

EXPLANATORY MEMORANDUM TO
THE PLANNING (LOCAL DEVELOPMENT PLAN) (AMENDMENT)
REGULATIONS (NORTHERN IRELAND) 2016

2016 No. 27

1. Introduction

- 1.1 This explanatory memorandum has been prepared by the Department of the Environment to accompany the above named Statutory Rule which is laid before the Northern Ireland Assembly.
- 1.2 The Statutory Rule is made under section 247(6) of the Planning Act (Northern Ireland) 2011 and is subject to the negative resolution procedure.
- 1.3 The Rule is due to come into operation on 22nd February 2016.

2. Purpose

- 2.1 The Statutory Rule makes a minor amendment to the transitional provisions contained in the Planning (Local Development Plan) Regulations (Northern Ireland) 2015. Those transitional provisions provide that a development plan prepared by the Department of the Environment under the Planning (Northern Ireland) Order 1991 is to be treated as the local development plan for the area for which it was made until it is replaced by a local development plan adopted by the relevant council under the Planning Act (Northern Ireland) 2011.
- 2.2 Since making the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 it has transpired that DOE development plans prepared under the Planning (Northern Ireland) Order 1972 have not been covered in the transitional arrangements. This amendment will ensure that DOE Plans prepared under both the 1972 and 1991 Orders will be treated as the local development plan for the area until the relevant council adopts its own local development plan.

3. Background

- 3.1 The Statutory Rule makes a minor amendment to clarify the status of development plans prepared by the Department under the Planning (Northern Ireland) Order 1972.

4. Consultation

- 4.1 Not Applicable

5. Equality Impact

- 5.1 The principle Regulations have been subject to equality impact assessment. There is no requirement to carry out such assessments on these Regulations

as they simply make a minor technical amendment in the principle Regulations.

6. Regulatory Impact

6.1 The principle Regulations have been subject to regulatory impact assessment. There is no requirement to carry out such assessments on these Regulations as they simply make a minor technical amendment in the principle Regulations.

7. Financial Implications

7.1 None.

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 This is not a parity or replicatory measure.

11. Additional Information

11.1 Not applicable.