EXPLANATORY MEMORANDUM TO

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

S.R. 2026 No. 80

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department for Infrastructure to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2. The Statutory Rule is made under sections 32 and 247(6) of the Planning Act (Northern Ireland) 2011 and is subject to the negative resolution procedure.

2. Purpose

2.1. 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.

2.2. The following conditions 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.

3. Background

3.1. 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.

3.2. 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.

4. Consultation

4.1. The Department consulted on new permitted development rights for RVM from 27 October 2022 to 23 December 2022

5. Equality Impact

5.1. The proposed Statutory Rue 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.

6. Regulatory Impact

6.1. A Regulatory Impact Assessment screening completed in respect of these proposals found no evidence of any direct or indirect material impact to the Business, Voluntary or Community sectors.

7. Financial Implications

7.1. The proposals do not introduce any material financial implications.

8. Section 24 of the Northern Ireland Act 1998

8.1. The Department considers that the legislation complies with the requirements of section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1. Not Applicable.

10. Parity or replicatory measure

10.1. This is not a parity or replicatory measure.

11. Additional information

11.1. Not applicable.