

Minutes of MS Teams Meeting held between RSUA Members and Head of Planning CC&GBC held 30 January 2025

Apologies:

Ciaran Fox - RSUA Chair; Tom Stokes - TSA Planning – (TS)

Attendance:

Denise Dickson - Head of Planning - (DD)

Jennifer Lundy – Development Management Manager Principal Officer (JL)

Shane Mathers – Development Management and Enforcement Manager Principal Officer (SM)

Mark Hand – RTPi Director of Wales, Northern Ireland and Planning Aid England

Murray Bell - Local RSUA Rep – Bell Architects Ltd – (MB)

Curtis Large – RSUA Policy and Public Affairs – (CL)

Scott Kennedy – Bell Architects – (SK)

Mike Williams – Slemish Designs – (MW)

Una Somerville – Somerville Consulting – (US)

Graeme Montgomery – Montgomery Irwin Architects – (GM)

Damien McLaughlin – HERE Architects – (DML)

Alana Durrent – Valley Architects - (AD)

Tom Stokes – TSA Planning – (TS)

Nathan Armstrong – (NA)

Eoighin Farren – Farren Architects - (EF)

Geoff Wilson – (GW)

David Montstephen – (DM)

Philip Parker – Parker Architects - (PP)

Duncan Jamieson – Taggarts – (DJ)

1.0 Introduction

1.1 DD opened the meeting, welcoming attendees. She acknowledged the continued benefits of holding a hybrid meeting.

1.2 DD referred to the already circulated agenda for this meeting and thanked those who had contributed to the agenda items.

2.0 Minutes of Previous Meetings:

- 2.1 DD tabled the minutes from the meeting held 01 May 2024 advising that when agreed these will be published on Planning section of Council's website for those who cannot attend to view what has been discussed and for open and transparency.
- 2.2 MB requested further time to consider the minutes.
- 2.3 DD agreed to hold publishing the minutes until Friday 07 February 2025 in order to allow comments on the minutes to be submitted to her.

3.0 Action Points from Previous Meetings:

- 3.1 DD went through the action points from previous meetings and updated as follows:
 - Minutes of 01 May 2024 will be published on website after 07 February 2025 to allow further time for comment – **ongoing** - DD
 - PADs process implemented 01 September 2024 – **complete** – DD
 - Validation Checklist implemented 01 September 2024 - **complete** – DD
 - Planning Performance Agreement sample provided – **complete** – TS
 - Front-loading planning assessment – data extracted and blockages identified; work commencing on resolving issues at initial stages prior to moving to other stages in the process – **ongoing** – DD
 - Planning Portal 'tick' to publish consultation response – DD confirmed case officers 'tick' to publish consultation responses on portal – **complete** - DD

4.0 Validation Checklist – Public Consultation

- 4.1 DD advised that the mandatory Validation Checklist is now out for public consultation and encouraged all to complete the survey to assist in developing the mandatory Checklist.
- 4.2 Discussion took place around the Validation Checklist process. MB raised concerns regarding the impact on businesses and fees. DMcL advised most mitigation for bats is either bat boxes or 1lux lighting adjacent to hedgerows. US advised that these are protected species and impact of development on them must be considered and due process is required. However, other processes can continue whilst waiting for the survey to be submitted.
- 4.3 DD confirmed that going forward applications will be validated if the biodiversity checklist and preliminary ecological assessment (where applicable) have been submitted; should a bat survey be required the application will be validated and the agent should submit the bat survey when completed. She advised that re-notification procedures would be required on receipt. MH stated that this is a pragmatic position and this issue had been looked at in other jurisdictions and submission of bat surveys cannot be dealt with by negative condition.

- 4.4 Discussions took place around the number of applications that had been returned under the validation checklist. DD stated that 22 applications had been returned since 01 September 2024 of which only 5 related to bat surveys.
- 4.5 MB referred to the latest Infrastructure Committee meeting and stated that it was interesting that similar comments had been made there. He stated that some proposed developments can be challenging; in the process of speeding up processing of applications it is important not to dull down the design. JL advised that Planning Statements and Design & Access Statements (DAS) should explain the design concept. MB stated that Planning Statements by qualified architects are to a high standard. DM advised that legislation sets out what is required in a DAS.
- 4.6 DD agreed that a Development Management Information Note could be developed to provide guidance on Planning Statements.
- 4.7 NA stated that communications from Officers required to be clearer in terms of what they are requesting and should refer to the relevant planning policy.

5.0 NI Water Standing Advice

- 5.1 DD referred to Standing Advice being developed with NI Water. She advised this relates to single rural dwellings and that CCGBC will be one of 3 councils to pilot the Standing Advice. US stated that single dwellings are not the main issue. DD advised that the intention is to start with these types of development and then look at how the Standing Advice can be expanded; it is a starting point.
- 5.2 Discussion took place around the issue of the infrastructure constraints. DML stated that considerations needs to be given more to the use of negative conditions; he understood the difficulty with applying negative conditions where there may be an impact on environmentally sensitive receptors. DML stated that development cannot commence without the connection consent from NIW and that the pre development enquiries take 18 months.
- 5.3 SM advised that where discussions have taken place with NIW and solutions have been identified we normally go ahead and impose a negative condition at that stage. However, early engagement with NIW is important to reach that stage of the process.
- 5.4 DD agreed that where the communication with NIW is submitted to the Planning Department that confirms that a likely solution has been identified, we will confirm with NIW and place a negative condition in order to conclude the application.

6.0 *Performance Update*

- 6.1 DD referred to the Second Quarterly Report on Northern Ireland Planning Statistics advised that performance was continually improving.

7.0 *Improvements to Processes*

Start applications in the way they need to proceed

- 7.1 MB reiterated the need for early discussions between the case officer and the Senior Planning Officer on applications. JL advised that staff are now trained and are more confident in their assessments; issuing more decisions and are meeting Business Plan targets. DD advised that early engagement with newer, less experienced staff is taking place; more experienced staff do not require the early steer in terms of the assessment and consultation and discuss with their senior officer after site visit and consultation responses received. SM advised that early engagement on major category of planning applications takes place routinely.

Avoid unnecessary consultation requests

- 7.2 DD advised that they are looking into the reasons for reconsultations. In some cases consultees are responding to advise that they do not know why they were consulted, however, the reason for consultation is set out in the consultation. This type of response does not indicate that the consultee should not have been consulted, rather a query as to the specific issue that they are to consider.

Cycle application files on a consistent and organised basis.

- 7.3 JL advised that Minors Team meet weekly to go through applications ready to determine and fortnightly to go through all caseloads to identify delays to processing. SM advised that the major applications are considered monthly and closely monitored.
- 7.4 DD raised the potential for Planning Performance Agreements (PPA) and advised this is something that she is doing research on to consider the merits of introducing these with a fee. US queried if this would mean additional staff would be employed to deal specifically with these applications subject to a PPA? DD advised that it is something that will have to be considered but would depend on the level of fee and income generated from the PPAs and whether this would be sufficient to cover an additional Senior Planning Officer position.

Communicate clearly and efficiently

- 7.5 DD agreed that sometimes a meeting is the best method of communication to resolve issues and agreed that it is important that communication is clear on what is required/concerns. DML stated that it is important that there are no bombshells at the end of the process and reiterated the importance of early discussions and engagement. He raised concerns in relation to the timeframe

from when a report is written to when it is authorised by the senior officer. DML raised concerns regarding delays to responses to email communications.

- 7.6 DD acknowledged that there had been some delays in terms of senior officer authorisation due to the bottleneck caused by the increased number of applications being determined in particular teams but this should largely be resolved now. JL advised she would be circulating to staff the comments raised at this meeting so they are aware of the concerns. DD advised that customer service training will be considered for staff. She further advised that a 0.5FTE Environmental health officer will be employed to assist with the planning consultation responses from Environmental Services.

Avoid excessively complex and repetitive planning reports

- 7.7 DD advised that there is no need for repetition of the wording of planning policies within planning reports with focus more on the assessment against the relevant policy. She advised that a large amount of the initial information is autogenerated from the Planning Portal such as planning histories, constraints, consultation responses. JL advised that they have looked at streamlining the Minor Team reports but objection items require fuller detail. MB considered there to be a repetitive nature with delegated reports produced and then Planning Committee reports. SM explained that the delegated officer report is developed initially but if the application is referred to Planning Committee a further more detailed report is required for Planning Committee members to cover all of the relevant issues.

There must be scrutiny into the processes of the enforcement team

- 7.8 SM advised that only rarely are Enforcement Notices issued without engagement first. DD advised that the warning letters have been amended to make them clearer. MB considered that some areas needed local connection and scrutiny. SM advised that the key issues considered are is it immune; does it benefit from permitted development; does it need planning permission.
- 7.9 DML stated that he considered the bar to be set too high. He referred to Certificates of Existing or Proposed Development and advised that they didn't exist years ago when perhaps the planning permission had been granted and development commenced but evidence not kept. SM referred to the balance of probability in terms of enforcement and referred to the Gabitas judgement.

Regular meetings with local architects

- 7.10 DD acknowledged that there had only been two meetings in 2024 and agreed to set these meetings up on a more regular basis going forward.

The new 'planning statements' requirements are not at all considered or described

- 7.11 It was agreed that this agenda item had already been discussed above.

The new PAD process is not at all convincing

- 7.12 MB raised concerns regarding the benefits of the PADs process stating that an opinion is required. DD queried if these comments relating to the old PAD process rather than the new as she was not aware that he had submitted a PAD under the new process. DM and DML stated that they considered the new PAD process very prompt and beneficial.

Speed

- 7.13 It was agreed that this agenda item had already been discussed above.

Decision Making

- 7.14 It was agreed that this agenda item had already been discussed above.

Decisions

- 7.15 It was agreed that this agenda item had already been discussed above. JL advised that this is an issue she has been looking at and now sharing authorisation of decisions when large numbers coming through at once with other senior planning officers.

Neighbour Notification

- 7.16 Discussions took place in relation to the need for renotification on minor changes. DD advised that where an issue has been raised in a letter of representation or if it is adjacent to a neighbouring property, neighbour notification must take place; this is an issue that was the subject of an Ombudsman complaint.

8.0 AORB

- 8.1 US queried the timetable for the LDP. DD advised that a new timetable has just been advertised.

11.0 Date of Next Meeting:

- 11.1 The date of the next meeting 02 April 2025.

ACTIONS

Issue	Action	Owner
Minutes	Publish minutes of meeting on Planning section of Council's website	DD
Validation Checklist	DD to advise staff that applications can be	DD

	validated with biodiversity checklist and PEA if required and do not need to be returned if bat survey not submitted at validation stage	
Planning Statements	DD to develop Development Management Information Note on Planning Statements	DD
NIW	DD agreed to proceed with negative condition at stage when solution identified	DD
Planning Performance Agreement	DD to further consider	DD
Efficiency of planning process	DD to continue to review and seek improvements to delays at the beginning of the planning process	DD
Customer Service Training	DD advised that customer service training is to be provided to staff	DD
Planning Reports	DD advised that further review of planning reports will take place to streamline	DD