

**EXPLANATORY MEMORANDUM TO
THE PLANNING (DEVELOPMENT MANAGEMENT) (AMENDMENT)
REGULATIONS (NORTHERN IRELAND) 2015**

S.R. 2015 No. 273

1. Introduction

- 1.1 This Explanatory Memorandum has been prepared by the Department of the Environment to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2 The Statutory Rule is made under sections 25(2), 26(1) and 247(1) of the Planning Act (Northern Ireland) 2011 and is subject to the negative resolution procedure.

2. Purpose

- 2.1 These Regulations correct a minor drafting error in the Planning (Development Management) Regulations (Northern Ireland) 2015.

3. Background

- 3.1 The Planning (Development Management) Regulations 2015 (the principal Regulations) establishes a hierarchy of development based on a 3-tier classification of developments consisting of regionally significant, major and local. The Schedule to the principal Regulations sets out in a table nine 'classes' of major developments and five classes of regionally significant development, each with a description and relevant threshold or criteria.
- 3.2 The policy intention for the regionally significant threshold under paragraph 3(c) (transport infrastructure - trading ports, piers) of the table was that it would align with the corresponding Schedule 1 development under the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015 and read as follows:

“(c) trading ports, piers for loading and unloading connected to land **and** outside ports (excluding ferry piers) which can take vessels of over 1,350 tonnes”.
- 3.3 However due to a minor drafting error the word “and” was unintentionally omitted from the final draft and has resulted in a different interpretation of the threshold than was intended. The Department proposes to correct this minor drafting error.

4. Consultation

4.1 No consultation is required as these Regulations simply correct a drafting error in the principal Regulations.

5. Equality Impact

5.1 Not applicable.

6. Regulatory Impact

6.1 Not applicable.

7. Financial Implications

7.1 Not applicable.

8. Section 24 of the Northern Ireland Act 1998

8.1 Not applicable.

9. EU Implications

9.1 Not applicable.

10. Parity or Replicatory Measure

10.1 Not applicable.

11. Additional Information

11.1 Not applicable