

**PLANNING AMENDMENT
(NORTHERN IRELAND) ORDER 2003**

S.I. 2003 No. 430 (N.I. 8)

EXPLANATORY MEMORANDUM

COMMENTARY ON ARTICLES

Miscellaneous

Article 30 - Status of development plans

This Article gives prime importance to a development plan in the determination of planning applications. Its effect is that the development plan is no longer simply a consideration to which "regard" must be had; the planning decision itself now has to be made in general conformity with the plan, except where material considerations indicate otherwise. There is, therefore, a presumption in favour of development that accords with the plan and a presumption against development that does not. In all cases, the development plan is the starting point for the determination of planning decisions and its provisions prevail unless material considerations indicate otherwise.