



Department of the
Environment
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Final Regulatory Impact Assessment

Strategic Planning Policy Statement for Northern Ireland (SPPS)

September 2015

Title of the Proposal: A Strategic Planning Policy Statement for Northern Ireland (SPPS) – Final Form.

1.0 Purpose and Intended Effect of Measure

Background

- 1.1 The Strategic Planning Policy Statement (SPPS) has been developed following Ministerial direction to bring forward within a single document a shorter, simpler, strategic policy framework for all users of the planning system. This work is an important building block in the overall Process of Planning and Local Government Reform and for laying the foundations for introducing an improved planning system.
- 1.2 The SPPS sets out the Department's regional planning policies for securing the orderly and consistent development of land under the new reformed two tier planning system when the primary responsibility for planning functions transfers from the Department to councils on the 1 April 2015. This work is also being delivered as part of a wider process of Planning and Local Government Reform.
- 1.3 New overarching **Core Planning Principles** are contained within the SPPS to underpin delivery of the planning reforms set out in the Planning Act (Northern Ireland) 2011. The SPPS also explains the new development plan and development management system requirements. In addition, it consolidates the current planning policies contained in extant Planning Policy Statements (PPSs) into a single document and brings forward new strategic town centres and retailing policy. Furthermore, the SPPS includes transitional arrangements requiring planning authorities to apply retained operational policies until the Plan Strategy for the particular council area has been adopted.
- 1.4 There is much that is new in the draft SPPS. However, the primary focus has been on distilling and expressing in a strategic way, the Department's existing planning policy approach on a range of land use planning matters. It therefore reconfigures existing policy provisions to allow councils flexibility to bring forward detailed operational policies through the preparation of new Local Development Plans - tailored to their local circumstances. As such the SPPS is intended to be an enabling document. Nevertheless, consultation on the draft SPPS has provided a further opportunity to listen and take into account the views of stakeholders on the full range of issues associated with the current policy framework. Where appropriate, there is also an emphasis on making improvements to the regional planning policy framework for all users of the future planning system. A review of subject policies will take place, as appropriate, after commencement of the reformed two tier planning system.
- 1.5 However, it is important to note that, as a consolidation of existing planning policy all other land-use planning policies will remain largely unchanged from the policy direction set out within extant PPSs, and those provisions within the Planning Strategy for Northern Ireland which remain in force. In other words the SPPS does not represent a wholesale shift in the Departments policy position on the range of land use topics currently in place.

- 1.6 The Department intends to undertake a review of all policies within 5 years of the SPPS being published in final form.
- 1.7 Ownership of the SPPS will be with the DOE and will be implemented [Post RPA by the Department, each new council area as the Planning Authority and the Planning Appeals Commission (PAC)]. However, all users of the planning system share in its implementation.
- 1.8 Further background information is set out in the Synopsis of Consultation Responses Report published with the SPPS in final form.

Purpose

- 1.9 The objective of the planning system, consistent with Part 1, Section 1 of the Planning Act (Northern Ireland) 2011 (hereafter referred to as the 2011 Act), is to secure the orderly and consistent development of land whilst furthering sustainable development and improving well-being. This means the planning system should positively and proactively facilitate development that contributes to a more socially economically and environmentally sustainable Northern Ireland. Planning authorities should therefore simultaneously pursue social and economic priorities alongside the careful management of our built and natural environments for the overall benefit of our society.
- 1.10 Creating places where communities flourish and enjoy a shared sense of belonging, both now and into the future, is fundamentally what planning is about. In order to make positive change on the ground planning authorities should prioritise timely and predictable decision-making to support positive place-making and effective stewardship that contributes to shaping high quality sustainable places to live, invest, work and spend leisure time in. A key dimension of sustainable development for Northern Ireland is economic growth. This requires the planning system to continue to provide protection to the things we cherish most about our built and natural environment, including our heritage assets while unlocking development potential, supporting job creation and aiding economic recovery for the benefit of all our people.
- 1.11 The planning system operates in the public interest of local communities and the region as a whole, and encompasses the present as well as future needs of society. It does not exist to protect the private interests of one person against the activities of another, although private interests may coincide with the public interest in some cases. It can be difficult to distinguish between public and private interests, but this may be necessary on occasion. The basic question is not whether owners and occupiers of neighbouring properties would experience financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and buildings that ought to be protected in the public interest. Good neighbourliness and fairness are among the yardsticks against which development proposals will be measured.
- 1.12 In furthering sustainable development and improving well-being it is crucial that our planning system supports the Executive's Programme for Government

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commitments and priorities as well as the aims and objectives of the Regional Development Strategy 2035 (RDS) which is its overarching spatial strategy for Northern Ireland. All planning policy and guidance prepared by central government must be in general conformity with it.

2.0 Risk Assessment

- 2.1 The SPPS is one of a number of key delivery mechanisms in achieving the 'Planning Reform Programme' – one of the building blocks of the **Programme for Government's (PFG) Priority 1 – 'Growing a Sustainable Economy and Investing in the Future.'** The primary purpose of Priority 1 is to achieve long term economic growth by improving competitiveness and building the private sector.
- 2.2 In addition to improving our economy the SPPS also provides a planning policy framework for 'Creating Opportunities, Tackling Disadvantage and Improving Health and Wellbeing' (Priority 2 of the PFG); 'Protecting Our People, the Environment and Creating Safer Communities' (Priority 3 of the PFG); and 'Building a strong and shared Society' (Priority 4 of the PFG).
- 2.3 On the basis of the strategic scope and wide ranging topics covered in the SPPS (and how many of its themes are consistent with those set out in the PFG) it is not considered to be an economic, social or environmental risk.

3.0 Options

- 3.1 At the time of carrying out the Partial RIA the Department identified and considered **two options** for the provision of planning policy in time for the transfer of planning powers to councils in 2015.

Option 1 – Retain the status quo

- 3.2 Under this option there would have been no change to the existing planning policy framework which consists of more than 20 separate policy statements.

Option 2 – Consolidation of all existing planning policy provision in time for the transfer of planning power to councils within one document that is a more strategic, simpler, shorter statement of planning policy; setting out the strategic approach to assist councils in plan-making and decision-taking; and, setting out the core principles of the reformed system.

- 3.3 The SPPS will have a key role in explaining the core principles of the new two-tier reformed planning system and key concepts such as sustainable development, well-being.
- 3.4 The SPPS is fundamental to how councils shape their areas through new powers for local development plans; and how they go about making development management decisions which add prosperity and value to their areas.
- 3.5 It informs councils how to address policy areas, such as tourism, natural heritage, or economic development, so that it empowers them to have vision, promote creativity, and realise their full potential in managing development and shaping their areas for future generations to enjoy.

4.0 Benefits

- 4.1 As set out in the **(Partial)** Regulatory Impact Assessment it is difficult to quantify the costs and benefits that will be delivered in bringing forward the SPPS until it is fully operational. However, as noted in the Draft Partial Regulatory Impact Assessment on the Planning Reform (Northern Ireland) Order 2005, it is evident that the impacts of the planning system ripple through the property, labour, transport and other markets in a variety of ways.
- 4.2 The planning system *per se* will of course generate a range of benefits. In addition to the economic benefits that arise by providing co-ordination and certainty, the planning system can deliver environmental and social benefits, but these wider benefits are difficult to quantify on a financial basis.

Option 1 - Economic benefits

- 4.3 It is assumed the 'retain the status quo' option would have no additional administrative cost to industry or government and generate no additional economic benefits. However any likely benefits to be derived from a more simplified system will not arise. Businesses would continue to work to existing arrangements. Processes and requirements would remain unchanged.

Option 1 - Social Benefits

- 4.4 It is assumed that 'retain the status quo' option would not create any additional social benefits.

Option 1 - Environmental Benefits

- 4.5 It is assumed that 'retain the status quo' option would not create any additional environmental benefits.

Option 2 - Economic Benefits

- 4.6 The consolidation of extant planning policy within the SPPS reduces any perceived duplication and / or contradiction by providing concise and clear planning policy providing greater certainty into the planning system. This streamlined and simplified statement of policy should lead to efficiency gains (saving time and money to applicants and councils).
- 4.7 Having a statement of planning policy that is shorter, more precise and easier to use will likely generate a number of direct benefits (e.g. less time processing applications, reduced administration and legal fees to applicants, and potentially fewer planning appeals). These can be described as 'variable' benefits as they depend on the level of planning activity (applications/appeals etc) and are on-going.
- 4.8 The SPPS also contributes to the Executive's key commitments and priorities for promoting economic recovery and tackling disadvantage by ensuring economic considerations are accorded appropriate weight in the taking of planning

decisions; and, ensuring the speedy progression of policies, plans and decisions through the planning process.

Option 2 - Social Benefits

- 4.9** Concise and streamlined planning policy will benefit local communities through better outcomes in planning terms from for example greater choice of facilities such as leisure, retail and community centred development. The updated and revised core planning principles encompassing measures such as supporting the economy; improving health and wellbeing; creating and enhancing shared space; and supporting good design / positive place making will benefit society as a whole. This will be set within the context of a locally accountable planning system influenced through community planning and enhanced stakeholder engagement.
- 4.10** The SPPS facilitates councils in supporting urban and rural regeneration, prioritising proposals to address dereliction and promoting investment in the physical regeneration of deprived areas; progressing policies, plans and proposals that can improve the health and well-being of local communities; and helping build a strong and shared society.

Option 2 - Environmental Benefits

- 4.11** The natural environment directly and indirectly provides a wide range of goods and services – ‘ecosystem services’ – that underpin human health, wellbeing and prosperity. Benefits of ecosystem services include clean air and water, food and fuel as well as things that improve quality of life and wellbeing, such as recreation and landscapes.
- 4.12** The SPPS reinforces the importance of furthering sustainable development and in consolidating extant PPSs restates the established policy position to conserve and enhance our natural and built environments, using natural resources prudently and mitigating and adapting to climate change. This includes avoiding development in areas with increased vulnerability to the effects of climate change; supporting growth in renewable energy sources; working towards halting the loss of biodiversity; and preserving and improving the built and natural environment, including achieving good design.
- 4.13** Local communities are best placed to understand their environment and identify suitable locations for development – minimising adverse impacts on the natural environment and proactively seeking to enhance ecosystems services. Councils will also be required to work together on cross boundary strategic issues, including the natural environment.
- 4.14** The SPPS has been subjected to a Strategic Environmental Assessment (SEA) in accordance with European Directive 2001/42 and the Environmental Assessment of Plans and Programmes Regulations (NI) 2004. This process has been undertaken by specialist SEA consultants acting on the Department’s behalf. The SEA process has assessed the impact of the draft SPPS on Northern Ireland’s Environment, and has been integrated into the preparation of this document. No significant adverse environmental effects were identified. It found

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that the SPPS as a whole is strongly positive for the environment and overall sustainability. Furthermore, the SEA process has not identified any adverse transboundary environmental impacts on the Republic of Ireland.

5.0 Costs

- 5.1 Whilst it is difficult to quantify the costs incurred through the delivery of a reformed planning system – some broad analysis can be made based on consolidation / re-organisation exercises in other jurisdictions.

Option 1 - Economic Costs

- 5.2 This option would not incur any new additional regulatory or business costs. However, retaining the 'status quo' may lead to planning applications being assessed against policies which do not reflect current economic conditions or wider government priorities which may cause some confusion and delay in planning decision-making. Consequently, this could potentially discourage submission of planning applications and adversely impact upon economic recovery.

Option 1 - Social Benefits

- 5.3 Retaining the 'status quo' will keep in place the complexity of the current system with over 20 separate planning policy statements and associated addendums and guidance documents. This has the potential to discourage meaningful stakeholder engagement in the planning system which would not benefit society. Retaining the 'status quo' would not adequately reflect for the transfer of planning powers to councils in 2015 nor provide the overarching strategic guidance councils need in the exercise of their functions in plan-making and decision-taking to the detriment of citizens.

Option 1 - Environmental Costs

- 5.4 While it is assumed that the pursuit of this option would have no direct environmental costs, the potential remains that local development plan preparation (as well as planning and related applications) may be subject to outdated policies which do not reflect current economic conditions or wider Executive policy / priorities. Retaining the status quo will make it more difficult for local communities to engage with the new reformed planning system. For example, local communities are best placed to understand their environment and identify suitable locations for development, minimising adverse impacts on the natural environment and proactively seeking to enhance ecosystems services.

Option 2 - Economic Costs

- 5.5 The reorganisation of the planning system and local government, including the consolidation of extant planning policy (that underpins how planning decisions are made), requires all stakeholders to update and refresh their knowledge. This applies to those ensuring that decisions are made in line with the SPPS, such as those working in councils and the planning appeals commission. Others who consult the policy regularly, such as specialist consultants/lawyers and major developers, may also incur a small indeterminate cost in becoming familiar with the new policy framework. Overall, the likely benefits will outweigh any economic costs.

Option 2 - Social Costs

5.6 No detrimental social costs have been identified for this option.

Option 2 - Environmental Costs

5.7 It is assumed that pursuit of this option would have no detrimental environmental costs.

Potential Costs to a Typical Business / Charity / Voluntary Organisation

5.8 It is anticipated that costs of familiarisation with the SPPS will be small and one-off (i.e. once an agent is familiar with the new structure/policy no further costs are anticipated). They can be thought of as a 'fixed' cost for those whose job is determined by knowledge of the planning system.

6.0 Consultation with Small Businesses: Small Business Impact Test

- 6.1 For the purposes of conducting the **Small Business Test** the methodology focused around **two** separate programmes of stakeholder events.
- 6.2 **Part 1** - Involved the gathering of views from local stakeholders on the current and future role of town centres (primarily carried out to inform the policy direction for the new retail / town centre policy which will form part of the SPPS – but with a secondary function of collecting views from those who could be specifically categorised as **small businesses** (e.g. small scale retailers / service providers) – for the purposes of conducting this Partial RIA.
- 6.3 **Part 2** - Involved a series of early stakeholder engagement meetings looking at **the SPPS in its entirety**. The aim of these meetings was to provide a helpful ‘sounding board’ to assist the Department in bringing forward a well considered draft SPPS for public consultation. Again with a secondary function of collecting views from those who could be specifically categorised as **small businesses** (e.g. small scale retailers / service providers).

Cost to Small Businesses

- 6.4 No costs have been identified for small businesses. As stated in Section 5, costs of familiarisation *with the SPPS* (for the likes of a small scale developer or agent) will be small and one-off (i.e. once an agent is familiar with the new structure/policy no further costs are anticipated). They can be thought of as a ‘fixed’ cost for those whose job is determined by knowledge of the planning system. Overall, the benefits will outweigh any associated costs of familiarisation with the policy, which itself will likely occur over time.

Risk to Small Businesses

- 6.5 Some concern was raised about a risk that the new town centre and retailing policy will overshadow the work of the SPPS overall (i.e. threat of judicial challenge) but this was not exclusive to small businesses. There was also concern over the how the SPPS would address the issue of out of town regional shopping centres.
- 6.6 Following public consultation on the draft SPPS, there was strong support for the proposed approach to the new strategic planning policy on town centres and retailing. There was also strong support for councils undertaking an assessment of need or capacity for retail and other main town centre uses to inform local development plans. Likewise, there is a high level of support for the approach in relation to preparation of town centre health checks.
- 6.7 In relation to ‘out of town regional shopping centres’, it was not considered appropriate to include local site specific issues in the SPPS. The synopsis of consultation responses clarifies that such issues should be dealt with through LDPs.

Benefits to Small Businesses

- 6.8** Again no specific benefits were attributed specifically to small businesses. However, the SPPS should lead to efficiency gains (which could potentially save time and money to applicants – some of which will likely be small businesses).

7.0 Business Sectors Affected

7.1 The introduction of the SPPS is likely to affect the following three broad groups:

- Public Sector – particularly planning authorities (including councils, DOE and the PAC);
- Private Sector – including planning agents, developers, applicants;
- Wider Community – particularly local communities, businesses, individuals and other organisations that would be affected by these changes.

8.0 Other Impact Assessments

8.1 The Department carried out a Section 75 Equality of Opportunity Screening Analysis at the time of preparing the draft SPPS. This screening analysis was revisited when finalising the SPPS.

8.2 The screening decision of this exercise remains unchanged and as such is concluded that *‘there is no evidence the SPPS in final form will have any likely adverse differential impact on groups relevant to the section 75 categories.’*

8.3 Furthermore, in light of the analysis of consultation responses ‘it is not considered that mitigation measures are required.’

9.0 Enforcements and Sanctions

9.1 The SPPS is a statement of the Department’s policy on important planning matters that should be addressed across Northern Ireland. It reflects the Environment Minister’s expectations for delivery of the planning system. It has been agreed by the Northern Ireland Executive and is judged to be in general conformity with the Regional Development Strategy 2035.

9.2 It has a statutory basis. The SPPS has been prepared under Article 3 of the Planning (Northern Ireland) Order 1991 which requires the Department to formulate and co-ordinate policy for securing the orderly and consistent development of land and the planning of that development. From the 1 April 2015 the statutory basis for the SPPS is provided by Part 1 of the Planning Act (Northern Ireland) 2011.

9.3 The provisions of the SPPS apply to the whole of Northern Ireland. They must be taken into account in the preparation of Local Development Plans (LDP) and are material to all decisions on individual planning applications and appeals. The Department intends to undertake a review of the SPPS within 5 years.

9.4 In preparing LDPs councils must take account of the RDS, the Sustainable Development Strategy for Northern Ireland, the SPPS and any other policies or advice in guidance issued by the Department, or any other relevant matters.

- 9.5** For decision-taking the planning authority should be guided by the principle that sustainable development should be permitted where the development proposal is in accordance with the LDP, unless material considerations indicate otherwise.

10.0 Monitoring and Review

- 10.1** The Department intends to undertake a more fundamental review of all policies within 5 years of the SPPS being published in final form when the new two tier planning system has had sufficient time to bed down.

11.0 Pre-Consultation

- **SEA Scoping Report:** [The scoping report](#) was made available online for comment and was subject to a statutory 5 week period for formal scoping responses from consultation authorities. Views were also welcome from other stakeholders.
- **Stakeholder Events:** The Department held five early stakeholder engagement events in September 2013. These meetings were facilitated by the Royal Town Planning Institute (RTPI) and provided an opportunity for discussions on the purpose, content and aims of the SPPS. [A report](#) on these discussions (prepared by the RTPI) was issued on the Department's website.
- The RTPI also held a number of Summits on the SPPS.
- Officials and the Minister also met with a range of other of groups and interested parties.

12.0 Public Consultation

- 12.1** The 12 week public consultation exercise on the draft SPPS was facilitated by means of online digital consultation, with stakeholders invited to respond electronically - non digital submissions were also acceptable. This is the first time the Department has incorporated digital engagement into the policy-making process.
- 12.2** During the consultation period the Department held and contributed to a wide range of meetings and consultation events in order to both explain the content of the draft SPPS to interest groups, and to inform stakeholders considering responding formally to the public consultation. One series of events, which ran from 31 March to 4 April 2014, involved round table discussions with a broad range of interests. The Royal Town Planning Institute (RTPI) facilitated these round table discussions and prepared a report on the key themes that emerged. The RTPI report of those discussions and details on attendees is available from the SPPS webpage www.planningni.gov.uk/spps.
- 12.3** The Department received a total of 726 responses to the draft SPPS. 67 respondents submitted their comments electronically using the online consultation portal. 98 responses were submitted off-line (i.e. by email, post or hand delivered). A further 561 petition style responses were received.
- 12.4** The Department was particularly encouraged by the level of interest in the draft SPPS and the wider planning and local government reform process. The consultation draft SPPS very much brought into focus wider reforms and prompted a healthy and constructive debate amongst various stakeholders around planning matters generally, and specifically with regard to the future of planning under the new two tier planning system that will be brought into effect in April 2015.
- 12.5** The draft SPPS was published alongside the SEA Environmental Report; the Partial Regulatory Impact Assessment; and the Equality of Opportunity Screening Analysis. .

Summary and Recommendation

- 13.1** The SPPS sets out the Department's regional planning policies for securing the orderly and consistent development of land under the new reformed two tier planning system when the primary responsibility for planning functions transfers from the Department to councils on the 1 April 2015.
- 13.2** New overarching **Core Planning Principles** are contained within SPPS to underpin delivery of the planning reforms set out in the Planning Act (Northern Ireland) 2011. The SPPS also explains the new development plan and development management system requirements. In addition, it consolidates the current planning policies contained in extant Planning Policy Statements (PPSs) into a single document and brings forward new strategic town centres and retailing policy. Furthermore, the SPPS proposes transitional arrangements requiring councils to apply retained operational policies whilst new Local Development Plans (LDPs) for their areas are finalised.
- 13.3** However, it is important to note that, as a consolidation of existing planning policy all other land-use planning policies will remain largely unchanged from the policy direction set out within extant PPSs, and relevant provisions of the Planning Strategy for Northern Ireland. In other words the SPPS does not represent a wholesale shift in the Departments policy position on the range of land use topics currently in place.
- 13.4** It is considered that the SPPS will be a proportionate and appropriate framework for delivery of the reformed planning system when the primary responsibility for planning functions transfers from the Department to councils on 1 April 2015 - in relation to the associated costs (economic, environmental and social).
- 13.5** In finalising the SPPS the Department has considered and analysed the 726 responses received to the consultation exercise. Details of which can be found in the **Synopsis of Consultation Responses** report which will be published alongside the final SPPS.
- 13.6** In short, the Department has considered specific comments on the new policy aspects of the SPPS, where appropriate, and revised the rest of the document in order to more accurately present the prevailing planning policy approach within extant PPSs and relevant provision of the PSRNI, taking into account the need for minor policy updates, revisions and/or revocations.
- 13.7** **No significant additional costs to businesses, charities, social / economic enterprises or the voluntary sector are identified. Costs to system users are likely to be offset by the benefits of more efficient, clear, concise and unambiguous planning policy leading to inclusive development management and development plan processes, improved service delivery bringing significant benefits to the development industry, individual applicants and the economy.**

Declaration

I have read the final regulatory impact assessment and I am satisfied that the benefits justify the costs.

Signed

A handwritten signature in black ink, appearing to read 'Mark Durkan', written in a cursive style.

MARK H DURKAN MLA
Minster of the Environment

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ANNEX A - P.E.S.T.L.E Analysis

Political

The NI Executive has agreed that local government reform will take place in April 2015 with the creation of a new 11 council model and that the majority of planning functions will transfer on that date. The previous Minister, Alex Attwood gave a commitment to reform the planning system as part of the wider review of public administration. This will result in amongst other things the establishment of a new two-tier planning system.

As a consequence, the Department's planning policies have been reconfigured in order to be proportionate and appropriate for the introduction of a two-tier planning system.

Economic

The SPPS sets out the core principles that need to be observed for the effective and efficient delivery of the reformed planning system. The SPPS sets out the core principles underlying the planning system and addresses how economic considerations are taken into account along with social and environmental considerations. It provides new planning policy for retail and town centres.

This streamlined and simplified statement of policy will allow decisions to be made quicker and reduce administration and legal fees for applicants.

Social

The SPPS allows councils to make quicker and better informed decisions and local communities will benefit from better outcomes such as leisure, housing, retail and / or community centred facilities in their local area. Communities will become more engaged with the planning system and will have a greater influence over protecting facilities in their area which have an important role in improving health and well-being, furthering sustainable development, leading to prosperous and vibrant local communities.

Technological

In its function to regulate a number of environmental areas the Department consults regularly with external stakeholder groups and the general public. The current consultation process is resource intensive with the majority of the process conducted manually.

In line with the **DOE Digital Strategy**, the Department wants to improve citizen services and operational effectiveness. Providing opportunities for the citizen to conduct business with the DOE through online channels will help to improve the services and minimise the back end resources needed to manage the business function.

The DOE Digital Strategy specifically references ***Policy Development and Consultation*** as a possible area for improvement. Having considered a number of factors, i.e. time constraints, policy opportunities, cost and resource requirements, it was decided to focus a **Proof of Concept (POC)** on evaluating the worth of an electronic public policy consultation service only.

The policy area being used for the POC was the '**Strategic Planning Policy Statement**' (SPPS).

The intention was that the new software would make it easier for the citizen to respond to public consultation exercise and also provide for a more efficient and expedient consultation analysis for DOE officials in moving forward to a final version of the document.

Analysis of responses to SPPS public consultation exercise revealed that those in support of the interactive digital engagement welcome the innovative use of new consultation online technology and consider that this is a helpful initiative. Notwithstanding, these respondents suggest that its success depends on asking the right range of questions, which some feel has been achieved on this occasion.

Some respondents opposed this approach, with some commenting that the closed format of the questions (yes and no) was unfriendly and limiting; some found the software was difficult to navigate; others consider that the software is too complex (Owing to the large size and scope of the consultation exercise). Notwithstanding, the outcomes of this POC will inform the way forward for the wider NICS Policy Working Group and also inform how the DOE moves forward in relation to electronic public consultations across all business areas.

Legislative

The Planning (Northern Ireland) Order 1991 requires the Department to formulate and co-ordinate policy for securing the orderly and consistent development of land and the planning of that development. As part of planning reform, legislation to make way for the new planning system is contained within the Planning Act 2011 and other supporting legislation, which received Royal Assent on 4th May 2011. These reforms will result in a modernised system with quicker production of local development plans, faster and fairer appeals and tougher and simpler enforcement.

Environmental

Planning has a critical role to play in protecting the environment. The SPPS enforces the importance of conserving and enhancing our natural environment, using natural resources prudently and mitigating and adapting to climate change. It will be for local councils, working with their communities, to identify the amount of development needed in their local areas, and how this can be accommodated within the environmental constraints of their area.

Local communities are best placed to understand their environment and identify suitable locations for development – minimising adverse impacts on the natural environment and proactively seeking to enhance ecosystems services. Councils will also be required to work together on cross boundary strategic issues which include the natural environment.

The SPPS has been subjected to a Strategic Environmental Assessment (SEA) in accordance with European Directive 2001/42 and the Environmental Assessment of Plans and Programmes Regulations (NI) 2004. This process has been undertaken by specialist SEA consultants acting on the Department's behalf. The SEA process has assessed the impact of the draft SPPS on Northern Ireland's Environment, and has been integrated into the preparation of this document. No significant adverse environmental effects were identified. It found that the SPPS as a whole is strongly positive for the environment and overall sustainability. Furthermore, the SEA process has not identified any adverse transboundary environmental impacts on the Republic of Ireland.

ANNEX B - S.W.O.T Analysis

<p style="text-align: center;">Strengths</p> <ul style="list-style-type: none"> • Transitional arrangements (underpinning the implementation of the SPPS) are in place to ensure that extant policies are retained until such times as a development plan for the relevant council area has been prepared. • The work of the SPPS is integrated with a number of other work strands on the delivery of planning (e.g. Planning Guidance, Community Planning and Performance Management). 	<p style="text-align: center;">Weaknesses</p> <ul style="list-style-type: none"> • The Councils will only be able to start preparing their Development plan (with certainty) in accordance with the SPPS when published in final form 2015. • Great uncertainty for developers providing infrastructure. • Some may see the policy consolidation as a weaker form of action to a complete review of policy.
<p style="text-align: center;">Opportunities</p> <ul style="list-style-type: none"> • An opportunity through the SPPS to develop better partnership working – between the Councils and the Department. • The production of the SPPS affords an excellent opportunity to ensure consistent application of policy across all council boundaries. • Software (Utilised for the launch of the SPPS) will make it easier for the citizen to respond to the public consultation exercise and also provide for a more efficient and expedient consultation analysis for DOE officials in moving forward to a final version of the document. 	<p style="text-align: center;">Threats</p> <ul style="list-style-type: none"> • The threat of legal challenge. • Document could take some time to ‘bed-in’ due to a different organisational culture. • The threat of delay associated with the SPPS getting through the machinery of Government.

ANNEX C - Small Business Test

[PART 1 - Stakeholder Views on the Current and Future Role of Town Centres]

As part of the research to inform the new retail / town centre policy of the SPPS, a series of workshops with key town centre stakeholders were undertaken across Northern Ireland to discuss the issues facing town centres and ideas on future policy direction. This research was carried out by independent consultants on behalf of the Department [one of a number of comprehensive information gathering exercises to provide a series of policy options to the Department in the form of a report].

The following seven workshops were held between 7 to 16 May 2013:

- Tuesday 7 May: Verbal Arts Centre, Derry
- Wednesday 8 May: Coleraine Leisure Centre, Coleraine
- Thursday 9 May (AM): Braid Town Hall, Ballymena
- Thursday 9 May (PM): Gortalowry House, Cookstown
- Tuesday 14 May: The Clinton Centre, Enniskillen
- Wednesday 15 May: The Old Town Hall, Bambridge
- Thursday 16 May: Black Box, Belfast

The purpose of the workshops was to obtain local stakeholders' views on the current and future role of town centres and the geographic coverage of the sessions was such that they allowed stakeholders in all of the surveyed town centres the opportunity to attend. The diversity of locations also allowed for varying views on the health of Northern Ireland town centres to be captured together with views on existing planning policy and its future direction.

Invitations were issued to a broad range of town centre stakeholders including retailers (including small businesses), town centre managers, community representatives, local chambers of commerce, local council officials, trader associations, elected members and other interested parties. Those invitees that were not able to attend the events were provided with the contact details of the project team and offered the opportunity to provide written feedback.

During the group sessions, the attendees were encouraged to give their views on the issues facing town centres in Northern Ireland and what in their view the future policy direction would be. Across all the events, the attendees were keen to discuss the issues affecting the town centres that they represented and the project team secured a wealth of feedback to inform the research.

A comprehensive record of the stakeholders' views was recorded at each event by the consultant team. This formed provided one of a number of evidenced based sources to inform their comprehensive report. The full report (Approved by Mark H Durkin – Minister of the Environment) has been posted on the PlanningNI website and is available to view through the attached link.

http://www.planningni.gov.uk/index/policy/strategic_planning_policy_statement.htm

PART 2 - Early Stakeholder Engagement on the Strategic Planning Policy Statement (SPPS) for Northern Ireland

The Royal Town Planning Institute Northern Ireland (RTPI NI) was invited by the Department of the Environment, Planning Policy Division (DOE PPD) to independently facilitate a series of informal stakeholder discussion sessions associated with the intended introduction of a new single Strategic Planning Policy Statement (SPPS) for Northern Ireland.

Five pre-draft stakeholder meetings took place during the week commencing 30th September 2013. The stakeholder meetings included representatives from a range of groups and individuals including: **business and industry interests (stakeholder meeting No. 1)**; central Government interests (stakeholder meeting No. 2); environmental interests (stakeholder meeting No. 3) those with community interests (stakeholder meeting No. 4); and, local Government interests (stakeholder meeting No. 5). In total 49 of the 103 invitees attended throughout the week.

A Discussion Paper, as well as a list of Key Questions for discussion at the meetings where provided to invitees in advance. The overall aim of these events was to provide a helpful 'sounding board' to assist PPD in bringing forward a well considered draft document for public consultation early 2014.

A summary report (as prepared by the RTPI NI) has been posted on the PlanningNI website and is available to view through the attached link.

http://www.planningni.gov.uk/index/policy/early_stakeholder_engagement-_rtpi_summary_report.pdf

Following publication of the draft SPPS the Department held a further round of stakeholder engagement discussions from 31 March to 4 April 2014. The stakeholder discussions were again facilitated by the RTPI Northern Ireland branch. A report has been prepared as an account of those discussions and the key themes that emerged. The RTPI report is viewable from the link below and this was taken into account in finalising the SPPS.

http://www.planningni.gov.uk/index/policy/spps_stakeholder_engagement_-_report_for_doe_may_2014_final_pdf_for_publication.pdf