

Regional Planning Directorate



Department for

Infrastructure

An Roinn

Bonneagair

www.infrastructure-ni.gov.uk

Heads of Planning (Councils)

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Your reference:
Our reference:

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Dear Colleagues

Actions from Planning Forum

You will be aware that over the past year we have been actively working with statutory consultees through a cross governmental Planning Forum. The Forum is working in collaboration between central and local government, with a particular focus on improving processes and timeframes for processing major and economically significant planning applications. This work is particularly important as we work towards exit from the Covid 19 pandemic.

I have attached a synopsis of the Planning Forum work programme as at March 2021 (**Annex A**) for your information. You will see that the work is focused on both strategic and practical issues and colleagues across central and local government are working toward delivering tangible benefits for the Planning system across Northern Ireland. It is intended that the outputs of this work will be closely aligned to the Review of the Planning Act.

At the last Planning Forum meeting on 22 February it was agreed to highlight the following issues with you to seek your co-operation in order to progress key actions within the work programme. These are as follows:

Local validation checklists

One of the key areas of challenge and concern raised through the Forum has been the quality of applications submitted to planning authorities and the impact this has on the performance of major applications, particularly through the statutory consultation process.

E-mail: planning@infrastructure-ni.gov.uk
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In an effort to address this issue Belfast City Council (BCC) took forward a pilot project to produce a planning application checklist on an administrative basis. The checklist provides guidance to applicants on what information is required to be submitted with their application, depending on its characteristics, scale and spatial constraints. If the required information is not provided, then the application is returned until ready to be submitted properly.

BCC has now completed a review of the pilot project which is being considered by the Department as part of the consideration to amend secondary legislation to put the option for councils to produce their own checklists on a statutory footing.

I understand that BCC has now forwarded a copy of its report/review to all Heads of Planning, the results of which appear to be very encouraging (**Annex B**).

Work on the legislative change is still at the policy development stage and will take time to advance through the usual Assembly processes including public consultation etc. In the interim, I would like to encourage all councils to consider taking forward a similar checklist, suitable to their own areas and circumstances, on an administrative basis. This would have the advantage of preparing stakeholders for the statutory requirements which may be introduced at a later stage, and could also improve the standard of applications entering the development management system and thereby improve performance.

Capacity building

In order to address any capacity building issues in terms of the statutory consultation process, I would be grateful if you would consider if there are any key areas that your staff may require or benefit from training which could potentially be provided by statutory consultees. You will be aware, that statutory consultees have previously provided training on various areas relating to their respective remits and expertise. Once we have received feedback from you, we will liaise with statutory consultees to determine their ability to provide same.

Please provide responses to:- cathy.pringle@infrastructure-ni.gov.uk and PlanningForumProjectTeam@infrastructure-ni.gov.uk by **cop 2 April 2021**.

Extensions to consultee response times

The issue of statutory consultees seeking and receiving time extensions for consultation responses was also raised at the meeting. You will be aware that The Planning (General Development Procedure) Order NI 2015 (GDPO) allows for a statutory consultee to seek an extension to the consultation period (in exceptional circumstances), which can be agreed through the Portal between the consultee and the council.

Work conducted by the Department showed that this process was not operating as effectively as other jurisdictions, with a very low percentage of extensions being given to statutory consultees when requested. It was considered by the Forum members that this may be due to a lack of understanding of the IT process through the planning portal. I have therefore attached a document clarifying the process at **Annex C**. For information I have also attached the link to Department's Practice Note 18 on the consultation process:-

https://www.infrastructure-ni.gov.uk/sites/default/files/publications/infrastructure/dmpn-18-consultation-process-v2-may-2016_0.pdf

I would also recommend that where a request has been made by a statutory consultee for an extension to the response period of 21 days, and where exceptional circumstances have been outlined, that this should be considered in a reasonable and consistent manner. In recognition that each statutory consultee will have different issues and needs in relation to this problem, the Forum agreed that each consultee will engage with the councils to establish an agreed bespoke/consultee-specific protocol on what circumstances should justify an extension etc.

I am very grateful for your continued support in this important work and I look forward to your response.

Yours sincerely

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

ANGUS KERR
Chief Planner
& Director of Regional Planning

Copied to members of Planning Forum