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STATUTORY INSTRUMENTS

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**2003 No. 430**

**The Planning (Amendment) (Northern Ireland) Order 2003**

*Regional development strategy*

**Development plans: statement as to general conformity with the regional development strategy**

28.—(1) The following provisions of this Article apply where the Department of the Environment proposes to make, alter or replace a development plan for an area under Part III of the principal Order; and references in those provisions to Articles are to Articles in that Part.

(2) Not later than the beginning of the period of 28 days immediately before it proposes to make copies of the relevant documents available for inspection in accordance with Article 5(4) or (as the case may be) Article 6(3), the Department of the Environment shall send a copy of those documents to the Department for Regional Development.

(3) The Department for Regional Development shall consider the documents received by it under paragraph (2) and within the period of 28 days beginning with the day on which it received those documents shall—

- (a) determine whether in its opinion the relevant plan is in general conformity with the regional development strategy; and
- (b) give the Department of the Environment a statement in writing which—
  - (i) sets out that opinion; and
  - (ii) if that opinion is to the effect that the relevant plan is not in general conformity with the regional development strategy, gives the reasons for that opinion.

(4) The Department of the Environment shall make copies of any statement received under paragraph (3) available for inspection under Article 5(4) or (as the case may be) Article 6(3) together with copies of the relevant documents.

(5) A statement to which paragraph (3)(b)(ii) applies shall be treated for all purposes as an objection duly made by the Department for Regional Development within the prescribed period referred to in Article 5(5) or (as the case may be) Article 6(4).

(6) Not later than the beginning of the period of 28 days immediately before it proposes to make an order under Article 8(1) adopting a plan, alteration or replacement plan, the Department of the Environment shall send to the Department for Regional Development a copy of—

- (a) the draft order; and
- (b) the plan, alteration or replacement plan to which the order relates.

(7) The Department for Regional Development shall consider the documents received by it under paragraph (6) and within the period of 28 days beginning with the day on which it received those documents shall—

- (a) determine whether in its opinion the relevant plan is in general conformity with the regional development strategy; and
- (b) give the Department of the Environment a statement in writing which—
  - (i) sets out that opinion; and

(ii) if that opinion is to the effect that the relevant plan is not in general conformity with the regional development strategy, gives the reasons for that opinion.

(8) The Department of the Environment shall consider any statement received under paragraph (7) before making an order under Article 8(1).

(9) In this Article “the relevant plan” means—

- (a) where the Department proposes to make a development plan, the plan proposed to be made;
- (b) where the Department proposes to alter a current development plan, the current plan as proposed to be altered;
- (c) where the Department proposes to replace a current development plan, the plan proposed to replace the current plan.

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**Modifications etc. (not altering text)**

**C1** [Art. 28](#): transfer of functions (8.5.2016) by [The Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2016 \(S.R. 2016/76\)](#), art. 1(2), **Sch. 5 Pt. 2** (with art. 9(2))

**Changes to legislation:**

There are currently no known outstanding effects for the The Planning (Amendment) (Northern Ireland) Order 2003, Section 28.