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PLANNING APPLICATIONS PROCESSED UNDER PPS 21 "SUSTAINABLE DEVELOPMENT IN THE COUNTRYSIDE"

As you will now be aware on 1st June 2010 the Minister of the Environment, Edwin Poots MLA, announced the publication of the final version of the new rural planning policy - PPS 21 "Sustainable Development in the Countryside". This new policy has been agreed by the Executive and replaces the draft version of PPS 21 published in November 2008.

Following the publication of draft PPS 21 you will recall I wrote to you to explain that Planning Service would not issue applications which were taken to Council with an opinion to refuse pending a review of the policy. As agreed at that time we have continued to only issue approvals and held applications recommended for refusal as deferred. The exception to this general approach was where an applicant asked for a refusal to issue in order to exercise his or her right of appeal to the Planning Appeals Commission.

From November 2008 to June 2009 Divisional Offices reassessed some 2300 applications originally recommended for refusal under the former draft PPS 14 and we were able to issue approximately 600 approvals under draft PPS 21. There remain around 1600 reassessed cases deferred with an unchanged opinion to refuse as a result of this exercise.

In addition approximately 900 deferred refusals have been held since November 2008. Planning Service therefore has another reassessment exercise to carry out in relation to around 2500 deferred applications now that a revised version of PPS 21 has been published. We have agreed an Action Plan with the Minister which commits us to reassessing these applications within 6 months. While the majority of these deferred cases relate to single dwellings there are some 300 applications which relate to commercial and industrial uses and smaller numbers of applications for tourist related schemes and agricultural buildings.

In terms of this reassessment it is our intention to handle these as detailed below:

- (1) We will give priority to any applications that can be approved in terms of the revised policy with an aim to return these to Council and issue a decision as soon as possible – similar to the approach taken after November 2008.
- (2) Where a reconsidered opinion to refuse is formed, the application will be returned to Council with an opinion to refuse. Council will have another opportunity to defer these applications again, to allow an office meeting to be held if that is the corporate view of Council. Following the deferral and reconsideration Council will be reconsulted and a decision either to approve or refuse will be issued. The applicant will, of course, have an opportunity to appeal to the Planning Appeals Commission if the application is refused.

New applications and those currently being processed which have not yet been taken to Council will be assessed under the provisions of the recently published PPS 21 and an opinion will be presented to Council in the normal manner. Council will have an opportunity to request a deferral in line with the procedures outlined in the Guidance on Consulting Councils issued in July 2006. However, I have asked Divisional Managers to take a flexible approach to this particularly in relation to the following:

- Criteria (I) applications which clarify the interpretation of a newly published or previously intested planning policy; and
- Criteria (V) where the Council considers that all material planning considerations have not been addressed or where the opinion has been made contrary to, or departs from prevailing planning policy.

I hope you and your Council will find this information helpful. However if you have any queries please do not hesitate to contact my office. I have placed a copy of this letter on our web site at www.planningni.gov.uk.

Yours sincerely

Cynthia Smith

CYNTHIA SMITH
Chief Executive