
PLANNING

1 April 2022 – 31 March 2023

Head of Service signature	Ann McCullough
Date	Click or tap to enter a date.
Peer Review signature	Clare McGill
Date	23/03/2021
Director signature	<i>Susie McCullough</i>
Date	24/03/2022

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1. Introduction

Name of Service	Planning
Included Service Units	Development Management Development Plan and Policy Planning Enforcement
Directorate	Regeneration, Development and Planning
Purpose of Service	The objective of the planning system, consistent with Part 1, Section 1, of The Planning Act (Northern Ireland) 2011, is to secure the orderly and consistent development of land whilst furthering sustainable development and improving well-being. This means the planning system should positively and proactively facilitate development that contributes to a more socially, economically and environmentally sustainable Northern Ireland. The Council, as a planning authority, should therefore simultaneously pursue social and economic priorities alongside the careful management of our built and natural environment for the overall benefit of our society. This will be achieved through the various functions of Development Management, Development Plan and Policy, and Planning Enforcement.
Key customers/ stakeholders and their needs	<p>Residents:</p> <ul style="list-style-type: none"> • <i>Positive place making that is not detrimental to socio, economic and environmental factors;</i> • <i>Quality decisions on planning applications in a timely fashion;</i> • <i>Delivery of a Local Development Plan to provide for the needs of the Borough over the next 15 years;</i> • <i>Effective enforcement of breaches of planning control so that the integrity of the planning system is not undermined</i> <p>Business sectors and investors & Other Council Service Units</p> <ul style="list-style-type: none"> • <i>Proactive Planning Service which reacts positively and in a timely fashion – enabling sustainable development</i> <p>Elected Members</p> <ul style="list-style-type: none"> • <i>Timely and professional planning recommendations on planning proposals</i> • <i>Preparation of a Local Development Plan for the Borough to guide future use of land and inform developers, members of the general public, communities, government, public bodies, representative organisations, and other interested parties of the policy framework that is used to determine development proposals</i> • <i>Effective enforcement of breaches of planning control so that integrity of the planning system is not undermined</i>
Context, challenges & key assumptions	<p>The Council is responsible for the majority of planning powers as set out within The Planning Act (NI) 2011.</p> <p>The majority of decisions on planning applications are delegated to the Head of Planning, with the Planning Committee, comprising of 16 elected members, determining major and other specific applications as detailed within the Planning Scheme of Delegation.</p> <p>The Council is responsible for publishing a Local Development Plan which will guide the future use of land within the Borough and inform developers, members</p>

of the public, communities, government, public bodies, representative organisations, and other interested parties of the policy framework that will be used to determine development proposals.

Effective **enforcement of breaches of planning control** is essential to ensure the credibility of the planning system is not undermined. Under The Planning Act (NI) 2011 the Council has a general discretion to take enforcement action when it regards it as expedient to do so, having regard to the provisions of the Local Development Plan and any other material considerations. In exercising this discretion, the Council is aware of its statutory duty to enforce planning legislation and to ensure that development is managed in a consistent, proactive and proportionate manner. The Council will use the full range of available powers to ensure enforcement action is effective, speedy and appropriate.

Refer to **Appendix 1** for expected changes, challenges and assumptions relating to service delivery over the coming year(s).

Reflection on previous performance – successes and lessons learned

2020/2021

	<i>Applications Received</i>	<i>Applications Decided / Withdrawn</i>	<i>Processing Time</i>
<i>Majors</i>	9	9	<i>57 weeks (against 30 week target)</i>
<i>Locals</i>	1,000	833	<i>16.8 weeks (against 15 week target)</i>
<i>Enforcement</i>	<i>295 cases opened</i>	<i>150 cases concluded</i>	<i>62% concluded in 39 weeks (against 70% target)</i>

2021/2022 (April 2021 – February 2022)

	<i>Applications Received</i>	<i>Applications Decided / Withdrawn</i>	<i>Processing Time</i>
<i>Majors</i>	5	7	<i>98.4 weeks (against 30 week target)</i>
<i>Locals</i>	984	987	<i>21.8 weeks (against 15 week target)</i>
<i>Enforcement</i>	<i>336 cases opened</i>	<i>346 cases concluded</i>	<i>38.7% concluded in 39 weeks (against 70% target)</i>

As a consequence of COVID, enforcement was temporarily suspended (with exception of Priority 1 cases and those approaching immunity) for the first three quarters of 2020/2021 with resources diverted to Development Management to assist with processing of applications to assist in economic recovery. This resulted in a significant backlog of enforcement cases into 2021/22 year, however the team are working diligently to process these cases as expediently as possible. There has been a significant effort to reduce older legacy cases 3 + years old, with a significant number of these being closed in 21/22 year, which has resulted unfortunately in a short-term effect on the processing target. We are continuing to work through our backlog and for the first time since October 2020 our numbers are below 500 cases.

Working from home has also impacted case processing within Development Management, with the average processing time increasing slightly. Householder developments continue to be processed by a dedicated team with an internal processing time target of 8 weeks. By Q3 of 2021/22 50% of householder decisions were issued within 8 weeks and 97.5% within 15 weeks. Vacancies and redeployment of staff from other sections has contributed to decrease in meeting internal targets.

Whilst the processing times for majors has been decreasing in recent years, 2021/22 saw a slight increase from the previous year. It is anticipated that the introduction of the Good Practice Guide with associated Application Checklists will assist in contributing to improved processing times, however, much remains dependent on quality of applications being submitted and resource implications of statutory consultees.

Reducing the number of changes that can be made to a planning application under one planning fee will assist in delivering more timely decisions and assist in ensuring that proposals that fail to comply with policy are rejected at an early stage in the process.

2. How does our Service contribute to community planning outcomes and PEOPLE priorities?

The *Planning Service* can be expected to have a direct impact on the following:

Community Planning Outcome	PEOPLE priority	Our focus for 2022/2023
All people in AND enjoy good health and wellbeing	To enable all people in AND to enjoy good health and wellbeing we will support the physical and mental wellbeing of our residents through access to services, facilities and partnerships	When plan-making and decision-taking we will contribute positively to health and wellbeing through: <ul style="list-style-type: none"> • Safeguarding and facilitating quality open space, sport and outdoor recreation; • Provide for safe and age-friendly environments; • Encourage and support quality, environmentally sustainable design; • Better connect communities with safe pedestrian environments; • Better integrate land-use planning and transport; • Facilitate the protection and provision of green and blue infrastructure; • Support the provision of jobs, services and economic growth; • Support the delivery of homes to meet the full range of housing needs, contributing to balanced communities; • Support broader government policy aimed at addressing for example, obesity, and health and wellbeing impacts arising through pollution.
All people in AND feel pride from having access to a well-managed sustainable environment	To enable all people in AND to feel pride from having access to a well-managed, sustainable environment we will provide a clean, attractive, environmentally responsible place	
All people in AND benefit from a prosperous economy	To enable people in AND to benefit from a prosperous economy we will create the conditions for businesses to start, grow and thrive, provide opportunities for employment and be sustainable	

3. Key activities for 2022/2023

SERVICE:	Planning
Community Plan Outcome:	Outcomes 2, 3, 4 and 5
Corporate Plan PEOPLE priority(ies):	Prosperity – Growing our economy; Environment – Growing a cleaner, greener, local and global environment; Life – Growing the health and wellbeing of our residents; Excellence – Growing a high-performing council;
Council KPI(s):	N/A
Service Objective:	Meeting the Schedule 3 Planning Indicators of the Local Government (Performance Indicators and Standards) Order (Northern Ireland) 2015 Achieve at least 95% spend against budget
What difference will it make?	Secure the orderly and consistent development of land whilst furthering sustainable development; Attract local investment
Underpinning strategies:	The Strategic Planning Policy Statement for Northern Ireland and the Regional Development Strategy 2035

Business as Usual activities we will deliver in 2022/2023 (actions)	Due Date	Lead Officer(s)	Who do we need to help us? (Internal/External partners)
Process local development applications from date valid to decision within average processing time of 15 weeks	Ongoing	Service Unit Manager for Development Management	Applicants/agents, statutory and non-statutory consultees and Planning Committee
Process major development applications from date valid to decision within average of 30 weeks	Ongoing	Service Unit Manager for Development Management	Applicants/agents, statutory and non-statutory consultees and Planning Committee
Process householder applications from date valid to decision against internal performance target of 8 weeks average processing time	Ongoing	Service Unit Manager for Development Management	Applicants/agents, statutory and non-statutory consultees and Planning Committee
Investigate and take proportionate and appropriate enforcement action against alleged breaches of planning control within 70% within 39 weeks conclusion target	Ongoing	Service Unit Manager for Planning Enforcement	Applicants/agents, residents and Building Control

Business as Usual activities we will deliver in 2022/2023 (actions)	Due Date	Lead Officer(s)	Who do we need to help us? (Internal/External partners)
Preparation of draft Plan Strategy as first document in Local Development Plan	Ongoing in line with agreed LDP Timetable to be agreed by Planning Committee and Council and approved by DFI (Note DFI has indicated a 6month discretion with indicative dates)	Service Unit Manager for Development Plan and Policy	Statutory and non-statutory consultees, elected members and officers and residents (feedback to POP)
Carry out Health and Condition Surveys of historical Tree Preservation Orders served by DOE	Ongoing	Service Unit Manager for Planning Enforcement	Arboriculturalist /Tree Officer
Measure performance against operating budget	Ongoing	Head of Service and Service Unit Managers	Finance and Performance Improvement input and elected member support
Deliver service in line with established procedures and processes	Ongoing	Head of Service and Service Unit Managers	Performance Improvement

Service Development / Improvement					
What service development/improvement will we undertake in 2022/2023	Which of the specified aspects will this improve?	Rationale	Due Date	Lead Officer(s)	Who do we need to help us? (Internal/External partners)
AND, alongside 9 other Councils and the Department for Infrastructure, has agreed to award a contract to replace the NI Planning Portal system; the project is well underway and in its design and configuration stage	Innovation, service quality, service availability, efficiency and innovation	Required to replace a defunct system which will no longer have software support towards end of 2021/22. Will tie in with new two-tier planning system and supporting legislation.	Circa August 2022	Head of Service	Individual planning staff as Service Matter Experts for configuration; Planning Portal Governance Board; Finance Service and Business Technology
Continue to work alongside Department for Infrastructure to identify improvements to the planning system through review of the implementation of the Planning Act, NIAO recommendations and contribution of consultees to the planning system	Service Quality, and efficiency	To contribute to more efficient planning system with properly resourced consultees to provide timely consultation responses on planning applications	Ongoing	Head of Service and Service Unit Managers	DFI and statutory consultees

Service activities being stopped / changed:					
What service / activities will we be stopping / changing in 2022/2023	Reason for stopping / changing activity	Savings	Impact on Performance	Impact on the Public	Impact on staffing
N/A					

Performance Measures:

Performance Measures (should include those for the Business as Usual and Service Improvement actions outlined above and relevant measures from Community, Corporate and Statutory)	Is the measure Statutory, Corporate, Existing or New?	Reporting frequency	2015/16 Actual	2016/17 Actual	2017/18 Actual	2018/19 Actual	2019/20 Actual	2020/21	2021/22 (to Feb 22)	2022/23
Process local development applications in 15 weeks	Existing	Quarterly	21.2 weeks	20.2 weeks	17.2 weeks	15.6 weeks	15.8 weeks	16.8 weeks	21.8 weeks	15 weeks
Process major development applications in 30 weeks	Existing	Quarterly	51.8 weeks	37.6 weeks	53.0 weeks	151 weeks	97 weeks	57 weeks	98.4 weeks	30 weeks
Process householder applications within 8 weeks	Existing	Annually	-	-	53%	40%	42%	37%	50%	75%
Investigate and take proportionate and appropriate enforcement action against alleged breaches of planning control – conclude 70% of cases within 39 weeks	Existing	Quarterly	82%	77.7%	73.6%	76.9%	81.1%	62%	38.7%	70%
% spend against budget	Existing	Quarterly	90%	94.07%	95%	99.6%	97.3%	76.5%	77.3%	>95%
% Staff Attendance	Existing	Quarterly	-	92.93%	95%	91.64%	94.47%	96.8%	96.54%	>95%
% staff reporting regular briefing updates	Existing	Quarterly	-	100%	100%	100%	100%	100%	100%	100%
% PIP conversations concluded	Existing	Annually	-	99%	99%	99%	99%	-	tbc	95%
% Audit Reports Satisfactory	Existing	Annually	-	100%	-	100%	-	100%	100%	100%
Appeals against refusal of planning permission dismissed by PAC	Existing	Annually	78%	67%	100%	56%	83%	87%	75%	>60%

4. Risks

Ref:	Risk Description	Gross Risk			Current controls	Residual Risk			Risk Status	Further Action Required	Action Due by	Risk Owner	Notes to explain rationale for scoring, etc.
		I	L	R		I	L	R	Tolerate / Action				
CR7	Lack of resource/capacity in statutory consultees – impact on quality of responses and targets	Major	Probable	High	Being addressed through DFI and Council Planning Forum	Major	Possible	Medium	Tolerate	NIAO Actions to be taken forward by Dfl / Councils		Head of Planning and Service Unit Manager	
CR12	Failure to secure technical support for current NIPP whilst new system under development	Major	Probable	High	Ongoing engagement with DFI and DXC (service provider) through Planning Portal Governance Board	Major	Possible	Medium	Tolerate	Subject to ongoing review		Head of Planning	AND to be in second tranche to go live with new system – absolutely vital support in place regarding transfer to new system from existing
CR21	Significant impact on service delivery as consequence of resource redirected to assist in configuration/ development of NIPP replacement	Major	Probable	High	Ongoing engagement with DFI Project Team and TerraQuest	Major	Possible	Medium	Tolerate	Requires close scrutiny and appropriate timetabling to ensure resilience built in to existing staffing but with appropriate resource dedicated to assist as required	Ongoing	Head of Planning and Service Unit Managers and Business Support Officer	Subject Matter Experts required to input to ensure system delivers needs of AND

Ref:	Risk Description	Gross Risk			Current controls	Residual Risk			Risk Status	Further Action Required	Action Due by	Risk Owner	Notes to explain rationale for scoring, etc.
		I	L	R		I	L	R	Tolerate / Action				
CR10	Learning from Independent Examination into Belfast's draft Plan Strategy regards soundness	Major	Moderate	Medium	Ongoing engagement with DFI and BCC through LDP meetings and learning from IE	Major	Moderate	Medium	Action	Ongoing liaison and pressure on DFI to review current process and guidance	Ongoing	Head of Planning and Service Unit Manager	Outcome of BCC IE critical to how AND approaches its LDP
CR10	Discontinuance of Service Level Agreement with Shared Environmental Service to provide SA of draft Plan Strategy	Major	Moderate	Medium	Existing SLA in place and provided for Preferred Options Paper. Revised SLA proposed for remaining work beyond original agreed budgets	Major	Moderate	Medium	Action	Liaison with other affected councils and potential for group procurement/ review of alternative suppliers going forward	Ongoing	Head of Planning and Service Unit Manager	Critical to LDP process and required to be in place as an iterative process
CR14	COVID 19	Major	Moderate	Medium	Adherence to C19 H&S guidelines. Staff working from home where possible Risk assessment and rotas established to facilitate officers to work in offices to continue to provide service	Major	Moderate	Medium	Action	Ongoing monitoring and planning	Ongoing	Head of Planning and Service Unit Manager	Critical to ongoing service provision

5. Resources

Are all actions resourced within the current (2022/23) budget plan?	Yes
Will additional resources be required?	No
Additional monies required have been secured through Business Cases for consultancy studies/reports for the Local Development Plan, and arboriculturalist support for Health and Condition Surveys/Report regarding Tree Preservation Orders.	

6. Monitoring and Review

This Service Unit Plan will be reviewed on a quarterly basis as appropriate by the Head of Planning in liaison with the relevant Service Unit Managers and Business Support Officer.

7. Conclusions

The Planning Service will continue to strive to deliver an efficient service to residents and investors for the benefit of the Borough and assist economic recovery in the context of the national pandemic. The key targets referenced within this Plan are a means by which to measure this. Collaborative working with other Council Service Units will be essential to assist in delivering the outcomes from the Council's Integrated Strategy for Tourism, Regeneration and Economic Development, also Capital/Maintenance projects, and assist in economic recovery.

8. Appendices

See Appendix 1 for external issues and challenges in relation to service delivery

APPENDIX 1

Context, Changes, Challenges and associated Assumptions

Context

Planning is a transferred function, reformed from a unitary system to a new two tier system incorporating an overhauled suite of primary and subordinate legislation. The Council is responsible for the majority of planning decisions, preparation and publication of a Local Development Plan, and enforcement of breaches of planning control.

Anticipated Changes in coming years

- There will be many changes due to the impact of COVID-19 – from home working of our own staff, remote support delivery to applicants/agents to increased use of technologies.
- Increased pressure is expected in respect of development of the Local Development Plan in the context of the Council Corporate Plan and Big Plan as policies and proposals in current Departmental Development Plans continue to be applied to development decisions which may be at odds with the preferred direction of the Council.
- The Preferred Options Paper (first stage in the Local Development Plan process) has set out the key plan issues for the Borough and the Council's preferred options available to address them. Further to consultation on this and engagement with elected members on planning policy, the Council will prepare and publish its draft Plan Strategy, which will set out the Council's objectives in relation to the development and use of land in our Borough, and the strategic policies for the implementation of those objectives and other relevant matters. The Plan Strategy will be based on both the information gathered and also the public and stakeholder's responses to the POP. Ongoing issues with the LDP process have been highlighted by all councils with DFI in respect of delays and elements affecting timetabling out-with the legislative directions.
- Improvements are expected in the provision of services to the public and the developer through the introduction of a Good Working Practice Guide for applicants to encourage positive front loading of planning applications to enable significant proposals to be fast tracked as appropriate, promoting confidence for investors in the borough.
- Continued proactive enforcement of breaches of planning control will assist in promoting the Council's positive attitude to the planning process and its integrity in processes and procedures.

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- Introduction of new software - the NI Planning Portal (NIPP) system is used by the Department for Infrastructure, councils and the Regional Property Certificate Unit to process planning applications and consents, enforcement cases, property certificates, tree preservation orders etc. The system is used by the public, Departmental and council staff, planning agents, solicitors and consultees. There are almost 9,500 registered users in Public Access. The NIPP was developed over ten years ago when the Department was the single planning authority. While the system is still operational, it is reaching the end of its operational life and no longer meets all of the needs of users. A new system is currently under development by the Department and ten of the 11 councils as a joint venture and is expected to go live in stages from Spring/Summer 2022.
 - Adhering to a protocol for checking Building Control applications against planning approvals to advise of anomalies early in process and ensure retrospective applications submitted as appropriate, ensuring no undermining of the planning system.
 - Potential legislative changes to assist in the delivery of planning. The Department for Infrastructure alongside the 11 Councils has set out an Action Plan to improve the efficiency and effectiveness of the Planning System with particular regard to the role of statutory consultees. Key recommendations from an investigatory report are being carried forward via a Cross-Government Planning Forum to build capacity and capability in the planning system and to deliver and oversee continuous improvement in Development Management aspects of planning. That report has also emphasised the need for access to adequate resources for statutory consultees. Proposed legislative changes to address poor quality applications and enhance responsiveness of the planning authority will be vital in reinforcing Planning as a key enabler for the delivery of a range of outcomes at local government and regional level. This ties in with a Call for Evidence by the Department for Infrastructure in relation to the implementation of The Planning Act (Northern Ireland) 2011 since the date of transfer in April 2015.
 - The NIAO has also undertaken a fundamental review of the Northern Ireland Planning System, report published 1st February 2022. The report takes the opportunity to set out some of the current significant issues and subsequent impacts being experienced within the Northern Ireland planning system. The overarching message of the NIAO report is that the NI planning system is not working efficiently and, in many aspects, is failing to deliver for the economy, communities or the environment, with the report outlining a number of recommendations and key actions.

Future challenges

- In light of the national pandemic (COVID-19) the manner in which we deliver planning services on behalf of the Council has had to adapt in the context of home working and in ensuring that Planning is contributing to economic recovery. During 2020 in the period since initial lockdown (March 2020) Planning Enforcement staff were redeployed to assist in processing of

planning applications within Development Management. Only priority 1 enforcement cases were progressed within this time, resulting in a significant backlog within the service. Additionally, due to the nature of the business support for Planning, only certain activities can be progressed at home, therefore a rota system for administrative staff has been introduced to deal with physical working in the office in the context of PHA guidance on social distancing. The reduction in the number of administrative staff being able to work physically within the Church Street office has had an impact on processing of planning applications. This challenge will continue, particularly should restrictions remain in place over the coming year.

- We will need to adapt our working practices to support the Service Unit to carry out their roles effectively but also in the way we deliver support to the public/applicants and agents. We will need to ensure that our engagement meets needs and is accessible through technology or other means.
- To manage delivery of the development management (planning applications) function under the hierarchy of development for major and local applications within the associated timeframes of 15 weeks and 30 weeks respectively, with commitment from statutory and non-statutory consultees to assist in meeting statutory performance targets in the context of stretched resources, in terms of both staffing and fiscal challenges;
- Managing the risk associated with supporting the development and configuration of the replacement NI Planning Portal, in respect of the continued input of council Planning and admin staff into the configuration sprints and reliance on subject matter experts in terms of development, review and testing of various elements of the new system, which will need careful administration to ensure AND inputs fully whilst managing to deliver its Planning functions;
- Delivering planning (both through Development Management and Development Plan) in a difficult economic framework given the monetary constraints being experienced by major players, such as Northern Ireland Water in respect of sewerage capacity within NI and particularly our Borough, and DFI Roads in respect of physical infrastructure and public transport;
- Prioritisation of cases to ensure continued inward investment whilst ensuring good quality design and positive place making. Supporting work of other service areas within the Council such as Regeneration and Capital Projects and other Council projects within financial and time constraints. This will require joint working with other service units and ensuring early engagement with Planning;
- Supporting other service areas and Council partners in delivery of action plans stemming from the Council's Integrated Tourism, Regeneration and Economic Development Strategy. This will involve assisting in provision of pre application advice on submission of planning applications that support the outcomes from the Integrated Strategy, review of planning policy and guidance in the context of supporting Directorate functions; processing of

planning applications aligned with outcomes from the Strategy; and supporting the establishment of an Economic Forum through enabling development and positively supporting economic development for existing businesses in the borough, and supporting and encouraging investment;

- Supporting the Council's contribution to the Belfast Region City Deal to improve infrastructure in the region, develop innovation skills and attract more, and better, jobs, via input to economic assessment and appraisal of key projects, including potential development of an Innovation Hub, and key infrastructure projects;
- Carrying out a detailed review of the consultation responses to the Preferred Options Paper and ongoing engagement with elected members to review the 120+ current planning policies for inclusion within the draft Plan Strategy;
- Adhering to our Local Development Plan timetable in context of constantly evolving LDP process and input from the Department for Infrastructure and Planning Appeals Commission; (DFI officials have advised that there is a 6month discretion on dates indicated) The timetable is required to be updated in all circumstances throughout the LDP process.
- Supporting the Council in realising the overall development of the Bangor Waterfront Masterplan incorporating Queen's Parade as a key destination, subject to Belfast Region City Deal monies;
- Breaking down on internal silos to ensure each service unit is aware of the impact of Planning and therefore engages early in any project initiation/business case preparation to ensure realistic and deliverable targets are set;
- Resourcing a Development Plan team without adverse impact on staffing structure in the other critical planning areas of Development Management and Enforcement;
- Alignment of the spatial components of the Plan with the outcome of the Community Plan and the revised Housing Growth Indicators from the Department for Infrastructure's Regional Development Strategy (RDS);
- In the context of Enforcement, ensuring the Council is committed to securing enforcement objectives to ensure that the credibility and integrity of the planning system is not undermined. Additionally, undertaking scrutiny of Building Control applications (with appropriate resource) to ensure joined-up working to enable a proactive response to potential planning offences;
- Garnering support and implementing the good practice encompassed within the Application Checklists for applicants and developers to promote front loading of planning applications to enable expedition of planning proposals to positive quality outcomes.