



Department for

**Infrastructure**

An Roinn

**Bonneagair**

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**From the Permanent Secretary  
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Your reference:  
Our reference: PSDFI 166/20  
5 October 2020

Dear William

## **PUBLIC ACCOUNTS COMMITTEE EVIDENCE SESSION – FURTHER CLARIFICATION AROUND FOLLOW-UP INFORMATION**

Thank you for your letter of 23 September 2020 seeking some clarification for the Committee following my response of 27 August.

### **Strategic Planning Directorate Casework**

First, I do apologise to the Committee for our use of acronyms and initials without an accompanying explanation. SPD is the Department's Strategic Planning Directorate which is responsible for processing planning applications deemed to be of regional significance or those which may be 'called in' from the local councils. As requested, I have provided for the Committee's information an updated Strategic Planning Directorate casework table including an extra column indicating the date each application was received.

### **Improving the response times for statutory consultees to the planning process**

The Committee has also asked about plans to improve the time taken by statutory consultees to the planning process to respond to planning applications. This is an area of very clear focus for me and for the Department and I know also for my Minister. Shortly after taking up post, in response to some concerns raised with me and with the support of the other departments which carry statutory consultation

responsibilities, I commissioned a piece of work, referenced in my previous letter, to review the role of statutory consultees in the planning process. That work was completed by John Irvine, who joined me for our evidence session on 8 July. John's report contained a number of recommendations aimed at improving the effectiveness and efficiency of the planning process, particularly with regard to major and "economically sensitive" planning applications.

One of the report's key recommendations was the establishment of a cross-government Planning Forum comprising senior leaders drawn from all the NICS departments that have a statutory consultee duty, and this has been in place since December 2019. The Forum is working to progress the recommendations of the report through an action plan which involves collaboration between central and local government. Statutory consultees are focusing on monitoring their major application consultations to progress these as soon as possible. Recent indications are that we are starting to move in the right direction, although I am clear that there is no room for complacency and much more work to be done.

Additionally, and recognising the need for DfI to lead by example, I have also asked for improved monitoring and oversight arrangements to be put in place within our Roads and Rivers Group and have asked Dr Andrew Murray, Deputy Secretary with responsibility for this group, to take personal responsibility for these arrangements. Their effectiveness will also, at my request, be reviewed by our Internal Audit team later in the year.

As we discussed at the recent evidence session, the performance of statutory consultees is only one factor in the overall performance of the planning system; there are many other elements that impact on performance. Planning authorities and consultees recognise also that the processing of planning applications, particularly major applications, is best supported through the submission of a good quality application that contains all of the necessary information at the outset.

This can be greatly assisted through meaningful pre-application community consultation and pre-application discussions with the planning authority – key

elements of the reformed two-tier planning system which were intended to deliver an inclusive front-loaded system – and we are committed to making sure this happens.

The Committee may also be interested to note some of the other actions being taken forward through the Planning Forum. These include:

- Reviews by statutory consultees of existing practices, procedures and the resourcing requirements associated with their statutory consultee role against workloads, to ensure efficient and timely responses to planning consultations.
- Reviews by consultees of their online and published information and advice to identify gaps, needs and opportunities to support applicants in the application process and reduce the need for consultation or requirement for further information.
- Ensuring the new regional planning IT system allows for effective monitoring and reporting of statutory consultee responses.
- Exploring opportunities for more proactive collaboration between planning authorities and statutory consultees in assessing and expediting major or “economically sensitive” applications.
- Consideration of proposals for proportionate legislative change to address poor quality applications and enhanced responsiveness by planning authorities.
- Reviewing the current approach, guidance and effectiveness of the pre-application discussion process.
- Development of a mechanism to engage formally with planning consultants to rectify common mistakes in applications, and to drive up quality in applications.

## **Performance indicators**

The Local Government (Performance Indicators and Standards) Order (NI) 2015 specifies the performance indicators and standards by reference to which a council's performance in exercising a related function can be measured or met. The standards and indicators for assessment of a council's planning performance are set out in Schedules 3 & 4 to the Order, covering processing of major and local planning applications, and planning enforcement cases.

These matters are reported on annually. In addition to the 3 statutory planning indicators, the Department published the first Planning Monitoring Framework in September 2019, which includes a number of non-statutory indicators. It is envisaged that this framework will evolve over time and will assist in ensuring we and councils continuously improve the planning system going forward.

## **Other Actions**

The Committee will be aware of my Minister's intention to take forward a Review of the Implementation of the Planning Act (NI) 2011, which may identify potential areas for change to help to improve processing times for planning applications.

Departmental officials briefed the Infrastructure Committee on these draft regulations on 30 September 2020 and the Committee has indicated that it is content. Once the regulations are made, the aim is to publish the associated review report as soon as is possible.

Additionally, senior colleagues within DfI continue to meet regularly with council heads of planning to discuss matters of policy and practice which may be affecting performance in various areas of the planning system, and to take forward the continuous improvement agenda.

## **Membership of Planning Forum**

Finally, the Committee asked for information on the composition of the Planning Forum. The Forum membership is made up of the main statutory consultees and it

also has a subgroup of council representatives. Its chair is Julie Thompson, Deputy Secretary with responsibility for planning, and its other members are as follows:

- Angus Kerr (Chief Planner & Director of Regional Planning, DfI)
- Alistair Beggs (Director of Strategic Planning, DfI)
- Iain Greenway (Director, Historic Environment, DfC)
- Helen Anderson (Director, Natural Environment, DAERA)
- Sean Keogh (Health and Safety, Inspector, HSENI)
- Conor Loughrey (Director of Network Services, DfI)
- Jonathan McKee (Director of Rivers, DfI)
- Dr Stephen Blockwell (Head of Investment Management, NI Water)

I hope this response is helpful and am happy to provide any further information or clarity to the Committee that may be required.

Yours sincerely

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

**KATRINA GODFREY**

## Strategic Planning Directorate (SPD) Casework – As at 1 October 2020

### KEY

	<b>Former Article 31 'Major' Applications (pre March 2015 applications now legally treated as Regionally Significant Applications)</b>
	<b>Regionally Significant Applications</b>
	<b>Former Article 31 'Major' Applications - conditions requiring further consent agreement or approval</b>
	<b>Former Article 31 'Major' Applications – applications seeking non-compliance with conditions previously attached</b>
	<b>Called-in applications</b>
	<b>Applications for Demolition Consent</b>

### Glossary

DCA Demolition in a Conservation Area  
DMR Case Officer Development Management Report  
EIA Environmental Impact Assessment  
FEI Further Environmental Information  
ES Environmental Statement  
NOP Notice of Opinion  
PAC Planning Appeals Commission  
SPD Strategic Planning Directorate

Strategic Planning Directorate (SPD) Casework – As at 1 October 2020

	Proposal / Location	Date Received	Stage of the Application	Issues contributing to length of processing timescales									
				Validation / Fee Issues	ES Submitted	FEI Required	Amended Plans or Information	Consultation Delays	Significant / Complex Issues Arising from Consultations	PAC hearing or Public Inquiry	Legal Issues	Original decision quashed by Courts	Associated / Related Enforcement Case
1	Heritage-led regeneration  Former William Clark & Sons Ltd, Upperlands, Maghera, Co Derry  <b>H/2009/0264/O</b>	06/05/2009	NOP to approve issued 16 Aug 2019. Council requested Hearing before PAC. Hearing was scheduled for May 2020 but postponed due to COVID-19.		✓	✓	✓	✓	✓	✓	✓		
2	Office development for science and IT based businesses  NW Regional Science Park Fort George Derry  <b>LA11/2017/0586/RM</b>	21/06/2017	Ongoing				✓	✓	✓				
3	Residential development  Lands to the SE of Copelands Link Roundabout, Comber  <b>LA06/2017/0778/RM</b>	21/06/2017	Ongoing				✓	✓					
4	Underground gold mine	27/11/2017	Ongoing		✓	✓	✓	✓	✓		✓		

Strategic Planning Directorate (SPD) Casework – As at 1 October 2020

	Curraghinalt, Gortin, Omagh <b>LA10/2017/1249/F</b>		FEI sought from applicant 15/09/2020										
5	Variation of conditions at a formerly approved site at Corgy Road/Rashee Road, Ballyclare <b>LA03/2018/0605/O</b>	22/06/2018	Ongoing Awaiting information from agent				✓	✓				✓	
6	Waste treatment facility and Energy from Waste plant at Hightown Quarry, Boghill Road, Mallusk <b>T/2014/0114/F</b>	06/07/2018 (date of Court of Appeal ruling – remitted back to Department)	Original Approval quashed by Courts (Buick judgment). Draft DMR now being prepared.  (Officials first prepared a recommendation for the Minister within 15 months.)		✓	✓	✓	✓		✓	✓	✓	✓
7	Residential development Lands to the SE of Copelands Link Roundabout, Comber <b>LA06/2018/0997/RM</b>	07/09/2018	Ongoing				✓	✓					
8	Change of use of former military building, including alterations and extension to provide a bar/restaurant, landscaping and associated works to Building 40, Ebrington	27/09/2018	DMR drafted February 2020, but agent advised of intent to submit a revised scheme, subsequently received 1 July 2020. Following further meeting 11				✓	✓					



Strategic Planning Directorate (SPD) Casework – As at 1 October 2020

	<b>LA11/2018/0926/RM</b>		September 2020 applicant seeking to submit further revisions										
9	Erection of business units & associated works south of Copelands Link roundabout, Comber <b>LA06/2018/1295/RM</b>	27/11/2018	Ongoing				✓	✓					
10	Northern section of Ballyclare Relief Road to the West of Ballyclare Rugby Club <b>LA03/2018/1116/RM</b>	14/12/2018	Ongoing		✓	✓	✓	✓					
11	Proposed N/S electricity interconnector <b>O/2009/0792/F</b>	08/02/2019 (remitted back to Department – original decision quashed)	Permission granted 14/09/2020		✓	✓	✓	✓		✓	✓	✓	
12	N/S Interconnector associated works <b>O/2013/0214/F</b>	08/02/2019 (as above)	Permission granted 14/09/2020		✓	✓	✓	✓		✓	✓	✓	
13	Application to Vary Condition 16 (Drainage layout) and Condition 20 (Landscaping details) of Planning Application LA04/2015/0301/F <b>LA04/2019/0871/F</b>	16/04/2019	Ministerial decision to be confirmed shortly				✓	✓			✓		
14	80 residential housing units + open space &	29/05/2019	Ongoing				✓	✓					

Strategic Planning Directorate (SPD) Casework – As at 1 October 2020

	access south of Copelands Link roundabout, Comber <b>LA06/2019/0568/RM</b>												
15	Application to Vary Condition 7 (annual waste tonnage throughput) at Hightown Quarry (Old Cell) <b>LA03/2019/0751/F</b>	19/08/2019	Ongoing				✓	✓				✓	
16	362 housing units, open space, access road and other associated works, South of Copelands link <b>LA06/2019/1252/RM</b>	16/12/2019	Ongoing				✓	✓					
17	Play area and attenuation basin, South of Copelands link <b>LA06/2019/1265/RM</b>	18/12/2019	Ongoing				✓	✓	✓				
18	Village Centre, residential units, business park units, open space & pumping station, South of Copelands link <b>LA06/2020/0129/RM</b>	18/12/2019	Ongoing				✓	✓					
19	14 turbine wind farm Ballygilbert, Carncastle, Larne <b>LA02/2020/0458/F</b>	30/06/2020	New application	✓	✓		✓						

Strategic Planning Directorate (SPD) Casework – As at 1 October 2020

Call-in retained

	Proposal/Location	Date Received	Stage of the application	Validation / Fee Issues	ES Submitted	FEI Required	Amended Plans or Information	Consultation Delays	Significant / Complex Issues Arising from Consultations	PAC hearing or Public Inquiry	Legal Issues	Original decision quashed by Courts	Associated / Related Enforcement case
1	Construction of a waste transfer & recycling facility for construction and demolition wastes  Parkgate Quarry, Connor Road, Parkgate, Co. Antrim  <b>T/2005/0977/F</b>	05/10/2005	Ongoing, but recommended for approval by the former DoE in 2012 and Dfl in May 2016. On both occasions the recommendation was opposed by the council.  2016 Hearing before the PAC.  The Department is working with the applicant and Council to seek a way forward following a related enforcement case.		✓	✓	✓	✓		✓			✓
2	Landfill facility for inert construction and demolition wastes	31/10/2005	As above		✓	✓	✓	✓		✓			✓

Strategic Planning Directorate (SPD) Casework – As at 1 October 2020

	Parkgate Quarry, Connor Road, Parkgate, Co. Antrim <b>T/2005/1054/F</b>												
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Strategic Planning Directorate (SPD) Casework – As at 1 October 2020

Called-in applications

	Proposal/Location	Date Called-in	Stage of the application	Issues contributing to length of processing timescales								
				Validation / Fee Issues	ES Submitted	FEI Required	Amended Plans or Information	Consultation Delays	Significant / Complex Issues	PAC hearing or Public Inquiry	Legal Issues	Original decision quashed by Courts
1	Works to listed buildings to extend and convert former Art Deco Building into a new factory: 18 apartments; alterations of 2 existing dwellings; change of use for museum/exhibition space.  Former Wm Clark & Sons Ltd, Upperlands, Maghera  <b>H/2009/0270/F</b>	18/06/2015	See H/2009/0264/O. Council has requested a Hearing before PAC. Hearing scheduled for 21/05/2020 but postponed due to the emergency situation with COVID-19.		✓	✓	✓	✓		✓		
2	As above (Listed Building Consent)  <b>H/2009/0271/LBC</b>	18/06/2015	As above		✓	✓	✓	✓		✓		
3	Redevelopment of Casement Park GAA grounds  Andersonstown Road, Belfast	08/03/2017	DMR being finalised following receipt of further objection.	✓	✓	✓	✓	✓	✓		✓	

Strategic Planning Directorate (SPD) Casework – As at 1 October 2020

	<b>LA04/2017/0474/F</b>												
4	On-site gas/oil storage tanks (as back up to major gas fired power station)  Airport Road West, Belfast  <b>LA04/2017/0541/HSC</b>	25/05/2017	Ongoing. Associated Power Station application was approved in 2019. DMR being finalised.				✓	✓					
5	Demolition/replacement of Church hall  1st Presbyterian Church, Broughshane, Ballymena  <b>LA02/2016/0968/F</b>	18/12/2017	Ongoing Final amended scheme received. Consultation from Council outstanding. Final assessment underway.				✓	✓					
6	As above – listed building consent  Main Street, Broughshane  <b>LA02/2017/0453/LBC</b>	18/12/2017	As above				✓	✓					
7	Regularisation of existing works  Adelphi Hotel, Main Street, Portrush  <b>LA01/2017/1287/F</b>	24/04/2018	NOP to approve issued 30 Sept 2020. Council and applicant now have 28 days in which they can request a hearing before the PAC.				✓	✓					
8	As above  <b>LA01/2017/1289/LBC</b>	24/04/2018	As above				✓	✓					

Strategic Planning Directorate (SPD) Casework – As at 1 October 2020

9	Demolition/extension of hotel for additional guest rooms  Adelphi Hotel, Main Street, Portrush  <b>LA01/2017/0251/F</b>	24/04/2018	NOP to refuse issued 30 Sept 2020. Council and applicant now have 28 days in which they can request a hearing before the PAC.	✓			✓	✓					
10	As above  <b>LA01/2017/0250/LBC</b>	24/04/2018	As above				✓	✓					
11	Retention/refurbishing/restoration  Londonderry Arms Hotel, 39/41 Main Street, Portrush  <b>LA01/2017/0689/F</b>	29/08/2019	Ongoing				✓	✓					
12	As above  <b>LA01/2018/0446/LBC</b>	29/08/2019	As above				✓	✓					
13	Extension of industrial estate & new access Lurgan Road, Moira  <b>LA05/2015/0342/O</b>	31/10/2019	Application withdrawn 29/07/2020					✓					
14	33kV Connection between Strabane Substation & Curraghinalt mine  <b>LA10/2019/1386/F</b>	24/12/2019	Potential EIA application, and Regulation 12 screening ongoing  Linked to goldmine application	✓				✓	✓		✓		
15	33kV Connection between Strabane	24/12/2019	As above	✓				✓	✓		✓		

Strategic Planning Directorate (SPD) Casework – As at 1 October 2020

	Substation & Curraghinalt mine <b>LA11/2019/1000/F</b>												
16	Chancery House, 88 Victoria Street, Belfast <b>LA04/2019/2653/F</b>	29/06/2020	Under initial assessment										

Public Inquiry/Hearing before the PAC

	Proposal / Location	Date Received	Stage of the application	Issues contributing to length of processing timescales									
				Validation / Fee Issues	ES Submitted	FEI Required	Amended Plans or Information	Consultation Delays	Significant / Complex Issues	PAC hearing or Public Inquiry	Legal Issues	Original decision quashed by Courts	Associated / Related Enforcement case
1	Gruggandoo wind farm South west of 40 Mullaghgariff Road, Newry <b>P/2015/0218/F</b>	30/03/2015	The application has been ready to determine on a number of occasions but the applicant has submitted more information or further reduced the scheme each time. Further amendment and consolidated ES received March 2020 under consideration.		✓	✓	✓	✓		✓			
2	Solar Farm	12/06/2015	Councils requested Hearing before the PAC.		✓	✓	✓	✓		✓			



Strategic Planning Directorate (SPD) Casework – As at 1 October 2020

	Whappstown Road, Kells, Co Antrim <b>LA03/2015/0234/F</b>		Hearing (May 2020) postponed due to Covid- 19. New hearing dates awaited.										
<b>3</b>	Extraction/working of sand and gravel <b>LA03/2017/0310/F</b>	16/03/2017	Decision to approve announced 01 October 2020. Final decision to issue when the Section 76 Planning Agreement with the applicant and relevant parties has been satisfactorily concluded.		✓	✓	✓	✓	✓	✓	✓		✓
<b>4</b>	11 turbine wind farm 3 KM west of Swatragh, accessed off the Corlacky Road <b>LA09/2016/0232/F</b>	18/02/2016	Hearing concluded 24/10/2019. PAC report received 22/01/2020 and under consideration		✓	✓	✓	✓		✓			
<b>5</b>	33 turbine wind farm with sub-station & grid connection Doraville, west of Draperstown, Co Tyrone <b>LA10/2015/0292/F</b>	30/06/2015	Public Inquiry concluded 11/09/2019. PAC report received 20/02/2020. Ministerial decision to be confirmed shortly.		✓	✓	✓	✓		✓			

Strategic Planning Directorate (SPD) Casework – As at 1 October 2020

Applications for demolition consent (Conservation Area Consent)

	Proposal / Location	Date received	Stage of the application	Issues contributing to length of processing timescales									
				Validation / Fee Issues	ES Submitted	FEI Required	Amended Plans or Information	Consultation Delays	Significant / Complex Issues Arising from Consultations	PAC hearing or Public Inquiry	Legal Issues	Original decision quashed by Courts	Associated / Related Enforcement case
1	Demolition/replacement of 2 foot-bridges Dromore town park, Banbridge Road, Dromore, Co Down  <b>LA08/2016/0676/DCA</b>	23/05/2016	Await planning application progression by council before DCA progression				✓	✓					
2	Extensive demolition/rebuilding 16 The Square, Rostrevor  <b>LA07/2020/0510/DCA</b>	04/06/2020	Ongoing				✓	✓					