



Department for

Infrastructure

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**From the Permanent Secretary
Katrina Godfrey**

William Humphrey MBE MLA
Chairperson
Public Accounts Committee
Northern Ireland Assembly

Via email:
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Your reference:
Our reference: SCORR-0017-2022
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Dear Chair

**PUBLIC ACCOUNTS COMMITTEE: NIAO REPORT ON PLANNING IN
NORTHERN IRELAND**

Thank you for your letter dated 11 February seeking additional information following our attendance at the Public Accounts Committee on 10 February 2022.

The Committee has asked for further detail on numbers and percentages of applications approved across Northern Ireland and this has been set out at Annex 1. Similarly, updated statistical information on applications decided by planning committees that did not reflect the recommendation of the planning officers is attached at Annex 2.

The Committee has also asked about the roles and responsibilities of staff in the Department's two Planning Directorates and this is provided at Annex 3.

Finally, there have been some changes to the membership of the Planning Forum since my letter of 5 October 2020 and the latest information is provided at Annex 4 along with further information on the role and work programme of the forum.

I hope this information is helpful. Should the Committee require any further information or assistance, please let me know.

Yours sincerely

KATRINA GODFREY

Additional information for Public Accounts Committee: NIAO Report on Planning in Northern Ireland

Annex 1: It was stated that on average 12,500 planning applications are processed across all council areas each year in Northern Ireland, how many of these applications are approved each year?

Planning applications¹ decided, approved and withdrawn in Northern Ireland

Year	Applications decided ³	Applications approved ⁴	Approval rate ⁴	Applications withdrawn	Applications processed ⁵
2015/16	11,034	10,341	93.7%	463	11,497
2016/17	12,957	12,180	94.0%	657	13,614
2017/18	12,314	11,548	93.8%	625	12,939
2018/19	12,156	11,330	93.2%	629	12,785
2019/20	11,747	11,044	94.0%	554	12,301
2020/21	10,483	10,029	95.7%	504	10,987
Apr-Sep 2021 ²	6,716	6,389	95.1%	306	7,022

Source: NI Planning Portal

Notes:

- 1 Numbers of applications refer to all of Northern Ireland, including Departmental applications.
- 2 Estimates for April-September 2021 are provisional and will be subject to revision.
- 3 Applications decided do not include withdrawn applications. Applications decided have had a decision issued.
- 4 The number and per cent of applications approved is based on the number of decisions issued in the same time period.
- 5 The number of applications processed includes the number of applications with decisions issued and the number withdrawn.

Annex 2: Please provide updated figures of applications which have been 'overturned' for each council area.

2020/21	Number of applications decided by planning committee	Number of applications decided by planning committee against officer recommendation	Percentage of committee decisions made against officer recommendation
Northern Ireland	756	105	13.9%
Antrim and Newtownabbey	49	4	8.2%
Ards and North Down	60	1	1.7%
Armagh Banbridge and Craigavon	52	1	1.9%
Belfast	79	3	3.8%
Causeway Coast and Glens	77	18	23.4%
Derry and Strabane	75	27	36.0%
Fermanagh and Omagh	44	13	29.5%
Lisburn and Castlereagh	57	4	7.0%
Mid and East Antrim	19	1	5.3%
Mid Ulster	162	4	2.5%
Newry Mourne and Down	82	29	35.4%

Information extracted from the Planning Monitoring Framework 2020/21– Indicator 5

<https://www.infrastructure-ni.gov.uk/publications/northern-ireland-planning-monitoring-framework-202021>

Annex 3: Please provide details of the roles and responsibilities of the 80 staff employed in the two Planning Directorates.

(Note: details are expressed in full-time equivalents (FTE)).

Angus Kerr, Chief Planner and Director of Regional Planning Directorate (RPD)

Grade 5 + PS (2 Full Time Equivalent (FTE))

Within RPD, the key roles & responsibilities include:

Planning Policy, Legislation and Regional Planning (15.3 FTE)

The team is responsible for updating the legislative framework to ensure that it remains fit for purpose and for providing professional planning advice on matters of particular relevance to the implementation of the Strategic Planning Policy Statement (the SPPS). They also support the work of other NICS Departments, such as DfE (Energy Strategy, Telecoms and Geothermal); DFC (Housing, Regeneration, MAG), DoF (Building regulations) and DAERA. The team is also responsible for implementation and monitoring of the RDS and working in partnership with the Rathlin Island community to implement the Rathlin Island Policy & Action Plan.

Environmental Governance (5 FTE)

The team is responsible for the development and implementation of the Environmental Governance Work Programme which has a particular focus on supporting effective environmental impact assessment (EIA).

Performance (4.4 FTE)

The team works with key stakeholders on the Planning Monitoring Framework. It also leads on the work of the cross-government Planning Forum and works with councils through the Strategic Planning Group, comprising all council heads of planning which meets on a regular basis to advise heads of planning of any strategic policy issues and to listen to concerns affecting local planning authorities.

Notifications / Call Ins & Practice Notes (5 FTE)

The team is responsible for the assessment of planning applications notified to the Department by councils to determine if they raise matters of such regional or sub regional significance as to merit 'call in' for further processing and determination by the Department. Notifications are the legislative requirement that is placed upon councils for certain applications for major development and 'council own' applications for development, and for certain applications for works to listed buildings and all applications for demolition in conservation areas.

New Planning IT System Project Team (10.3 FTE)

The Department and Local Government are working collectively to replace the Northern Ireland Planning Portal with a new shared regional Planning IT System which is expected to be rolled out this summer.

Alistair Beggs, Director of Strategic Planning Directorate

Grade 5 + PS (2 FTE)

Within SPD, the key responsibilities include:

Plan Oversight (9.6 FTE)

Plan Oversight team co-ordinate the formal representations and manage the Departmental Local Development Plan (LDP) steering group to discuss each stage of the LDP process. The Department has specific oversight responsibilities in relation to councils' LDPs. These are prescribed in the Planning Act 2011 and include agreeing a councils' Statement of Community Involvement and agreeing their LDP timetable. Plan Oversight informally also provides guidance and response to councils working on plan preparation before publication of draft Plan Strategies.

Casework (9.4 FTE)

The Casework team is responsible for processing regionally significant planning applications submitted under Section 26 of the Planning Act (NI) 2011 ('the Act') and planning applications 'called in' from councils under Section 29 of the Act.

Casework also deals with a range of other applications including applications under Section 54 of the Act for the development of land without complying with conditions; applications for further consent, agreement or approval of the application; and applications for the discharge of a planning condition of the application

Other work areas include dealing with and providing consultation on planning proposals with transboundary impacts; making determinations on whether proposals fall to be considered as regionally significant; the exercising of enforcement powers; drafting of and monitoring compliance with planning agreements and dealing with any requests to modify planning agreements. Casework also facilitates pre application discussions with prospective applicants, as well as processing screening and scoping requests to determine whether an application should be accompanied by an Environmental Statement.

Crumlin Road Gaol and St Lucia (3.4 FTE)

SPD is responsible for the promotion and regeneration of the Crumlin Road Gaol site. DfI is also continuing to explore options with key stakeholders including with Department for Communities for the regeneration and future use of the St Lucia site so that it can be brought back into active use.

Business Support Team (7.3 FTE)

The team provides administrative support across Planning Group including casework support, correspondence coordination, finance, H&S, complaints and Land Development charges.

Annex 4: Please provide details of the Planning forum – who sits on this, how often do they meet and what are their current and future action plan/objectives?

The Planning Forum membership is made up of the main statutory consultees and 3 Heads of Planning representing local government. The Planning Forum members are as follows:

- Julie Thompson (Deputy Secretary) Planning, Safety and Transport Policy Group, DfI (Chair)
- Angus Kerr (Chief Planner & Director of Regional Planning) DfI Planning
- Alistair Beggs (Director of Strategic Planning) DfI Planning
- Iain Greenway (Director - DfC Historic Environment Division)
- Helen Anderson (Director - DAERA)
- Conor Loughrey (Director of Network Services - DfI)
- Jonathan McKee (Director of Rivers) - DfI
- Dr Steve Blockwell (Director) NI Water
- Marie Cowan (Director, Geological Survey of Northern Ireland, DfE)
- Elma Newberry (Assistant Director, Land & Regeneration Services, NIHE)
- John Ahern (Inspector, Health & Safety Executive NI)
- Ed Baker (Belfast City Council)
- Damian Mulligan (Armagh City, Banbridge and Craigavon Borough Council – on behalf of SOLACE)
- Maura Fox (Derry City and Strabane District Council – on behalf of SOLACE)

The Forum meets broadly on a quarterly basis since its inception in Dec 2019. The Forum has developed a work programme involving circa 30 key actions, with additional actions being added over time, and in total 19 have been completed with the remainder expected to be completed in 2022. An overview table of actions completed / to be completed (at January 2022) is attached below for information.

The purpose of the Planning Forum is to help improve the efficiency and effectiveness of the planning system by agreeing, prioritising and

overseeing/monitoring the implementation of recommendations and actions which emerged from the report into the role of statutory consultees in the planning process. Measures taken and actions completed to date include:

- Working with departmental statisticians to better monitor and understand the performance of statutory consultees. Quarterly and annual statistical reports are now publicly available on the DfI website.
- Statutory consultees have reviewed their approach to progressing consultation responses to major planning applications to ensure they are targeted and proportionate and that they have sufficient resources. They have also reviewed their online information and advice, and explored other ways to improve performance.
- New guidance around the basic principles of consultation has been developed and issued to reduce over-consultation in the system. Further guidance has also been developed around the use of extensions (in exceptional circumstances) for statutory consultees when it is recognised that due to complexities it would not be possible for consultees to meet the 21 day target.
- Ensuring that the requirements for effective monitoring and reporting of statutory consultations have been included within the specification for the new regional IT system.
- Training on Environmental Impact Assessment is being developed for key statutory consultees which is intended to support and enhance their key role in the process and improve both quality and speed of approach.

It is intended that new actions will be identified and the work of the Forum will continue going forward in support of a continuous improvement agenda and will be linked to the outcomes of the Review of the Planning Act and the findings from the PAC report.



Planning Forum Action Update – February 2022

Actions to be completed		
Ref No. to Forum / Sub-Group Action Plan	Action	Update
3 FAP7b	Statutory consultees to review their resource requirements against workloads	Statutory consultees have responded to a request for resources update. Minister met with DoF Minister to discuss need for resources as part of Budget considerations. Letter to Perm Secs from Katrina has issued. Continue to monitor resources going forward.
9 FAP10	Review Dfl's approach to transport assessments (TAs), drawing in appropriate stakeholders and including an analysis of resource requirements.	Dfl Roads Consultancy Services team has identified the additional resource that would be required to reduce response times for dealing with transport assessments (from 6 to 3 weeks). Will be considered as part of budget discussions. Roads to continue to update Forum.
12 SGAP7	Produce a report for discussion/agreement with the Forum on which 'non-planning' elements should be considered for removal from the planning system. Implement any agreed recommendations.	Paper issued to members in relation to 3 of the 'matters' raised by local government for discussion at December meeting. Following December meeting: <ul style="list-style-type: none"> - Council reps asked to provide examples and potential solutions for the 3 matters set out in the paper. - Council reps asked to meet with NIW to discuss a number of issues and report back to Forum. - Roads to consider and feed back in relation to PSDs & TAS approvals. - Council reps to consider and feed back on PSDs. The remaining matters are being considered, pending further information and meetings.
21 SGAP5	Build capacity and capability in the system through targeted training.	DAERA had advised that councils need to indicate what training they require. Knowledge sharing may be appropriate. As an example, DAERA held an information session about single dwellings, attended by 140 planners.
22 SGAP3	Review existing PAD process and identify/agree/implement improvements in practice between planning authorities and statutory consultees. Include how to enforce compliance with	Discussion paper presented at December meeting has been circulated with feedback requested. Work shop approach agreed at the meeting to determine next steps.

Planning Forum Action Update – February 2022

	PAD advice. Consider producing an updated practice note to support.	
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Actions reliant on other processes and decisions		
Ref No. to Forum/ Sub-Group Action Plan	Action	Update
1 FAP1	Review proposals for outcomes within the draft PfG 2020/21 in relation to planning	This action will be kept under review during the next stages of the PfG process to ensure that the importance of Planning - as a vital cross cutting, multi-sectoral enabling process - is recognised in so far as possible.
4 FAP5	'Subject to Ministerial Approval' - Implement legislative change to introduce statutory local validation check lists (following consideration of BCC pilot review report).	This action is being taken forward through the recommendations following the review of the implementation of the Planning Act.
5	'Subject to Ministerial Approval' - Implement legislative change to prevent the late submission of information with an application (when the council has resolved to take a decision based on the information previously submitted).	This action is being taken forward through the recommendations following the review of the implementation of the Planning Act.
8 FAP8	Consider making the NIW pre-development enquiry (PDE) process mandatory through future Water legislation.	NIW and DfI Water policy to explore future potential options for legislative change in the next mandate.
10 FAP11	Explore further the potential use of the transport model for the assessment of major planning applications.	<p>The Department is in the initial stages of procuring a Managed Services Framework for transport planning and modelling services which would include for the construction of the transport model and the fore-running tasks of data collection. The validity of any data needs to be assessed following COVID pandemic.</p> <p>Roads to continue to provide updates to the Forum.</p>

Planning Forum Action Update – February 2022

15 FAP9	Take forward a commission to measure the public value of the planning system.	<p>Work deferred pending outcome of work on PfG.</p> <p>Previous research reports have been produced through the RTPI in 2014. It was agreed at the December meeting that this action would be kept in the background and potentially revisited at a later stage, after other issues have been addressed.</p>
18 SGAP6	Establish workshops to rectify the common mistakes arising from information/evidence submitted.	It is recognised that this action should await the outcome of the validation checklist legislative process; however, some councils have confirmed their intention to make preparations in advance, including engagement with applicants/agents.

Completed Actions				
No.	Internal Action Ref.	Recommendation	Action Owner	Completion Date
1		Set up Planning Forum	Dfl	Dec-19
2		Appoint a SRO in Dfl to provide strategic oversight	Dfl	Dec-19
3		Complete a joint workshop to review council practice on consultation requests (necessity, timing, information etc.); and implement subsequent actions/measures.	Dfl	Nov-20
4		Carry out an urgent review of staff structures and staff numbers in Dfl Rivers against current workloads.	Dfl	Nov-20
5		IT capability should be reviewed as soon as possible (e.g. flood risk modelling).	Dfl	Nov-20
6	FAP2	Ensure the new planning IT system allows for effective monitoring and reporting of statutory consultee responses.	Dfl	Nov-20
7	SGAP8	Ensure capacity issues in Shared Environmental Services, an essential element on the critical path of planning processes, are addressed.	Local Gov/Dfl	Mar-21
8	FAP3a	Explore delegating road safety assessments of access standards to councils	Dfl	Jun-21
9	FAP6a	Review online and published information currently available to applicants and consider potential gaps	Statutory consultees	Jun-21

Planning Forum Action Update – February 2022

Completed Actions				
No.	Internal Action Ref.	Recommendation	Action Owner	Completion Date
		and the resources required to plug these gaps.		
10	FAP6b	Identify necessary guidance and place it in a suitably structured way onto the Planning Portal, with links to consultee websites.	Dfl	Jun-21
11	FAP13	Improve and cleanse the data in the system to ensure annual and quarterly reporting for consultee responses is accurate.	Dfl	Jun-21
12	SGAP2	Consider more proactive collaboration between planning authorities and statutory consultees to assess and expedite the processing of major or economically sensitive applications.	Planning authorities/ statutory consultees	Aug-21
13	FAP3b	Consider the benefits of embedding roads engineer within council planning teams.	Dfl	Sep-21
14	FAP4	Consider a wider rollout of Dfl training proposals on environmental compliance to the wider stakeholder community.	Dfl/ statutory consultees	Sep-21
15		Issue guidance on the use of 'extensions to the 21 day duty to respond'.	Dfl	Oct-21
16	FAP7a	Consultee bodies to review their approach to case management to ensure responses are targeted and proportionate.	Statutory consultees	Dec-21
17	SGAP4	Produce a protocol for statutory consultees which sets out in writing what involvement/support is required from them to support an effective and efficient planning system.	Dfl	Dec-21
18	SGAP1	Review current practices to ensure all consultation requests are correctly and absolutely necessary, particularly to ensure that consultation requests are not forwarded to statutory consultees until sufficient evidence and information has been provided by the applicant.	Planning authorities	Dec-21
19	FAP8	Consider making the NIW pre-development enquiry (PDE) process mandatory. This action as stands is now closed and a new action has been created to explore future legislative options in the next mandate.	NIW	Dec-21