Statement of Community Involvement

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Ards and North Down Borough Council

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Additional copies of the document can be downloaded from our website at www.ardsandnorthdown.gov.uk or requested via the postal address, email as above, or by telephone on 0300 013 3333.

This Statement of Community Involvement is not intended to be a source of definitive legal advice. Reference should be made to the actual legislation referred to in this statement and if any discrepancy exists the provisions of the legislation will prevail.

Should you require a copy of this document in an alternative format, it can be made available on request in large print, audio format, or Braille. It may also be made available in minority languages to meet the needs of those for whom English is not their first language.

If you have any queries regarding this document, please contact us using the details above.

The Council has privacy notices available in respect of how we handle your information related to Planning, These are available to view online on the Council website.

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1. What is The Statement of Community Involvement

Purpose

1.1 The purpose of this Statement of Community Involvement (SCI) is to set out how we shall engage with the community and key stakeholders in the delivery of planning functions. The Council's planning powers include:

- preparation of a Local Development Plan (LDP) which shall set out what the Council area should look like and how land should be used and developed in the future;
- making decisions on the majority of planning applications for the Borough; and
- investigation of alleged breaches of planning control and determining what enforcement action should be taken.

1.2 It describes who, how and when the community will be invited to participate in the different stages of both LDP formulation and the determination of planning applications, in planning enforcement and other planning matters.

Participation

Our Vision of Participation

1.3 The Council's vision as set out in its Corporate Plan is *'of A Sustainable Borough is one where economic, environmental, and social wellbeing are interdependent and decisions that are taken are well-balanced and equitable.*

1.4 This is a shared vision of participation in decision making and it is therefore aimed to ensure that:

(i) everyone has an early and informed opportunity to express their view on the development of the area and have it considered before decisions are made;

(ii) all groups in our community, regardless of religious belief, political opinion, racial group, age, sex, marital status, physical ability, sexual orientation, and those with and without dependents are enabled and empowered to participate.

1.5 It is intended to adopt a proactive and timely approach to community involvement through a process of providing clear information and encouraging participation during local development plan preparation, planning application submission, assessment and determination, and reporting of breaches of planning control. The process must, therefore, be informative, user friendly, as inclusive as possible, and conducted in an open and transparent way. Every effort is to be made to engage the community, record views and provide feedback, where appropriate.

1.6 Community planning is a further new power that has a significant impact upon how we engage with our residents and empower them to help us make decisions for the new Borough.

1.7 Councils have a statutory responsibility to participate and lead in Community Planning. The Local Government (Northern Ireland) Act 2014 and the Planning Act (Northern Ireland) 2011 link the community planning and Development Plan processes suggesting that the LDP should be 'the spatial reflection of the community plan'. The Local Government Act defines community planning as 'a process whereby Councils, statutory bodies and communities work together to develop and implement a shared vision for promoting the wellbeing in an area.' When considering well-being community plans should include the social, economic and environmental factors which can impact on communities and citizens.

1.8 Every effort will be made to establish linkages between the community planning and local development planning processes, especially in relation to community engagement.

2.0 Local Community Involvement in the Preparation of the Local Development Plan (LDP)

Purpose

2.1 The purpose of the Ards and North Down Borough Council LDP is to inform the general public, statutory authorities, developers and other interested bodies of the policy framework and land use proposals that will implement the strategic objectives of the Regional Development Strategy (RDS); take account of the Council's Community Plan; and guide development decisions within the Borough up to 2032.

2.2 The LDP will comprise two separate documents. The first document is called the Plan Strategy (PS) and will set out the Council's vision and strategic objectives and strategic policies for the future development of the area with a spatial strategy that indicates in broad strategic terms the locations where different types of development will be promoted. This will be followed by a Local Policies Plan (LPP) which will include the site-specific proposals, policy designations and land-use zonings that will be required to deliver our vision, objectives, spatial strategy and strategic policies of the Plan Strategy. Once adopted, the LDP will replace the current development plans[1] for the borough and operational planning policies produced by the Department of the Environment.

2.3 Prior to the preparation of these two plan documents, we have identified key planning issues and defined a range of options for addressing these issues which culminated in the publication of a Preferred Options Paper (POP).

[1] North Down and Ards Area Plan 1984-1995, Ards and Down Area Plan 2015 (for legacy Ards Borough), Bangor Town Centre Plan & draft Belfast Metropolitan Area Plan 2015 (for legacy North Down Borough)

2.4 To ensure that the policies and proposals in the LDP are socially, economically and environmentally sustainable, we will undertake a Sustainability Appraisal (SA) which will run parallel to the preparation of the POP, Plan Strategy and Local Policies Plan.

Who can get involved?

2.5 Anyone who wishes to get involved in the preparation of this LDP will be encouraged to do so at the opportunities provided. In particular, the views of the following groups of people are welcomed:

- people living within the Borough;
- voluntary groups;
- community forums / groups / umbrella organisations;
- environmental groups;
- residents' groups;
- business interests; developers / landowners/Investors; and
- elected representatives.

2.6 Elected Members, forums, community and residents' groups provide a voice for the local community. Other voluntary and interest groups also bring a special knowledge and can ensure that important concerns are addressed.

Empowering disadvantaged and under-represented groups

2.7 Section 75 of the Northern Ireland Act 1998 requires a public authority, in carrying out its functions relating to Northern Ireland, to have due regard to the need to promote equality of opportunity between:

- persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- men and women generally;
- persons with a disability and persons without; and
- persons with dependants and persons without.

2.8 In addition, without prejudice to the above obligations, public authorities are required to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or race. The above Section 75 groups are important participants within the planning process and include people who traditionally have been under-represented or disadvantaged. These groups will be targeted through the consultation process on the LDP in order to obtain their views and contribute to the consideration of equality issues under Section 75. Their views on any equality screening documents or Equality Impact Assessments will also be sought within the specified period for comment along with the draft PS and draft LPP.

2.9 To ensure that the LDP and consultation documents are accessible to everyone they will be made available online on the Council's website www.ardsandnorthdown.gov.uk and upon request in different formats, where possible. The Council will take all reasonable steps to provide documents in the requested alternative formats. Plain English is to be used for all

publications. A telephone number will be stated on each document. If for any reason, a request for a document in a particular alternative format cannot be met, other possible solutions will be explored.

How and when will the community be involved?

2.10 The Local Development Plan process involves a number of key stages, each presenting opportunities for community involvement. Each of these stages is identified with details of how community and stakeholders can get involved. The actions will fulfil, and in some cases exceed, the statutory requirements on public consultation. The LDP Timetable will outline an indicative timeframe for each of the stages, including production of Plan Strategy and the Local Policies Plan. The timetable is available to view at the Council's Planning office and published on the Council's website at www.ardsandnorthdown.gov.uk. It may be subject to review and revision as considered appropriate.

2.11 Notification shall be placed in the local newspapers regarding the availability of the timetable (paragraph 2.10 above). The current newspapers available to the Council for advertisement of the LDP Process are the Newtownards Chronicle and the County Down Spectator, however the Council shall use regional papers which also circulate in the Borough at any time where the local newspapers are not available (those papers being Belfast Telegraph and Irish News). That follows for all sections of this document where the term 'local newspapers' appears.

2.12 The Council's methods of engagement of the local community in the LDP process are set out below.

Stage 1 Initial Plan Preparation and Data Collection

2.13 Surveying and information gathering has been an ongoing function of the Council and is particularly important at this early stage of plan preparation. Information obtained at this stage has been used to establish the social, economic and environmental characteristics of the Plan area which shall enable the Council to determine the issues which need to be addressed and the options for addressing them. The initial findings from the evidence base have informed the preparation of the (POP). The POP is also accompanied by Scoping Reports for the Sustainability Appraisal (SA) (incorporating Strategic Environmental Assessment (SEA) and the screening with regard to Section 75.

What we will do

2.14 During this stage the Council:

- Set up a **Steering Group** consisting of the Planning Committee and relevant council officers that will ensure an overview and strategic input to the plan process.

- Set up a **Project Management team** and invite responses from key statutory consultees including government departments and agencies. The purpose will be to ensure that key consultees engage in the Plan-making process and particularly in the development of the emerging policies and proposals in a local distinct circumstance.

- Engaged with key consultees who received written invitation requesting them to participate in the plan making process by providing information on the key strategic issues that the Local Development Plan should address;

- Engage with underrepresented (Section 75) groups who will be invited to identify whether there are any types of planning policies which are likely to have a significant impact on the groups they represent. They will also be provided opportunity to identify any particular issues or needs which they feel the plan should address. Where requested this can be done through a face to face meeting with a planning official.

- Consult with statutory consultation bodies on the Scoping Report of the SA incorporating SEA;

- Issue Public Notice to confirm:

  (i) the commencement of work on the Council's new Local Development Plan;
  (ii) with notices for publication of the timetable, and further updates to the timetable and
  (iii) how to view or obtain copies of the timetable and advertise accordingly.

- Consult with neighbouring Councils if there are matters which require survey work or information from those neighbouring districts in order to ascertain potential cross boundary impacts.

Stage 2 Publication of the Preferred Options Paper (POP)

215 The Council launched its Preferred Options Paper on 25 March 2019, and the public consultation period opened on 28 March 2019. Following discovery of an inadvertent error in the original online version of the POP, public consultation began afresh on 17 May 2019 and ran for 12 weeks, ending on 9 August 2019. The POP sets out the key plan issues and the preferred options available to address them. The POP is a consultation paper to promote debate on issues of strategic significance which are likely to influence the shape of future development within the Borough. The intention of the POP is to stimulate a wide-ranging, yet focused, debate and encourage feedback from a wide variety of interests. Any representations or views received as a consequence of its publication will be considered whilst formulating the draft Plan Strategy.

216 The POP is also subject to the initial stages of Sustainability Appraisal (SA), including interim Strategic Environmental Appraisal (SEA), and Equality Impact Screening. The SA is a continual process which runs parallel with the preparation of the POP and the LDP. A SA interim report, (consisting of SA Scoping Report and assessment of alternatives) accompanies the POP.

What we have done/What we will do

217 During this stage the Council has:

- **Held a launch event** and issued a press release highlighting publication of our preferred options;

- **Made available** on the Council's website and at the Council Office the POP and other supporting documentation including SA Scoping Report and Equality Impact Screening and provide hard copies upon request at a specified price;

- Held public engagement **events and exhibitions** with drop-in sessions at locations throughout the Borough where our Planning Officers were available to answer questions;

- **Written to** Key Consultees and Elected Members providing them with a copy of the POP and relevant supporting documentation; invited them to attend the launch; requested that they provide comments within the specified consultation period; and informed them of the public engagement events, exhibitions and drop-in sessions;

- Contacted local community groups and under-represented (Section 75) groups advising them how to obtain a copy of the POP and inviting them to comment within the specified consultation period, attend the public engagement events, exhibitions, and drop-in sessions, and offering the opportunity of a meeting with planning officers to record their views;

- Issued a Public Notice to confirm:

  (i) Publication of the POP and invite comment within the specified consultation period (a period of not less than 8 weeks or more than 12 weeks);

  (ii) Details of public engagement events, exhibitions and drop-in information sessions during the consultation period; and

  (iii) Publication of the Screening and Scoping Papers for the SA (incorporating SEA) and Equality Impact Screening and invite comments.

  This public notice was placed on our website and appeared in the local newspapers for two consecutive weeks. A notice was also placed in the Belfast Gazette.

- Made the evidence base available on the Council's website and made hard copies available upon request;

- Presented a synopsis Public Consultation Report to Elected Members following the end of the consultation period. This contained a brief summary of representations comment. A written record will be taken of where Elected Members take differing views to that recommended in the report, along with the rationale for that view. This will be taken into account whilst formulating the Draft PS; and

- Provided the opportunity for comment to Project Management on emerging issues for inclusion in the Draft PS. The comments from the responses shall assist with consideration of emerging policy alongside the Sustainability Appraisal.

Stage 3 Preparation and publication of the Plan Strategy

2.18 This stage of the LDP process consists of the preparation and publication of the draft Plan Strategy (PS). The draft Plan Strategy is a public consultation document and is not the final plan. It is an indication of the Council's intentions regarding the future development of the area and is a key part of the public consultation process. The draft PS provides the strategic policy framework for the district and will establish a vision for the council area alongside objectives and strategic policies to achieve the vision. It provides the framework for the later development of the draft Local Policies Plan.

What we will do - preparation

2.19 During this stage the Council will:

- Hold a series of workshops for all **Elected Members** to help inform, shape and agree the strategic policies and proposals that will make up the draft PS;

- Report progress to the Steering Group on emerging strategic policies and proposals.

What we will do – publication

- Hold **launch event for invited persons** to announce the publication of the Draft PS and indicate the period for public consultation;

- Issue a **public notice** in the local newspapers for two consecutive weeks, in the Belfast Gazette (one week) and on the Council's website www.ardsandnorthdown.gov.uk detailing:

  (i) Publication of Draft PS Plan Strategy and accompanying SA Report and other reports and how to view or obtain copies;
  (ii) The dates and locations of drop in public engagement events;

(iii) Advance publication of the Draft PS for four weeks in advance of the statutory 8-week period of public consultation period (if considered appropriate taking into account holiday periods) and closing date for receipt of representations to the Draft PS and comments on accompanying SA Report and Equality Screening.

- Make available on the Council website and at the Council Office the Draft Plan Strategy and any other supporting documentation including the Sustainability Appraisal Report and Equality Impact Screening and provide hard copies upon request.

- Hold **drop in events in** the Borough. Planning Officers will be available to answer any questions on the content of the material presented;

- **Write to key consultees and Elected Members** to inform them of the publication of the Draft PS, the dates of the public drop in sessions; the specified consultation period (including whether a 4-week period in advance of statutory consultation is being utilised) and the closing date for representations and provide them with a copy of the relevant documents;

- **Write to all who submitted a representation to the POP** informing them of the publication of the Draft PS and accompanying documents; advising how they can view or obtain copies; the dates of the public drop in sessions; the 8- week consultation period ((including whether a 4-week period in advance of statutory consultation is being utilised) and closing date for representations.

- **Representations will be reported to the Elected Members.**

Public Inspection of Representations to the draft Plan Strategy

220 All representations to the draft PS will be published on the Council's website and made available for public inspection as soon as reasonably practicable following the expiry of the eight-week public consultation period. The Council has prepared a privacy notice for dealing with representations to the Local Development Plan (available from the Council website). Interested parties may also comment on site-specific representations (counter representations) that have been received within an eight-week period of those representations being made publicly available. Counter representations must not propose changes to the development plan document. Both the representations and counter representations will be considered at the Independent Examination.

What we will do

221 During this stage the Council will:

- **Make available** copies of representations for inspection at the Council's Planning Office and on the Council's website. Hard copies of representations can also be provided upon request at a specified price;

- **Write to key consultees**, the Council's Elected Members and any person that has submitted (and not withdrawn) a representation, informing them that representations are available for inspection and the places and times at which they can be inspected;

- **Issue a public notice** in the local newspapers for two consecutive weeks, in the Belfast Gazette (one week), and on the Council's website detailing:

  (i) the availability of representations for inspection; and
  (ii) the eight week consultation period including closing date for submission of counter representations.

- **Make available** for inspection at the Council's Planning Office and on the Council's website copies of any counter representations; and

- **Report any** counter representations to Council's Elected Members;

- Representations and counter-representations will be considered by the Council before being submitted alongside the draft Plan Strategy, and all other supporting documents, to the Department for Infrastructure (DFI) for it to cause an Independent Examination (IE).

Consideration of representations and counter representations to the draft Plan Strategy[2]

222 Following receipt of representations to the draft PS the Council will consider the issues raised. The impact of any new information and the implications for the soundness of our draft PS will be considered. If appropriate, the Council may decide to revisit the evidence base or engage with the relevant parties to determine how to address particular issues raised. Ultimately the Council will consider each issue raised and determine whether there will be:

- **No Change** – determine that the draft PS as prepared is sound and does not need to be changed;
- **Minor Changes** – notes the issues and whilst determines that the draft PS as prepared is sound, proposes minor changes that could be acceptable, which
  would not impact on the soundness of the draft PS;
  Focussed Changes – identifies that an unforeseen issue has arisen and considers that changes are required to ensure that any impact upon the soundness of the draft PS is addressed;
- **Fundamental Changes** – agrees that an issue is fundamental and goes to the heart of the draft PS and withdraws the draft PS.

223 In the event of the Council withdrawing the draft PS, the Council will issue a public notice in local newspapers and in the Belfast Gazette and on the Council's website that it has been withdrawn and the reasons for the

[2] See Development Plan Practice Note 10 – Submitting Development Plan Documents for Independent Examination

withdrawal. The Council will also notify consultation bodies and any person who made a representation or counter-representation in relation to the draft PS.

Submission of Plan Strategy to Department for Infrastructure

224 The Council will not submit the draft PS and associated documentation to the DFI unless it considers that it is ready for Independent Examination (IE). The purpose of the IE is to determine whether the PS is sound, taking into account representations and counter representations. The body appointed by the DFI must consider all representations and counter representations before it makes recommendations, giving reasons[3].

What we will do:

225 During this stage the Council shall:

- **Make available** for inspection in the Council's Planning Office and on the Council's website a copy of the PS and all supporting documentation forwarded to the DFI in accordance with the Regulations;

- **Issue a public notice** in the local newspapers for two consecutive weeks and give notice in the Belfast Gazette (one week) and on the Council's website that the draft PS and supporting documentation has been submitted to the DFI;

- **Notify consultation bodies** and anyone who has made a valid representation (and not withdrawn) and valid counter-representation to the PS notifying them that the submitted plan and supporting documentation are available for inspection at the Council's Planning Office during normal office hours;

Independent Examination

226 The purpose of the Independent Examination is to determine the soundness of the Draft Plan Strategy, taking into account representations and counter representations.

[3] Under section 10(7) of the 2011 Act, "Any person who makes representations seeking to change a development plan document must (if that person so requests) be given the opportunity to appear before and be heard by the person carrying out the examination." DFI Development Plan Practice note 9 Version 2 indicates that '*This 'right' to appear and be heard applies to a person who has made a representation seeking to change a development plan document, but does not apply to a person who has made a counter representation. However, an independent examiner may invite anyone to appear before and be heard at the examination if the examiner thinks that person's oral evidence is likely to materially assist in determining the soundness and sustainability of the development plan document'*. The Independent Examiner appointed by DFI makes arrangements for the procedure of the IE including invitations to appear.

Publicity for Independent Examination

227 The Council will undertake further publicity measures in relation to the date and timing of the Independent Examination of the draft PS.

What we will do:

228 During this stage the Council shall:

- **Continue to make available** on the Council's website a copy of the draft PS and supporting documentation;

- **Issue a public notice** at least four weeks prior to the IE in the local newspapers and Belfast Gazette for two consecutive weeks, and on the Council's website at www.ardsandnorthdown.gov.ukstating:

  (i) the dates, times and venues at which the IE will be held;
  (ii) whether the Planning Appeals Commission or a person appointed by the Department for Infrastructure will carry out the IE; and
  (iii) that representations and counter representations are available for inspection.

- **Notify consultation bodies** and any person who has made and not withdrawn a representation/ counter representation of the full details of the IE at least four weeks prior to its commencement.

Adoption of the Plan Strategy

229 Following the IE, the DFI will issue a Direction to the Council, requiring it to adopt the draft Plan Strategy, as originally prepared, or with modifications. The Council may also be directed to withdraw the PS. In either scenario, the DFI will be expected to give reasons for its Direction.

What we will do:

230 During this stage the Council will:

- Issue a **public notice** in the local newspapers for two weeks and Belfast Gazette for (one week) and on the Council's website of the:

  (i) date of adoption of the Plan Strategy;
  (ii) where to get copies of the Plan Strategy and any accompanying documents, the Department' s Direction and the Independent Examiner's Report;

- **Make the Plan Strategy and any accompanying documents, the DFI's Direction and Independent Examiner's Report available at the Council's Planning Office and** on the Council's website, with hard copy available on request for a specified price;

- **Write to key consultees and those submitting valid representations and valid counter representations** advising them of the adoption of the PS, and where to obtain copies together with the DFI Direction and the Independent Examiner's Report; and also advising them of the commencement of work on the Local Policies Plan.

- Notify any person who has asked to be notified of the adoption of the PS.

2.31 In an event of the Council being directed by the DFI to modify or withdraw the PS, the Council will issue a public notice in local newspapers and in the Belfast Gazette and on the Council website that it has to be modified/has been withdrawn and the reasons for the modification/withdrawal. The Council will also notify consultation bodies and any person who made a representation or counter-representation in relation to the PS.

Stage 4 Preparation of the Local Policies Plan

2.32 The Local Policies Plan (LPP) is the second document comprising the LDP. The draft local Policies Plan is a public consultation document and is not the final part of the plan. It will be consistent with the adopted Plan Strategy and set out the Council's more detailed policies and proposals (zonings and designations) regarding the future development of the Ards and North Down Borough area. The draft LPP is a key part of the public participation process. The PS must be adopted before the draft LPP Local Policies Plan is published for consultation.

2.33 Consideration shall be given to the announcement of the preparation stage of the LPP and steps for process of its formulation, including how to get involved, at the appropriate time.

Publication of draft Local Policies Plan

What we will do:

2.34 During this stage the Council will:

- **Hold launch event** to announce the publication of the Draft LPP and issue newspaper releases highlighting its key elements;

- **Make available** at the Council's Planning Office and on the Council's website the draft Local Policies Plan and any supporting documentation including the Sustainability Appraisal (SA) Report and Equality Impact Assessment (EqIA). Hard copies will be available upon request at a specified price;

- Hold **public drop in events** throughout the Borough. Planning Officers will be available to answer any questions on the content of the material presented;

- Issue a **public notice** in the local newspapers for two consecutive weeks, in the Belfast Gazette (one week) and on the Council's website detailing:

    - publication of Draft LPP and accompanying SA Report and EqIA and how to view or obtain copies;
    - the dates and locations of public drop in sessions;
    - the specified eight week consultation period (or as extended to allow flexibility for holiday periods where appropriate) and closing date for receipt of representations to the Draft LPP and accompanying SA Report and Equality Screening;

- **Write to key consultees and Elected Members** to inform them of the publication of the Draft LLP, the dates of the public drop in sessions; the specified consultation period and the closing date for representations and provide them with a copy of the document.

Representations to draft Local Policies Plan

2.35 All representations to the draft LPP will be made available for public inspection. Interested parties may also comment on site specific representations that have been received (counter representations).

What we will do:

2.36 The Council shall:

- **Make copies of valid representations available** for inspection in the Council's Planning Office and on the Council's website. Hard copies of representations can also be provided upon request at a specified price;

- **Write to key consultees and Elected Members** and any person that has submitted and not withdrawn a representation informing them that representations are available for inspection and the places and times at which they can be inspected;

- **Issue a public notice in the local newspapers for two weeks** and Belfast Gazette for a week, and on the Council's website of the availability of representations for inspection and the eight week consultation period for submission of counter representations;

- Make copies of counter representations **available for inspection** in the Council's Planning Office and on the Council's website;

- Report counter representations to the Council's Elected Members;

2.37 Representations and counter representations will be fully considered by the Council before being submitted with the LPP, and all other supporting documentation, to the DFI for it to cause an Independent Examination.

238 Following receipt of representations to the draft LPP the Council will consider the issues raised. The impact of any new information and the implications for the soundness of our draft LPP will be considered. If appropriate, the Council may decide to revisit the evidence base or engage with the relevant parties to determine how to address particular issues raised. Ultimately the Council will consider each issue raised and determine whether there will be:

- **No Change** – determine that the draft LPP as prepared is sound and does not need to be changed;
- **Minor Changes** – notes the issues and whilst determines that the draft LPP as prepared is sound, proposes minor changes that could be acceptable, which would not impact on the soundness of the draft LPP;
- **Focussed Changes** – identifies that an unforeseen issue has arisen and considers that changes are required to ensure that any impact upon the soundness of the draft LPP is addressed;
- **Fundamental Changes** – agrees that an issue is fundamental and goes to the heart of the draft LPP and withdraws the draft LPP.

Submission of Local Policies Plan for Independent Examination

239 The Council will submit the LPP to the DFI for it to cause an IE[4]. The Council will not submit the Plan to the DFI unless it considers that it is ready for Independent Examination (IE). The purpose of the IE is to determine whether the LPP satisfies relevant statutory requirements and whether it is 'sound'.

What we will do:

240 During this stage the Council shall:

- **Make available** for inspection in the Council's Planning Office and on the Council's website a copy of the LPP and all supporting documentation forwarded to the DFI in accordance with the Regulations;

- **Issue a public notice** in the local newspapers for two consecutive weeks and give notice in the Belfast Gazette (for a week) and on the Council's website that the Plan and supporting documentation has been submitted to the DFI;

- **Notify consultation bodies** and anyone who has submitted (and did not withdraw valid representations) to the LPP, that the submitted LPP and supporting documentation are available for inspection at the Council's Planning Office.

Publicity for Independent Examination (IE)

What we will do:

241 During this stage the Council will:

[4] See footnote 3 on right to be heard at Independent Examination.

- **Continue to make available** on the Council's website a copy of the LPP, and all accompanying documentation;

- **Issue a public notice** at least four weeks prior to the IE in the local newspapers for two consecutive weeks and Belfast Gazette (for a week), and on the Council's website:

    - the date, time and place at which the IE will be held;
    - whether the PAC or a person appointed by the DFI will carry out the independent examination; and
    - that representations and counter representations are available for inspection;

- **Notify consultation bodies** and any person who has made (and not withdrawn) a representation/counter representation, of the full details of the IE, at least four weeks before its commencement. Council will also advise whether the Planning Appeals Commission (PAC) or another appointed person by the DFI will carry out the IE. Council will provide comment on the representations and counter representations for consideration at the Independent Examination.

Adoption of the Local Policies Plan

242 Following the IE, the PAC or other person appointed by DFI, will send their recommendations and reasoning to DFI. DFI will issue a Direction to the Council, requiring it to adopt the LPP as originally prepared or with modifications. The Council may also be directed to withdraw the LPP. In either scenario, the DFI will be expected to give reasons for its Direction. The Council must comply with the Direction within timeframes as may be prescribed by DFI. The Local Policies Plan must be adopted by resolution of the Council.

What we will do:

243 The Council will:

- Adopt the Local Policies Plan as originally prepared or with modifications as soon as reasonably practicable after receipt of the Direction from DFI.

- Issue a **public notice** in the local newspapers for two consecutive weeks, and Belfast Gazette (for a week) and on the Council's website advising of the:
    (i) Date of the adoption of the LPP; and
    (ii) where to get copies of the LPP and accompanying documents,

- On the date of adoption **make the Local Policies Plan and accompanying documents, the DFI's Direction and Independent Examiner's Report available at the Council's Planning Office and** on website, with hard copy available on request for a specified price;

- **Write to key consultees and those submitting who have submitted and not subsequently withdrawn representations and counter representations** advising them of the adopted LPP, and where to obtain copies together with the Department's Direction and the Independent Examiner's Report.

244 In an event of the Council being directed by the DFI to withdraw the Draft LPP, the Council will issue a public notice in local newspapers and in the Belfast Gazette and on the Council's website that it has been withdrawn and the reasons for the withdrawal. The Council will also notify consultation bodies and any person who made a representation or counter-representation in relation to the LPP.

245 Any revisions as directed by the DFI shall be subject to the same procedural and publicity arrangements as set out earlier.

Next Steps

246 Following the adoption of the Plan Strategy and Local Policies Plan, the Council will identify its work priorities for the next five years in a new LDP Timetable. It may also issue a new Statement of Community Involvement if considered appropriate. In addition, the Council will engage in monitoring and review (Stage 4 of the LDP process) which are essential in establishing how the objectives in the Local Development Plan are being achieved and whether any changes are required. The Council will engage with the public on any formal review of the LDP. The Council shall review its Local Development Plan no later than five years from the date that the Local Policies Plan is adopted. The Council will also send a Findings Report of the review to the Department for Infrastructure.

3.0 Local Community Involvement in the Development Management Process

The Council's Development Management function

3.1 The Council as the local planning authority for Ards and North Down is responsible for making decisions on planning applications in the borough. It also deals with other applications including listed building works, works in conservation areas, works to protected trees and advertising consent. Development Management is the process through which such applications are considered. An important part of the process is to provide information and advice to applicants and to seek and consider the views of the general public and statutory consultees on all planning applications. The statutory requirements for consultation on planning applications are set out in planning legislation. These requirements vary according to the type of proposal but include notification to specified bodies and general publicity (some minor exceptions exist e.g. processing of regionally significant planning applications submitted under Section 26 of the Planning (NI) Act 2011, call-in procedures Section 29 of the Act and Section 88 which permits the Department for Infrastructure (DFI) to issue directions to call-in Listed Building Consent applications.

3.2 The Council receives a wide variety of planning applications and therefore needs to involve the community to differing degrees, according to the scale and complexity of the application.

3.3 All planning applications are categorised as local, major or regionally significant. The Council is responsible for the determination of the majority of local and major applications only.

3.4 Regionally significant developments are those which are considered to have a critical contribution to make with regard to economic and social success of Northern Ireland as a whole or to a substantial part of the Region. Such proposals also include developments which have significant effects beyond Northern Ireland or involve a substantial departure from the Local Development Plan.

3.5 Regionally significant applications are currently dealt with by the Department for Infrastructure (DFI) and applicants will be required to enter into consultation with it. In certain circumstances DFI may determine that a proposal is not of significance and advise the applicant that the Council should determine the planning application.

3.6 Some major developments have important economic, social and environmental implications for the Borough. Due to the potential for these proposals to deliver important benefits to the community, where appropriate, major applications are prioritised where possible to avoid any undue delay.

Examples include:

- A housing development involving the construction of 50 units or more;
- A retail development involving 1,000m^2 or more of gross retail floor space outside town centres;
- A business/ industry/storage/distribution development that comprises 5,000m^2 or more gross floor space; and
- A wind or solar farm (or other types of electricity generating stations) where

its capacity is or exceeds 5 megawatts.

3.7 This section of our Statement of Community Involvement sets out:

- how the public can become involved at the various stages of the planning application process; and
- how the level of community involvement will depend on the scale of the development proposal.

Pre-Application Stage

Pre-Application Discussions (PADs)

3.8 By facilitating effective and meaningful pre-application discussions a council can ensure that opportunities to work collaboratively with applicants and to improve the quality of developments are maximised. Pre-application discussions are encouraged prior to the submission for a range of types of applications. These will mainly be for major applications. The objective of pre-application discussions should be to confirm whether the principle of development is acceptable and to clarify the format, type and level of detail required to enable the Council to determine an application. For major applications it will also enable the applicant to discuss with the Council details of how the community should be involved in the decision-making process.

Pre-Application Community Consultation (PACC)

3.9 The planning system strives to assist in the informing and involving the wider community in helping to create better quality developments and promote place-making. Applicants submitting major applications to the Council must undertake community consultation before submitting their application in line with details set out in The Planning Act (NI) 2011. The Council will require the following actions to be undertaken by the applicant before the application is submitted:

- Notify the Council, at least 12 weeks in advance, that an application for a major planning application is to be submitted (a 'Proposal of Application Notice (PAN));
- Hold at least one public event in the locality in which the proposed development is situated where members of the public may make comments to the prospective applicant regarding the proposed development;
- Publish details of the proposal in the local press, outlining where further details of the proposal can be obtained and the date, time and location of a public event; and
- Submit a pre-application community consultation ('PACC') report to the Council to accompany the subsequent planning application.

3.10 Pre-application consultation is likely to be more successful if the applicant makes significant efforts to involve communities in proposals which may affect them.

3.11 As previously stated, the Council would recommend all applicants considering

submission of development proposals that fall within the definition of major development to seek a Pre-Application Discussion with planning officers. Where applicants fail to fully meet the pre-application community consultation requirements the Council may decline to determine the application.

Planning Application Stage

3.12 In line with legislative requirements set out in The Planning (NI) Act 2011, when a planning application is submitted for determination, the Council will involve the community in the decision-making process. If you feel you will be affected by development proposals, you will have an opportunity to consider what is proposed and how it will affect you. You will also have the opportunity to make your views known before a final decision is made on the application. Details of how to comment on a planning application is available on the Council's website www.ardsandnorthdown.gov.uk/resident/planning. This now includes online submission through the Planning Portal, once registered for an account.

Advertising and Neighbour Notification

3.13 The Council undertakes statutory publicity in accordance with current legislation. Government may change the statutory publicity requirements, and our future approach will reflect any changes that are made.

Advertising

3.14 The Council will advertise all new planning applications (with the exception of Certificates of Lawfulness, Non-material Changes and Advertising Consent) on a weekly basis in the local newspapers (in accordance with **Section 41 of the Planning Act**). The advertising list is also available to view on the Planning pages of the Council's website.

Neighbour Notification

3.15 Current legislation states that "any identified occupier of neighbouring land" must be notified of development proposals.

3.16 "Neighbouring land" is defined as 'land which directly adjoins the application site, or which would adjoin it but for an entry or road less than 20m in width'. "Identified occupier" is defined as the 'occupier of premises within a 90 metre radius of the boundary of the proposed application site'.

3.17 Under the Council's Neighbour Notification Scheme, the Council will ensure that planning applications are brought to the individual attention of those specified within the legislation. In addition, the Case Officer when carrying out a site inspection will also check the accuracy of the neighbour notification details supplied on the application form and may add details as considered appropriate.

3.18 The Council has provided direction to Planning Officers within Ards and North Down Borough Council to ensure notification of additional properties beyond the parameters of the statutory scheme for those proposals in relation to single wind turbines as follows '*That occupiers of premises within a ten times rotor diameter of wind turbine applications be neighbour notified'*.

3.19 The period for responding following receipt of a neighbour notification letter is 14

days, as legislation restricts the Council from making a determination on an application until the 14 day period has expired, although any late representations received before a decision is made will still be considered. We request comments within 14 days so that we know your views as soon as possible in the process. It's also useful for the applicant to learn about any concerns early as it may give them an opportunity to make changes. It also reduces delays at the latter stages of a project too.

3.20 You should note that regardless of having submitted comments to the applicant for a major development application through the Pre-Application Community Consultation, you should make representations to the Planning Service on the submitted application, as it is only these comments that we can take account of (where they raise material planning considerations) when assessing the proposal.

3.21 Neighbour notification does not take place for applications for Certificates of Lawfulness, Non-Material Changes or Advertising Consent.

Environmental Impact Assessment Development

3.22 Environmental Impact Assessment (EIA) is a method for ensuring that the likely effects of new development on the environment are fully understood and taken into account before consent is given for the development to proceed. The Environmental Statement (ES) produced as part of an EIA, brings together in a single document, or series of documents, information about a proposed development and its effects on the environment.

3.23 In most cases it will fall to the Council to determine if the application is EIA development. It should be noted that if an application is EIA development it cannot be processed until the ES is received. When a developer submits an ES in support of a planning application, the Council will publish a notice of its receipt in local newspapers and indicate where it may be purchased and the address of the Council Office where it may be inspected. The Council will also allow four weeks from the date the notice is first published for representations to be made.

Obtaining further information and getting involved in planning applications

3.24 Planning applications including supporting documents and corresponding plans can be viewed online on the Planning Portal https://planningregister.planningsystemni.gov.uk/simple-search as well at the Council's Planning office in Newtownards between 9am to 4pm Monday to Friday. Planning Officers are available to give advice on current or proposed applications through our informal Planning Advice Service (telephone 028 91 824006).

Public Register

3.25 The Council will make the planning application, plans and any associated Environmental Statement available on a public register in accordance with **Section 242 of the Planning Act**. Each register will contain the following information:

- a copy (which may be photographic) of each application together with copies of application forms, plans and drawings submitted in relation thereto;
- the decision notice, if any, in respect of the application, including details of any conditions subject to which permission or consent was granted, or refusal reasons;
- the reference number, the date and effect of any decision of the Planning Appeals Commission (PAC) in respect of the application; and
- brief details of any revocation or modification relating to any permission or consent, including date of issue.

Please note:

- For decisions made between 1973-1990 inclusive we only hold the Decision Notice;
- For decisions made between 1991-2015 inclusive we hold the Decision Notice, accompanying drawings and application form only.

File Inspection

3.26 The Council will make the application file available for inspection, by appointment (telephone 028 91 824006). The amount of information on the file will, of course, be dependent on the stages the application has completed.

Submitting Comments

3.27 Individuals, groups and organisations can comment on a planning application even if they have not been neighbour notified by the Council. All comments will be carefully considered. Care should be taken when making comments to the Council to ensure that no personal data is included. The Council has published guidance 'Commenting on a Planning Application' which is available the Planning pages of the Council website here https://www.ardsandnorthdown.gov.uk/article/1472/Planning-applications-recently-advertised.

3.28 The Council has a privacy notice associated with the Northern Ireland Planning Portal. This is available to view online.

3.29 When a decision is made on a planning application only certain issues are taken into account; these are often referred to as 'material planning considerations'. Material considerations must be genuine planning considerations. The basic question is not whether owners and occupiers of neighbouring properties would experience financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and buildings that ought to be protected in the public interest. Generally greater weight is attached to issues which are supported by evidence rather than solely by assertion. If an identified problem can be dealt with by means of a suitable condition the Council is required to consider this as an alternative to refusing an application.

3.30 Anonymous or defamatory comments cannot be taken into account. You should ensure that your comments relate to relevant planning matters only. The Council's Planning Service reserves the right to redact information which it considers is defamatory, of a personal nature, or irrelevant to the application.

You can make comments in a variety of ways, by quoting the application number, as follows:

Online at: https://planningregister.planningsystemni.gov.uk/simple-search (select Application tab at top)
By email: planning@ardsandnorthdown.gov.uk
By Post:
Ards and North Down Borough Council
Planning Service
2 Church Street
Newtownards, BT23 4AP

3.31 All written comments on an application will be acknowledged within five working days. All material planning issues raised will be summarised and fully considered within the Planning Officer's report on the planning application. The acknowledgement letter will set out who is dealing with the application and who to contact if there are any questions. The Council will not normally contact the respondent again until after a decision is made unless the application is significantly altered or is withdrawn.

3.32 Due to the large volume of correspondence received in relation to planning applications, it is not possible for the Case Officer to answer queries raised within representations unless they need to clarify a particular matter.

3.33 You may also wish to contact your local Councillor, who has the ability to request that the application is determined by the Planning Committee (this procedure is referred to in the Council's Scheme of Delegation [Part B]).

3.34 The Council will consult with a range of Statutory Consultees (see Appendix 2) to assist in the determination of an application. If a representation raises issues that are relevant to the responsibilities of the consultee (e.g. road safety) the representation will be highlighted to the appropriate consultee for consideration and comment. The Council will carefully take any comments made into account before a decision is made. All comments are scanned and added to the NI Planning Portal once email addresses and handwritten signatures have been removed (it should be noted that typed names and addresses remain visible).

3.35 The Council may negotiate changes to applications with the applicant/developer where these are considered appropriate, without allowing the process to become overly protracted.

Community Involvement at the Planning Committee Meeting Stage

3.36 Planning applications are usually determined by the Head of Planning under delegated powers. The circumstances under which an application can, or cannot, be determined using delegated powers are set out in the Council's Scheme of Delegation available online at http://www.ardsandnorthdown.gov.uk/article/1473/Delegated-ApplicationsCouncil, which is subject to regular review.

Pre-determination hearings and speaking at the Planning Committee

3.37 For those major applications that have been notified to the Department for Infrastructure but have been returned to the Council for determination, the Council will afford the applicant the opportunity of appearing before and being heard by the Planning Committee.

3.38 If an application goes before the Planning Committee, the Council will also offer the public the opportunity to speak and make direct representation to the Elected Members on the Planning Committee. Requests to speak must be made in writing, which includes emails, and include a valid planning reason.

3.39 All requests to speak (including those from Elected Members, MLAs or MPs) should be received by the Council's Planning Service (in writing or by email) at least five working days prior to the scheduled Planning Committee meeting.

3.40 The Council has a guide to getting involved at Planning Committee meetings – this is available online at: http://www.ardsandnorthdown.gov.uk/article/1474/Planning-Committee

Community Involvement after a Planning Application has been determined (Post Application Stage)

3.41 A notification of decision letter is sent to the applicant/agent and all people who have responded to the consultation on the planning application, informing each of the decision and the reason for that decision. The decision is recorded on the Council's website and in the statutory Planning Register. If it is a case that has been considered by the Planning Committee, details of the decision of the Planning Committee can be found on the Planning pages of the Council website the day after the Committee meeting, or by viewing the minutes of the meeting which will be published on the Council's website once ratified by full Council.

Involving the Community When an Appeal is made against a Planning Refusal/ Conditions of an Approval/ Enforcement Notice

3.42 In Northern Ireland there is no third-party right of appeal. Where an applicant is unhappy with the Council's refusal of an application or a condition attached to a permission, he/she may appeal to the Planning Appeals Commission (PAC). An applicant may also appeal to the PAC where the Council has not determined an application within the relevant period prescribed by the Planning (General Development Procedure) Order (NI) 2015, as amended; where such an appeal is lodged, the application is deemed to have been refused. Appeals must be lodged with the PAC within four months from the date of notification of the Council's decision, or expiry of the prescribed period as the case may be. Only applicants and those upon whom Enforcement Notices have been served have the right of appeal.

3.43 All those people who responded on the original planning application that is the subject of appeal will be advised by the Planning Appeals Commission that an appeal has been received and provided with an opportunity to make their views known. Copies of letters already submitted will be forwarded to the PAC.

3.44 For hearings and public inquiries, the interested parties have the opportunity to make their views known verbally to the PAC. Each appeal will be published in the local press by the PAC to alert any other interested parties, and those who respond within 14 days will be listed as third parties by the PAC and receive invitation to participate in the appeal process. Further information is available on the PAC's website www.pacni.gov.uk.

3.45 A member of the public can only challenge an approval issued by the Council on a point of law by applying for leave to judicially review that decision.

4.0 Community Involvement in Planning Enforcement

4.1 Under the provisions of 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.

4.2 A breach of planning control occurs when building works or a material change of use of land, or a building, takes place without planning consent. In most cases, it is not an offence to undertake development without consent, but the Council has powers to require these breaches to be put right. The Council can do this by requiring changes to be made to the development, by requiring removal of the development, or by giving the development approval if considered acceptable.

4.3 The Council encourages the community to report cases where they believe there has been a breach of planning control; however, the Council **will not** investigate anonymous complaints. A breach of planning control occurs when development or other certain activities take place without the necessary planning permission or consent from the Council or the Department. This may also include failure to carry out development in accordance with the approved plans or conditions.

4.4 If someone believes that a breach of planning control has occurred, they should contact the council's Planning Enforcement team (in person, by telephone, in writing, through the Northern Ireland Planning Portal or by email as follows:

By email: www.planning@ardsandnorthdown.gov.uk

NI Planning Portal: https://planningregister.planningsystemni.gov.uk/simple-search
(go to Log In tab to register)

By post: Planning (Enforcement Section)
Ards and North Down Borough Council
2 Church Street, Newtownards, BT23 4AP

By telephone: 0300 013 3333 (Main Planning Council Line)
028 91 824006 (Planning Business Support)

4.5 You should provide the following, if possible:

- give the address of the site or directions (we may need a plan so that we know exactly where the site is);
- detail exactly what has happened and when it first occurred;
- provide the name and address of the landowner or landowners or the person responsible for carrying out the works, if known;

4.6 Please note – we will not investigate anonymous complaints. We require the name and contact details of the person reporting a breach of planning control. Their contact information will remain confidential unless we need to use their evidence to support our case, for example, if the matter goes to court. We will ask for their consent to use their evidence.

4.7 We do not keep complainants updated throughout each enforcement investigation as the process is often long and protracted, but mainly as it could be prejudicial to the outcome of the case if it were to result in legal proceedings. If a complainant contacts the officer dealing with the enforcement case, they will try to be as helpful as possible but will not be able to share information in relation to the progression of the investigation.

4.8 After investigation we may decide that there has not been a breach of planning control. When we make this decision, we will close the case immediately. We will not re-open the case unless there is significant new information or a change on site. We may also decide that although there has been a breach, it is not causing enough harm to justify taking further action. We will take into account why the breach may have happened, how many people are affected, how they are affected and whether there is a cumulative effect that adds up to an unacceptable situation. Not every complaint about a breach of planning control justifies further action. We use our judgement based on experience, case law and likelihood of success.

4.9 Complainants are informed of the outcome of an enforcement complaint, in writing/email, when the case is concluded. Many complaints relate to works that do not require planning permission, such as minor extensions or alterations to a dwelling allowable under Permitted Development legislation.

4.10 Our priorities[5] for enforcement action are contained in the Council's Enforcement Strategy available for view online from the Council's website at http://www.ardsandnorthdown.gov.uk/downloads/ards-and-north-down-planning-enforcement-strategy.pdf.

4.11 The Council has a privacy notice available in respect of how we handle your information related to Planning, This is available to view online on the Council website.

5.0 Community Involvement in Supplementary Planning Guidance

5.1 The Council may also prepare non-statutory planning guidance to support its Local Development Plan. Supplementary planning guidance (SPG) includes, for example, design guides and advice notes in relation to plan policies. Consultation on SPG will be carried out in a proportionate manner where the Council considers it would be beneficial to seek the views of stakeholders and the general public. Comments received on a consultation draft shall be presented to the Planning Committee for consideration and will be published on the Council website. There will, however, be no opportunity for formal objection to this type of document as SPG is not intended to be new policy and is not subject to the Independent Examination process. A final version of any SPG shall be published on the Council's website and may be a material planning consideration in the determination of any planning application or appeal.

[5] **Priority 1** – work resulting in public danger or development which may result in permanent damage to the environment. For example, demolition of or works to a listed building, trees protected by a Tree Preservation Order, demolition of a building in a conservation area, and commencement of building operations without permission

6.0 Community Involvement in Conservation Area Designation

6.1 A Conservation Area is an area of special architectural or historic interest, the character of which it is desirable to preserve and enhance. The Council considers that consultation with, and the involvement of local people, is important when undertaking work associated with Conservation Areas. This will help encourage greater ownership of the concept and greater co-operation and commitment to achieving the aims of the designation.

6.2 The Council will involve the community in the designation, variation or cancellation of an extant Conservation Area. As part of such work, we will formally consult with the Historic Buildings Council, the Department for Communities (Historic Environment Division), the Department for Infrastructure (Roads and Rivers), any water or sewerage undertaker (currently NI Water), as well as any other bodies or persons deemed to have an interest or that could be affected. We will advertise details of proposals in the local press and hold public engagement events to present and discuss them.

6.3 For any new designations, the Council will publish a public notice in the local press and hold a public launch. The cancellation of a Conservation Area (as designated by the Council under Section 104 of the Planning Act (Northern Ireland 2011), or part thereof, will similarly be confirmed by public notice in the local press and all properties within the affected area will be notified in writing.

7.0 Community Involvement in Simplified Planning Zone Designation

7.1 A Simplified Planning Zone (SPZ) is an area in respect of which a simplified panning zone scheme is in force. It shall consist of a map and a written statement and specify the development or classes of development permitted by the scheme. Where the Council proposes to commence work on an SPZ, it will undertake consultations with the neighbouring Council(s), the landowner(s) and occupier(s), the Department for Communities and will notify the Department for Infrastructure.

7.2 Once details of a scheme have been prepared, the Council will make copies available for inspection at the Council's Planning Office, give notice by way of an advertisement in the local press and on the Council's website, and will serve a notice on those it has consulted with.

7.3 Following advertising of the details of the proposed (SPZ) there will be an eight-week period when representations can be made to the Council. If the Council subsequently decides not to proceed with the proposed (SPZ) it will publish a further advertisement to that effect and will notify all those have made representations.

7.4 The Council may cause an Independent Examination to be held to consider the representations received. Where it is proposed to hold an Independent Examination, details, including the time and place of the examination, will be published in the local press. Where it is decided not to hold an independent examination the Council will notify all those who have made representations.

7.5 Following any independent examination the Council will produce a report and statement detailing its decision and outlining reasons for its decision. Notice of publication will be advertised in the local press and the report and statement will be available for public inspection in the Council offices.

7.6 Notice of intention to adopt a SPZ scheme will be advertised in the local press and all those who make a representation and not withdrawn it with respect to the proposals shall be served notice, as well as any other persons deemed appropriate. Any material modifications made to the scheme after considering representations shall be made available for inspection by interested parties. The Council shall make clear what the modifications are and its reasons behind them. Details of the modified proposals will be advertised in the local press and notice shall be served on those affected by the proposals as well as those who had made previous representations. All representations will be considered before finalising the Council's proposals.

7.7 The processes of advertisement and notification will be repeated at final adoption stage, following which the relevant scheme details will be made available for public inspection in the Council's Planning Office and any other suitable locations close to the SPZ site, as considered appropriate.

8.0 Review of the Statement of Community Involvement

8.1 This Statement of Community Involvement will be reviewed as necessary to ensure that it remains current and relevant to the planning needs of Ards and North Down Borough Council.

Appendix 1

Glossary of Terms

Advertisement: advertisement for two consecutive weeks in at least one local newspaper circulating in the Council area, unless otherwise specified.

Conservation Area: An area previously designated by the then Department of the Environment, or since designated by the Council or Department for Infrastructure under Section 104 of the Planning Act (Northern Ireland) 2011, to be of special architectural or historic interest, the character or appearance of which it is desirable to preserve and enhance.

Council: refers to Ards and North Down Borough Council unless otherwise specified.

Department: refers to the Department for Infrastructure (previously the Department of the Environment DOE) unless otherwise specified.

Development Management: the process of receiving, assessing and determining planning applications and providing related information and advice to customers, the general public and other stakeholders in the matter of placemaking.

Disabled Person: as defined by the Disability Discrimination Act (DDA) 1995, someone who has a physical or mental impairment that has a substantial (more than minor) and long-term (usually over one year) adverse effect on his or her ability to carry out normal day-to-day activities.

Elected Members: a person elected to the office of Alderman or Councillor in the Council

Environmental Impact Assessment (EIA): a procedure to be followed for certain types of proposed developments to ensure that decisions are made in full knowledge of any likely significant effects on the environment.

Equality Impact Assessment (EqIA): a process designed to ensure that a policy, project or scheme does not discriminate against any disadvantaged or vulnerable people.

Environmental Statement: Environmental Impact Assessment (EIA) ensures that the likely effects of new development on the environment are fully understood and taken into account by producing an Environmental Statement (ES).

Evidence Base: the information and data gathered by the Council to justify the 'soundness' of the policy approach set out in the Local Development Plan documents, including the physical, economic, and social characteristics of the Plan area.

Identified Occupier: means the occupier of premises within a 90 metre radius of the boundary of a planning application site.

Independent Examination: the examination conducted by the Planning Appeals Commission (PAC), or a person/body appointed by the Department for Infrastructure to test the soundness of a local development plan document

Local Development Plan (LDP): the plan for the long-term future development of the Council area, drawn up by the Council in consultation with the community. The Local Development Plan applies regional / strategic policies at local Council level and informs the general public, statutory authorities, developers and other interested bodies of the policy framework and land use proposals that will guide development decisions relating to a specific issue or area.

Local Policies Plan (LPP): the second document in the Local Development Plan, which provides detailed policies and proposals for the development of specific geographical or subject areas.

Neighbouring Land: land which directly adjoins a planning application site boundary or which would adjoin it but for an entry or a road less than 20 metres in width.

Permitted Development: certain relatively minor works and forms of development that can be carried out without the need to obtain planning permission, as currently specified in the Planning (General Permitted Development) Order (Northern Ireland) 2015, as amended.

Person appointed: a person appointed by the Department for Infrastructure under Section 10(4) of the Planning Act (Northern Ireland) 2011 to carry out an Independent Examination into a Local Development Plan.

Planning Committee: a committee composed of Elected Members (Aldermen and Councillors) which is responsible for determination of non-delegated planning applications and certain other planning matters affecting the Council area.

Planning Appeals Commission (PAC): the body which provides Commissioner(s) to carry out an Independent Examination of the soundness of a Local Development Plan document or Statement of Community Involvement (SCI), unless the Department appoints a different independent examiner. The PAC also hears and decides a range of appeals including on refused applications, conditions attached to planning approvals, non-determined applications, applications for Listed Building Consent, Advertisement Consent and enforcement-related cases.

Plan-led System: the principle that the determination of any application made under the Planning Act (NI) 2011 must be made in accordance with the development plan unless material considerations indicate otherwise.

Plan Strategy: this is the first document of the Local Development Plan and provides a vision, strategic objectives and a framework for growth for the plan area.

Pre-Application Discussion (PAD): a process of engagement with an applicant prior to the submission of a formal planning application, to discuss the principle of development and to clarify the format, type and level of detail required to enable the Council to determine such an application.

Pre-Application Community Consultation (PACC): if an application is for a major or regionally significant development, applicants must submit a Pre-Application Community Consultation Report together with their planning application. The purpose of the report is to provide details of the consultation that has been undertaken with the local community on the development proposal.

Preferred Options Paper (POP): this sets out the key plan issues that the Local Development Plan (LDP) needs to address, possibilities and alternative proposals produced at an early stage in the production of the Local Development Plan and the preferred options available to address them. The POP is a consultation paper to promote debate on issues of strategic significance which are likely to influence the shape of future development within the Council area.

Project Management team – Council officer group

Proposal of Application Notice (PAN): in the case of major or regionally significant development, as prescribed within the Schedule to The Planning (Development Management) Regulations (Northern Ireland) 2015, an applicant is required to submit a 'Proposal of Application Notice' at least 12 weeks prior to submitting a planning application for the proposal. The proposal of application notice should set out how an applicant proposes to engage and seek the views of the community on the proposed development.

Scheme of Delegation: a scheme where decision-making on local applications is delegated to an appointed officer rather than through the Council's Planning Committee, thereby enabling speedier decisions and improved efficiency. Section 31 (1) of the Planning Act (Northern Ireland) 2011 requires the Council to produce such a scheme.

Section 75 Groups: nine key groups listed in Section 75 of the Northern Ireland Act 1998 that traditionally have been under-represented or disadvantaged. Section 75 requires all government departments, agencies and councils to consider these groups when creating a policy.

Simplified Planning Zone: an area of land that can be earmarked for specific development where the planning process is relaxed in order to encourage development.

Soundness: a Development Plan Document will be found to be 'sound' if it meets certain tests at the Independent Examination stage. These tests require that a document is prepared according to the correct procedures, that it conforms to other policies, and that its proposals are coherent, consistent and effective.

Stakeholders: individuals or organisations who stand to gain or lose from the impact of a planning policy, proposal or decision. The term is used mostly to refer to bodies that will affect the delivery of a planning document's policies and proposals.

Statement of Community Involvement (SCI): statement setting out the Council's policy and processes for involving the community in the preparation, alteration and continuing review of all Local Development Plan documents and accompanying guidance, the consideration of planning applications, consideration of breaches of planning control and in the making or altering of designated areas.

Strategic Environmental Assessment (SEA): a procedure that contributes to the integration of environmental considerations in the preparation and adoption of plans and programmes with a view to promoting sustainable development.

Steering Group –Elected Members from Planning Committee Grouping

Supplementary Planning Guidance (SPG): a document which provides supplementary information about the policies in the Local Development Plan documents. SPGs are not subject to independent examination. A SPG may be related to a topic or to a specific area.

Sustainability Appraisal: tool for appraising policies to ensure they reflect sustainable development objectives and required in the Planning Act (NI) 2011 to be undertaken for all Local Development Plan Documents.

Appendix 2 – Local Development Plan Consultation Process

The statutory consultation bodies in the Local Development Plan process, as defined in the Planning (Local Development Plan) Regulations (Northern Ireland) 2015, are:

- □ **Northern Ireland Government Departments**
  - The Executive Office
  - Department of Education
  - Department for the Economy
  - Department of Finance
  - Department of Health
  - Department of Justice
  - Department for Infrastructure
  - Department for Communities
  - Department of Agriculture, Environment and Rural Affairs

- □ **Local Planning Authorities adjoining Ards and Down Borough Council**
  - Belfast City Council
  - Lisburn and Castlereagh City Council
  - Newry, Mourne and Down District Council

- □ **Water or Sewerage Undertakers**
  - Northern Ireland Water

- □ **Northern Ireland Housing Executive**

- □ **Civil Aviation Authority**

- □ **Any person to whom the electronic communications code applies by virtue of a direction given under Section 106(3) of the Communications Act 2003**

- □ **Any person to whom a licence has been granted under Article 10(1) of the Electricity (Northern Ireland) Order 1992**

- □ **Any person to whom a licence has been granted under Article 8 of the Gas (Northern Ireland) Order 1996**

Appendix 3 – Development Management Consultation Process

Planning Officers frequently need to obtain specialist advice to enable them to consider the potential impacts of a development proposal before determining a planning application. This is referred to as the consultation process. Consultation with statutory and non-statutory bodies will be carried out only when necessary to inform a planning decision.

Where the Council undertakes consultation on a planning application, the statutory consultee will be required to respond within 21 calendar days, or any other date as agreed in writing, after which the Council may determine the application whether or not a response has been received. In the case of applications which are subject to an Environmental Impact Assessment (EIA) the Council will not make a determination until 28 days have passed.

Statutory consultees are those government bodies or other organisations with whom the Council must liaise, dependent upon the nature of the application. Schedule 3 of the Planning (General Development Procedure) Order (Northern Ireland) 2015 defines the statutory consultees and outlines the various circumstances where consultation must be carried out. These specific criteria/thresholds for consultation should be referred to. The 'Statutory Consultees' are listed in **bold** below, along with main contact bodies:

Department for Communities

Department for Infrastructure – Roads and Rivers

The Health and Safety Executive for Northern Ireland

The Department for Regional Development (now Department for Infrastructure) or water undertaker as defined under Article 13 of the Water and Sewerage Services (NI) Order 2006 - Northern Ireland Water (NIW)

Licensed Aerodromes - Belfast International Airport & The George Best Belfast City Airport

Department of Agriculture, Environment and Rural Affairs

Department for the Economy

The Northern Ireland Housing Executive

It should be noted that the above is not intended to be a definitive list of consultees nor cover all circumstances under which a consultation with a statutory consultee may be carried out. Due to wide range of development proposals submitted to the Council, each application will be carefully considered, and consultations will be undertaken in

line with statutory requirements. The need for consultations will vary between applications depending on the on the nature and scale of the proposal.

Non-statutory Consultation

Not all information required to process an application will be from statutory consultees. There will be instances where non-statutory consultees may need to be consulted on a case by case basis. For example, this could include other sections within the Council with responsibility for matters relating to environmental health, or trees or conservation. Such consultees may also include other external organisations and bodies.

Non-statutory consultees are not bound by the 21 calendar days for a response; however, they will be encouraged to respond to consultations in a similar timeframe and manner to allow decisions to be made in a timely manner.

Due to wide range of development proposals submitted to the Council, each application will be carefully considered, and consultations will be undertaken in line with statutory requirements. The need for consultation will vary between applications depending on the nature and scale of the proposal.

Further information on the consultation process is contained in the Department for Infrastructure's Development Management Practice Notice 18 'The Consultation Process and Duty to Respond' - https://www.infrastructure-ni.gov.uk/articles/planning-practice-notes.