

William Jones

I wish to object to the following weaknesses in the new Planning Bill

- 1 Clause 2 Sustainable development must mean what it implies and not end up destroying the ecological balance of the environment. The effects on the environment must be given substantial weight in the decision making Process.
 - 2 Clause 6 this will lead to speculative development which will sweep aside environmental issues such as ATC / AVC including the additional infrastructure it would require.
 - 3 Planning as it stands has no mechanisms to impose economic conditions eg job creations numbers, profitability numbers Developers can make claims to support an application, but these claims cannot be monitored or enforced.
 - 4 The constraints placed on the Ombudsman's role by the OFMDFM's committee means we have no robust means of challenging the large developer when things are obviously wrong. This must be the time for 3rd party appeal facilities to be introduced for planning objections.
 - 5 The requirement for a pre-application community consultation is welcome (Clause 5). All such consultations must be adequately resourced if they are to be effective and gain buy-in for communities. Front loading should not be viewed as an alternative to full access to justice. A Third Party Right of Appeal must be introduced for circumstances in which the system fails
- All Public interest factors must be given appropriate consideration not just going through the motions Professor Greg Lloyd completed a recent report for Minister Foster on planning reform page 25 covers this point in the conclusions he made.
- 6 Clause 10 This feature would be unworkable the department in choosing a commissioner would not be in a position to defend its self against a conflict of interest challenge.
 - 7 Clause 20. The Bill suggests that no further action will be taken if a Fixed Penalty Notice is paid. Enforcement notices can be reissued but this is an extra burden on the system contrary to the stated objective of simplifying and speeding up planning. It must be made clear that fines should not be applied in lieu of remedial action. Breaches of planning conditions must be rectified immediately or the planning permission rescinded.
 - 8 The Environmental Committee undertakes a scrutiny of, policy development and consultation role with respect to the Department of the Environment; it should not be used as an alternative to manage consultation on a controversial new provision. This new bill warrants the rigours of a full public consultation.
 - 9 All planning areas Villages and so forth outside the Belfast area must be treated with equal enthusiasm by planning service this is not happening under the present system when an objection has to be referred to Planning Headquarters the interest level falls of sharply

Best

Regards

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