



Planning Reform

The Reform

The Government has proposed major changes to the Planning System. These changes are mainly about:

- handing over planning powers to the new councils in 2011;
- the role of councillors in deciding planning applications; and
- community consultation and rights in planning after the handover.

These proposals have long-term implications for the role of the new councils and community involvement.

How Do the Planning Reform Proposals Affect You?

This community briefing has been produced to highlight how the planning reform proposals will affect local communities and to encourage individuals and communities to respond to the Planning Reform Consultation Paper.

We welcome the principal aims of the planning reform process and support many of the proposals set out in the Consultation Paper. We have commented on five key issues which are intended to enhance the package of reforms and highlight our concerns in relation to other proposals.

Effective Consultation

Chapter 4: Q33-Q36, Q44; Chapter 8: Q80

Clear regulations are required detailing the pre-application and other consultation processes and how these will be tested.

These should include:

- pre-application consultation as a statutory requirement for both regional and major developments;
- the introduction of site notices and neighbour notification as a statutory requirement;
- minimum duration periods for consultation;
- good practice consultation techniques;
- procedures for advertising the consultation;
- evaluating the quality and effectiveness of the consultation and consultation report and how the findings of the consultation will be reported back to participants.

The report should include: the extent of community opposition or support, a list of objections and how these have been addressed, evidence of how the application has changed as a result of the consultation process, how the development enhances the character of the area, and a statement from the community expressing opinion on the quality and level of consultation. The report should be made publicly available and communities should have an opportunity to comment on it.

We welcome the introduction of the power to decline determination of applications where the consultation has not been carried out as required.

Community Planning

Chapter 3: p 41

Local development plans and the forthcoming community plans should be linked. The integration of both processes can help achieve more sustainable and cohesive communities. Linking the two processes should result in a more coherent approach to the identification of need and delivery of services; more responsive evidence-based policy making; improved connections between regional, local and neighbourhood priorities and policy; and reduced delay, uncertainty and unnecessary overlap.

Furthermore, in a society emerging from conflict and which remains deeply segregated along economic, social and cultural lines it provides a platform to address complex issues of multiple deprivation, contested space, community cohesion and the development of shared space, between and within both established and new communities.

The Right to be Heard in Person

Chapter 3: Q13, Chapter 5: Q59a and 59b

Proposals remove the fundamental right to be heard in person at appeals and inquiries. The need to create a more efficient process by addressing the volume of appeals or representations requires a managerial solution rather than the removal of rights. The removal of this right will have a disproportionate impact on equality groupings and people who are disadvantaged through low levels of literacy.

Currently, one in four people of working age in Northern Ireland performs at the lowest levels of literacy competence. There is no justification for removing the right to be heard in person.

Third Party Rights of Appeal

Chapter 5: Q67-Q69

Only the person who applies for planning permission has a right of appeal, other parties e.g. objectors to an application, have no such right. We continue to support the right for Third Party Appeals and will lobby for a **limited** third party right of appeal for those with legitimate objections; open to all applications, with the exception of small-scale householder development, and within a set timeframe.

Community Infrastructure Levy

Chapter 7: Q74-Q79

We welcome the initiation of a debate on a Community Infrastructure Levy and support the introduction of a levy rather than reliance on contributions from developers through Article 40 Agreements.

The Planning Service will be holding 11 consultation events during September 2009 and the consultation period ends on 2 October 2009. Copies of the Consultation Paper are available on the Planning Service Website: www.planningni.gov.uk.

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Community
Places

