



Department for

**Infrastructure**

An Boinn

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[www.infrastructure-ni.gov.uk](http://www.infrastructure-ni.gov.uk)

**Regional Planning Policy and Casework Directorate**

**Council Chief Executives**

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Email: [REDACTED]

Your reference:

Our reference:

1<sup>st</sup> September 2023

Dear Chief Executive,

**Review of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015**

Following the Review of the implementation of the Planning Act (NI) 2011, and the recommendations made in the NI Audit Report and the Public Accounts Committee Report on Planning in Northern Ireland, a planning improvement work programme, agreed by local and central government, encompassing regulatory improvements and legislative changes to the planning system is being taken forward.


One of the agreed legislative actions is a review of the **Planning (Local Development Plan) Regulations (Northern Ireland) 2015 (S.R 2015 No. 62)** (The Regulations). The review is considering five key areas of the Local Development Plan process including the legislative requirements surrounding consultation, the preparation of Timetables, publicity and notification and submission of documentation.

To assist with this review, the Department invites you to share your operational experiences of the Local Development Plan Regulations, along with your recommendations and supporting evidence for any changes. This feedback will be important in helping us understand local government views and shape any proposed revisions, in order that the Regulations are practical and appropriate.

E-mail: [planning@infrastructure-ni.gov.uk](mailto:planning@infrastructure-ni.gov.uk)

Website: [www.infrastructure-ni.gov.uk/topics/planning](http://www.infrastructure-ni.gov.uk/topics/planning)


A feedback form is attached at Annex 1, with some questions under key headings which may help structure your return. I would be grateful if you could complete and return Annex 1 to the Local Government lead **Sandra Adams** at:

 on or before **27<sup>th</sup> October 2023**.

Following the review, DfI intends to consult with the public and wider stakeholders on any proposed revisions to the Regulations. It is anticipated that this public consultation exercise will take place early in 2024. The Council will have a further opportunity to provide feedback on any proposed revisions during this public consultation period.

If you have any questions, or you would like to discuss further, please do not hesitate to contact me.

Yours sincerely



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**ALISTAIR BEGGS**

**Chief Planner**

**Director of Regional Planning Policy and Casework**

## Questionnaire

The table below presents a series of questions examining potential issues with the current regulations as outlined in the Schedule of The Planning (Local Development Plan) Regulations (Northern Ireland) 2015 (legislation.gov.uk).

Part	Questions	Suggested Changes	Justification and Reasoning
<p><b>1. The number and role of consultation bodies in 2(1) of the Planning (Local Development Plan) Regulations 2015</b></p> <p><b>PART 1</b> <b>General</b></p>	<p>Q1. Does the Council have any operational evidence which might suggest that the number of consultation bodies should be reduced under 2(1) of the LDP Regulations 2015? (If this is the case, stipulate the criterion to which it relates and any difficulty posed in the justification and reasoning column followed by any suggested changes that you consider may overcome the issue)</p>		
	<p>Q2. Do you consider that the role of Consultation Bodies at 5; 9(1); 10(c); 15(c); 17(e); 21(c); 22(1)(a); 23(c) should change? (If so, please state how and provide evidence as to why this is the case)</p>		

<p><b>PART 2 Timetable</b></p>	<p>Q3. The basis for consulting the Consultation. Bodies at Regulation 5 differs from the requirements for consultation elsewhere by requiring the Council to consult 'such of the consultation bodies as the council considers appropriate'. Based on your experience to date what has been the practice of consulting for the purposes of preparing the Timetable?</p>		
<p><b>2. The provisions for the commencement &amp; duration of consultation periods 11(3); 16(2); 18(2) in the Planning (Local Development Plan) Regulations 2015</b></p>			
<p><b>PART 3 POP</b></p>	<p>Q4. Based on your experience of consultation to date, suggestions on potential changes (if any) to the period outlined in 11(3) would be welcomed. (Please note that any changes should be suitably justified and supported by evidence)</p>		
	<p>Q5. Based on your experience of consultation to date, suggestions on potential changes (if any) to the period outlined in 16(2) would be welcomed. (Please note that any changes should be suitably justified and supported by evidence)</p>		
<p><b>PART 5 DPD Procedure</b></p>	<p>Q6. Based on your experience of consultation to date, suggestions on potential changes (if any) to the period outlined in 18(2) would be welcomed. (Please note that any changes should be suitably justified and supported by evidence)</p>		
	<p>Q7. Based on your experience, do you consider that the consultation periods for each part of the LDP process under 11(3), 16(2), 18(2) should be equal?</p>		

<p><b>PART 5 DPD Procedure</b></p>	<p>Q8. Based on your experience, do you consider that the consultation periods for each part of the LDP process under 11(3), 16(2), 18(2) should vary?</p>		
	<p>Q9. Based on your experience, do you consider the current wording of 11(3), 16(2), 18(2) of the LDP Regulations creates uncertainty regarding the start and finish date/overall duration of consultation? (If the answer is yes, please demonstrate to which part of the Regulations this relates and how you consider this to be the case)</p>		
	<p>Q10. If the answer is yes to Q8, do you believe an explanation in the LDP Regulations Explanatory note could be suffice to address any perceived concern? (If so, please provide suggested wording for this approach)</p>		
	<p>Q11. Do you believe there is merit in amending the wording of the LDP Regulations to be more specific regarding the start and finish period for consultation? (If this is the case, please specify the part of the regulations to which this applies and suggestions on how this may be done)</p>		

<b>3. Timetable, Publicity and notification requirements of the Planning (Local Development Plan) Regulations 2015</b>	
	<p>Q12. The LDP Timetable is an important project management tool, based on your experience to date, do you think there is merit in submitting a timetable for each stage of the LDP process as you approach that stage?</p>
<p><b>PART 2 Timetable</b></p>	<p>Q13. Based on your experience should there be a change to the requirement for the timetable to be agreed by full resolution of the Council under 7(1)(a) of the LDP Regulations? (Please note that any changes should be suitably justified and supported by evidence)</p>
	<p>Q14. Based on your experience should there be a change to the current publicity and availability requirement under 8(1) (a) and (b) of the LDP Regulations? (Please note that any changes should be suitably justified and supported by evidence)</p>
<b>4. Requirements in relation to making available documentation in line with the Planning (Local Development Plan) Regulations 2015</b>	
<p><b>PART 3 POP</b></p>	<p>Q15. Based on your experience should there be a change to the current requirements to make available a Preferred Options Paper and associated documentation under 10(a), (b) and (d) of the LDP Regulations? (If so, please state how and provide evidence as to why this is the case)</p>

<p align="center"><b>PART 5 DPD Procedure</b></p>	<p>Q16. Based on your experience should there be a change to the current requirements to make available a development plan document under 15(a), (b) and (d) of the LDP Regulations? (If so, please state how and provide evidence as to why this is the case)</p>		
	<p>Q17. Based on your experience should there be a change to the current requirements to make available representations under Regulation 17(1) and 19(1) of the LDP Regulations? (Please note that any changes should be suitably justified and supported by evidence)</p>		
	<p>Q18. Based on your experience should there be a change to the current requirements to make available submission documents under Regulation 21 of the LDP Regulations? (Please note that any changes should be suitably justified and supported by evidence)</p>		
	<p>Q19. Based on your experience should there be a change to the current requirements to make available the adopted development plan document and associated documentation under Regulation 24(3)(a)-(d) of the LDP Regulations? (Please note that any changes should be suitably justified and supported by evidence)</p>		

<b>5. Submission of plan documentation required by the Planning (Local Development Plan) Regulations 2015</b>		
<b>PART 5 DPD Procedure</b>	<p>Q20. Based on your experience should there be a change to the requirements surrounding the submission of documents for Independent Examination under Regulation 20 of the LDP Regulations? (If so, please state how and provide evidence as to why this is the case)</p>	
<b>Please add any other comments.</b>		

Thank you for taking the time to complete this questionnaire.