of economic development opportunities exist for small-scale economic development, home-working, appropriate re-development and re- use of rural buildings for a range of appropriate uses.</p> <p>9.35 Proposals to be assessed against Category a) should demonstrate that they would benefit the local economy or contribute to community regeneration, that there is no suitable site within the</p>	<p>'9.33 In the interests of rural amenity and wider sustainability objectives, the extent of new buildings outside of settlement limits will be controlled and the sympathetic extension or re-use of existing buildings will be preferred. However, in some circumstances, it may be possible to justify a small-scale new build economic development use outside of a development limit, particularly where there is no suitable site within the settlement. Applicants will be required to demonstrate that they meet normal planning and other environmental considerations as set out in other chapters of this LDP.</p> <p>Para 9.34 The guiding principle for policies and proposals for economic development in the countryside is to provide opportunities likely to benefit and sustain the rural community, while protecting or enhancing the character of the rural area. A number of economic development opportunities exist for small-scale economic development, home-working, appropriate re-development and re- use of rural buildings for a range of appropriate uses</p> <p>Para 9.35 Proposals to be assessed against Category a) should demonstrate that they would benefit the local economy or contribute to community regeneration, that there is no suitable site within the</p>
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				<p>settlement and that the development is clearly associated with the settlement, but will not dominate it, adversely affect landscape setting or otherwise contribute to urban sprawl. In assessing the acceptability of sites, preference will be given to sites in the following order:</p> <p>(1) land adjacent to the existing settlement limit, subject to amenity and environmental considerations;</p> <p>(2) a site close to the settlement limit which currently contains buildings or where the site is already in a degraded or derelict state and there is an opportunity to improve the environment; and</p> <p>(3) an undeveloped site in close proximity to the settlement where the development could be visually integrated into the landscape.</p> <p>Storage or distribution uses will only be permitted where these are clearly ancillary to a proposal for a community enterprise park/centre or an economic development use.</p> <p>9.36 Category b) is intended to... [paragraph unchanged] other than to insert the following 3 words mid- paragraph: 'Proposals are expected to comply with the</p>	<p>settlement and that the development is clearly associated with the settlement, but will not dominate it, adversely affect landscape setting or otherwise contribute to urban sprawl. In assessing the acceptability of sites, preference will be given to sites in the following order:</p> <p>1) land adjacent to the existing settlement limit, subject to amenity and environmental considerations;</p> <p>2) a site close to the settlement limit which currently contains buildings or where the site is already in a degraded or derelict state and there is an opportunity to improve the environment; and</p> <p>3) an undeveloped site in close proximity to the settlement where the development could be visually integrated into the landscape.</p> <p>Storage or distribution uses will only be permitted where these are clearly ancillary to a proposal for a community enterprise park/centre or an economic development use.</p> <p>9.36 Category b) is intended to support small scale rural business start-ups, who may grow and move to a nearby settlement, or essential services such as a mechanics, that can sustain</p>
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				design and location requirements...'	<p>a local rural community. In relation to criteria b, proposals will be granted where they are of a nature and scale appropriate to their immediate siting and should respect the scale, design and materials of the original building(s) on the site. Proposals should not impact on the amenity of the residential use. Proposals should demonstrate adequate provision for parking and servicing for the proposed use. Council will expect the highest standard of landscaping and boundary treatment to ensure there is adequate screening and that proposals do not detrimentally impact on the rural character. <u>Proposals are expected to comply with the design and location requirements</u> of Policies CY 1 & 2 of Chapter 32. Policy GB 1 sets out that development will be strictly managed in Green Belts and, apart from a limited number of uses, there will be a clear presumption against any new use of land which might create a demand for more buildings. Therefore proposals which propose new build, significant intensification of the use or increase of footprint of the existing use will be not normally be approved under ED 5.</p>
		FC20		<p>9.37 Opportunities may also exist for proposals under Category c) relating to the re-development of an existing site or the conversion or re- use of existing buildings for certain industry and business uses. Applicants should demonstrate that the scale and nature of the proposal does not harm</p>	<p>9.37 Opportunities may also exist for proposals under Category c) relating to the re-development of an existing site or the conversion or re- use of existing buildings for certain industry and business uses. Applicants should demonstrate that the scale and nature of the proposal does not harm the rural</p>

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		FC26		<p>the rural character or appearance of the local area and there is only a limited increase in the site area. There should be environmental benefits as a result of the redevelopment and the redevelopment scheme should deal comprehensively with the full extent of the existing site The overall visual impact of replacement buildings should not be significantly greater than that of the buildings to be replaced. The redevelopment of an established storage or distribution site for continuing storage or distribution use will also be permitted subject to the above criteria. However, the redevelopment of an established industrial or business site for storage or distribution purposes will only be permitted in exceptional circumstances. Proposals involving the conversion or re- use of listed or unlisted vernacular buildings or other historic buildings of local importance must also meet the requirements of Policies HE 4 and HE 8.</p> <p>9.38 Homeworking does not necessarily require planning permission. Permission is not normally required where the use of part of a dwelling house for business purposes does not change the overall scale, nature and character of the property’s use as a single dwelling. Assessment of whether a material of change of use has taken place is matter of fact and degree. Those considering</p>	<p>character or appearance of the local area and there is only a limited increase in the site area. There should be environmental benefits as a result of the redevelopment and the redevelopment scheme should deal comprehensively with the full extent of the existing site The overall visual impact of replacement buildings should not be significantly greater than that of the buildings to be replaced. The redevelopment of an established storage or distribution site for continuing storage or distribution use will also be permitted subject to the above criteria. However, the redevelopment of an established industrial or business site for storage or distribution purposes will only be permitted in exceptional circumstances. Proposals involving the conversion or re- use of listed or unlisted vernacular buildings or other historic buildings of local importance must also meet the requirements of Policies HE 4 and HE 8.</p> <p>Homeworking does not necessarily require planning permission. Permission is not normally required where the use of part of a dwelling house for business purposes does not change the overall scale, nature and character of the property’s use as a single dwelling. Assessment of whether a material of change of use has taken place is matter of fact and degree. Those considering working</p>
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					<p>working from home are advised to seek the advice of the Council at an early stage. Homeworking businesses that do require planning permission, under category d), will be assessed on an individual basis, they should be of an appropriate scale and nature for its location and meet the requirements for amenity, transport and other relevant policies in the LDP.’</p>	<p>from home are advised to seek the advice of the Council at an early stage. Homeworking businesses that do require planning permission, under category d), will be assessed on an individual basis, they should be of an appropriate scale and nature for its location and meet the requirements for amenity, transport and other relevant policies in the LDP.</p> <p>Note: FC 20 refer to other numerous locations, Council should amend where necessary under MOD 113.</p>
MOD 28	RA36	PC 55 FC 27	131	RP 1	<p>Amend last policy sentence in first paragraph of RP 1 to read: ‘DCSDC will require proposals for other main town centre uses to be considered sequentially in the following order of appropriate preference as applicable to the specific nature of the proposal and the centre(s) in question:</p>	<p>Dfl directs the Council to modify the last sentence of the first paragraph of Policy RP 1, page 131 of the dPS in accordance with this PAC Recommended Amendment.</p> <p>Furthermore, Dfl directs the Council to take forward further changes in Schedule 2, Annex 1 of this direction.</p>
MOD 29	RA 37	PC 56	132	Para 10.17	<p>Replace 2nd sentence in para 10.17 with the following: ‘In line with SPPS para 6.287, to be considered as edge-of- centre, a site should either be adjacent or clearly associated with that boundary of that centre, taking account of physical or perceived barriers, with the proximity being proportionate to the scale of that settlement and the centre in question e.g. in a Derry City Centre context, 300 metres from the City Centre boundary could be reasonable, whereas for Strabane or a local Town Centre, it would be less. For</p>	<p>Dfl directs the Council to modify paragraph 10.17, page 132 of the dPS as follows:</p> <p>Replace 2nd sentence in para 10.17 with the following: ‘In line with SPPS para 6.287, to be considered as edge-of- centre, a site should either be adjacent or clearly associated with that boundary of that centre, taking account of physical or perceived barriers, with the proximity being proportionate to the scale of that settlement and the centre in question e.g. in a Derry City Centre context, 300</p>

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					District or Local contexts, it would need to be immediately adjacent.’	metres from the City Centre boundary could be reasonable, whereas for Strabane or a local Town Centre, it would be less. For District or Local centre contexts, it would need to be immediately adjacent’	
MOD 30	RA 42		137-139	RP 6 Criterion 2	Amend to read: ‘That the proposal makes a positive contribution to meeting the day-to-day needs and be of a design appropriate to the village or small settlement’.	Dfl directs the Council to modify Policy RP 6, criterion 2 and paragraph 10.35, page 137 of the dPS, in accordance with this PAC Recommended Amendment.	
			FC 28	Para 10.35	Amend to read as follows: This policy applies to villages and small settlements within the District, that do not have a defined Town Centre. It will ensure that rural areas have sustainable facilities, which will meet the day-to-day needs of the population and also serve as focal points in the community.		
			FC 29	RP 7	Within RP 7, in the second section headed ‘Fuel Filling Stations in the Countryside’, at the end of the first line, delete the word ‘needs’		Furthermore, Dfl directs the Council to Modify Policy RP7 and the second line of Paragraph 10.40, as follows: Fuel Filling Stations in the Countryside Proposals for fuel filling stations outside of settlement development limits will only be allowed where there is a clear indication of need and that satisfactory access arrangements can be achieved.
			FC 30	Para 10.40	In the second line of para 10.40, delete the first occurrence of the phrase ‘a main traffic		Para 10.40: In normal circumstances, it is considered reasonable to expect a driver to

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					route network along’	drive at least 12 miles along the main traffic route network before reaching a fuel filling station or service centre. Note – This is reflective of FC29 and FC30 as listed in the Council’s document MA007 October 2023.
MOD 31	RA 43	PC54 141 FC 31	131 (&Para 10.18 and in RP9) 141	HC1 RP 9	Rename Designation HC 1 (p 131) as ‘Designation NC 1: Proposed Network of Centres’ (Change the same reference in Para 10.18 and in Policy RP 9 criterion 2) Within RP 9, in criterion 2), change the last line to: ‘can be ruled out as unsuitable, unavailable or unviable’.	Dfl directs the Council to modify the title of Designation HC1, page 131, paragraph 10.18, page 133 and Policy RP 9 criterion 2, page 141 of the dPS, in accordance with this PAC Recommended Amendment. Dfl also directs the council to further amend the last line of Policy RP 9, criterion 2, page 141 of the dPS, in accordance with this PAC Recommended Amendment. For clarity this criterion should read: ‘All potential sites, either within or on the edge of an identified centre (see Designation NC 1: Proposed Network of Centres), have been assessed and can be ruled out as unsuitable, unavailable or unviable’
MOD 32	RA 44		141	RP 9	Amend to read: ‘...will need to be accompanied by a retail impact assessment and an assessment of need. This includes applications for an extension/s which would result in the overall development exceeding 1,000sqm gross external area’.	Dfl directs the Council to modify Policy RP 9, page 141 of the dPS, in accordance with this PAC Recommended Amendment. For clarity, the paragraph below criterion 4 should read: Proposals that have a retail floor-space of 1,000sqm gross and above and which are not proposed in a town centre*, will need to be

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						<p>accompanied by a retail impact assessment and an assessment of need. This includes applications for an extension/s which would result in the overall development exceeding 1,000sqm gross external area. The Council may request a retail impact assessment and an assessment of need for development below the 1,000sqm threshold, taking into account local circumstances such as the size, role and function of nearby centres.</p>
MOD 33	RA 45	FC 32	141-142	RP 9 & Para 10.48	<p>Move the last 5 lines of Para 10.48, starting with 'Town centre*...', and insert them at the bottom of the RP 9 policy box.</p> <p>Within Para 10.48, amend the start of the second sentence to: 'For applications outside a City / Town Centre that are above...'</p>	<p>DfI directs the Council to modify Policy RP 9, page 141 and paragraph 10.48, page 142 of the dPS, in accordance with this PAC Recommended Amendment.</p> <p>For clarity, the final paragraph of Policy RP 9 should read: 'Town centre* in this case does not include district centres or local centres and as such if proposals come forward in these areas that exceed the 1,000sqm threshold or are deemed to be an exception, as set out above, then they will be required to be accompanied by a retail impact and assessment of need.'</p>

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MOD 34	RA 50	FC 33 PC 71 PC 72	157	Objectives Box Objectives Box Objectives Box	<p>In the first bullet point, amend the final line as follows: ‘...accordance with the NWTP and wider NW Region.’</p> <p>Insert new bullet point to read: ‘The Council will undertake accessibility analyses by active travel modes and public transport to influence the choice of zonings and major developments at the LPP stage’.</p> <p>Amend last bullet to read: ‘... means of travel – walking, cycling and public transport, with appropriate infrastructure or support for services’.</p>	<p>DfI directs the Council to modify the Strategic Planning Objectives for Delivery of Transport Strategy and Measures box, page 157 of the dPS, in accordance with this PAC Recommended Amendment.</p>
MOD 35	RA 53		160	Para 11.56	<p>Amend to read ‘for a more accessible environment is set out in the appendices.’</p>	<p>DfI directs the Council to modify paragraph 11.56, page 160 of the dPS, by deleting the text ‘Access for All -Designing for an accessible Environment’ and replacing with a Council’s new SPG.</p> <p>DfI also direct Council to bring forward this SPG at the time of adoption.</p> <p>NOTE: Council should consider the following publication as part of their SPG:</p> <p>The Department for Transport’s publication ‘Inclusive Mobility: A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure (December 2021)’</p>

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						https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1044542/inclusive-mobility-a-guide-to-best-practice-on-access-to-pedestrian-and-transport-infrastructure.pdf
MOD 36	RA 54	FC 34	163	TAM 3	Amend the second paragraph to the following: ‘Motorways and High Standard Dual Carriageways (HSDCs) – All Locations Planning permission will not be granted for development proposals involving direct access. An exception may be considered in the case of motorway or HSDC service areas.’	Dfi directs the Council to modify Policy TAM 3, page 163 of the dPS, in accordance with this PAC Recommended Amendment.
MOD 37	RA 60	PC 82	167	TAM 5	Policy TAM 5 should be amended to state ‘..for transport or alternative purposes’. Insert reference to ‘nature conservation’ in range of potentially acceptable re-uses in para 11.79 to read as follows: ‘Many of these former transport routes have potential for re-use either for transportation purposes or alternative purposes such as nature conservation, recreation or tourism-related’. Amend the 1st sentence of para 11.81 to read:	Dfi directs the Council to modify Policy TAM 5, page 167 of the dPS, in accordance with this PAC Recommended Amendment. For clarity this should read: ‘Planning permission will not be granted for development that would prejudice the future re-use of a disused transport route identified in the LDP for transport or alternative purposes.’ Dfi also directs the Council to modify the second sentence of paragraph 11.79, page 167 of the dPS in accordance with this PAC Recommended Amendment. Furthermore, Dfi Directs Council to modify: the first sentence of paragraph 11.81, page 167 of the dPS in accordance with this PAC

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					<p>‘Disused railway lines, canal stretches and roads, including any future abandoned stretches of the former A6 and A5 network, within the district have the potential for greenway regeneration or for public access, nature conservation, recreation and tourism.’</p> <p>Amend the 1st sentence of para 11.82 to read: ‘It is anticipated that the forthcoming North West Transport Plan, or other DfI report, will assess the need ...’</p> <p>Amend para 11.83 to read: ‘The LDP will identify and safeguard those disused transport routes, together with any associated facilities at the LPP stage where there is a reasonable prospect of their re-use for future transport purposes. In addition, the LPP will also identify those disused routes of district- level importance which offer potential in the longer term for alternative purposes.’</p>	<p>Recommended Amendment;</p> <p>the first sentence of paragraph 11.82, page 167 of the dPS in accordance with this PAC Recommended Amendment: and</p> <p>paragraph 11.83, page 167 of the dPS in accordance with this PAC Recommended Amendment.</p>
MOD 38	RA 62	FC 36	171	Para 11.96	<p>Amend Para 11.96, as follows: ‘Cycle parking provision in association with residential development is addressed in Policy HOU 8 (f & g) of Housing Chapter 16 and the design guide ‘Creating Places’.</p>	<p>DfI directs the Council to modify paragraph 11.96, page 171 of the dPS in accordance with this PAC Recommended Amendment.</p>

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MOD 39	RA 65	PC 88	P180	Para 11.138	<p>Amend the title of Policy to ‘TAM 12 Strategic Transport Facilities’</p> <p>Amend bullet point 3, 2nd sentence to read ‘General warehousing and economic developments are unlikely to be permitted in adjacent rural areas, but in accordance with their SEDA status and boundaries (see Para 9.11 and page 115)’.</p>	<p>Dfl directs the Council to modify Policy TAM 12, page 180 of the dPS in accordance with this PAC Recommended Amendment.</p> <p>Furthermore, Dfl directs the Council to modify bullet point 3, second sentence of paragraph 11.138, page 181 of the dPS in accordance with this PAC Recommended Amendment.</p>
MOD 40	RA 66		186	<p>Para 12.12</p> <p>Appendix 2 Glossary</p>	<p>Reference to see Appendix 2 for examples.</p> <p>Appendix 2: Indicative list of tourism assets contained within Document DS- 200. Glossary: Tourism Asset: any feature associated with the built or natural environment which is of intrinsic interest to tourists. Tourist amenity: an amenity, facility or service provided primarily for tourists but does not include tourist accommodation. Tourist accommodation: overnight sleeping accommodation for tourists provided by way of trade or business.</p>	<p>Dfl directs the Council to modify paragraph 12.12 of Policy TOU 1, page 186 of the dPS, to refer to ‘Appendix 2’ in the last sentence and modify Appendix 2, pages 477-478, as set out in Schedule 2 Annex 2 of this direction.</p>
MOD 41	RA 69		187	TOU 2	<p>Amend the 3rd line to read: ‘...appropriate to the settlement and respects the site context, character and setting in terms of scale, massing and design’.</p>	<p>Dfl directs the Council to modify Policy TOU 2, page 187 of the dPS in accordance with this PAC Recommended Amendment.</p>
MOD 42	RA 70		187	Para 12.16	<p>Amend the 5th line to read: ‘...ensure that there are sufficient environmental, social and economic benefits derived from them...’.</p>	<p>Dfl directs the Council to modify paragraph 12.16, page 187 of the dPS in accordance with this PAC Recommended Amendment.</p>

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					<p>Change the title of sub-category (b) to: 2) New-Build Hotel, Guest House, or Tourist Hostel on the Periphery of a Settlement</p> <p>Under sub-heading 1, of ‘Conversion or Replacement of an Existing Rural Building’ amend 4th bullet point to: where the existing building is a vernacular building or historic building of local importance and is considered to make an important contribution to local heritage or character...</p> <p>Immediately after these bullet points, amend the policy references, to: ‘Refer to related policies ODC 4 (currently AGR 3), HE 3 and HOU 21 regarding the conversion and re-use of existing buildings for other suitable rural uses.’</p> <p>Under sub-heading of ‘2) New-Build Hotel, Guest House, or Tourist Hostel on the Periphery of a Settlement’, amend the 1st line to ‘Where there is no suitable site within one of the nine tourism settlements, a new-build hotel, guest house, or tourist hostel may be appropriate on the periphery of that settlement subject to meeting normal planning requirements.’</p> <p>Following this point, insert the word ‘tourism’ before the word ‘settlement’ on the 2nd, 3rd and 7th lines thereafter. Also on the</p>	
		FC 37	191 & 192	TOU 4 & Para 12.23		

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					1 st and 3 rd lines of Para 12.23.	
			191	Appendix 2	Delete reference to B&B in the second sentence of 2) and also in 12.23 (3 times).	
			191	Para 12.22	Put a definition of B&B & Guest House into Appendix 2.	
			192	After Para 12.26	12.22 1 st sentence insert: ‘The Council will encourage the sustainable and sympathetic reuse of non-designated heritage assets, such as vernacular buildings or historic buildings of local importance. The potential for the conversion and reuse of such rural buildings for tourism uses....’	
					Insert J&A clarification (after Para 12.26) for penultimate paragraph on policy re long-term viability of facility: ‘It is important that all proposals for tourism accommodation in the countryside are of a high quality and that they meet an identified tourism need or market. Any new-build or substantial expansion proposals must therefore demonstrate how they make a positive and sustainable contribution to the tourism offer and visitor experience - see Appendix 2 for details of a Tourism Benefit Statement and a Sustainable Benefit Statement.’	

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MOD 45	RA 74	PC 102 FC 38	194 195	TOU 6 Criteria c Para 12.32	Change the start of criteria (c) to: '(c) the restoration of an existing group of vernacular or historic buildings including a clachan, through...' In para 12.32, change penultimate sentence to: 'Proposals that relate to the restoration of an existing historic building group or clachan, through conversion, reuse and / or replacement of existing buildings, will be assessed under this policy and policy HE 8 Conversion and Re-Use of Non- Designated Heritage Assets. Proposals relating to farm or forestry diversification may provide ...'	DfI directs the Council to modify Policy TOU 6, criteria (c), page 194 and paragraph 12.32, page 195 of the dPS in accordance with this PAC Recommended Amendment.
MOD 46	RA 76	PC 104	200	Para 13.9	Insert a sentence at the end of paragraph 13.9 'Policy MIN 1 applies to consideration of minerals developments in all areas of the district, but particularly to the designated areas (or proposed for designation) referred-to below.'	DfI directs the Council to modify paragraph 13.9, page 200 of the dPS in accordance with this PAC Recommended Amendment.
MOD 47	RA 77	PC 105	200	Para 13.10	Amend para 13.10: The Natural Environment – An extension to an existing mineral working, which minimises additional environmental impact in the countryside will normally be preferred to new workings on green- field sites. Minerals development within (or in close proximity to, or with potential to adversely affect) protected habitats or designated areas which have been declared or proposed for declaration on the basis of their scientific value in regard	DfI directs the Council to modify paragraph 13.10, page 200 of the dPS in accordance with this PAC Recommended Amendment.

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					to flora and fauna, will not normally be given permission where they would prejudice the essential character of such areas (These habitats and areas are as defined in Policy NE 1 and NE 2 of Chapter 21 Natural Environment, particularly those that have European / International and National / Regional protection.) Earth science features, which underpin AONB designations, will also be protected from minerals development. In applying this policy, it is acknowledged that there can also be biodiversity enhancement as a result of minerals development’.	
MOD 48	RA 78	PC 106	201	Para 13.11	Amend final sentence of 13.11 to read ‘Applicants must ensure that their proposals accord with the physical preservation of important heritage assets along with their settings.’ Amend later part to read ‘Minerals development within or in close proximity to areas which have been or are to be designated, scheduled or listed...’	Dfl directs the Council to modify paragraph 13.11, page 201 of the dPS in accordance with this PAC Recommended Amendment.
MOD 49	RA 79	PC107 FC 38B	201	Para 13.12	In paragraph 13.12, on second/ third line, keep ‘(or is proposed for designation)’.	Dfl directs the Council to modify paragraph 13.12, page 201 of the dPS in accordance with this PAC Recommended Amendment.
MOD 50	RA 80	PC 108	203	Para 13.23	Insert in Para 13.23, line 3, the words ‘... conservation interests and for carbon storage as well as with the protection...’	Dfl directs the Council to modify paragraph 13.23, page 203 of the dPS in accordance with this PAC Recommended Amendment. For clarity, this paragraph should read: ‘Peat – Permission for the commercial extraction of peat will only be

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						<p>granted where the proposal is consistent with the protection of boglands that are valuable to conservation interests and for carbon storage as well as with the protection of landscape quality, especially in designated areas. In the assessment of any planning applications for the extraction of peat (or applications for other types of development that might include incidental removal of peat), particular attention will be paid to the hydrology of boglands and specifically to avoid any negative direct and indirect effects on any ‘active’ or protected peat. See also Chapter 21: Natural Environment and policy NE 3 Biodiversity.’</p>
MOD 51	RA 81	PC 109 FC 39	203	MIN 2	Move middle paragraph of MIN 2 to the end of a new J&A para 13.24.	<p>DfI directs the Council to modify the middle paragraph of Policy MIN 2 page 203, of the dPS in accordance with this PAC Recommended Amendment.</p> <p>DfI also directs the Council to modify Policy MIN 2 by moving the J&A text paragraph 13.25 of page 203 of the dPS and adding it to the end of the Policy MIN 2, to form a third paragraph, for clarity this should read as follows:</p> <p>Within Areas of Constraint on Mineral Development, there will be a presumption against the granting of planning permission for the extraction and/or processing of</p>

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						<p>minerals, including extensions to existing operations. These areas are protected from minerals development because of their intrinsic landscape, amenity, scientific or heritage value (including natural and historic environment).</p> <p>Application within Areas of Constraint on Minerals development (ACMD) must be accompanied by landscape and visual impact assessments.</p> <p>Exceptions*to this policy may be made where the Council is satisfied that the proposed operations are short-term and the environmental and amenity implications are not significant*. Applications for development within an ACMD will be assessed on a case-by-case basis and the short-term period will depend on the nature and scale of the proposal and its potential impacts on amenity and the environment. In such cases, the Council are unlikely to favour on-site processing. SCAs and AHLIs are also considered as ACMD and MIN 2 will apply</p> <p>Note: The two asterix represent the relevant footnotes on page 203.</p>
MOD 52	RA 83	FC 40	205	MIN 5	Amend the start of Policy MIN 5, as follows: 'Planning permission for all new minerals development will be conditional upon the approval of satisfactory restoration proposals. All applications for minerals...'	Dfl directs the Council to modify Policy MIN 5, page 205 of the dPS in accordance with this PAC Recommended Amendment.

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MOD 53	RA 84		206	Para 13.35	Add to the end of Para 13.35: ‘The Council will publish an SPG on the issue of restoration bonds or other financial provision, such as a Restoration Guarantee Fund’.	DfI directs the Council to modify paragraph 13.35, page 206 of the dPS in accordance with this PAC Recommended Amendment.
MOD 54	RA 85 RA 86	PC113	208	After Para 14.8 After Para 14.8	<p>Insert new paragraph after Para 14.8: ‘In assessing the impact of an advertisement or sign on amenity, the Council will take into account all of the following matters: the effect the advertisement will have on the general characteristics of the area, including the presence of any features of historic, archaeological, architectural, landscape, cultural or other special interest;’</p> <p>Add the following text after RA 85 above: ‘the position of the advertisement on the host building and its scale and size in relation to that building; the cumulative effect of the proposal when read with other advertisements on the building or in the surrounding area and whether the proposal will result in clutter; the size, scale, dominance and siting of the advertisement in relation to the scale and characteristics of the surrounding area; the design and materials of the advertisement, or the structure</p>	DfI directs the Council to modify the J&A text on page 208 of the dPS, to insert these additional paragraphs after paragraph 14.6 and re-number the remaining paragraph numbers accordingly. This can be dealt with under MOD113.

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					containing the advertisement, and its impact on the appearance on which it is attached; in the case of a freestanding sign, the design and materials of the structure and its impact on the appearance and character of the area where it is located’.	
MOD 55	RA 87	PC 115	209	Para 14.9	<p>Insert a new J&A paragraph after the 2nd (LED) bullet point on page 209: ‘Digital advertising screens should only display static images and should not contain moving images. The rate of change between successive displays should not be instantaneous and should not include the sequencing of images over more than one advert or a message sequence, where a message is spread across more than one screen image. The minimum duration any image shall be displayed shall be determined by the Council.</p> <p>The minimum message display duration should ensure that the majority of approaching drivers do not see more than two messages. The minimum message display duration of each image shall be calculated by dividing the maximum sight distance to the digital advertisement (metres) by the speed limit (metres/second) of the road (30mph = 13.4m/s, 40mph = 17.9m/s, 50mph</p>	<p>Dfl directs the Council to modify paragraph 14.9, page 209 to insert new J&A text within the 2nd (LED) bullet point of the dPS as follows:</p> <ul style="list-style-type: none"> • Illuminated signs, including LEDs, where the means of illumination is directly visible from any part of the road and could result in glare or dazzle, or otherwise distract road users especially in wet or misty weather. Permission will be granted when the level of illumination proposed is appropriate to the location. Where external lighting is proposed, ‘trough’ lighting is preferred; the trough should extend over the fascia advertisement and be painted to integrate into the built form. Illumination of external signage will be restricted to the sign lettering and logo.

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				<p>=22.4m/s, 60mph = 26.8m/s, 70mph = 31.3m/s.</p> <p>The luminance of the screen should be controlled by light sensors which automatically adjust screen brightness for ambient light levels, in order to avoid glare at night and facilitate legibility during daytime. The proposed advertising screen should generally comply with the Institute of Lighting Professionals' guidance PLG05, 'The Brightness of Illuminated Advertisements'. Maximum nighttime luminance of the digital screen must not exceed the appropriate value from Table 4 of PLG05, which must be considered in conjunction with the environmental zones as defined in Table 3 of PLG 05. Proposed luminance levels and control arrangements are to be agreed by the Department for Infrastructure Roads. Advertisements shall not resemble traffic signs or provide directional advice. Road Traffic Regulation (NI) Order 1997 makes it an offence to display any sign which resembles a traffic sign on or near a public road.</p> <p>Telephone numbers and website addresses should not be displayed.</p> <p>Further guidance will be contained within a SPG'.</p>	<p>Digital advertising screens should only display static images and should not contain moving images. The rate of change between successive displays should not be instantaneous and should not include the sequencing of images over more than one advert or a message sequence, where a message is spread across more than one screen image.</p> <p>The minimum duration any image shall be displayed shall be determined by the Council. The proposed advertising screen should generally comply with the Institute of Lighting Professionals' guidance PLG05, 'The Brightness of Illuminated Advertisements'. Telephone numbers and website addresses should not be displayed. These and other detailed technical specifications will be as approved by DfI Roads Service. Further guidance will be contained within a SPG document.</p> <p>Furthermore, DfI directs Council to insert the remaining technical detail within this RA into the proposed new SPG document on adverts/signage, alongside the replicated detail contained within PPS17, as proposed by MOD 111 below.</p>
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MOD 56	RA 89	PC 117	210	Para 14.15	<p>Additional text is required in para 14.15 1st sentence – ‘Scheduled Monument Consent may be required for applications on the Derry Walls and other scheduled monuments under...’</p> <p>Final sentence – ‘However the Council may undertake consultation with HED for an application seeking’.</p> <p>New final sentence – ‘An application for advertisement consent on a Listed Building will be assessed against this policy and policy HE4 The Control of Advertisement on a Listed Building’.</p>	<p>Dfi directs the Council to modify paragraph 14.15, page 210 of the dPS as follows:</p> <p>First sentence: Scheduled Monument Consent may be required for applications on or adjacent to the Derry Walls and other scheduled monuments under the Historic Monuments and Archaeological Objects (NI) Order 1995.</p> <p>Final sentence: However, the Council may undertake consultation with HED for an application seeking...</p> <p>New sentence at end of this paragraph: An application for advertisement consent on a Listed Building will be assessed against this policy and policy HE4 The Control of Advertisement on a Listed Building.</p>
MOD 57	RA 90	PC 118 PC 119	211	New Policy ODC 1	<p>Change the Chapter title to ‘Other Development in the Countryside’ and the Initials of all these policies from AGR 1-3 to ODC 1-4.</p> <p>See Annex 1 for the proposed re-wording of the introductory paragraphs from page 211 and Policy ODC 1 and its J&A paragraphs.</p>	<p>Dfi directs the Council to modify the title of chapter 15 on page 211 of the draft Plan Strategy to ‘Other Development in the Countryside’ and the initials of all these policies from AGR 1-3 to ODC 1-4, and modify any other references to this policy within the dPS, in accordance with this PAC Recommended Amendment.</p> <p>Dfi also directs the Council to modify the introductory paragraphs from page 211 and 212 of the draft Plan Strategy and insert new Policy ODC 1 and its J&A</p>

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						<p>paragraphs in accordance with this PAC Recommended Amendment as detailed in Schedule 2 Annex 3 of this direction.</p>
<p>MOD 58</p>	<p>RA 91</p>	<p>PC 120</p>	<p>216</p>	<p>Current Policy AGR 3, becomes Policy ODC 4</p>	<p>Change title of ODC 4 to include The Conversion, Change of Use and Re-Use.... Insert the word 'use' near the start of criteria (b) and (d).</p>	<p>Further to MOD 57 above, DfI directs the Council to modify the title of Policy ODC 4 on page 216 of the draft Plan Strategy to include The Conversion, Change of Use and Re-Use.... DfI directs the Council to insert the word 'use' near the start of criteria (b) and (d) of Policy ODC4, page 216 of the draft Plan Strategy.</p> <p>For clarity the title of Policy ODC 4 should read: "ODC 4 The Conversion, Change of Use and Re-Use of Existing Buildings for Agricultural and other Suitable Rural Uses"</p> <p>For clarity criteria (b) and (d) should read: "(b) the use, reuse or conversion would maintain or enhance the form, character and architectural features, design and setting of the existing building and not have an adverse effect on the character or appearance of the locality;"</p> <p>"(d) the use, reuse or conversion would not unduly affect the amenities of nearby residents or adversely affect the continued agricultural use of adjoining land</p>

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					<p>Amend criteria (h) to ...Natural Environment and Historic Environment chapters.</p> <p>The above amendment will include listed buildings as well as other historic assets, so delete the following ‘Listed Buildings’ paragraph.</p> <p>Insert a new criteria ‘(i) If it is for a tourism development, it must also submit a statement of why the use is site- specific and cannot be located in one of the named tourism settlements’.</p>	<p>or buildings; “</p> <p>Further to MOD 57 above DfI directs the Council to modify criteria (h) of Policy ODC 4, page 216 of the draft Plan Strategy to ...Natural Environment and Historic Environment chapters in accordance with this PAC Recommended Amendment.</p> <p>For clarity criteria (h) should read: “(h) All proposals will be in accordance with the Natural Environment and Historic Environment chapters.”</p> <p>Further to MOD 57 above DfI directs the Council to delete the ‘Listed Buildings’ paragraph of Policy ODC 4, page 216 of the draft Plan Strategy in accordance with this PAC Recommended Amendment.</p> <p>Further to MOD 57 above DfI directs the Council to insert a new criterion (i) in Policy ODC 4, page 216 of the draft Plan Strategy in accordance with this PAC Recommended Amendment as follows: ‘ (i) If it is for a tourism development, it must also submit a statement of why the use is site- specific and cannot be located in one of the named tourism settlements.’</p>
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MOD 59	RA92	PC121	Policies ODC 2, 3 &4		<p>Insert the words near the end of the Policy: ‘...cannot be located outside of the Green Belt or in a nearby settlement.’ Also Insert an appropriate paragraph in J&A in this Chapter similar to para 16.140 p 262 to clarify GB avoidance where possible. For ODC 2 and same for ODC 3 and ODC 4.</p>	<p>DfI directs the Council to modify policies ODC 2,3 &4 by inserting the following words near the end of the policies: ‘...cannot be located outside of the Green Belt or in a nearby settlement.’ in accordance with this PAC Recommended Amendment.</p> <p>For clarity the Green Belt paragraph of Policy ODC 2 should be amended to read as follows: ‘Green Belt Applicants will need to demonstrate a site-specific need to be located at the proposed location within the Green Belt, and why the proposal cannot be located outside of the Green Belt or in a nearby settlement.’</p> <p>For clarity the Green Belt paragraph of Policy ODC 3 should be amended to read as follows: ‘Green Belt Proposals within the Green Belt will only be permitted where it can be demonstrated that the development is needed to meet the essential requirements of the farm holding or forestry enterprise and cannot be located outside of the Green Belt or in a nearby settlement.’</p> <p>For clarity the Green Belt paragraph of Policy ODC 4 should be amended to read as follows: ‘Green Belt</p>
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						<p>Within the Green Belt, re-use will take priority over conversion / extension. It will be for the applicant to demonstrate that a conversion or extension is required and the building cannot be re-used in its current form and cannot be located outside of the Green Belt.'</p> <p>DfI directs the Council to modify the J & A for each of the policies ODC 2,3 &4 by inserting a paragraph similar to 16.140 page 262 to clarify GB avoidance where possible, in accordance with this PAC Recommended Amendment.</p> <p>For clarity in Policy ODC 2 J&A add the following paragraph after 15.8 and amend numbering of paragraphs: 'Within the Green Belt, there is likely to be greater urban-generated development pressure than in the countryside generally so it will be particularly important to carefully manage the numbers and locations of farm or forestry diversification proposals. Therefore, within the Green Belt, planning permission will be granted for farm or forestry diversification proposals only where applicants demonstrate a site specific need to be located within the Green Belt and provide justification as to why the proposal cannot be located in a nearby settlement.'</p>
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						<p>For clarity in Policy ODC 3 J&A add the following paragraph after 15.17 and amend numbering of paragraphs: ‘Within the Green Belt, there is likely to be greater urban-generated development pressure than in the countryside generally so it will be particularly important to carefully manage the amount of development on an active and established agricultural or forestry holding. Therefore, within the Green Belt, planning permission will be granted for farm or forestry development, only were it is demonstrated that the development is needed to meet the essential requirements of the farm holding or forestry enterprise.’</p> <p>For clarity in Policy ODC 4 J&A add the following paragraph after 15.18 and amend numbering of paragraphs: ‘Within the Green Belt, there is likely to be greater urban-generated development pressure than in the countryside generally so it will be particularly important to carefully manage the numbers and locations of conversions, change of uses and re-uses of existing buildings for agricultural and other suitable rural uses. Therefore, within the Green Belt, re-use will take priority over conversion / extension and planning permission will be granted only were it is demonstrated that a conversion or extension is required and the building cannot be re-used in its current form.’</p>
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MOD 60	RA 93	FC 41	220	Para 16.7	<p>Remove the last sentence of Para. 16.7 and also replace the words in the penultimate sentence, to read as: ‘As per the SPPS³¹, it would be important to maintain a five-year land supply.’</p> <p>Also amend the last two lines of Para.16.15, to read: ‘... by 2032 and maintain a 5-year land supply.’</p>	Dfl directs the Council to modify paragraph 16.7, page 220 of the dPS and paragraph 16.15, page 224 of the dPS in accordance with this PAC Recommended Amendment.
MOD 61		FC 42	221 & Appendix x 5 Table 1	Para 16.9 & Table 8	Amend Appendix 5 Table 1 as shown in Annex 4 of this document.	<p>Dfl directs the Council to modify Appendix 5 Table 1 page 501 - 503 of the dPS in accordance with this PAC Recommended Amendment as detailed in Schedule 2 Annex 4 of this Direction.</p> <p>Note – This is reflective of FC42 as listed in the Council’s document MA007 October 2023.</p>
MOD 62	RA 96	FC 43 PC 126 FC 44	224-225	Para 16.17	<p>Amend wording, as follows: ‘The LDP will identify Housing Zonings and Land Use Policy Areas (LUPAs); it will carry forward most of the Housing Zonings / designations from the Derry Area Plan 2011 and the Strabane Area Plan 2001, namely the (substantially) unimplemented Housing Zonings, Flats Policy Area (formerly the DAP designated Flat Zone FL 1) and the associated Flats Prevention Areas (formerly the DAP Flat Exemption Areas). These zonings / designations, together with a series of Houses in Multiple Occupancy (HMO) Management Areas, are being designated in the LDP Plan Strategy and will be further</p>	Dfl directs the Council to modify paragraph 16.17 on page 224 in accordance with this PAC recommended amendment.

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				<p>HOU 1</p> <p>considered in the Local Policies Plan and detailed boundaries shown as appropriate. (A full list of the existing zonings / designations can be found in the existing area plans)’. In policy HOU 1, amend reference on line 2: Table 8 (pg.221) or Appendix 5 Tables 1 & 2 In HOU 1 Part (a) second sentence, amend to read: ‘...housing land within the City, Main Town and the Local Towns in three phases’. Add an ‘s’ to ‘brownfield site’ in line 8 Under the ‘LDP Phase 1 Zonings’ heading, add the following wording to the bullet points to read: <ul style="list-style-type: none"> • Existing commitments i.e. previously-zoned or unzoned land with live residential planning permission; • Selected Urban Capacity Sites (City and Main Town) and Selected Whiteland Sites (Local Towns) identified at LPP; Under the ‘LDP Phase 2 Zonings’ heading, add the following words to the bullet points, to read: <ul style="list-style-type: none"> • Derry Area Plan (DAP) and Strabane Area Plan (SAP) housing zonings, without current residential planning permission; and </p>	<p>Furthermore, DfI directs the Council to modify Policy HOU 1 and J&A on pages 225 – 228 (including footnote in accordance with this PAC Recommended Amendment as detailed in Schedule 2 Annex 4 of this Direction.</p>
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				<ul style="list-style-type: none"> • Other Urban Capacity Sites (City and Main Town) and Other Whiteland Sites (Local Towns). <p>Add the following sentence to the end of the 3rd bullet point to read:</p> <ul style="list-style-type: none"> • ‘Conversely, if certain Phase 1 land is not implemented, it can be re-zoned as Phase 2 or alternatively, either Phase 1 or Phase 2 lands can be rezoned for an alternative land-use, following an LDP Review;’ <p>In HOU 1, under the ‘LDP Phase 2 Zonings’ heading, remove the sentence under the 4th bullet point starting ‘In exceptional circumstances....’ and its associated two bullet points and replace with the following text:</p> <p>LDP Phase 3 Zonings – Strategic Housing Land Reserve</p> <p>A strategic reserve of Phase 3 Housing lands will be identified at the LPP stage, comprising a limited amount of land that previously lay just outside of the City / Town settlement development limits (SDL) and is located immediately adjacent to those areas identified (by NIHE) as having the most acute social housing need.</p> <p>In exceptional circumstances, where there is extreme localised social / affordable housing stress / need and it is demonstrated to the Council that the need cannot be met through the above sequence of Phase 1, Phase 2 or</p>	
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				<p>other HOU 2 lands, then a planning application can come forward on a Phase 3 site for immediate development to address that need. Such a planning application, after the LPP adoption, shall be from NIHE or a registered housing association*, primarily for affordable housing and the development shall be part of a Balanced Community in accordance with Policy HOU 5. Such a need should be supported by NIHE.</p> <p>*Insert a footnote to explain that where the term ‘registered housing association is used, this can generally also mean NIHE, who have recently changed status, to enable them to build houses, as a HA.</p> <p>Amend J&A para 16.21 by inserting following sentences at the end of the second sentence, to read: ‘... as a Phase 2 site, unless it meets the criteria as a Selected Urban Capacity or a Selected Whiteland Site in accordance with Phase 1 (see the next paragraph). In addition, both Phase 1 and Phase 2 Lands may be considered for rezoning to alternative land uses, such as community open space, if residential development on such sites is not brought forward within a reasonable timescale. At the LDP Reviews, the Council will use this mechanism, to review the identified housing land and may rezone all or some of that land, so as to</p>	
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					<p>ensure commencement and delivery of housing, rather than contribute to delay and land- banking of the Housing lands that it has identified in the LDP.</p> <p>Amend J&A Para 16.24 as follows: In addition to the Phase 1 and 2 approach, ...' Insert new sentence after end of 2nd sentence: 'These Phase 3 Lands are being introduced to formalise the potential provision of additional land at the edge of the city or towns for social/affordable Housing, in exceptional circumstances, thus ensuring the orderly and consistent release and development of such lands by the Council through the LDP. The amount of Phase 3 land identified will be limited to that which is reasonably necessary and sustainable; it will be decided by the Council at LPP stage, dependent on the amount of Phase 1 & Phase 2 land that can be identified / Zoned in a local area (related to the NIHE- defined local housing areas) and dependent on the amount of Housing Need prevailing in that area at that time.'</p>	
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					presumption in favour of their permission, subject to meeting the other relevant LDP policies, including the ED 4 protection of Economic Development land’.	
MOD 66	RA104	PC 134	233-234	HOU 5	<p>Amend HOU 5 policy text to read: ‘In order to achieve the Council’s stated objectives of delivering adequate numbers of affordable housing and also providing balanced / mixed communities, Planning permission will be granted for a residential development scheme of, or including, 10 or more residential units (or on a site of 0.5 ha or more), where a minimum of 20% of units are provided as affordable housing. Where there is an acute localised need as demonstrated by the NIHE, the proportion required may be uplifted on an individual site, and this will be indicated as a KSR at the LDP LPP stage.</p> <p>All such housing schemes will be required to deliver balanced and mixed communities. All relevant proposed housing developments will be expected to provide a balance of suitable tenures, taking account of the proposed and existing mix in that local area. Applicants will be required to clearly demonstrate and submit underpinning evidence, supported by the NIHE, of how they intend to deliver an appropriate</p>	Dfl directs the Council to modify Policy HOU 5, pages 233-234 of the dPS in accordance with this PAC Recommended Amendment as detailed in Schedule 2 Annex 4 of this Direction.

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		FC 49A			<p>affordable/private housing mix to meet any identified acute localised need. Any exceptions to proportions of tenures will need to be specifically justified and evidenced by the applicant.</p> <p>Where it can be demonstrated that there is insufficient need and / or it is not sustainable or viable for a proposed development in the area to meet the full requirements of this policy, the Council will consider a suitable proportion on a fully-evidenced case-by-case basis. Where it can be demonstrated that there is no need in the area, then accordingly the requirements of this policy do not apply.</p> <p>The agreed ratio of private to affordable housing will need to be implemented and maintained during, and for an agreed period after, the construction of the scheme’.</p>	
MOD 67	RA 105	FC 49	234	HOU 5	<p>‘In villages and small settlements, sites below the normal threshold of 10 dwellings may also need to provide affordable housing if there is an identified need.</p> <p>Planning permission will not be granted for development proposals containing less than 10 housing units where lands have been artificially divided for the purposes of circumventing these policy requirements. Where there is a phased approach to the</p>	<p>DfI directs the Council to modify Policy HOU 5, page 234 of the dPS in accordance with this PAC Recommended Amendment as detailed in Schedule 2 Annex 4 of this Direction.</p>

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					<p>development of a site, this should be discussed with the Council at the outset to ensure that the affordable housing requirement can be developed in a comprehensive way over the whole scheme.</p> <p>Affordable housing will be secured as appropriate, depending on size of the development, by way of a condition or Section 76 Planning Agreement, which should be in place in advance of planning permission being granted. An off-site developer contribution may be required and will be considered on a case-by-case basis.</p> <p>Mixed Tenure / Tenure-Blindness The design and external appearance of the affordable housing in the development should reflect the character of the remainder of the site. These should be interspersed within the market housing so that they are not readily distinguishable in terms of external design, materials and finishes’.</p>	
MOD 68	RA 107	PC 136	235	Para 16.51	<p>Re-word Para 16.51 to read: ‘The Council has indicated that there should be no more than a 70 – 80% proportion of either private or affordable housing in an area is in the interests of achieving balanced and sustainable communities. The Council will seek an indicative mix from proposed housing schemes of no more than a maximum of 80% of either private or</p>	<p>DfI directs the Council to modify Para 16.51, page 235 and renumber subsequent paragraphs of the dPS in accordance with this PAC Recommended Amendment as detailed in Schedule 2 Annex 4 of this Direction.</p>

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					affordable houses to deliver the Council objective of such balanced communities. The applicant will need to provide evidence and submit a statement which takes into account the existing tenure mix. This would include up-to-date NIHE information including supported private- rented accommodation evidence if required’.	
MOD 69	RA 108	PC 137		16.52 – 16.55	<p>Remove paras 16.52 – 16.54 and replace with new para 16.52 to read: ‘16.52 The Department for Communities issued a revised definition of affordable housing in April 2021. Affordable housing is now defined as: a) Social rented housing; or b) Intermediate housing for sale; or c) Intermediate housing for rent that is provided outside of the general market, for those whose needs are not met by the market. Affordable housing which is funded by Government must remain affordable or alternatively there must be provision for the public subsidy to be repaid or recycled in the provision of new affordable housing.’</p> <p>Additionally, amend / shorten the related Para 16.55, as follows, and remove Footnote 41 on page 236 - as it is now superseded: ‘16.55 The SPPS recognises that the definition of intermediate housing ‘may</p>	Dfl directs the Council to modify paragraphs 16.52-16.55, pages 235-236 and renumber subsequent paragraphs of the dPS in accordance with this PAC Recommended Amendment as detailed in Schedule 2 Annex 4 of this Direction.

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					<p>change over time to incorporate other forms of housing tenure below market rates’. The NI definition of intermediate housing may be further expanded in the future to include these other products to support the SPPS aim of assisting eligible households into affordable housing.</p> <p>Where this is the case, such additional products will be considered suitable to meet the affordable housing obligations of this policy in the future.’</p> <p>Insert a final sentence to Paragraph 16.60 to read: ‘However, the preference is to have off-site affordable housing over a developer contribution where this is feasible’.</p>	
MOD 70	RA 109	PC 138	237	HOU 6	<p>Remove reference to ‘Tenure’ from title of policy HOU 6. New title to read: HOU 6 House Types and Size.</p> <p>In HOU 6, delete the last sentence in the middle policy paragraph.</p>	<p>DfI directs the Council to modify Policy HOU 6, page 237 of the dPS and paragraph 16.63, page 238 of the dPS in accordance with this PAC Recommended Amendment.</p>
		FC50	238	Para 16.63	<p>In J&A Para 16.63 add in words to the 4th line: ‘...disabled will require bungalows or ground-floor units.’</p> <p>Amend penultimate sentence to read: ‘A well-designed scheme can add visual interest through a variety of house types and allow households with different backgrounds</p>	

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					and incomes to live together’.	
MOD 71		FC 51	248	HOU 11	Amend the 4th line to: ‘... set out in HOU 8 Quality in New Residential Developments and ...	DfI directs the Council to modify the 4th line of Policy HOU 11, page 248 of the dPS as follows: ‘... set out in HOU 8 Quality in New Residential Developments and ...’ Note – This is reflective of FC51 as listed in the Council’s document MA007 October 2023.
MOD 72	RA 116	FC 52	249	HOU 12	Amend the 7 th line to: ‘Conversion to flats / apartments outside the Flats Policy Area...’ Amend the middle sub-heading to: ‘The development or redevelopment as flats / apartments of a part or whole of an infill or development plot outside of the Flats Policy Area will not normally be permitted except where:’	DfI directs the Council to modify Policy HOU 12, page 249 of the dPS, paragraph 16.102, page 250 of the dPS and paragraph 16.103, page 251 of the dPS in accordance with this PAC Recommended Amendment.
			250	Para 16.102	In para 16.102, amend the start of line 3 to read: ‘... Flats Prevention Areas.’ Insert the same words in the middle of the penultimate line, to read: ‘... Additional Flats Prevention Areas will also be considered ...’	
			251	Para 16.103	Amend the 2 nd & 3 rd lines of para 16.103, as follows:	

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					<p>'The conversion or development or redevelopment of flats / apartments will be managed through the HOU 12 Flats Policy and exceptions will apply. The Flats Zones in the Derry ...'</p>	
MOD 73	RA 117	FC 53	252	<p>Paras 16.106 & 16.107</p>	<p>Replace paras. 16.106 & 16.107 with:</p> <p>'The percentages of HMOs within and outside a HMO Management Area will be assessed by counting total number of current / licenced and approved HMOs in the policy area divided by the total number of dwelling units in that area. Similarly, for assessments outside of the HMO Management Area, the percentage will be the total HMOs divided by the total relevant properties in that area. In either case, the numbers of HMOs in the immediately adjacent streets / terraces (that share the parking and other impacts) will be taken into account.</p> <p>A Supplementary Planning Guidance (SPG) document will be prepared, to provide guidance on the operation of the HMO Management Areas and the local Planning / Licensing system generally.'</p>	<p>DfI directs the Council to modify paragraphs 16.106 & 16.107, page 252 of the dPS, in accordance with this PAC Recommended Amendment.</p>

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		FC 53A		Para 16.108	Amend the 2 nd line of para 16.108, as follows: ' ... for further planning applications for additional HMOs.'	
MOD 74	RA 118	PC 147 FC 54 FC 54A	253	HOU 15	Amend first sentence in policy box HOU 15 to read: 'Planning permission will be granted for specialist residential accommodation such as sheltered accommodation, residential or nursing care accommodation, retirement and care-related facilities, which will meet a demonstrated local need, where the proposals.... ' Amend line 5, as follows: 'This will also include the extension and refurbishment ...'	Dfl directs the Council to amend Policy HOU 15 in accordance with this PAC Recommended Amendment
MOD 75		PC127 & FC 55	253	Para 16.112	Insert the following new reworded sentence after the first sentence in J&A para 16.112: "This policy relates to specialist or specialised housing, and refers to supported housing, disability focused and otherwise as per the NIHE definition."	Dfl directs the Council to remove the last sentence of paragraph 16.24 of the draft Plan Strategy and insert a new (reworded) sentence after the first sentence in J&A paragraph 16.112 on page 253 of the draft Plan Strategy as follows: 'This policy relates to specialist or specialised housing, and refers to supported housing, disability focused and otherwise as per the NIHE definition.' Note – This is reflective of FC55 as listed in the Council's document MA007 October 2023.

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MOD 76	RA 119	FC 56	255	Para 16.118	<p>Insert a new sentence, after the 1st sentence of para. 16.118: ‘A Section 76 Agreement will be required, in order to ensure the ongoing responsible management of the accommodation, which will remain with the management company and not with the Council.’</p>	<p>Dfl directs the Council to modify paragraph 16.118, page 255 of the dPS, in accordance with this PAC Recommended Amendment.</p>
MOD 77		FC 57	299	CL 1	<p>In Policy CI 1, insert the correct word on the 3rd line, as follows: ‘...development (see Section Chapter 7) and comply ...’</p> <p>Delete the 4th Bullet Point, referencing GDP 1</p> <p>On the last line, change to: ‘Chapter-35 34: Developer Contributions.’</p>	<p>Dfl directs the Council to modify the wording of the 3rd line of Policy CI 1 on page 299 of the draft Plan Strategy as follows: ‘...development (see Chapter 7) and comply with all the following criteria’.</p> <p>Dfl directs the Council to delete the 4th bullet point of Policy CI 1 on page 299 of the draft Plan Strategy referencing GDP 1</p> <p>Dfl directs the Council to modify the last line of Policy CI1 on page 299 of the draft Plan Strategy as follows: ‘accordance with the guidance set out in Chapter 34: Developer Contributions and Community Benefits.’</p> <p>Note – This is reflective of FC57 as listed in the Council’s document MA007 October 2023.</p>

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MOD 78	RA126	PC156 PC157	275	Para 16.181 Para 16.180	<p>Add text to Para 16.181 – ‘It is envisaged that adequate affordable housing provision can be found within Derry City or Strabane Town or within villages and small settlements within the Green Belt ... will not be permitted in the Green Belt.’</p> <p>Add text to the end of paragraph 16.180 – ‘The balanced community” 70% indicative tenure split (HOU 5) would not apply to schemes considered under Policy HOU 25.’</p> <p>Add extra J&A para after 16.180 – ‘If more than one development is required by exception, it must be justified by ongoing social housing need and should be reflective of the scale of the settlement. The design, layout and quantum of development should be as per guidance in paragraph 16.29 [informal groupings of 5 to 10 dwellings]’.</p>	<p>Dfl directs the Council to modify paragraphs 16.180 and 16.181, page 275, of the dPS, and insert a new J&A paragraph after paragraph 16.180 in accordance with this PAC Recommended Amendment.</p> <p>Furthermore, Dfl directs Council to modify paragraph 16.180 to update the reference ‘70%’ to ‘70-80%’ as updated by MOD 68 above.</p>
MOD 79	RA 127	PC 158	278	Para 17.3	<p>Before the bullet points in paragraph 17.3, amend the text to state: ‘The Council’s approach also adheres to the SPPS (Paragraph 6.201) whose key objectives...’</p> <p>Include additional second and third bullet points:</p> <ul style="list-style-type: none"> • ‘ensure that areas of open space are provided as an integral part of new residential development and that appropriate arrangements are made for their management and maintenance in perpetuity; • Facilitate appropriate outdoor recreational 	<p>Dfl directs the Council to modify paragraph 17.3, page 278 of the dPS, and insert a new J&A paragraph after paragraph 16.180 in accordance with this PAC Recommended Amendment.</p>

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					activities in the countryside that do not negatively impact on the amenity of existing residents.'		
MOD 80	RA128	PC159	280	Para 17.14	Add the following text after 'town cramming' in paragraph 17.14: 'In the case of either exception, the Council will consider the implications and permanence of any loss of open space.'	Dfl directs the Council to modify paragraph 17.14, page 281 and paragraphs 17.18 & 17.19, page 282 of the dPS in accordance with this PAC Recommended Amendment.	
		PC160	282	Para 17.18	Add amended text to the end of J&A paragraph 17.18 to read- 'where an exchange is acceptable in principle the Council will secure this through the use of planning conditions and/ or a s76 Planning Agreement. This will tie redevelopment to the provision of the new facility and ensure that this is capable of being maintained adequately through appropriate management agreements.'		Dfl also directs the Council not to delete the 3rd sentence of Policy OS 2, page 284 of the dPS .
		PC161		17.19	Add text to J&A paragraph 17.19 – 'any grant of planning permission will normally be reliant on the applicant entering into a s76 agreement tying the financial gain arising from redevelopment to the retention and enhancement of the open space facility.'		
			284	OS2	Delete the paragraph within Policy OS 2 starting with 'In smaller residential schemes...'		

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MOD 81	RA 129	PC 163	290	OS 4	<p>Criteria (i) and (iii) change the word ‘significant’ to ‘adverse’.</p> <p>Add the following to the start of criterion (ii) – ‘there is no loss of High Nature Value (HNV) land or of the Best and Most Versatile (BMV) agricultural land and no unacceptable...’</p>	<p>Dfl directs the Council to modify Criteria (i) and (iii) to change the word ‘significant detrimental’ to ‘adverse’ within Policy OS 4, page 290 of the dPS.</p> <p>Furthermore, Dfl direct Council to modify the start of criterion (ii) within Policy OS 4, page 290 of the dPS in accordance with this PAC Recommended Amendment.</p>
MOD 82	RA 131	FC 58	303	UT 1	<p>Amend bullet point 3, to read: ‘The proposal does not have an unacceptable adverse impact on natural heritage features;</p>	<p>Dfl directs the Council to modify Policy UT 1, page 303 of the dPS in accordance with this PAC Recommended Amendment.</p>
		PC 165	303	UT 1	<p>Insert the following word in bullet point 5: ‘... upgrades do not adversely affect existing...’</p>	
MOD 83	RA 132	FC 59	303 & 306	UT 1 & UT 3	<p>Amend final bullet point of UT 1 to the following: ‘Proposals for development of power lines comply with 1998 International Commission on Non-ionizing Radiation Protection (ICNIRP) or any equivalent update.’ Also, add the same words to the similar sentence in Policy UT 3.</p>	<p>Dfl directs the Council to modify the last bullet points of Policy UT 1, page 303 and UT 3, page 306 of the dPS in accordance with this PAC Recommended Amendment.</p> <p>Furthermore, Dfl directs Council to modify the first sentence of Policy UT 3, page 306 of the dPS to remove the word ‘pylons. For Clarity this sentence should read:</p> <p>‘Proposals for telecommunication masts and other high structures will be considered</p>

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						having regard to
MOD 84	RA 137	FC 62	310	Para 20.8	The first sentence of paragraph 20.8 reads as follows: 'There are no current landfill sites within the District. Details of existing waste management sites can be found on the Council website i.e. recycling centres and bring sites.'	Dfl directs the Council to modify paragraph 20.8, page 310 of the dPS in accordance with this PAC Recommended Amendment.
MOD 85	RA 140	FC 61	319	Para 20.24	Add in the following wording at the end of the penultimate sentence of Para 20.24: '... outside the LDP, unless it is demonstrated that the proposal would not cause harm to, or undermine the reason for, that designation, also being consistent with the respective policy in Chapter 1: Natural Environment.' Delete the final sentence of Para 20.24.	Dfl directs the Council to modify paragraph 20.24, page 319 of the dPS in accordance with this PAC Recommended Amendment.
MOD 86	RA 142	PC 177	324	Para 21.6	Amend end of para 21 to read: '..the Council, as the Planning authority, has an important role to ensure their protection from inappropriate development. The Council will apply the 'precautionary principle' and the 'mitigation hierarchy' across all relevant NE policies in this chapter. The mitigation hierarchy requires, in order of preference, that, in terms of potential habitat damage, proposals should: <ul style="list-style-type: none"> • Avoid – where possible, habitat 	Dfl directs the Council to modify paragraph 21.6, page 324 of the dPS in accordance with this PAC Recommended Amendment. Dfl also directs the Council to modify paragraph 21.10, page 325 of the dPS in accordance with this PAC Recommended Amendment.

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		FC 63	325	Para. 21.10	<p>damage should be avoided;</p> <ul style="list-style-type: none"> • Minimise – where possible, habitat damage and loss should be minimised; • Remediate – where possible, any damage or lost habitat should be restored; • Mitigation – as a last resort, damage or lost habitat should be compensated for’. <p>Amend the 2nd last line of Para 21.10, as follows: ‘... impacts of a proposed development, particularly on national or ...’</p>	
MOD 87	RA 143	PC 178	326	NE 1	<p>Amend NE 1 policy text to read:</p> <ul style="list-style-type: none"> - A European Site (Special Protection Area – SPA; proposed Special Protection Area – pSPA; Special Areas of Conservation – SAC; candidate Special Areas of Conservation – cSAC; & Sites of Community Importance, or; - A listed or proposed Ramsar site: <p>Amend the final line on p. 326 to: ‘- agreed in advance with the Department of Agriculture, Environment & Rural Affairs (DAERA NI).’</p>	<p>Dfl directs the Council to modify Policy NE 1, page 326 of the dPS in accordance with this Recommended Amendment as follows: Amend NE 1 policy text to read:</p> <ul style="list-style-type: none"> • A European Site (Special Protection Area – SPA; proposed Special Protection Area – pSPA; Special Areas of Conservation – SAC; candidate Special Areas of Conservation – cSAC; & Sites of Community Importance); or • A listed or proposed Ramsar site: <p>Amend the final line of Policy NE 1 on p. 326 to read: ‘- agreed in advance with the Department of Agriculture, Environment & Rural Affairs (DAERA NI).’</p> <p>Dfl also directs the Council to paragraph</p>
		FC64	326		<p>Amend opening sentence of para 21.13 to read: ‘The following formal designations will benefit from the highest level of statutory protection – Special Protection Area (SPA) & proposed SPA; Special Areas of Conservation (SAC) & candidate SAC; Sites of Community</p>	
			327	Para 21.13		

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		PC178A	328	21.15	<p>Importance and Ramsar, so it is essential that the ...'</p> <p>Amend legislation responsibility in the last sentence in para 21.15 p328 to read as follows: 'The Council has the powers to declare Local Nature Reserves. Nature Reserves and Wildlife Refuges are declared by DAERA under the Nature & Amenity Lands (NI) Order 1985 and the Wildlife (NI) Order 1985 respectively'.</p>	<p>21.13, page 327 of the dPS in accordance with this Recommended Amendment as follows: Amend opening sentence of para 21.13 to read: 'The following formal designations will benefit from the highest level of statutory protection – Special Protection Area (SPA) & proposed SPA; Special Areas of Conservation (SAC) & candidate SAC (cSAC); Sites of Community Importance and Ramsar, so it is essential that the ...'</p> <p>Dfl also directs the Council to modify the last sentence of paragraph 21.15, page 328 of the dPS in accordance with this PAC Recommended Amendment as follows: 'The Council has the powers to declare Local Nature Reserves. Nature Reserves and Wildlife Refuges are declared by DAERA under the Nature & Amenity Lands (NI) Order 1985 and the Wildlife (NI) Order 1985 respectively'.</p>
MOD 88	RA 144	PC 180	325	Para 21.11	<p>Insert following new text onto end of Para 21.11: 'As lists of protected animals and plants are constantly being updated, it is recommended that applicants check the DAERA website for up-to-date information on species protection. As all fish are protected, no lists have been</p>	<p>Dfl directs the Council to modify paragraph 21.11, page 325 of the dPS in accordance with this PAC Recommended Amendment.</p>

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					produced’.	
MOD 89	RA 145	PC 181	330	NE 3	<p>Insert new third indent in NE 3 policy text box (before ‘active peatland’) to read:</p> <ul style="list-style-type: none"> - trees and hedgerows; <p>Insert new paragraph in policy text before the last paragraph at end of Policy NE 3: ‘In order to protect the amenity value of trees and woodland, the Council will, where appropriate, make Tree Preservation Orders (TPOs) on woodlands, groups of trees and individual specimens which satisfy the TPO criteria and contribute to the visual amenity and character of the surrounding area’.</p> <p>Amend last paragraph at end of Policy NE 3 to read:</p> <p>‘Planning permission will only be granted in wholly exceptional circumstances for proposals likely to result in damage or direct loss of habitats, such as ancient or long-established woodland or active peatland, which cannot be mitigated or fully compensated for’.</p> <p>Put the following text below into a new J&A paragraph 21.21 relevant to Policy NE3 (and subsequently renumber) p 330:</p> <p>‘Section 121 of the Planning Act (NI) 2011</p>	<p>Dfl directs the Council to modify by inserting new third indent to Policy NE 3, page 330 of the dPS in accordance with the first part of this PAC Recommended Amendment.</p> <p>DFI also direct Council to modify the last paragraph at the end of Policy NE 3, as follows:</p> <p>‘Planning permission will only be granted in wholly exceptional circumstances for proposals likely to result in damage or direct loss of habitats, such as ancient or long-established woodland, which cannot be mitigated or fully compensated for’.</p> <p>Also, Dfl directs the Council to modify the J&A text on page 330 of the dPS by inserting 6 new paragraphs after paragraph 21.20 and renumber subsequent paragraphs in accordance with this PAC Recommended</p>

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				<p>places a duty on the Council when granting planning permission for any development, to make adequate provision, by the imposition of conditions, for the preservation or planting of trees; and, when considered appropriate, to make Tree Preservation Orders in connection with the grant of such permissions under Section 122 of the same Act. In order to meet this duty, development proposals will be expected to take account of existing trees and hedges which in the interests of visual amenity or wildlife habitat should be retained. The Council will seek to ensure the protection of such features through the inclusion of conditions in any permission granted, or permission will be refused if appropriate.</p> <p>All development proposals on sites which contain or are adjacent to trees or hedgerows, will be required to submit a survey and take account of them, protecting them where appropriate, during their design and any future construction stage. This is to ensure that such trees are not at risk to unacceptable adverse impacts as a result of development activities.</p> <p>Particularly important trees will be protected if they are of significant public amenity value by the making of a Tree Preservation Order. This prohibits the cutting down, topping, lopping or wilful destruction of protected</p>	<p>Amendment.</p>
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					<p>trees without the prior consent of the Council.</p> <p>Where the Council consents to the removal of protected trees, it will be a requirement that suitable replanting occurs.</p> <p>The Council will require that development proposals on sites containing, or adjacent to, protected trees will require the submission of a site survey accurately showing the positions, species, heights, canopies and health condition of all protected trees. Existing and finished site soil levels will also be required to be shown relevant to the protected trees.</p> <p>In considering development proposals, the Council will seek to achieve site layouts which avoid the root systems of existing trees and minimises future concerns over residential amenity. The Council will require developers to manage their sites and their responsibilities to protect trees in strict accordance with BS 5837 (2012) 'Trees in relation to Design, Demolition & Construction'.</p>	
MOD 90	RA 146	PC 182	331	NE 4	<p>Amend the second dashed point in the policy box for NE 4 to read: 'The proposals meet the relevant requirements as set out in the Natural Environment Chapter and does not result in net biodiversity loss.'</p>	DfI directs the Council to modify Policy NE 4, page 331 of the dPS in accordance with this PAC Recommended Amendment.

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		FC 65			Insert word into the 2 nd last line of the policy, as follows: '... from the edge of the river should normally be provided ...'	
MOD 91	RA 147	FC65 B	333	NE 5	Amend second paragraph in NE 5 policy box to read: '...in order to positively enhance and / or complement our important AONB landscape'.	Dfl directs the Council to modify Policy NE 5, page 333 of the dPS as follows, for clarity the Policy should read as follows: The Council will not permit development that will adversely impact or erode the distinctive special character of the Sperrin AONB, including its landscape character, heritage, wildlife and setting, when considered individually or cumulatively alongside existing or approved development. All proposals must demonstrate how they have considered siting, massing, shape, design, finishes and landscaping in order to positively enhance and/or complement our important AONB landscape. Development proposals in the AONB must be sensitive to the distinctive special character of the area and the quality of its landscape, heritage and wildlife. The Council will promote the enjoyment by the public of the Sperrin AONB and provide or maintain public access to it. It will be supportive of the provision of pathways and
		PC 184			Insert new text following text at end of middle paragraph in policy box for Policy NE 5 to read: 'Development proposals in the AONB must be sensitive to the intrinsic special character of the area and the quality of its landscape, heritage and wildlife'.	
		PC183			Amend last paragraph of Policy NE 5 to read: 'The Council will promote the enjoyment by the public of the Sperrin AONB and provide	

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		FC65 B		<p>Para 21.28 or maintain public access to it. It will be supportive of the provision of pathways...'</p> <p>Para 21.28 Insert the following new text at end of Para 21.28 to read: 'AONBs are designated by the Department of Infrastructure primarily for their high landscape quality, wildlife importance and rich cultural and architectural heritage under the Nature Conservation and Amenity Lands (NI) Order 1985 (NCALO)'.</p> <p>Para 21.29 Insert the following new text at end of para 21.29 to read: 'In assessing proposals, including cumulative impacts in such areas, account will also be taken of the Council's Landscape & Seascape Character Review EVB 6b'.</p>	<p>informal recreational facilities of an appropriate scale and in a suitable location, subject to policy provisions contained elsewhere in the LDP.</p> <p>DfI directs the Council to modify paragraph 21.28, page 33 of the dPS as follows:</p> <p>'AONBs are designated by the Department of Agriculture, Environment and Rural Affairs primarily for their high landscape quality, wildlife importance and rich cultural and architectural heritage under the Nature Conservation and Amenity Lands (NI) Order 1985 (NCALO)'.</p> <p>DfI further directs the Council to modify paragraph 21.29, page 333 of the dPS in accordance with this PAC Recommended Amendment.</p>
MOD 92		FC 66	338	<p>Para 21.45 At the end of par. 21.45, insert the following: '... superseded by new LDP designations – see Paragraph 39.6.'</p>	<p>DfI directs the Council to modify paragraph 21.45, page 338 of the dPS as follows: At the end of par. 21.45, insert the following: '... superseded by new LDP designations – see Paragraph 39.6.'</p> <p>Note – This is reflective of FC66 as listed in the Council's document MA007 October 2023.</p>

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MOD 94	RA 154	PC 196	350-351	HE 2	See Annex 1 of this document.	DfI directs the Council to modify Policy HE 2, page 350 of the dPS in accordance with this PAC Recommended Amendment. This is set out in Schedule 2 Annex 5 of this direction.
MOD 95	RA 156	PC 198	353-355	HE 4	See Annex 1 of this document.	DfI directs the Council to modify Policy HE 4, page 353 of the dPS in accordance with this PAC Recommended Amendment. This is set out in Schedule 2 Annex 5 of this direction.
MOD 96	RA 157	PC 199 PC 200	356-357	HE5	<p>Insert a subheading ‘(a) New Development’ under Policy heading HE 5.</p> <p>Rather than add a new point, change the first bullet point of HE 5 to ‘- be sympathetic to the characteristic built form and open spaces within the Conservation Area.’</p> <p>Insert a comma in the second bullet point: ‘...scale, form, materials and detailing;’</p> <p>Delete the last bullet point relating to the demolition of the unlisted buildings.</p> <p>Insert a new second sentence into Policy HE 5 part (b): ‘The general presumption against demolition will only be relaxed in exceptional circumstances where it is considered to be outweighed by other material considerations grounded in the public interest’.</p>	DfI directs the Council to modify Policy HE 5 page 356 of the dPS in accordance with this PAC Recommended Amendment.

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				<p>Para 23.40</p> <p>Amend text to first line of 23.40: ‘Conservation Areas are areas of special architectural or historic interest. Under Section 104 of The Planning Act (NI), the Council or DfI may designate a Conservation Area where it is desirable to preserve or enhance the character or appearance of such areas’.</p>	<p>DfI also directs the Council to modify paragraph 23.40, first sentence as follows:</p> <p>‘Conservation Areas are areas of special architectural or historic interest under Section 104 of the Planning Act (NI), the Council, <u>or in exceptional circumstances DfC,</u> may designate a Conservation Area where it is desirable to preserve or enhance the character or appearance of such areas’.</p> <p>In addition, DfI directs the Council to add a footnote following the above sentence. This footnote should state:</p> <p>Schedule 5 Part 1 of The Departments (Transfer of Functions) Order (Northern Ireland) 2016 transferred Section 104 of the Planning Act (Northern Ireland) 2011 to the Department for Communities</p>
		357	<p>Para 23.41</p> <p>Before Para 23.41, Insert a sub-heading (a) New development Within or Affecting the Setting of a Conservation Area</p> <p>23.41 On the 4th line, delete phrase ‘In deploying the principles of preserve, conserve and enhance,..’</p>	<p>Furthermore, DfI directs the Council to modify paragraphs 23.41-42, and insert two new paragraphs following these paragraphs and renumber accordingly, in accordance with these PAC Recommended Amendments.</p>	
			<p>Para 23.42</p> <p>Before Para 23.42, Insert a sub-heading (b) Demolition in a Conservation Area</p>		

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				<p>Amend text in paragraph 23.42 to read: ‘The Council will operate a presumption against the demolition of unlisted buildings of townscape quality which contribute to the character of an area. In determining proposals for the demolition of unlisted buildings, corroborating information will be required to demonstrate its part played in the architectural or historic interest of the area and the wider effects of the demolition on the buildings, surroundings and on the conservation area as a whole.</p> <p>New 23.43 The onus will be on the applicant to demonstrate and justify the need for demolition. Evidence will be required to indicate alternative options for stabilisation of the existing structure have been considered in efforts to retain the building. Reports submitted for consideration on the integrity of the building, including structural integrity, must be submitted by suitably experienced conservation engineers, architects, building surveyors, etc. In assessing proposals, the Council will have regard to the same broad criteria as Policy HE 4 for the demolition of listed buildings.</p> <p>New 23.44 The demolition of an unlisted building in a Conservation Area will not normally be considered in isolation from proposals for its subsequent redevelopment. Where demolition is deemed appropriate,</p>	
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					<p>for example where a building does not make any significant contribution to a conservation area, the Council will require detailed drawings illustrating the proposed redevelopment of the site. Where the Council decides to grant consent for the demolition of an unlisted building in a conservation area, it will be conditional on prohibiting demolition until planning permission has been granted and contracts signed for the approved redevelopment in order to prevent the streetscape from being marred by gap sites, and recording of the building if this is appropriate. (i.e. if the building is clearly of no value, no need to record it in any detail)'</p> <p>After 23.42, insert a new heading: (c) The Control of Advertisements in a Conservation Area</p> <p>Insert new paragraph after the above: 'Applications for the display of advertisements will be assessed against this policy and the policy requirements of Chapter 14: Signs an Outdoor Advertising'.</p>	
MOD 97	RA159	PC202	359	HE8	<p>Change Text, as per Annex 1, including changing the Policy title to: HE 8 Conversion and Re-Use of Non-Designated Heritage Assets</p> <p>(Also put a cross-reference to Policy HE 8, in</p>	DfI directs the Council to modify Policy HE 8, page 359 of the dPS in accordance with this PAC Recommended Amendment. This is set out in Schedule 2 Annex 5 of this Direction.

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					the several other related policies named i.e. TOU 4, AGR 3 / ODC 4, HOU 20 & HOU 21)	
MOD 98	RA 160	PC 203	362	HE 9	See amended wording in Annex 1. Add Enabling Development Practice Note (referenced at the bottom of Para 23.58) to the list of SPG – see Chapter 38 and Appendix 6. Change definition (several references) to significant historic places. Also change from 'planning authority' to 'the Council'.	DfI directs the Council to modify Policy HE 9, page 362 of the dPS in accordance with this PAC Recommended Amendment. This is set out in Schedule 2 Annex 5 of this Direction.

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MOD 99 continu'd (This column is all ONE MOD incs RA 162- 179)	RA 167			RED 1	<p>Move and amend criterion (ii) of now Policy RED 2 to now Policy RED 1 policy box to state: 'Applications for renewable energy development will be required to demonstrate that the development has taken into consideration the cumulative impact of existing renewable energy development, those which have permissions and those that are currently the subject of valid but undetermined applications'.</p>	For clarity all of the RAs 162-179 and associated PCs and FCs listed in columns 1 & 2 of this MOD have been incorporated into Schedule 2 Annex 6 of this Direction.
	RA 168	PC 212		RED 2 Criterion vi	<p>Add footnote: 'buildings which, with relatively little intervention, could be readily occupied'.</p>	
		FC 72		RED 2	<p>In the paragraph below the criteria on p. 370, amend the 2nd line to: '...diameter to occupiable property will generally apply ...'</p>	
	RA 169	PC 213		RED 2 After Criterion viii	<p>Add a new criteria ix. on p 370: 'the development will not harm groundwater flow paths or aquifers'</p>	
	RA 170	PC 214		RED 1 1 st Para after Criterion ix	<p>Page 370 1st paragraph after criteria ix to read: 'Where the Council considers it necessary, a noise assessment report, and a landscape and visual impact assessment (including photomontages to aid assessment of visual impact) will be submitted upon</p>	

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<p>MOD 99 continu'd (This column is all ONE MOD incs RA 162- 179)</p>				<p>EVB 24</p>	<p>request and prepared in accordance with best practice methodology.'</p> <p>Two best practice guidelines should be referenced in the EVB 24: Scottish Natural Heritage (2017) Visual Representation of Wind Farms: Good Practice Guidance (version 2.2) and Landscape Institute Technical Guidance Note 06/19 Visual Representation of Development Proposals (17/9/19)</p>	<p>For clarity all of the RAs 162-179 and associated PCs and FCs listed in columns 1 & 2 of this MOD have been incorporated into Schedule 2 Annex 6 of this Direction.</p>
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MOD 99 continu'd (This column is all ONE MOD incs RA 162- 179)	RA 171	FC 73		Footnote 54	Change footnote 54: 'hub height plus the length of one blade'	For clarity all of the RAs 162-179 and associated PCs and FCs listed in columns 1 & 2 of this MOD have been incorporated into Schedule 2 Annex 6 of this Direction.
	RA 172	PC 216		RED 4	On the 4 th line of p 371, put criterion iv on a new line and in it, insert the words: '... loss of High Nature Value (HNV) Land or Best and...'	
	RA 173	PC 217		Anaerobic Digesters section of policy box	Insert a new point (viii) into RED 4 to read: 'it will not result in damaging impacts on human health, as well as sensitive habitats, wider biodiversity and ecosystem resilience, through increased ammonia emissions.' Delete criterion viii in its entirety.	
	RA 174	FC74A PC 218 FC 75		Hydro- electric section of policy box	In the hydro section policy box, insert a new criterion iv, 'Any structures shall have no unacceptable impact on visual amenity or landscape character.' Amend the wording of all three criteria to: 'ii. there is no unacceptable adverse impact on fish, water birds and other water dependent Wildlife; and iii. there is no unacceptable adverse impact on water quality as a result of the development. iv. any structures shall have no unacceptable adverse impact on visual amenity or landscape character.'	
	RA 175	PC 219		Para 24.13	After the final sentence of 24.13, insert additional sentence: 'This also includes	

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<p>MOD 99 continu'd (This column is all ONE MOD incs RA 162- 179)</p>	RA 176	PC 220		Para 24.15	<p>energy-related proposals such as Battery Energy Storage Systems (BESS).'</p> <p>Amend the penultimate bullet point of paragraph 24.15 to read: 'changes to water flows and quantities within watercourses through abstraction;'</p>	<p>For clarity all of the RAs 162-179 and associated PCs and FCs listed in columns 1 & 2 of this MOD have been incorporated into Schedule 2 Annex 6 of this Direction.</p>
	RA177	PC221 FC75A		Para 24.18	<p>Insert text to the end of paragraph 24.18: 'in accordance with the mitigation hierarchy , see Natural Environment chapter.'</p> <p>On the 3rd line of para. 24.18 change the word 'significant' to unacceptable'</p>	
	RA 178	PC 222		Para 24.20	<p>In Para 24.20, insert in the middle, after 'bog burst' new text: 'therefore there isa presumption against development on active peat except for imperative reasons of overriding public interest. Whilst any development is unlikely to be acceptable on active peatland, where development is proposed on any peatland...' The subsequent text then ensures that hazards for landslide, bog burst and reduced capacity as a carbon sink are properly assessed.</p>	
				Footnote 52	<p>Amend footnote 52: 'An 'active' bog is one that supports a significant area of vegetation normally forming peat. A few groups of plants – especially Sphagnum bog mosses and cotton grasses dominate. Sphagnum sterilises the bog, preventing organic matter from decaying. Such areas deliver ecosystem</p>	

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<p>MOD 99 continu'd (This column is all ONE MOD incs RA 162- 179)</p>	<p>RA 179</p>	<p>PC 223</p>		<p>EVB 24</p>	<p>services such as carbon storage & sequestration and water supply. 'Active' bogs include those that suffered temporary setbacks such as fire damage or drought, and areas which have been damaged but which are now showing significant signs of recovery, such as eroded bogs in which the gullies are re- vegetating.'</p> <p>Add definition to EVB 24: 'For wind farm development, it is likely that the duration of the planning permission will be linked to the expected operational life of the turbines. Proposals may be submitted to extend the life of the project by re- equipping or replacing the original turbines. While there are advantages in utilising established sites, such cases will be determined on their individual merit and in the light of the then-prevailing policy and other relevant considerations.'</p>	<p>For clarity all of the RAs 162-179 and associated PCs and FCs listed in columns 1 & 2 of this MOD have been incorporated into Schedule 2 Annex 6 of this Direction.</p>
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MOD 100	RA 182	PC 227	379	FLD 1, Exception a)	Add 'plus climate change allowance' after the time limits for both fluvial and coastal flood protection in the exceptions (defended flood areas) section (a) of FLD1.	<p>Dfl direct council to modify FLD 1 Exceptions, Defended Area, first paragraph of criteria a) as follows:</p> <p>a) 'Development of previously developed land protected by flood defences that are confirmed by Dfl Rivers, as the competent authority, as structurally adequate and provide a minimum standard of 1 in 100 year plus climate change allowance fluvial flood protection or 1 in 200 year plus climate change allowance coastal flood protection'.</p> <p>Dfl also directs council to modify the bullet point within paragraph 25.16 of the J&A as follows:</p> <ul style="list-style-type: none"> • River (Fluvial) Flood Plain- the extent of a flood event with a 1 in 100 year probability plus climate change allowance (or 1% AEP plus climate change allowance) <p>Furthermore, Dfl directs the Council to modify the bullet point within paragraph 25.17 as follows:</p> <ul style="list-style-type: none"> • Coastal (Tidal) Flood Plain- the extent of a flood event with a 1 in 200 year probability plus climate change allowance (or 0.5% AEP plus climate change allowance)
			381	Paras 25.16 & 25.17	Also, similar changes to paragraphs 25.16 and 25.17 regarding the definition of a floodplain e.g. in Para 25.16 '1 in 100- year probability plus climate change allowance (or 1% AEP plus climate change allowance).'	

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MOD 101	RA 188		400	Para 26.5	Amend line 1 to read: PDOs and PDPs will be given weight alongside SDPs...	<p>DfI directs the Council to modify the first line of paragraph 26.5, page 400 of the dPS to read: ‘PDOs and PDPs will be given weight alongside SDPs...’ in accordance with this PAC Recommended Amendment.</p> <p>For clarity paragraph 26.5 should read: ‘26.5 PDOs and PDPs will be given weight alongside SDPs, as well as other policy in the LDP and in particular GDPOL 2: Design Policy in Settlements in Chapter 7; General Development Principles and Policies. Particular chapters within the LDP, such as Housing, City/ Town Centres and Retailing, Historic Environment and Transport may provide further detailed policy in relation to Place-making and Design.’</p>
MOD 102	RA189	PC244	402	Para 26.12	At the end of Para 26.12, insert a sentence: ‘An SPG on biodiversity net gain & ecological enhancements through development will be prepared. It will focus on housing and minerals development but also encompass other sectors.’	<p>DfI directs the Council to modify the dPS, by inserting the following sentence at the end of paragraph 26.12 in accordance with this PAC Recommended Amendment: ‘An SPG on biodiversity net gain & ecological enhancements through development will be prepared. It will focus on housing and minerals development but also encompass other sectors.’</p> <p>NOTE: PC 244 – reference change from Para 26.2 to 26.12 by Commissioner.</p>

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MOD 103	RA 190	PC 245 FC 76	403	Para 26.18	<p>Delete the word ‘hierarchy’. Re-title to ‘incorporate sustainable transport into designs.’</p> <p>Remove the corresponding word ‘hierarchy’ from the paragraph itself, to read: ‘This should be taken into full account in all decision making, from planning to investment.’</p>	<p>DfI directs the Council to modify paragraph 26.18, page 403 of the dPS in accordance with this PAC Recommended Amendment.</p> <p>For clarity paragraph 26.18 should read: ‘26.18 Place-making & Design Principle 7 (PDP 7) Incorporate sustainable transport into designs - The needs of pedestrians, cyclists and public transport users must be increasingly prioritised over car-based development. This should be taken into full account in all decision making, from planning to investment.’</p>
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MOD 104	RA 191	PC 246	407	Para 26.32	<p>Add a new second sentence to paragraph 26.32: ‘The Council draws upon the DfC Ministerial Advisory Group (MAG) on the Built Environment during determination of planning applications for major new buildings.’ Add a sentence to the end of the paragraph: ‘local artists and community groups can be examples of stakeholders.’</p>	<p>DfI directs the Council to modify paragraph 26.32, page 407 of the dPS in accordance with this PAC Recommended Amendment.</p> <p>For clarity paragraph 26.32 should read: ‘26.32 Place-making & Design Principle 15 (PDP 15) Working Together- Also key to successful place-making across the Derry City and Strabane District is a commitment to joined up thinking and collaborative working processes. The Council draws upon the DfC Ministerial Advisory Group (MAG) on the Built Environment during determination of planning applications for major new buildings. Boundaries - such as landownership, organisational responsibilities or professional disciplines - can prevent the right solutions for a place coming forward, requiring leadership, collaboration and strategic thinking to overcome. Furthermore, meaningful engagement with the public and key stakeholders will be essential to achieving the best outcomes. Local artists and community groups can be examples of stakeholders’</p> <p>NOTE - The Council may wish to add captions to images throughout the draft Plan Strategy in accordance with PC 246. This can be dealt with under MOD 113.</p>
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MOD 105	RA192	FC77a	431	Para 29.2	<p>Insert a policy box: 'Local Town Strategic Design Policy - General (LSDP-GEN) Planning permission will be granted for development proposals within Local Towns provided their design is of a high standard and:</p> <ul style="list-style-type: none"> - are sensitive to and make a positive contribution to the character of the settlement; - are in keeping with the size and character of the settlement; - do not lead either individually or cumulatively to a loss of amenity; - respect the opportunities and constraints of the specific site and have regard to the potential to create a new sense of place through sensitive design; - comply with all other relevant LDP policies and in particular GDPOL 2 	<p>DfI directs the Council to modify paragraph 29.2, page 431 of the dPS by reformatting the text as a policy box in accordance with this PAC Recommended Amendment.</p>
MOD 106	RA 193	FC 77b	438	Para 30.2	<p>Insert a policy box: 'Villages Strategic Design Policy - General (VSDP-GEN) Planning permission will be granted for development proposals within Villages provided their design is of a high standard and:</p> <ul style="list-style-type: none"> - are sensitive to and make a positive contribution to the character of the settlement; - are in keeping with the size and character of the settlement; - do not lead either individually or 	<p>DfI directs the Council to modify paragraph 30.2, page 438 of the dPS by reformatting the text as a policy box in accordance with this PAC Recommended Amendment.</p>

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					<p>cumulatively to a loss of amenity;</p> <ul style="list-style-type: none"> - respect the opportunities and constraints of the specific site and have regard to the potential to create a new sense of place through sensitive design; -comply with all other relevant LDP policies and in particular GPOL 2 	
MOD 107	RA 194	FC 77c	440	Para 31.2	<p>Insert a policy box:</p> <p>'Small Settlements Strategic Design Policy - General (SSSDP-GEN)</p> <p>Planning permission will be granted for development proposals within Small Settlements provided their design is of a high standard and:</p> <ul style="list-style-type: none"> - are sensitive to and make a positive contribution to the character of the settlement; - are in keeping with the size and character of the settlement; - do not lead either individually or cumulatively to a loss of amenity; - respect the opportunities and constraints of the specific site and have regard to the potential to create a new sense of place through sensitive design; -comply with all other relevant LDP policies and in particular GPOL 2 	DfI directs the Council to modify paragraph 31.2, page 440 of the dPS by reformatting the text as a policy box in accordance with this PAC Recommended Amendment.

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MOD 108	RA 196	PC 249	463	Para 37.5	After Para 37.5, insert a new para: 'The principles included in the CAA and other circulars / guidance on Control of Development in Airport Public Safety Zones will be a material consideration in appropriate circumstances. Issues regarding aviation noise will be considered against GDPOL 1, with the advice of Environmental Health and taking account of ICCAN guidance. Any issues regarding potential for major accidents is also dealt with in GDPOL 1 and Chapter 33'.	Dfl directs the Council to modify paragraph 37.5, page 463 of the dPS in accordance with this PAC Recommended Amendment.
MOD 109	RA 197	FC 78	464	Para 38.1	Amend the 2 nd sentence of Para.38.1, to read: 'These adopted documents will continue to be treated as material considerations, as specified in Appendix 6, until such times as they are reviewed or replaced by the Council.'	Dfl directs the Council to modify paragraph 38.1, page 464 of the dPS in accordance with this PAC Recommended Amendment.
MOD 110	RA 198		507	Appendix 6	The information contained within the identified sections of the PPSs should be replicated in the PS.	Dfl directs the Council to modify Appendix 6, page 507 of the dPS by replicating the identified sections of the PPS's as listed in Appendix 6, into Supplementary Planning Guidance (SPG) to accompany the PS at the time of adoption and add the new SPG titles to the Appendix 6 list. NOTE: MOD 55 above requires further detail to be included in the SPG relating to adverts/signage.

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MOD 111	RA 199	FC 79	516	Appendix 6	<p>Insert at the end of the table in Appendix 6, 'Best Practice Guidance to PPS 23 – Assessing Enabling Development for the Conservation of Significant (Historic) Places. The guidance in this document is still considered to be relevant and useful.'</p>	<p>Dfl directs the Council to modify Appendix 6, page 516 of the dPS in accordance with this PAC Recommended Amendment.</p> <p>Furthermore, Dfl directs Council to modify Appendix 6 by deleting the following list of DOE documents which cease to have effect following adoption of the Plan strategy:</p> <p>DCAN 1: Amusement Centres DCAN 3: Bookmaking Offices DCAN 4: Restaurants, Cafes and Fast-Food Outlets DCAN 5: Taxi Offices DCAN 7: Public Houses DCAN 8: Housing in Existing Urban Areas DCAN 9: Residential and Nursing Homes DCAN 11: Access for People with Disabilities DCAN 11 (Draft): Access for all – Designing for an Accessible Environment DCAN 13: Crèches, Day Nurseries and Pre-School Play Groups</p> <p>PPS 7 Quality Residential Development – 'Justification and Amplification' sections only.</p> <p>PPS 7 (Addendum) Residential Extensions and Alterations – Annex A only.</p> <p>PPS 7 (Addendum) Safeguarding the Character of Established Residential Areas - 'Justification and Amplification' sections, Annex A: Space Standards, Annex C: Previously</p>
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						<p>Developed Land and Annex E: Definition of an Established Residential Area, excluding 'Exceptions'.</p> <p>PPS 17 Control of Outdoor Advertisements - Annex A only</p>
MOD 112	RA 200		517	Appendix 7	Include in the glossary any definitions used within the plan	Dfl directs the Council to modify Appendix 7, page 517 of the dPS in accordance with this PAC Recommended Amendment.
MOD 113						As a result of the modifications contained within this direction, Dfl directs the Council to ensure that any other presentational or factual amendments, typographical errors and grammatical errors are updated as necessary to the overall Plan Strategy upon adoption. These updates should not amend the nature and intent of the modifications.