

Annex A Q&A – PPS 21

Operational Planning Issues

- Q. Will the new policy take immediate effect?**
- Q. What is the position regarding current applications which have not yet been taken to Council?**
- Q. Has Planning Service completed reassessment of applications originally deferred under draft PPS14?**
- Q. Have any new applications received been determined under draft PPS 21?**
- Q. How many deferred applications is Planning Service currently holding?**
- Q. Will these deferred applications be reconsidered in light of the finalised version of PPS 21?**

- Q. What procedures are in place to deal with the reassessment of the deferred applications?**
- Q. How long will Planning Service take to reassess these deferred applications?**
- Q. What is the position with issued refusals where planning appeals are pending?**
- Q. Will applications for sites which have already been refused under draft PPS 21 be blighted if a new application is submitted?**
- Q. If an applicant decides to resubmit following a refusal under the draft PPS 21 will they have to pay another fee?**
- Q. If an applicant received an outline approval for a single dwelling in the countryside before 16th March 2006 can they still submit a full application if they are outside the three year period for Reserved Matters or a full application for a change of house type?**

Q. Will the new policy take immediate effect?

A. Yes this is finalised published planning policy and where relevant must be fully taken into account in dealing with planning applications.

Q. What is the position regarding current applications which have not yet been to Council?

A. Planning Service will assess all relevant current applications which have not yet been to Council under the finalised policy.

Q. Has Planning Service completed reassessment of those applications originally deferred under draft PPS 14?

A. When draft PPS 21 was published on 25th November 2008 we were holding as deferred 2302 planning applications recommended for refusal under dPPS 14. All of these deferred cases were reassessed under draft PPS 21. However, only approvals were automatically issued. We have continued to hold applications recommended for refusal, following Council consultation provided the applicant did not wish the decision to be issued or the Council agreed with the recommendation of Planning Service.

Q. Have any new applications received been determined under draft PPS 21?

A. Since 25th November 2008 any new applications submitted have been assessed under draft PPS 21 where relevant and the same arrangements have been put in place whereby only approvals are issued and refusals are being held unless specifically requested by the applicant.

Q. How many deferred applications is Planning Service currently holding?

A. We are currently holding in excess of 2500 deferred dPPS 21 applications. This figure includes deferred dPPS14 applications reassessed under dPPS21 and also applications submitted after 25th November 2008 which were recommended for refusal and deferred following assessment under dPPS21.

Q. Will these deferred applications be reconsidered in light of the finalised version of PPS 21?

A. Yes. All applications currently deferred will be reassessed under the finalised version of PPS 21.

Q. What procedures are in place to deal with the reassessment of the number of deferred applications?

A. Planning Service proposes to give priority to any application that can be approved in terms of the revised policy with an aim to return these to Council and issue as soon as possible – similar to the approach taken after November 2008.

Where a reconsidered opinion to refuse is formed, the application will be returned to Council with an opinion to refuse. It is proposed that in all cases Council will have another opportunity to defer these applications again to allow an office meeting to be held.

Q. How long will Planning Service take to reassess these deferred applications?

A. Planning Service will reassess these applications as quickly as possible and where appropriate for example if there is a change in policy the applicant will be given the opportunity to submit further information. However, the majority of cases are in Omagh and Craigavon Divisions and it will take longer in these areas. It is hoped that reassessment would be substantively complete by December 2010.

Q. What is the position with issued refusals where planning appeals are pending?

A. In instances where there are appeals lodged with the PAC and following re-assessment of the case reasons for refusal change or are removed due to changes in policy staff must confirm this in writing to the Planning Appeals Commission at the earliest possible stage. It will also be necessary to formally inform the appellant, the relevant District Council and if objections have been received on the proposed development it is good administrative practice to formally inform all objectors. This information must be properly recorded and filed on the planning application file.

Q. Will applications for sites which have already been refused under draft PPS 21 be blighted if a new application is submitted?

A. Any new application will be assessed on the basis of the prevailing policy at the time of determination. In this case greater weight will be given to the more favourable aspects of the finalised version of PPS 21 than to any previous refusal under draft PPS 21.

Q. If an applicant decides to resubmit following a refusal under the draft PPS 21 will they have to pay another fee?

A. Yes. There is no provision within current legislation to waive fees.

Q. If an applicant received an outline approval for a single dwelling in the countryside before 16th March 2006 can they still submit a full application if they are outside the three year period for Reserved Matters or a full application for a change of house type?

A. Yes, Planning Service will give greater weight to the planning history of the site provided the application is submitted within the time period of 5 years from the grant of the relevant outline approval.