

The Reformed Development Management System

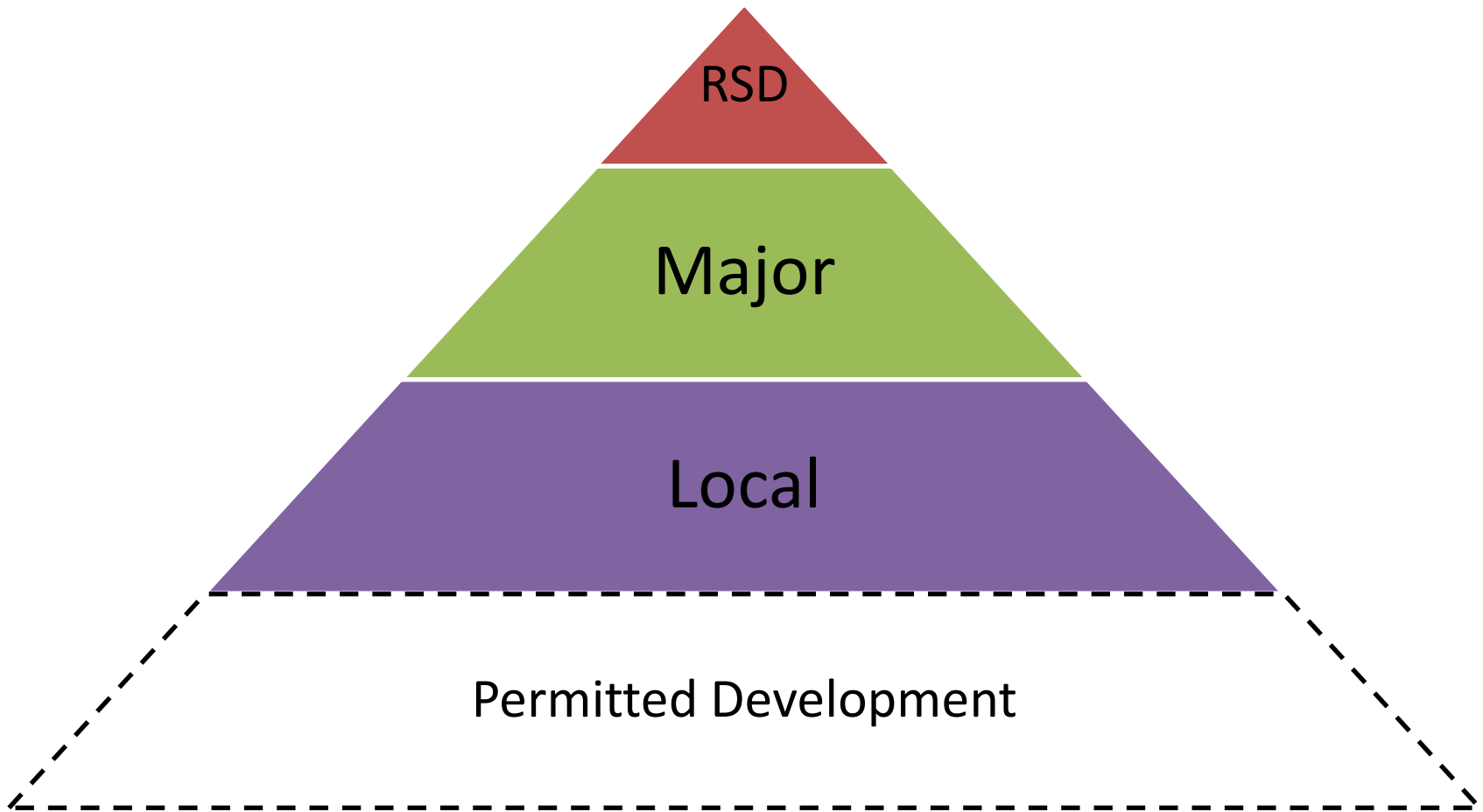
Aileen Nelson / Suzanne Bagnall
Planning Guidance Team



Presentation

- Hierarchy of Development
- Permitted Development
- Local Development
 - Scheme of Delegation
- Major Development
 - Proposal of Application Notice
 - Pre-Application Community Consultation
 - Pre-Application Consultation Report
 - Design and Access Statement
- Regionally Significant Development
- Further Reforms

Hierarchy of development



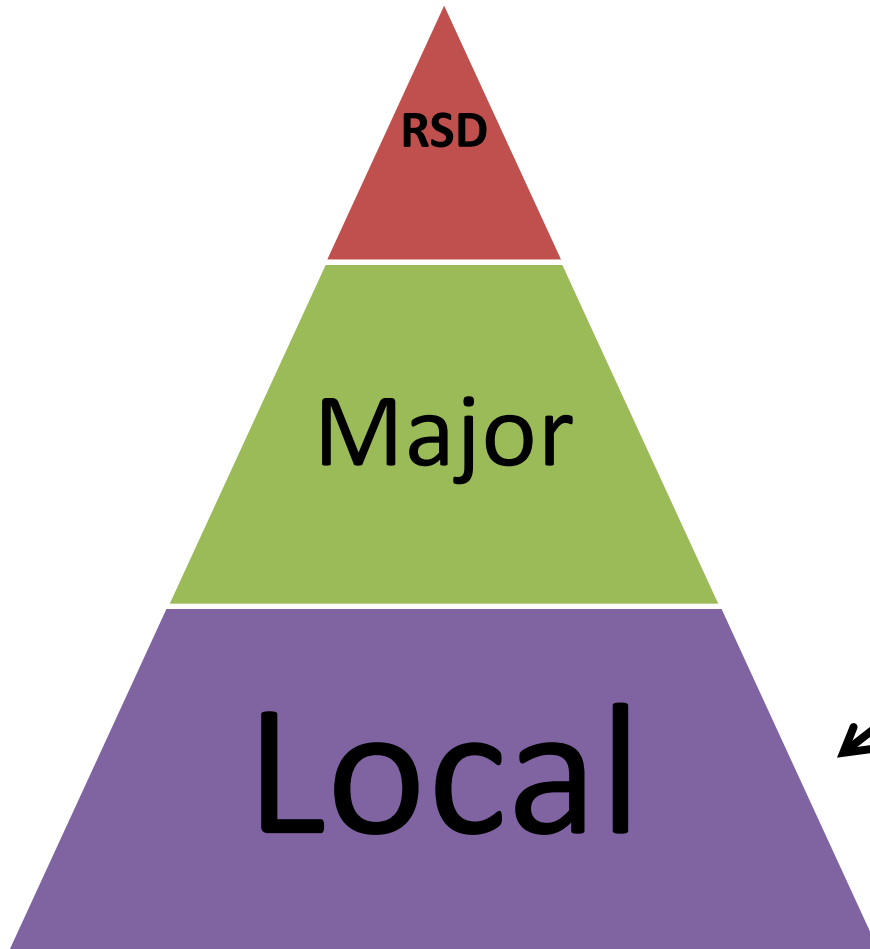
Permitted Development

All development requires planning permission. However, certain forms of development benefit from a general planning permission usually referred to as 'permitted development rights'. Generally this is because the scale and nature of the development is considered to be of a minor, non-contentious nature.

Permitted development rights are subject to conditions and limitations to control impact and to protect local amenity.



Local Development



All development other than major or regionally significant development (and not classified as permitted development)

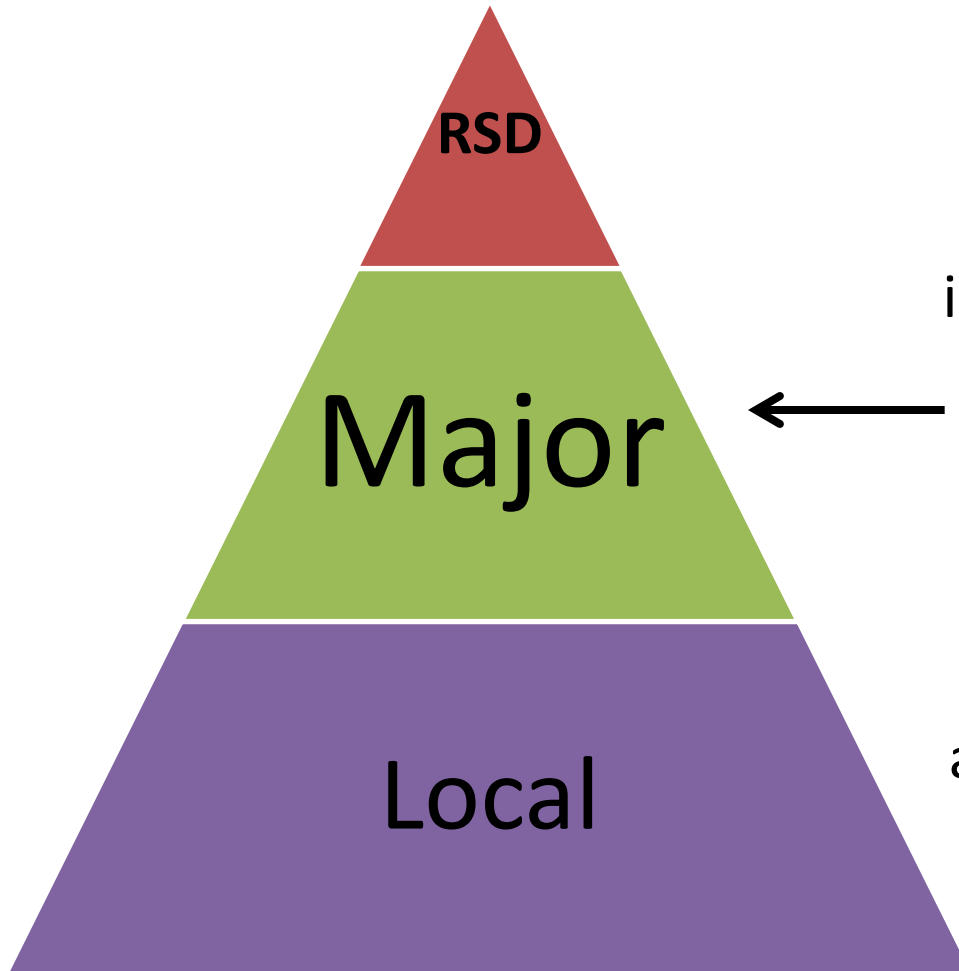
Scheme of Delegation

- Each council to prepare a scheme of delegation, stating application types where decision may be taken by appointed officer rather than council.
- Decision making for local, generally non-contentious applications.
- Does not include major or regionally significant.
- Copy to the Department for approval & make available for inspection.

Scheme of Delegation

- Councils can tailor their scheme to suit local circumstance and administrative procedures
- Should not include application by council/ elected member of the council; or application that relates to land in which the council has an interest
- 90% target elsewhere
- An effective scheme will allow councils to focus on the management of more complex applications

Major Development



Major developments have important economic, social and environmental implications for a council area. With potential to deliver important benefits for the local community, these applications will be given priority to avoid undue delay and risk investment decisions.

Proposal of Application Notice (PAN)

- 12 weeks notification of intention to submit an application
- To include description of proposal, site address, site plan, applicant details & details of consultation proposed
- At least one public event

Pre-Application Community Consultation

- Statutory duty upon applicants to consult community in advance of submitting application in major category (including regionally significant)
- Range of consultation methods encouraged
- Local community better informed
- Better quality of applications submitted

Pre-Application Discussion (PAD)

- Although non-statutory, it is an integral part of a positive and proactive planning process
- Strong linkages with pre application community consultation
- Proportionate to scale and complexity of application
- Benefits of PAD widely recognised

Pre-Application Consultation Report

- Pre-application community consultation report to be submitted with application.
- Applicant must demonstrate what has been done to comply with pre-application community consultation requirements.
- Must show how comments received through consultation with community have been considered.
- Power to decline to accept application

Design and Access Statement (DAS)

- Core principle of reformed planning system is to support good design to achieve sustainable development.
- Proposed form and content of DAS proposed in subordinate legislation.
- Certain applications for planning permission and all listed building consent applications to be accompanied by a design and access statement.

Design and Access Statement (DAS)

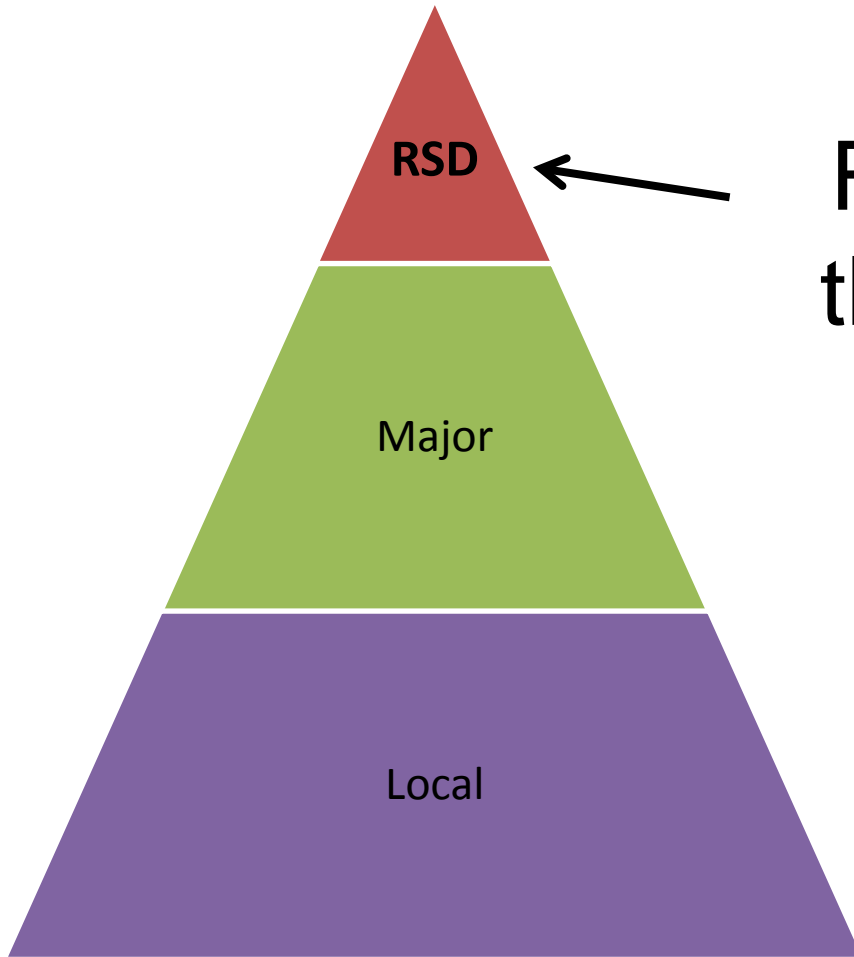
DAS Required:

- major development; or
- where any part of development is in a designated area,
 - development consisting of provision of one or more dwelling house or
 - where the floor space created by the development is 100m² or more.

DAS Not Required:

- applications to develop land without compliance with conditions previously attached;
- engineering or mining operations;
- a material change in the use of land or buildings; or
- waste development

Regionally Significant Development



Forms the 'top slice' of the major development category

Regionally Significant Applications

- Applications deemed to be of regional significance must be made to, and will be determined by, the Department.
- Have a critical contribution to make to the economic and social success of Northern Ireland as a whole, or a substantial part of the region.
- Also includes developments which have significant effects beyond Northern Ireland or involve a substantial departure from a Local Development Plan.

Further reforms

- Call-In
- Pre-Determination Hearing
- Duty to respond
- Neighbour notification
- Non-material change

To conclude...

- Reforms contained within Planning Act 2011 aim to improve efficiency in processing planning applications as well as enhance community involvement in the planning process and create good quality sustainable places.
- Important for all users to be aware of changes & legislative requirements.
- Practice Notes currently being developed which will provide guidance on key areas of reformed system.