

Title: The Planning (General Permitted Development) (Amendment) Order (Northern Ireland) 2026	Regulatory Impact Assessment (RIA)
	Date: August 2026
	Type of measure: Subordinate
Lead department or agency: The Department for Infrastructure (DfI)	Stage: Existing Legislation
	Source of intervention: Domestic NI
Other departments or agencies: N/A	Contact details: David Doherty
	The Department for Infrastructure
	Regional Planning Governance & Legislation James House, 2-4 Cormac Avenue, The Gasworks, Belfast BT7 2JA

Summary Intervention and Options

What is the problem under consideration? Why is government intervention necessary? (7 lines maximum)

The intervention fulfils an existing departmental commitment to review the Planning (General Permitted Development) Order (Northern Ireland) 2015 ("the 2015 Order") for telecommunications development, providing an opportunity to bring forward proposals for legislative change that will enhance the ability of code system operators to undertake necessary works as quickly as possible without having to go through the formal planning process, while ensuring that amenity and wider environmental safeguards are in place. This is in line with the Department's approach to better regulation which is intended to provide a considered balance between lightening the regulatory burden on the industry and protecting the environment, amenity and public safety.

What are the policy objectives and the intended effects? (7 lines maximum) Improving our digital infrastructure is vital to the Norths economy. Planning has a crucial role to play in supporting delivery of this infrastructure and facilitating appropriate proposals which deliver a high level of digital connectivity whilst ensuring the provision of such infrastructure is sited and designed to keep environmental impacts to a minimum. The intended effect is to reduce regulatory burdens, support the timely deployment of telecommunications infrastructure, and improve digital connectivity while maintaining appropriate environmental and amenity safeguards.

What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base) (10 lines maximum)

There are two options:

- Option1 – Do not review the 2015 Order (maintain the status quo): and
- Option 2 – Review the 2015 Order.

The review fulfils the Departmental commitment to review permitted development legislation following the publication of the Mobile Action Plan (MAP) in June 2022 and the subsequent recommendations from the DfE-led Barrier Busting Taskforce (NIBBT) in which Department officials participated on the Oversight Group and Planning Subgroup. The review will reduce unnecessary legislative requirements and, where appropriate, ease the regulatory burden. Not to review the legislation, nor to consider in line with changes in other jurisdictions may be disadvantageous in facilitating the delivery of a high level digital connectivity and therefore is not an option.

Will the policy be reviewed? It will be reviewed

If applicable, set review date: Month/Year

Cost of Preferred (or more likely) Option

Total outlay cost for business £m	Total net cost to business per year £m	Annual cost for implementation by Regulator £m
Potential reduction in respect of costs and administrative resource associated with obtaining planning permission.	Potential reduction in respect of costs and administrative resource associated with obtaining planning permission.	No costs to councils for implementation.

Does Implementation go beyond minimum EU requirements?		YES ☐	NO ☒
Is this measure likely to impact on trade and investment?		YES ☐	NO ☒
Are any of these organisations in scope?	Micro Yes ☒ No ☐	Small Yes ☒ No ☐	Medium Yes ☒ No ☐
			Large Yes ☒ No ☐

The final RIA supporting legislation must be attached to the Explanatory Memorandum and published with it.

Approved by:

Date:

ECONOMIC ASSESSMENT (Option 1)

Costs (£m)	Total Transitional (Policy) (constant price)	Years	Average Annual (recurring) (excl. transitional) (constant price)	Total Cost (Present Value)
Low	Optional		Optional	Optional
High	Optional		Optional	Optional
Best Estimate				

Description and scale of key monetised costs by 'main affected groups' Maximum 5 lines

It is not possible to quantify the monetary costs to the main affected groups of this option as it is predicated on whether an application for planning permission would have been forthcoming and if associated costs then removed under amended permitted development right (PDRs). The 2015 Order sets out the existing wide ranging permitted development regime applied locally, whilst maintaining appropriate safeguards to protect environmental quality and amenity.

Other key non-monetised costs by 'main affected groups' Maximum 5 lines

None

Benefits (£m)	Total Transitional (Policy) (constant price)	Years	Average Annual (recurring) (excl. transitional) (constant price)	Total Benefit (Present Value)
Low	Optional		Optional	Optional
High	Optional		Optional	Optional
Best Estimate				

Description and scale of key monetised benefits by 'main affected groups' Maximum 5 lines

It is difficult to measure / quantify the monetary benefits or effects of any proposed changes (as this is reliant on the number of applications for planning permission which would otherwise be required) however it is not unreasonable to conclude that the relaxations would be positive overall. The mobile operators would benefit from not having to expend the costs associated with preparing and submitting a full planning application.

Other key non-monetised benefits by 'main affected groups' Maximum 5 lines

The introduction of additional or extended permitted development rights will allow certain forms of development to proceed without the requirement or administrative burden on the mobile industry to submit a full planning application and await a council's determination. It will improve coverage, enhance capacity and support the rollout of advanced mobile technologies, including 4G and 5G services, particularly in areas where existing infrastructure is unable to meet current or future demand.

Key Assumptions, Sensitivities, Risks Maximum 5 lines

It is not unreasonable to assume that any extension / relaxations to the existing permitted development regime would be positive overall. Certain condition and limitations imposed on permitted development rights ensures that sensitivities and risks associated with deregulating some types of development are identified and mitigated. It would facilitate the more timely delivery of modern digital infrastructure while retaining an appropriate level of planning oversight.

BUSINESS ASSESSMENT (Option)

Direct Impact on business (Equivalent Annual) £m				
Costs:	Benefits:	Net:		

Cross Border Issues (Option 2)**How does this option compare to other UK regions and to other EU Member States (particularly Republic of Ireland)** Maximum 3 lines

This option will bring NI closer to the equivalent legislation in other jurisdictions. Any proposals to further relax permitted development locally will take account of changes / advancements elsewhere.

EVIDENCE BASE

The planning system aims to achieve proportionality by exercising different degrees of control over types of development with different degrees of impact. The requirement for councils' scrutiny of development proposals with little or limited adverse impact is removed using permitted development rights. Permitted development rights are a deregulatory tool to grant automatic planning permission for development that complies with certain specified limitations and conditions that are set out in legislation, which in Northern Ireland is the Schedule to the Planning (General Permitted Development) Order (Northern Ireland) 2015 (GPDO).

High-quality digital infrastructure is essential to economic growth and the delivery of modern public services. The planning system has an important role in facilitating the deployment of telecommunications infrastructure while ensuring that environmental and amenity impacts are appropriately managed.

Mobile connectivity is now an essential utility that supports economic activity, public services, emergency response functions and everyday digital transactions. As reliance on mobile services continues to increase, the need for resilient and high-capacity mobile networks becomes increasingly important.

Telecommunications technology is evolving rapidly, with operators continuing to upgrade networks, deploy new infrastructure and retire legacy technologies. This presents an opportunity to modernise the planning framework to support faster, simpler and more cost-effective deployment while maintaining appropriate planning controls. Continued investment in new sites and upgrades is therefore required to provide the capacity needed for reliable, high-quality connectivity.

The transition to 5G and 5G Standalone services, alongside the phased withdrawal of older 2G and 3G networks, requires significant ongoing infrastructure investment. The principal challenge is ensuring that these investments can be deployed efficiently through a planning framework that facilitates timely delivery.

Many existing telecommunications sites require upgrading and modernisation to support growing demand and the continued rollout of 5G and 5G Standalone technologies. In some cases, existing infrastructure has limited capacity to accommodate additional equipment, creating a requirement for new or alternative sites. A significant proportion of future infrastructure requirements are expected to require planning consent. Lengthy planning processes may affect the pace of deployment and affect telecommunications investment.

Operators are also seeking to increase infrastructure sharing between networks, reducing duplication and minimising environmental impacts. However, shared infrastructure often requires larger or upgraded mast structures to accommodate equipment from multiple operators and technologies.

Mobile UK, the trade association representing the UK's mobile network operators, has highlighted the significant investment being made by operators to upgrade and expand 5G infrastructure. EE, Virgin Media O2 and VodafoneThree are all implementing long-term programmes to transition to 5G Standalone (5G SA) networks, which will provide greater capacity, performance and resilience while supporting advanced industrial and consumer applications.

To deliver these investments, operators are upgrading existing sites, deploying additional infrastructure and making more efficient use of available spectrum. Collectively, their plans involve substantial network investment over the coming decade and ambitious targets for expanding 5G Standalone coverage.

The mobile industry has identified the planning system as a key barrier to network deployment in Northern Ireland. In particular, operators argue that the current Permitted Development Rights, introduced in December 2020, have not kept pace with technological developments or legislative changes introduced elsewhere in the UK. They contend that the planning framework now lags behind that operating in England, Scotland and Wales, limiting the speed and efficiency with which 5G infrastructure can be upgraded and deployed. The industry considers that modernising these provisions

would help support continued investment and facilitate the rollout of next-generation connectivity, including 5G Standalone services.

The Mobile Action Plan Northern Ireland (MAPNI) was published by the Department for the Economy (DfE) in June 2022 following engagement by a cross-sector working group comprising representatives from central and local government, industry stakeholders, the UK Government and the Office of Communications (Ofcom). One of the key recommendations was the establishment of the Northern Ireland Barrier Busting Taskforce (NIBBT) to oversee delivery of the MAPNI actions.

Led by DfE, the NIBBT brought together representatives from government departments, local government, Ofcom, the Department for Science, Innovation and Technology (DSIT), and Mobile UK. An overarching Oversight Group was created to provide strategic direction and monitor implementation of the MAPNI recommendations.

To support this work, three subgroups were established covering communications, publicly owned assets, and planning. DfI Planning officials were represented on the Planning Subgroup, which examined barriers within the planning system affecting the deployment of mobile telecommunications infrastructure.

The Planning Subgroup considered planning policy, legislation and best practice across other jurisdictions, and explored how planning frameworks could better support the evolving requirements of mobile network development. The NIBBT Oversight Group concluded its work in March 2026, with agreement that any outstanding actions would be taken forward through normal departmental business arrangements.

As a result, the Department has continued work on reviewing Permitted Development Rights for electronic communications development under Part 18 of the GPDO, through the Planning Improvement Programme.

While telecommunications planning applications in Northern Ireland generally achieve high approval rates, stakeholders have identified the time taken to secure consent as the main constraint on deployment rather than the likelihood of approval itself. Evidence from planning application outcomes suggests there is scope to extend permitted development rights for telecommunications infrastructure. The Department is satisfied that appropriate safeguards can be maintained, particularly in protected and designated areas, while bringing the planning framework more closely into line with arrangements elsewhere in the UK.

A key difference between the planning regime in the North and those operating elsewhere in the UK is the absence of a **prior approval process** for certain telecommunications development. In England, Scotland and Wales, prior approval allows operators to erect new telecommunications masts without submitting a full planning application, subject to planning authorities approving specified matters such as siting and appearance within a prescribed timeframe.

Prior approval provides a more streamlined route for assessing telecommunications development and typically results in decisions being made within 56 days. Similar arrangements have operated successfully in the other jurisdictions for a number of years and are now a well-established part of the planning process.

The prior approval process does not remove planning oversight. It includes consultation requirements, assessment of siting and design considerations, and the ability for planning authorities to refuse proposals where appropriate. It therefore provides a balanced approach that supports efficient deployment while maintaining appropriate safeguards.

Introducing a similar system in Northern Ireland could also improve efficiency within councils by reducing the number of applications requiring detailed assessment and allowing resources to be focused on proposals that warrant more extensive planning scrutiny.

The introduction of a new permitted development right for telecommunications masts, subject to a prior approval process, would support the more timely delivery of digital infrastructure while retaining appropriate planning oversight. This would assist the rollout of enhanced mobile services and help address growing coverage and capacity requirements.

In developing proposals to modernise permitted development rights for Electronic Communications Code Operators, the Department will ensure that existing safeguards remain in place. The objective is to facilitate improved digital connectivity while continuing to protect local amenity, environmental interests and sensitive locations through proportionate planning controls.

Policy issue under consideration and objectives

The policy issue under consideration is whether the thresholds that govern the available permitted development rights for development undertaken by Electronic Communications Code Operators remain appropriate to the local context.

The policy objective is to deregulate by removing more development from the requirement for planning permission from councils by increasing permitted development thresholds. This is intended to reduce the administrative and financial burden of the planning system on businesses. The specific benefits include a boost for growth by allowing Electronic Communications Code Operators to carry out certain development to improve and enhance the electronic communications network in Northern Ireland.

Two options were considered;

Option 1 - Do nothing: make no changes to permitted development rights.

Option 2 – Extend permitted development rights.

Background

Development undertaken by Electronic Communications Code Operators

Code operators are companies that have been granted powers under the Electronic Communications Code. The Electronic Communications Code (the code) is a set of rights that are designed to facilitate the installation and maintenance of communications networks. The Code is set out in Schedule 3A of the Communications Act 2003. It confers rights on providers of such networks and on providers of systems of infrastructure to install and maintain apparatus on, under and over land and results in considerably simplified planning procedures.

The Planning (General Permitted Development) Order (Northern Ireland) 2015 (the GPDO) sets out types of development which can be undertaken without requiring a planning application. These are referred to as permitted development rights (PDRs) and often relate to minor building works that have minimal impact to amenity and the environment. In most cases permitted development rights are subject to conditions and limitations specified in the GPDO.

Part 18 within the Schedule of the GPDO as amended, refers to Development by Electronic Communications Code Operators.

The Department expanded PDRs for the telecommunication operators in December 2020. The amendments at the time, reflected changes in technology, and the position in other jurisdictions and enhanced the ability of operators to undertake necessary works such as replacing, altering or extending an existing mast or installing antenna on a mast or building as quickly as possible, without having to go through the planning process.

It is accepted that permitted development rights in the North have fallen behind those in Scotland, England and Wales. In particular the other jurisdictions provide permitted development rights specifically for new ground based masts subject to prior approval. In the North all new ground based masts require full planning permission.

The Department is proposing changes to existing permitted development rights for telecommunications development for: -

- the introduction of new permitted development rights for ground-based masts, subject to prior approval;
- changes relating to existing ground-based masts and other telecommunications apparatus;
- apparatus installed on buildings; and

- provisions relating to emergency periods.

Existing Ground Based Masts and Other Apparatus - making greater use of existing masts and encouraging site/mast sharing.

Apparatus Mounted on Buildings - extending permitted development rights for buildings providing greater coverage for all areas alongside limitations to protect amenity and the environment;

Emergency Period - Current provisions allow for the emergency use of land or siting of apparatus for up to 18 months – no current changes proposed prior to consultation.

Preferred Option

Overall, Option 2 is considered to be the preferred option as it would meet the policy objectives outlined above.

Benefits for councils: reduced number / processing of planning applications

Councils will benefit from a reduced number of planning applications for the types of development which otherwise would previously have fallen beyond the existing permitted development regime, therefore freeing-up resources. Councils will have to adapt to the new prior approval procedures and the timescales involved with applications for new ground based masts. An appropriate fee will be introduced for these applications.

Costs to communities: amenity impacts of additional extensions

The current limitation remains in place whereby permitted development rights cannot be exercised on land within a Site of Archaeological Interest, except where development involves the installation of new overhead lines supported by existing poles. The same restriction is proposed for World Heritage Sites, ensuring a consistent level of protection for both categories of designated heritage asset.

Existing protections for Conservation Areas, Areas of Outstanding Natural Beauty (AONBs) and Areas of Special Scientific Interest (ASSIs) will be maintained. Permitted development rights in these sensitive locations will continue to be subject to specific limitations and conditions, broadly reflecting the current arrangements, in order to balance the need for improved digital connectivity with the protection of environmental, landscape and heritage interests.

For consistency with existing permitted development provisions across other forms of development, the Department proposes to retain the current protection afforded to listed buildings. Accordingly, permitted development rights may only be exercised where any required listed building consent has already been granted for the proposed works. This will ensure that the special architectural and historic interest of listed buildings continues to be appropriately safeguarded.

If, in exceptional circumstances, it is clearly demonstrated that the permitted development rights are materially harmful in a particular locality, councils can consult with their communities on using a direction under Article 4 of the Planning (General Permitted Development) Order (Northern Ireland) 2015 to withdraw the rights. Removal of the rights in exceptional circumstances allows all the potential planning impacts of the development to be considered locally by requiring submission of a planning application(s).

Rural proofing

The Department considers that the proposals would have no differential or adverse impact in rural areas or on rural communities. Appropriate conditions and limitations will apply to sensitive areas as outlined above.