

Committee for the Environment
Room 247
Parliament Buildings
Stormont Estate
Belfast
BT4 3XX

**Quarry Products Association
(Northern Ireland) Limited**
Unit 10
Nutts Corner Business Park
Dundrod Road Crumlin
County Antrim BT29 4SR
Tel 028 90 824078
Fax 028 90 825103
info@qpani.org www.qpani.org

Sent via email: doecommittee@niassembly.gov.uk

13th March 2013

Dear Committee Chair

QPA Northern Ireland welcomes the opportunity to comment on the Committee Stage of the Planning Bill.

Introduction

The QPANI is the principal trade association for the quarrying and quarry products industry in Northern Ireland affiliated to the Minerals Products Association (MPA) in the UK. Members of the QPANI produce over 90% of the Northern Ireland's primary aggregates, as well as the major proportion of other construction materials such as asphalt, ready mixed concrete, recycled and secondary aggregates, lime and silica sand. The quarrying industry and its related activities are regulated under the provisions of both European Directives and National Regulations for the protection of the environment and human health. Some of our members operations would be covered by the Environmental Liability Directives for Annex III activities, whilst others would not.

We acknowledge our Industry needs to play its part in helping deliver planning reform by engaging meaningfully in development plan preparation and submitting high quality applications informed by Community views.



The peregrine falcon symbol appears in recognition of the outstanding work being carried out by many QPANI companies to protect this important bird of prey



The trade association for all aggregates, asphalt ready-mixed concrete, mortar, silica sand and lime

Registered in Northern Ireland No. NI61329
Registered Office as above

Comments on the Bill

It is vital that Northern Ireland has a planning system that is fit for purpose ensuring that indigenous businesses has the ability to grow as well as sending a clear message to prospective foreign direct investors that Northern Ireland is open for business.

We welcome the fact that recent months have seen an improvement in the speed of processing of planning applications. However the Executive and relevant Ministers must ensure that no obstacles are put in the way of the planned local council reform which will see the majority of planning power functions handed to them as well as the Programme for Government target of ensuring 90% of large scale investment planning decisions are made within six months by 2015 and applications with job creation potential and shovel ready infrastructure projects are given additional priority.

In summary we welcome the main points of the Bill;

- Measures to strengthen the planning system in promoting economic development;
- Measures to further sustainable development and enhance the environment;
- Faster processing of planning applications;
- Faster and fairer planning appeals system;
- Enhanced community involvement; and
- Simpler and tougher enforcement.

More specific comments are,

Clauses 1 and 5: “Pre Application community consultation”

While we accept the need for community involvement in the development of most major planning applications as this is best practice, we do have some concern that applicants will now have to give twelve weeks notice of an application before submitting. On balance however we do believe that, given the separate clauses of the Bill that address the promotion of economic development, this is an acceptable clause when viewed in the context of others.

Clause 6 “Determination of planning applications”

Supports the economic advantage (or disadvantage) of an application. This is a positive step. It would be useful if the Department produced guidance on this, especially for their own Officers to follow.

Clause 9 “Aftercare conditions for ecological purposes on grant of mineral planning permission”

Support “(iv) use for ecological purposes” – this was the wording that QPANI & RSPB lobbied Government to include and it is very positive to see it brought forward in this Bill.

Clause 13 “Power to make non-material changes to planning permission”

“QPANI believes that in the interests of good planning practice that the Department and Council initiate the practice of informing developers/agents of the ‘draft’ planning conditions which are to be imposed on the planning permission prior to the determination. This system is operation in England and Wales. This practice is beneficial to the Industry and the Department in the processing of mineral planning applications in so far as it would highlight, before the decision notice is issued, any unworkable conditions or conditions which the operator would find impossible to comply with.”

Clause 16 “Increase in penalties”

QPANI support this and believe that the increase in penalties should act as a deterrent.

Clause 23 “Duty to respond to consultation”

QPANI fully support this and view it as a crucial element of the Bill but yet it does not specify a time period. We strongly support a response time limit of 21 days, with one opportunity to respond. Any extensions to the timeframe should be agreed with the applicant. At the Planning Reform Meetings that Minister Attwood chaired with business representatives, this was always emphasised as a key to having an effective planning system and the 21 days was constantly given as a reasonable timeframe for all statutory consultees to provide a full response. QPANI members have long held frustrations with the position of the statutory consultees vis-a-vis the perceived holding up of economic development and the introduction of an expected 21-day deadline, unless otherwise agreed with the Department, is an important step forward.

Clause 24 “Fees and Charges”

QPANI support this. This is bringing in the multiple of a fee or charge to retrospective planning applications, and on account of illegal quarries/pits opening/extensions in the past QPANI sought for this to act as a deterrent. We would welcome clear clarification of what the department mean by “multiple”.

QPANI have been lobbying for many years for the extension of recognised Permitted Development rights for our sector, similar to those to those PD rights enjoyed by the quarrying industry in the rest of the UK. We would ask that Committee to raise the matter of Permitted Development Rights for the Mineral

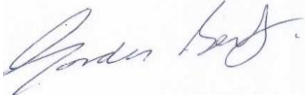
Industry as a matter of urgency as we are growing increasingly frustrated by the speed of progress on this matter in our discussions with Planning Service.

Conclusions

QPANI welcome the opportunity to comment on the Bill and trust that you find the above comments both useful and informative.

Gordon Best
Regional Director QPANI

Yours sincerely,

A handwritten signature in black ink, appearing to read "Gordon Best", is written over a light grey rectangular background.

Gordon Best
QPANI Regional Director