



Department for

Infrastructure

An Roinn

Bonneagair

Department for

Infrastructure

www.infrastructure-ni.gov.uk

Regional Planning Governance & Legislation

Council Chief Executives
& Heads of Planning

James House
2-4 Cromac Avenue
The Gasworks
BELFAST
BT7 2JA

Tel: 0300 200 7830

Email: rosemary.daly@infrastructure-ni.gov.uk
julie.maroadi@infrastructure-ni.gov.uk

Your Ref:

Our Ref:

3 October 2024

Dear Chief Executives & Heads of Planning

Planning Application Validation Checklists

I am writing to advise you that the Department for Infrastructure has made a Statutory Rule entitled "The Planning (General Development Procedure) (Amendment) Order (NI) 2024" (S.R. 2024 No.176), which comes into operation on 1 April 2025. The interim period between laying and making the SR and its commencement is to give time to councils to prepare and consult upon their proposed statutory validation checklists (including engaging with agents in the local area), and to allow the PAC time to develop, consult upon, and put in place its approach to the associated dispute mechanism including drafting potential advice and guidance. A copy of the Order is attached and will be available on the Legislation website in due course: Legislation.gov.uk

This Order amends Articles 3, 5, and 20 of The Planning (General Development Procedure) Order (NI) 2015 (S.R. 2015 No. 72) (the 2015 Order) and introduces a number of new provisions enabling councils to prepare and publish planning application validation checklists to address 'poor quality' or 'incomplete' applications entering the planning system.

A validation checklist will help inform applicants, (above the current minimum statutory requirements which remain unchanged), on the level and type of information required to be submitted with a planning application. Such a list will set out the additional supporting information required to accompany different types of planning applications made to a

E-mail: planning@infrastructure-ni.gov.uk

Website: www.infrastructure-ni.gov.uk/topics/planning

council, specific and proportionate to the type of development proposed, including its nature, scale and location.

The Statutory Rule also introduces an associated appeals mechanism in circumstances where an applicant disagrees with a council's decision (by way of notice issued by the council) not to validate a planning application, and is to be conducted upon application, by the Planning Appeals Commission.

The Department has also taken the opportunity (in the amending Order) to make three technical amendments to the 2015 Order, namely: amending the interpretation of 'outline planning permission' in Article 2 to align with the definition of 'outline planning permission' at section 62 of the Planning Act (NI) 2011; and amending Articles 13 and 15 to allow statutory consultees 30 days to consider planning applications that are accompanied by an Environmental Statement. The latter amendments would align the 2015 Order with the timeframes currently required by the Environmental Impact Assessment Regulations (Northern Ireland) 2017. These technical amendments do not represent a new policy, or substantive change to any existing policy.

These provisions form part of the Department's Planning Improvement Programme, arising from the recommendations contained in the First Report on the Implementation of the Planning Act (NI) 2011, and in addition to recommendations contained in both the NIAO and PAC reports on Planning published in 2022.


The overall objective of such the amendments is to enhance the quality of applications entering the system, to front-load the decision-making process, resulting in better processing times and more efficient consultee responses.

Finally, I wish to put on record the Department's gratitude to councils for their contributions and assistance in developing the amending legislation.

Copies of the Rule may be purchased from the Stationery Office at www.tsoshop.co.uk or by contacting TSO Customer Services on 0333 202 5070 or viewed online at www.legislation.gov.uk.

I trust you find this information helpful.

Yours sincerely



ROSEMARY DALY
Director

Encl