Minutes of MS Teams Meeting held between RSUA and RTPI Members and Principal Planning Officers CC&GBC held 15th April 2026

Apologies:

Denise Dickson – Head of Planning

Mark Hand - RTPI

Robbie McNaugher - RTPI

David Mountstephen - Fleming Mounstephen Planning

Damien McLaughlin – HERE Architects

Scott Caithness – Montgomery Irwin Architects Ltd

Attendance:

Jennifer Lundy – Development Management (Locals) Manager (JL)

Shane Mathers – Development Management (Majors) and Enforcement Manager (SM)

Sharon Mulhern – Principal Officer – Development Plan, Trees and Conservation (ShM)

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

Neal McCormick – Studio Rogers – (NMcC)

Graeme Montgomery – Montgomery Irwin Architects – (GM)

David Dalzell

Nathan Armstrong – Nathan Armstrong Architects Ltd - (NA)

Philip Parker – Parker Architects - (PP)

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

Alana Durrent – Valley Architects - (AD)

Eoighin Farren – Farren Architects - (EF)

Andrew English – Education Authority (BM) (Remote)

Sarah Barrett – TSA Planning - (SB) (Remote)

Scott Kennedy – Bell Architects – (SK) (Remote)

Nick Salt- RTPI - (NS) (Remote)

John Caul (JC) (Remote)

David Graham (DG) (Remote)

Shane Loughran (SL) (Remote)

Laura Crawford – (LC) Business Support Officer (Minutes)

1.0 Introduction

1.1 SM opened the meeting, welcoming attendees and providing introductions.

1.2 SM 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 SM tabled the minutes from the meeting held 14 January 2026.

2.2 Minutes were agreed and the minutes have been published to Council website.

3.0 Action Points from Previous Meetings:

3.1 SM went through the action points from previous meetings and updated as follows:

- Paragraph 6.16 of the Efficient Processing of Planning Applications Protocol – RUSA to come back the information received on 26th March 2026.
- Redrated version 5.
- The revised protocol to be taken to Planning Committee on 22 April 2026
- Paragraph 10.2 – 3 hour time slot for meeting to be reduced to 2 hours now.

4.0 Performance Update – Q3 2025-26 Published Statistics

4.1 SM advised those present that DfI has published the third Quarter 2025/26 Statistical Bulletin. Statistics provided for major, local applications and enforcement;

- LOCAL- Q3 median 17.6 weeks (Business Plan Target for Q3 17 weeks). 5th place in 11 NI Councils.

- MAJOR- Q3 median 22.9 weeks (Business Plan Target 30 weeks). 1st place in NI.

- ENFORCEMENT- 77.8% to target conclusion within 39 weeks (Business Plan Target 70%). 5th place in NI.

- At the end of Q3, the number of applications over 12 months has reduced by 15% since the start of the business year. This exceeds the Business Plan Target of a 10% reduction.

- The number of applications received in Q3 increased by 6% relative to the same period last year.

- Application types- in Q3 the Council received the 4th highest number of residential applications.

- All Business Plan targets for Development Plan met.

4.2 JL advised that the approval rate is highest % of approval rate of all 11 Councils.

4.3 AD asked if this approval rate was out of all applications submitted or all decisions?

4.4 JL advised Q3 issued 228 applications including majors and in addition 23 were withdrawn.

4.5 AD advised this would feed into % rate. Applications would be withdrawn if applicant knew it was going to be refused.

4.6 JL reflected above all Councils.

4.7 EF advised things have changed in a positive way. However, things are slowing down again. There is an issue with timeframe between Case Officer making the recommendation to getting the decision notice – observation, not a criticism.

4.8 JL advised this has been picked up through RSUA feedback. It remains a draft report and not agreed until Senior Planning Officer signs off. Things can get picked up at this stage and need to be considered.

4.9 MB stated this has been noted by others also.

4.10 AD advised there is a concentration of decisions issued prior to holiday periods.

4.11 JL advised there are increased calls and requests from applicants prior to holiday periods.

4.12 EF advised timeframe working better last year.

4.13 JL stated Q4 statistics not published yet but doing well. We are looking into the matter.

4.14 MB asked about the impact of the validation processes. Has there been any feedback reflecting on how it has gone?

4.15 JL advised the increased number of applications decided in 15 weeks is significant. In April-June it was 23 weeks and now at 17 weeks. Improved

processing and improved way of working. Increasing applications being issued for The Minors team and other teams.

4.16 EF commented validation/admin is working well. Mentioned Biodiversity Checklist. Ecologists are hard to get and this is delaying the application. Can this be revisited down the line? There are not enough consultant ecologists to get this moving.

4.17 JL advised Biodiveristy Checklist being reviewed by NIEA.

4.18 CL advised they met with Natural Environment Division in January – draft provision if you are a member of a professional body. Does not need reviewed if national standards met.

4.19 JL advised Planning Department awaits further direction. Still getting knockbacks on consultation when Biodiversity Checklist is completed by agent rather than an ecologist.

4.20 EF asked if no, can agents sign off?

4.21 MB said he seen the information referred to in an e-mail.

4.22 JL advised there is no published document yet as she checked on website.

4.23 CL advised an e-mail was issued to RSUA members and that's where MB had seen it.

5.0: Development Management Information Notes (DMINs) – An overview

SM gave an overview of the purpose of DMINs. They have been prepared by the Council's Planning Department rather than centrally by DfI. Set out how the Planning Department approaches specific matters and are published as a resource for customers. Are available on the Planning section of the Council's website.

5.1 DMIN 1 Certificates of Lawful Use or Development

- Sets out the legislative background and clarifies that the planning merits of the use, operation or activity in the application is not relevant.
- Advises that a CLUD is available for both existing and proposed development
- Provides a definition of lawfulness through different means: not development; being exclusively excluded from the definition of development; having planning permission; being permitted development and; being immune from enforcement action.

- Advises what type of information should accompany a CLUD application.
- The delegated process for assessing a CLUD application.
- How CLUDs for proposed development are assessed relative to environmental impact assessment and the Habitats Regulations

MB asked if this is because something has changed.

SM advised some have been created recently and it is awareness to let them know they are available for customers to use.

MB advised he is aware of them and asked how they are advertised or circulated.

SM advised they are published on the Council website.

MB said if something is published, there is no notification published.

JL referred to the DMIN on Enhanced Validation Checklist – Facebook?

AD refer to other DMINs within checklist.

MB asked if they are updated are they revised?

AD asked about DMINs for Development Plan.

SM advised they don't refer to the Development Plan process.

MB raised issues on publication of CLUDs.

SM advised they are not on Public Access. This would be a regional option. Can show on the planning register but not on Public Access.

MB advised Newry, Mourne and Down District Council only give out information on CLUDs through FOI.

SM advised they are required on the planning register but not published. They are not like a planning application which is subject to consultation/receipt of representations.

MB advised information should be public as it can change the context of a site and informs decision making.

SM advised this can be requested through Terraquest and discussed at Head of Planning meeting.

EF no evidence of a CLUD on Public Access.

SM to take forward at next Head of Planning Meeting.

5.2 DMIN 2 – Non Material Changes

- Sets out the legislative background for non-material changes including ability to impose new conditions or remove or alter existing conditions.
- How to apply for a non-material change.

- The factors the Planning Department take into account when assessing a non-material change application

NMcC asked it there is a cost involved with a non material change (NMC) application and asked if this is something to consider given the resources spent on them. There is no value, they are addressed and go through, customers see value in work.

SM advised there is no fee which is set out in the Fee Regulations. NMCs are included in the legislation but no fee for it. PADS are outside of the legislation and the fee can be changed. DFI to look at this.

MB submitted a NMC and it was rejected and needed a better response. The letter didn't state why it was refused.

JL asked if the report outlined the reasons for refusal.

SM look at closure letter setting out reasons why refused.

JL plans can move away slightly from permission. For housing developments, it would take time for the Case Officer to go through all the plans. Make sure the plan relates to the approved plan.

EF suggested a quick chat rather than a NMC application.

JL better to submit NMC application. Can talk to Case Officers. For minor scale proposals, Case Officer can make complete report and ask Senior Planner if they agree.

MB referred to flipping a building 180 degrees – not acceptable.

JL E-mail Planning with the reference number to investigate.

5.3 DMIN 3 – Commencement of Development

- Sets out the legislative requirements for commencement of development- Section 63 of the 2011 Planning Act.
- Where the proposal includes a building, this requires "any work of construction in the course of the erection of the building".
- Clarifies that the requirements for commencement of development in England and Wales are more liberal given the specific legislation there.
- Covers appeals and High Court judgements that have engaged with the issue, specific to Northern Ireland.
- Underlines the importance of complying with negative conditions on the permission.
- Advises option of submitting a CLUD application if certification is required.

NMcC discussed providing evidence – will help with assessment. Change to house type where house has started, is a CLUD necessary?

SM can be acceptable without a CLUD if information provided is clear and easily ascertained. Otherwise, a CLUD application is required.

5.4 DMIN 4 – Renewal of Planning Permission

- Sets out the legislative background for renewal applications.
- Explains that the application fee for an in-time renewal is currently 25% the full fee.
- Clarifies that a renewal must be the same proposal as approved without changes. However, applicant can be different.
- Explains the reduced information required for a renewal application relative to a new full application.
- Explains that statutory consultation applies to renewal applications.
- Advises how an application for renewal is assessed- while the planning history (i.e. renewal status) is relevant, this is considered alongside other factors.
- Sets out the position relative to environmental impact assessment and the Habitats Regulations.

DD asked if it is subject to reconsultation and is it the same as a full application.

SM same as full but with a specific planning history.

AD difficulty with copyright. Different application and agent – design belongs to original applicant.

SM that's a matter for the new agent with old agent. Outside the remit of Planning – Copyright and Patents Act.

AD Design belongs to the designer, not the applicant.

GM Is just a letter and fee required for a renewal application?

SM Confirmed this to be the case. There is no need for PAN with renewal for major application. The enhanced validation checklist doesn't apply.

GM DMINs are useful.

5.5 Pre-Application Discussions

- Explains the PAD process.
- Set out at the last meeting.

5.6 Discharge of Conditions

- Explains that not all planning conditions need to be discharged- only those that require specific verification by the Planning Department. This process of verification is known as “discharge of conditions”.
- Sets out most discharge of conditions relate to “negative conditions” i.e. those that require the verification process to be discharged before development starts.
- Other, less common, discharge of conditions relate to ongoing regulation of development, especially schemes subject to EIA.
- Advises on how discharge of condition applications are processed including, where necessary, consultation with a specific consultee.

NMC mentioned charging for these due to time spent on them.

SM fee was already paid for the application. No provision in legislation to charge and asked if there was any issues in how the system is operating.

NMcC Partial discharge is sometimes done. If report by accredited source, extends length of communication. Can Planning consider making decision rather than reconsult?

DD would speed up process. Knock on effect.

SM Reconsultation not required in all cases.

5.7 DMIN 7 - Referrals

- Explains the referral process as set out in the Scheme of Delegation for the Planning Department.
- Sets out that a referral request can only be made by an elected member of the Council.
- Explains the timeframe for submission of a referral request.
- Advises on the content required for a referral request including “clearly specified planning reasons for the referral”.
- States how referral requests are considered.
- Provides a template for submission of a referral request.

NMcC Do members use the referral template?

SM Yes, but it is not required, it is optional.

GM Delegated decisions refusals – not tracked on Planning Portal. Requested an alert but this has not happened.

GM The application is placed on the contentious list without notification.

JL Agents need to check the list every Tuesday. All actions in processing an application are not subject to notifications.

MB An outside architect has no awareness of the notification process.

JL An alert should issue when the agreed when Case Officer Report is uploaded to the Planning Portal.

SM This is the indicator to check the published contentious list.

GM Does report need uploaded prior to publishing the contentious list?

JL Report is published on the Planning Portal prior to list being issued.

5.8 DMIN 8 – Planning Statements

- Further to the start of the enhanced validation checklist process, explains what a planning statement is.
- Underlines that a planning statement is required for all applications with the exception of minor householder applications and advertisements.
- Provides details on what should be contained within a Planning Statement.

MB There is an overlap between other statements. There is no need for 2 separate documents (Design and Access Statement and Planning Statement).

SM May wish to title the document with both names.

GM Is the Design Concept Statement different?

SM Yes.

EF If you have outline approval, when talking about policy, we don't have to go through matters again. Why spend time on something previously reviewed?

JL It should be proportionate.

EF Two experiences – done that and were accepted. Efficiency/consistency for agents and planning.

5.9 DMIN 9 – Fee Exemptions

- Sets out circumstances of fee exemptions: for disabled persons; for limitation of use by condition and; provision of community facilities for not for profit organisations.
- Explains the evidence required to substantiate a fee exemption.
- Includes a series of questions and answers to explain how fee exemptions apply in practice.

5.10 DMIN 10 – Planning Application Validation Checklist

- Details of this new procedure set out and discussed at recent meetings.

5.11 DMIN 11 - Self Catering/ Short-Term Stay Accommodation

- Details set out at meeting on 15/10/25.

MB Are there any DMINs missing? What defines a contentious application?

SM This is set out in the Scheme of Delegation.

MB Needs something more robust.

MB Submissions of comments to the Local Development Plan Process (DPIN).

SM Can look at it when the time comes, just not at this point.

SM Any topic for new DMINs?

GM Confusion around conversion of garage for domestic/ancillary use. Live applications. Don't know what judgement process is.

SM Will consider doing a DMIN on it.

GM Is it PD?

SM Depends on circumstances. Give thought to ancillary accommodation. Will research if clarity can be given.

6.0 Retail Study Update:

6.1 ShM gave a powerpoint presentation outlining the main findings of the study and implications and advised it would be used for Local Development Plan going forward and invited questions.

6.2 AD asked if it is advertised or published anywhere.

6.3 ShM advised it is on the Council website and latest news page.

6.4 SB advised she downloaded it so it is definitely there.

6.5 GM mentioned application in local village centre in housing area – he was asked for Retail Impact Assessment – speculative units.

6.6 JL asked if a meeting had taken place.

6.7 GM advised meeting took place last year.

6.8 JL said she knew the application. The option for a 2nd meeting is afforded due to complexity of specific application.

6.9 ShM referred to reduction in trade. Big stores such as Tescos in town. Others like ASDA and Sainsburys on the boundary are not protected.

6.10 MB asked how we are going to save it. Previous policies caused failure. What policies will there be?

6.11 ShM advised there are new policies in the Plan Strategy and Local Policies Plan.

6.12 CL asked if all Councils are doing it.

6.13 ShM advised all Councils are doing it and are all at different stages of the Development Plan. Find out who has most up to date one on their website. Evidence based for Local Development Plan.

6.14 GM said there is only so much can do with retail for planning permission. Could Local Development Plan think about increasing footfall in town centre?

6.15 ShM advised on planning restrictions. Some buildings are restricted – e.g. stairs up to upper levels. Mentioned planning permission for more than one unit.

6.16 ShM - Can look at threshold.

6.17 SM said there are lots of factors to look at for retailing. Lots of things contribute to changes in fortunes of town centres.

7.0 Issues Raised by agents for discussion:

None.

8.0 AORB:

8.1 CL asked if the Council were clear on why there was a 25% reduction in PADS since September 2024.

8.2 SM said he didn't know. Haven't undertaken research – market forces and other contributory matters are speculation.

8.3 CL asked if the Protocol is to be revised, when will they see the next version.

8.4 JL advised it has been revised. It was taken to Planning Committee in April for Members. It will be uploaded today/tomorrow.

8.5 JC referred to NI Water. Approved outline application for housing. On the Reserved Matters application, there was a negative condition. Seek confirmation on capacity for treatment works. Small retail unit changed to domestic property and got a refusal from NI Water. Guidance on how to respond to client.

8.6 SM Can likely apply negative condition and approve. Need to engage with NI Water to agree a solution.

9.0 Date of next meeting:

9.1 The date of the next meeting will be Tuesday 07 July 2026 (later changed to Wednesday 12th August 2026)