

SL1 – To Departmental Committee Clerk

Dear Michael,

The Planning (General Permitted Development) (Amendment) Order (Northern Ireland) 2026

The Department for Infrastructure proposes to make a Statutory Rule under powers conferred by section 32 and 247(6) of the Planning Act (Northern Ireland) 2011. The Statutory Rule is subject to negative resolution procedure before the Assembly.

Purpose of the Statutory Rule

The Statutory Rule will amend Part 34 (Shops, financial and professional services establishments) of the Schedule to the Planning (General Permitted Development) Order (Northern Ireland) 2015 (GPDO) by introducing a new Class E (Reverse Vending Machines) to allow for the installation, alteration or replacement of a reverse vending machine (RVM) in a wall of a shop or within the curtilage of a shop, subject to certain limitations and conditions.

The following conditions will apply:

- there should be no limit to the number of RVM that can be installed within the curtilage of a shop;
- in the case of a RVM installed in the wall of a shop, any part of the development must not exceed 2 metres beyond the outer surface of that wall;
- the RVM must not exceed 4 metres in height;
- the footprint of the RVM must not exceed 80 square metres;
- it must not face onto and be within 5 metres of a road;
- the RVM must not be situated within 15 metres of the curtilage of a building used for residential purposes; and
- the permitted development right would not apply to the proposed installation of a RVM in a World Heritage Site, conservation area, an area of special scientific interest or a site of archaeological interest or the curtilage of a listed building, unless listed building consent has been granted.

The Statutory Rule is part of the wider preparations for the implementation of the Department for Agriculture, Environment and Rural Affairs (DAERA) Deposit Return Scheme (DRS) which will come into force in October 2027.

If permitted development rights are not provided retailers will be required to apply for planning permission for RVM outside of their premises which would result in delays to the scheme implementation and represent an additional cost to retailers.

Deposit Return Scheme (DRS)

The DRS is part of wider reforms of Extended Producer Responsibility (EPR) for packaging (drinks containers being a form of packaging). This aims to make businesses take financial responsibility for packaging right through the value chain to disposal. It will contribute to even wider Circular Economy reforms (keeping materials in circulation as long as possible and minimising waste).

In the DRS retailers will be responsible for providing take back of the drinks containers, usually through reverse vending machines (RVM), or for small premises, through manual take back. It will be overseen by a UK Deposit Management Organisation (DMO) and should be as easy for consumers to return containers as to purchase.

The Deposit Scheme for Drinks Containers (England and Northern Ireland) Regulations 2025 were made in UK Parliament on 23 January 2025.

The passing of the DRS Regulations also enables the establishment of a UK Deposit Management Organisation (DMO) to manage the scheme. This industry-led, not-for-profit body (DMO) was appointed on 06 May 2025.

The UK DMO is an independent not-for-profit, business-led organisation appointed by the government to develop and ultimately deliver the scheme day-to-day. Importantly the UK DMO role is to create the necessary infrastructure and to run the DRS. This means managing collections, financial obligations and ensuring that recycling rates improve over time.

The development of DRS for NI involved two key policy consultations which ran in 2019 and 2021, the outcome of both was majority support for a UK-wide scheme

The three-nation DRS remains on track to be introduced in October 2027, with Polyethylene terephthalate (PET) plastic bottles plus aluminium and steel cans from 150ml to 3 litres included in the scheme. It will also include a low volume sales exemption for small producers, single registration across the UK, reciprocal take back across the nations of in scope containers, aligned labelling and deposit level.

UK Deposit Management Organisation, an independent, not for profit, private body, were appointed as the UK DMO responsible for the administration and day-to-day running of the DRS in England and Northern Ireland in May 2025. They were designated as the DMO in Scotland in June 2025.

UK DMO are also responsible for designing and delivering the infrastructure required to enable the scheme. They are currently implementing their operational plan to support the rollout of DRS across the three nations by October 2027.

UK DMO are responsible for delivering DRS in England, Northern Ireland and Scotland, including its operational planning and implementation.

UK DMO continues to actively engage with industry stakeholders and suppliers on operational planning. Finalisation of RVM specifications and discussions with waste management companies on the collection and processing of materials is underway.

UK DMO is making strong progress with its operational setup, including office relocation, IT infrastructure development, secured funding, and key leadership appointments to support marketing and retail engagement. Discussions also remain ongoing between officials in the three nations and stakeholders as DRS implementation progresses. Recent engagement indicates growing industry positivity toward DRS, particularly among retailers.

Previous Engagement with the Committee

The Department provided a DALO letter in October 2022 to provide notification and information on the public consultation paper on the *Review of Permitted Development Rights*. This sought views on proposals in relation to permitted development rights for:

- installation of microgeneration equipment; and
- reverse vending machines

The Department also provided an SL1 in May 2023 for consideration by the Committee on the Planning (General Permitted Development) (Amendment) Order (Northern Ireland) 2023. This was specifically in relation to heat pumps but included detail of the Departments response to the public consultation of October 2022.

These letters were provided to the members from February 2024 on the return of the Committee.

Consultations

The Department consulted on new permitted development rights for reverse vending machines (RVM) from 27 October 2022 to 23 December 2022. The consultation and Departmental response can be viewed at the following link:

[Consultation on changes to planning permitted development rights to protect the environment and help address climate change | Department for Infrastructure](#)

A total of 28 responses were received. All responses were in favour of proposals to introduce permitted development rights for RVMs.

Equality Impact

The proposed Statutory Rule does not impact on equality of opportunity in any of the groups specified in section 75 of the Northern Ireland Act 1988. A Section 75 screening was carried out as part of the public consultation process. Responses to the consultation did not raise any issues in relation to the Section 75 categories.

Regulatory Impact

Preliminary Regulatory Impact Assessments were carried out along with the consultation in 2022 and have been updated in line with these proposals. The majority of amendments to the GPDO will result in potential savings to applicants if their development is considered to be permitted development. Applicants will still have to make sure their development complies with any environmental and other consents that may be needed, including building regulations etc, but they will not incur the application fees for planning permission and the administrative costs incurred in submitting an application.

Rural Needs Impact

The Department has completed a screening exercise and concluded that there were no specific rural needs identified.

Data Protection Impact

The Department has completed a screening exercise and concluded that the proposed change will not introduce any new or additional information – current systems in place to ensure compliance with data protection obligations will not be impacted.

Child Rights Impact

The Department has completed a screening exercise and concluded that there is no evidence to suggest that proposed change is likely to impact on children and young people's rights.

The public consultation did not highlight any negative impacts on children or young people.

Position in Great Britain

Scotland introduced equivalent permitted development rights for reverse vending machines in October 2020. England is intending to bring forward a similar new permitted development right for RVMs in the first quarter of 2026. The Welsh Government has recently consulted on proposals to bring forward permitted development rights for RVM to help facilitate their DRS which is also due to commence in October 2027.

Financial Implications

There are no financial implications for the Department as a result of these amendments to the Order.

Compliance with Section 24 of the Northern Ireland Act 1998

The policy proposal did not engage any Convention rights and is compatible with Article 2(1) of the Protocol on Ireland/Northern Ireland.

Consideration by the Executive

Not applicable.

Proposed Timing of Consideration of the SL1

This SL1 has been submitted to the Committee in accordance with the minimum four-week timeframe. The Department proposes that the Committee consider the SL1 at its meeting on 15 April 2026.

Proposed Operational Date

It is proposed that the rule will come into operation in May 2026.

The draft of the proposed Statutory Rule and Explanatory Memorandum are attached, and you will wish to bring this matter to the attention of the Committee for Infrastructure.

Yours sincerely,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end.

JOSEPH HEATH
Departmental Assembly Liaison Officer
Signed for The Department for Infrastructure

Committee for Infrastructure Clerk
Northern Ireland Assembly
Parliament Buildings
Ballymiscaw
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Date: 4 March 2026

cc: Human Rights Commission
Equality Commission