

22/05/2026

Committee for Infrastructure

By email only: Committee.Infrastructure@niassembly.gov.uk

Dear Committee Members,

Review of Planning Decisions for Regionally Significant Projects

Mid and East Antrim Borough Council welcomes the opportunity to provide input to the Committee's review of planning decisions for Regionally Significant Projects (RSPs), including the impact of Judicial Reviews (JRs) and whilst the timelines associated with your request did not allow full consultation with elected members and committee ratification, the Planning Department would comment as follows:

1. Effectiveness and Timeliness of Planning Decisions for Regionally Significant Projects

Regionally Significant Projects are essential to supporting economic growth, infrastructure delivery, and investment across Northern Ireland, including within Mid and East Antrim.

There are several practical challenges which impact both effectiveness and timeliness:

- The scale and complexity of RSP applications, particularly those requiring Environmental Impact Assessment and Habitats Regulations Assessment, can result in lengthy preparation and assessment periods.
- Resource pressures remain a significant issue across the planning system, including within councils, the Department for Infrastructure, and statutory consultees. This can affect the ability to process applications efficiently.
- Delays in receiving consultation responses, particularly where specialist input is required, are a recurring issue and can significantly extend overall determination times.
- The centralised determination of RSPs by the Department for Infrastructure ensures regional consistency but can introduce additional stages in the process which impact overall timeliness.

Overall, the system does not consistently deliver timely decisions.

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2. Judicial Reviews of Planning Decisions on Major Capital Projects

It is recognised that Judicial Review plays an important role in ensuring accountability, transparency, and legal compliance in planning decisions.

However, the impact of Judicial Reviews on major capital projects is significant:

- JR proceedings can introduce substantial delays to project delivery, often for extended periods, creating uncertainty for developers, investors, and local communities.
- The potential for legal challenge can lead to a more cautious and risk-averse approach in decision-making, which may lengthen already complex processes.
- Many challenges arise from procedural matters, particularly around consultation, environmental assessment, and policy interpretation. This highlights the importance of clear and robust processes.
- Defending Judicial Reviews places considerable demands on public sector resources, including legal and officer time.

While access to Judicial Review is a fundamental safeguard, there is a need to ensure that the process operates proportionately and does not unduly delay the delivery of important infrastructure.

3. How Planning Decisions for Regionally Significant Projects Can Be Improved

It is considered that a number of practical measures could improve the current system:

- Increased resourcing across the planning system, including within councils, DfI, and statutory consultees, particularly in specialist technical areas.
- Reform of the Local Development Plan Process to allow the timelier production of Local Development Plans.
- The introduction of clearer expectations and, where appropriate, statutory timeframes for consultees to respond, alongside improved accountability.
- Continued development of clear, up-to-date, and regionally consistent planning policy to reduce ambiguity and minimise grounds for challenge.
- Strengthening early engagement with communities and stakeholders to identify and address issues at an earlier stage.
- Consideration of reforms to the Judicial Review process in planning cases, including measures to discourage unmeritorious challenges and to ensure timely resolution of cases.

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- Central Government action to resolve issues with the wastewater infrastructure in Northern Ireland.

In summary, there are clear opportunities to improve efficiency, resourcing, and certainty.

Addressing these issues will be critical to ensuring that significant infrastructure and investment projects can be delivered in a timely manner, while maintaining robust environmental and procedural safeguards.

Mid and East Antrim Borough Council would welcome continued engagement with the Committee as part of this review.

Yours sincerely,



Kyle Patterson

Acting Head of Planning and Building Control

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