

Planning Bill 2013

Submission by Lecale Conservation

Whilst Lecale Conservation welcomes the opportunity to make its views known to the Committee, we are of the opinion that the proposal to introduce such radical amendments as are included within Clauses 2 and 6 of the Bill demand to be subjected to public scrutiny.

Clause 2: General Functions of the Department and the Planning Appeals Commission

For several reasons Lecale Conservation is opposed to the Bill requiring planners to 'promote economic development':

1. if, as is implied by the wording of this clause, the Department is obliged to take positive action to 'promote' economic development, how will this economic value be accurately, objectively and legally measured?
2. it is currently the role of the planning service to come to judgments that are in the best public interest. By introducing the need to 'promote' economic development the Bill risks introducing a new and potentially conflicting objectives.
3. with the need to 'promote' economic development how will for example, the needs of sustainable development be addressed or the UK and International strategies aimed at reducing carbon emissions, protecting the marine environment and maintaining biodiversity be fairly and legally addressed?

Lecale Conservation believes that the answer lies in continuing to place the principles of sustainable development (which are already enshrined in the 2011 Act), at the heart of the planning system.

Clause 6: Determination of planning applications

We believe this clause leaves so much open to different interpretations and legal challenge that it will slow down rather than speed up the planning system in NI.

We would also like to raise the importance of third party right of appeal as part of a healthy and robust planning system. A good planning system gives an economy consistency, fairness and direction. Lecale Conservation is opposed to the 2013 Planning Bill, its underlying assumptions and the damage it will do to an already weakened planning system.

Whilst Lecale Conservation supports many of the elements of the Planning Bill, we strongly believe that clauses 2 and 6 undermine the aim of streamlining the NI planning system.