



Planning Bill – Committee for the Environment

Consultation response by the Fermanagh Trust, Friday 15th March 2013

FAO Committee for the Environment,

The Fermanagh Trust welcomes the opportunity to express its views on the Planning Bill.

The Fermanagh Trust aims to promote any charitable purpose and to support initiatives which will lead to social and community development, thereby improving the conditions of life for people in Co. Fermanagh and its immediate hinterland. Since being established in 1995, the Trust has supported hundreds of community based projects in the county.

The Trust which is a registered charity, manages a range of funds and programmes dedicated to strengthening and improving local communities and finding solutions to the pressing community needs in Co. Fermanagh.

Please do not hesitate to contact the Fermanagh Trust if you have any queries regarding our submission.

Yours faithfully,

Graeme Dunwoody

Research and Policy Officer

Planning Bill

The Fermanagh Trust's submission focuses on a number of clauses outlined in the Planning Bill (as introduced):

Clause 1. Statement of community involvement

The Fermanagh Trust welcomes the requirement for the DOE to prepare and publish a statement of community involvement.

The Fermanagh Trust understands that further regulations will be made regarding how the Department will prepare a statement of community involvement and what this should contain. The Trust believes that the regulations should actively involve communities in the production of the statement of community involvement.

Clause 2. General functions of the Department and the planning appeals commission

The Fermanagh Trust has concern with the addition of 'promoting economic development' which could be interpreted as giving more weight to economic considerations as opposed to other considerations. It is important that the planning system promotes economic development; however this must be balanced against other considerations such as environmental and social issues.

The Planning Bill should therefore be reworded to provide clarity.

Clause 4. Publicity, etc., in relation to applications

The Planning Bill allows the Department to make regulations relating to how planning applications are publicised and for applicants to provide evidence that requirements have been met. The Fermanagh Trust would encourage the Department to produce strong regulations surrounding how planning applications are publicised. Currently in Northern Ireland, the level of publicity surrounding developments is poor and needs to be improved.

Clause 5. Pre-application community consultation

The Fermanagh Trust believes that the pre-application community consultation report needs to demonstrate how comments raised during their engagement have been taken into consideration, and that the public and community groups should have the opportunity to provide feedback on the pre-application consultation report.

Consultation with communities should be comprehensive and take into consideration concerns raised. Consultation with communities should not be viewed as simply a hurdle which applicants have to overcome in order to obtain planning permission.

Pre-application consultation will only be needed for certain types of planning applications. The Department will therefore need to clarify the thresholds which will be used to determine which applications need pre-application consultation. The rapid expansion of renewable

energy development in Northern Ireland is a prime example of why the Department needs to be robust and thorough when deciding upon these thresholds.

Northern Ireland has a target of achieving 40% of electricity consumption from renewable sources by 2020. In response to a written question in the NI Assembly (AQW 19727/11-15), Minister Attwood noted that as of 31st December 2012, there were a total of 639 applications for single wind turbines in Northern Ireland. According to a DOE source as of 10/12/2012¹, there were 35 proposed planning applications for wind farms in Northern Ireland.

Much of this proposed development is located in the north and west of Northern Ireland. Communities are however raising concern regarding this level of development, and recently there has been vocal opposition to wind farm development in areas such as West Tyrone with the emergence of an anti-wind lobby.

Given the scale of future onshore wind energy development and significant impact on 'host' communities and the environment throughout Northern Ireland, it is vital that the Department sets the correct thresholds for determining which applications need pre-application consultation.

The example of renewable energy development also shows the importance of the pre-application community consultation process as a whole, and the need to get it right. The Fermanagh Trust would therefore encourage the Department to consult the public regarding:

- which types of applications will require pre-application consultation;
- details of the contents of the pre-application community consultation report;
- how engagement with communities should be conducted.

Clause 10. Public inquiries: major planning applications

The Planning Bill allows the Department to appoint persons / commissioners other than the Planning Appeals Commission to deal with inquiries. The Fermanagh Trust is concerned with clause 10, as it could potentially bring into question the independence of the planning system and creditability of public inquiries.

The Fermanagh Trust believes that the Planning Appeals Commission should be allowed to appoint persons / commissioners as required.

Further comments

The Planning Bill must reflect the concept of Community Planning. The development of neighbourhood plans in England is a positive development. This is based on the principal of communities having the **right** to influence planning decisions, with communities having the ability to advise where they want new developments such as commercial developments to be

¹ Department of the Environment (2012) 'Northern Ireland Wind Farm Data' (last updated 10/12/2012)

built. Following this process, neighbourhood plans are submitted for independent examination and then submitted to a local referendum. These carry weight in final planning decisions.

Let's ensure the Planning Bill puts communities first.