

**EXPLANATORY MEMORANDUM TO
THE PLANNING (GENERAL DEVELOPMENT) (AMENDMENT NO. 2) ORDER
(NORTHERN IRELAND) 2011**

2011 No. 404

1. Introduction

- 1.1 This explanatory memorandum has been prepared by the Department of the Environment to accompany the above Statutory Rule which is laid before the Northern Ireland Assembly.
- 1.2 This Statutory Rule is made under Article 13 of the Planning (Northern Ireland) Order 1991 and is subject to the negative resolution procedure.
- 1.3 The Rule is due to come into operation on 30th December 2011.

2. Purpose

- 2.1 This Order amends the Planning (General Development) Order (NI) 1993 (S.R. 1993 No. 278 as amended) (the "GDO") by revising existing permitted development rights in respect of the use of land as a caravan site to align Northern Ireland with the rest of the UK. In particular, Article 2(2) of this Statutory Rule amends Class A, Part 5 of Schedule 1 to the GDO (caravan sites).

3. Background

- 3.1 In Northern Ireland, the Planning (General Development) Order (NI) 1993 sets out what type of development can be undertaken without requiring a planning application. These are referred to as permitted development rights and often relate to minor building operations and uses of land that are generally non-contentious, have minor impact to neighbours, nearby surroundings and the environment. Such rights help to reduce the number of planning applications and allow the planning system to be refocused on developments which are more strategically important or more beneficial to the local economy.

4. Consultation

- 4.1 Following a consultation exercise on non-householder permitted development rights which ended in 2010 95% of respondents agreed that site licence exemptions provided for in paragraphs 4 (sites occupied and supervised by exempted organisations) and 5 (sites approved by exempted organisations) of the Schedule to the Caravans Act (NI) 1963 should be added to the circumstances for

which permitted development rights are given by Part 5 of the GDO. The Department has decided to introduce revised permitted development rights based on this proposal. This amendment has the effect of aligning these permitted development rights with the rest of the UK and will introduce clarity and consistency for exempted organisations, including exempted camping and caravanning clubs which operate UK-wide.

5. Equality Impact

5.1 Equality Impact Screenings carried out in respect of the consultation proposals found no evidence of any differential impact on any of the section 75 categories.

6. Regulatory Impact

6.1 There are currently 7 camping and caravanning organisations in Northern Ireland who hold caravan site licence exemption certificates and which benefit from Part 5 permitted development rights. There are unlikely to be any significant compliance costs associated with this SR, the measure being largely de-regulatory in its effect. The Department has therefore decided not to undertake a Regulatory Impact Assessment.

7. Financial Implications

7.1 No significant financial implications identified.

8. Section 24 of the Northern Ireland Act 1998

8.1 The Department considers that the legislation complies with the requirements of section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1 There are no EU implications.

10. Parity or Replicatory Measure

10.1 This is not a parity or replicatory measure.

11. Additional Information

11.1 None.

12. Contact

12.1 Please direct any queries to Lois Jackson at the Department of the Environment
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