

SCHEDULE

Regulation 32

Development Plans

Preliminary

1. In this Schedule—

“departmental development plan” means a development plan prepared and adopted by the Department under [^{F1}the Planning (Northern Ireland) Order 1972 or the Planning (Northern Ireland) Order 1991”] Order before the coming into operation of these Regulations or a development plan prepared by the Department under [^{F2}the Planning (Northern Ireland) Order 1991] before but not adopted until after the coming into operation of these Regulations; and

“transitional period” means the period between the coming into operation of these Regulations and the date on which a council adopts its local policies plan or the date on which the local policies plan is approved by the Department.

F1 Words in Sch. para. 1 substituted (29.2.2016) by The Planning (Local Development Plan) (Amendment) Regulations (Northern Ireland) 2016 (S.R. 2016/27), regs. 1, **2(a)**

F2 Words in Sch. para. 1 substituted (29.2.2016) by The Planning (Local Development Plan) (Amendment) Regulations (Northern Ireland) 2016 (S.R. 2016/27), regs. 1, **2(b)**

Departmental development plan as local development plan

2. Subject to paragraph 3, during the transitional period a departmental development plan shall operate as the local development plan for the area for which it was made and shall be treated for the purposes of the 2011 Act and any other enactment relating to planning as being the local development plan for that area.

Departmental development plan and plan strategy as local development plan

3. Where a plan strategy is adopted by a council or approved by the Department in accordance with Part 2 of the 2011 Act—

- (a) a reference to the local development plan in the 2011 Act or any enactment relating to planning is a reference to the departmental development plan and the plan strategy read together; and
- (b) any conflict between a policy contained in a departmental development plan and those of the plan strategy must be resolved in favour of the plan strategy

Discontinuance of departmental development plan on adoption of local development plan

4. Where a council adopts a local policies plan for its district (or the Department approves a local policies plan for that district) so much of the departmental development plan as relates to that area shall cease to have effect.

Changes to legislation:

There are currently no known outstanding effects for the The Planning (Local Development Plan) Regulations (Northern Ireland) 2015, SCHEDULE.