

Town Planning Committee

Thursday, 29th November, 2012

SPECIAL MEETING OF TOWN PLANNING COMMITTEE

Members present: Councillor L. Patterson (Chairman);
Alderman Rodgers; and
Councillors M. E. Campbell, Garrett, Kingston,
Lavery, McCabe, McCarthy, Mullan,
A. Newton, and Spence.

In attendance: Mr. P. McNaney, Chief Executive;
Mr. K. Sutherland, Planning and Transport Manager;
Mr. N. Dunlop, Strategic Advisor; and
Mrs. P. Scarborough, Democratic Services Section.

Apologies

Apologies for inability to attend were reported from Aldermen R. Patterson and Smyth and Councillors Curran and McNamee.

Declarations of Interest

No declarations were reported.

Streamlining the Processing of Minor Planning Applications

(Mr. C. McIlwaine, Area Planning Manager, attended in connection with this item.)

The Committee considered the undernoted report:

“1 Relevant Background Information

1.1 As part of the ongoing Planning Reform agenda there have been a number of changes to the application processes which have been introduced during a period when the volume of applications have significantly reduced.

1.2 Following the consideration of a report to the May 2012 Strategic Policy & Resources meeting, it was agreed that a consideration be given to the potential for refocusing the Committees dual monthly meetings. This decision to explore the focus for the Committee and capacity building was taken in the context of the correspondence from the Minister about extending the current streamlined consultation scheme and a desire to identify the most effective approach of delivering the Council’s Investment programme.

1.3 In January 2009 the Town Planning Committee agreed to adopt revised arrangements in regard to the Council's determination of planning applications of a minor nature using the streamlined consultation process. The Streamlining process originally applied to relatively minor applications or modifications to existing consents.

1.4 In March 2010 Committee agreed to the extension of the list of types of planning applications which could be included within the Streamlined Consultation Process. The following types of application incorporated into the modified streamlined process:

- conservation area consent;
- listed building consent;
- change of use;
- all extensions and alterations;
- floodlighting;
- housing applications for up to five dwellings;
- renewable energy generators;
- solar power;
- domestic wind turbines; and
- open space facilities.

1.5 The current proposal from the Minister of the Environment Alex Atwood is that the streamlining consultation process be further extended to include:

- all other minor and intermediate applications;
- housing applications up to a maximum of 25 units; and
- office accommodation up to a maximum of 200 sq metres.

On the 18th of October 2012 the Committee agreed to convene a Special Meeting to consider the proposals from Minister of the Environment Alex Atwood in relation to the proposed streamlining changes.

2 Key Issues

- 2.1** The letter from the Minister suggests that adoption of the proposed expanded criteria for the identification of streamlined application would, if agreed to, result in around 75% of all planning applications being taken out of the direct Committee consideration process.
- 2.2** It should, however be noted that previous guidance provided by departmental officials suggested that the level of streamlined delegation appropriate to each Council could be modified in discussion between the divisional manager and the authority. It may, therefore, be appropriate to consider the scope of the proposed changes in more detail taking account of the Committee experiences under the existing scheme and the concerns in respect of the scale of application that may now be deemed to fall within streamlining.
- 2.3** In addition it should be recognised that through the adoption of an extended or modified streamlining process there may be increased opportunity and time available for Committee to give additional consideration to recurring issues; more strategic planning matters and the capacity building potential.
- 2.4** In relation to the proposals for streamlining as set out in the letter from the Minister the Committee may wish to consider three broad options for how to proceed with future streamlining process:
- 1.** Retention of existing streamlining criteria with no modification or extension;
 - 2.** Adopt selected elements of the proposed new criteria outlined in the letter from the Minister; or
 - 3.** Accept the proposal for the expanded streamlining criteria.

- 2.5 In order to address any queries and to inform Member consideration of the proposed streamlining extension the new Divisional Manager Clifford McIlwaine will be in attendance at the meeting. Members will have the opportunity to raise any areas of concern or specific queries in relation to the operation of the exiting process and the implications of the changes proposed.
- 2.6 Notwithstanding the approach the Committee may wish to take in relation to the streamlining it may be appropriate to consider how the current meetings could be refocused. There could be space within the current meeting framework to deliver a more structured capacity building programme for members and enhance the manner in which routine decisions could be dealt with whilst providing greater opportunity for the scrutiny of more strategic development proposals that could affect aspirations for the broader development of the City.
- 2.7 The Committee may wish to note that Neil Dunlop (former Divisional Planning Manager) is now working with the Council, on part-time secondment, to assist with the preparation for transfer of statutory Planning under the Review of Public Administration.
- 2.8 In advance of any such report being submitted to Committee, it would be beneficial to discuss the process with Members and on an individual Political party basis in respect of:
- exploring the potential future role of the Committee and Council in planning;
 - capacity building measures to prepare the Council for delivering planning and to develop relationships in the period up to 2015; and
 - reform proposals and both their immediate and longer term implications.
- 2.9 An initial outline of the potential areas or subjects that could be addressed through any refocusing and reconfiguration of the monthly meetings of Town Planning Committee are set out in Appendix 2.

3 Resource Implications

None

4 **Equality and Good Relations Considerations**

None

5 **Recommendations**

- 5.1 To consider the options in respect of the proposed streamlining changes as set out in paragraph 2.4 and agree the Committee's preferred approach to future applications.

6 **Documents Attached**

Appendix 1: Streamlining Process Stage of Development

Appendix 2: potential for refocusing and reconfiguration of the monthly meetings of Town Planning Committee

Appendix 1: Streamlining Process Stage of Development

In January 2009 the Town Planning Committee agreed to adopt revised arrangements in regard to the Council's determination of planning applications of a minor nature using the streamlined consultation process. The Streamlining process originally applied to the following types of planning applications:

- extension and alterations to dwellings;
- minor works, for example, ATM machines, boundary walls, fences, roads
- in industrial estates, etc
- residential garages, garden sheds and other similar development within
- the cartilage of an existing dwelling;
- reserved matters (where there are no objections);
- advertisements and direction signs;
- electricity lines (up to 33 kv) and substations;

- change of house types on approved sites;
- shop fronts and minor alterations to commercial business and industrial premises;
- new accesses and hard standing serving development;
- agricultural buildings, structures and associated works;
- minor alterations and extensions to schools, churches, health centres and other educational, civic or community facilities; and
- other similar development proposals which are minor in nature, for example, smoking shelters and disability access arrangements.

In March 2010 Committee agreed to the extension of the list of types of planning applications which could be included within the Streamlined Consultation Process. The following types of application incorporated into the modified streamlined process:

- conservation area consent;
- listed building consent;
- change of use;
- all extensions and alterations;
- floodlighting;
- housing applications for up to five dwellings;
- renewable energy generators;
- solar power;
- domestic wind turbines; and

- open space facilities.

On the 18th of October 2012 the Committee agreed to convene a Special Meeting to consider further correspondence received from the Minister of the Environment Alex Atwood on the current proposals for the extension of streamlining. The suggestion is that the streamlining process should be extended to include:

- all other minor and intermediate applications;
- housing applications up to a maximum of 25 units; and
- office accommodation up to a maximum of 200 sq metres.

* *While there is no definition of minor or intermediate applications Planning Service advised that generally these comprise straightforward applications which have attracted no objections. The Council will continue to be consulted on all planning applications and Councillors will have the right to request that any planning application be included for discussion at the Planning Committee.*

To help illustrate the type of proposals classified as minor and intermediate Planning Service provided some examples:.

Minor: Alterations and extensions to dwelling; Consent to display an advertisement; Agricultural Buildings structures and associated works; Disability Access arrangements.

Intermediate: Rural Houses; Proposed changes of use; Listed Building consent and Conservation Area Consent; Applications for use of land without compliance with conditions.

Appendix 2: The potential for refocusing and reconfiguration of the monthly meetings of Town Planning Committee

There could be the opportunity to change the focus whereby one meeting each month would discuss routine business with the utilisation of the second meeting for strategic discussions of recurring issues of concern for Members, major planning considerations for the City, and emerging policy. The potential agenda items could include:

- a. Major applications within the City (both DoE applications and those to be considered by the Council; the opportunity for early discussion and debate with officials, proposers and objectors. Ensuring the effective and timely delivery of the Investment Programme and other investment opportunities for the City;
- b. Issues or types of development that are of particular interest or concern to members and the subject of comment or objection;
- c. The level of information provided to the committee on applications and the exploration of the basis for decisions on which the Committee may have concerns or reservations;
- d. Planning Policy matters as they impact on the City; the need to identify any local policy development required to protect/develop areas of the City in the light of such Policy;
- e. the opportunity for Members to start to engage in discussions around a new Area Plan for Belfast subsequent to the adoption of BMAP; the integration of aspects of community planning and recent discussions about the development of a new City Centre regeneration framework;
- f. the potential to set priorities for development or prioritise resources to closely align to the Investment Programme.
- g. capacity building through regular updates on RPA and the timetable for change; discussion on capacity building measures linked to the Members Development Programme and Members' Academy;
- i. Agreement on protocols for delivery of Committee business. Provides an opportunity to:
 - ii. Strengthen the relationship between planners and Council Members/ officers; working together to improve understanding of roles and functions. Increase awareness among council Members and officers of the consequences of decisions or non-decisions in respect to the planning process.

- iii. Provide greater exposure for planners to the political decision making process**
- h. Consideration of the range of applications which are currently within the streamlined consultation regime and any potential for further extension of the land use categories in recognition of the Minister's proposal."**

The Chief Executive highlighted a number of areas within the report and a range of questions were raised by the Members in relation to how the determination of categories of streamlined applications was arrived at; the possibility of highlighting major applications within the streamlined application process; and the intention to extend the current process to include housing applications of up to a maximum of twenty-five units. The Chief Executive pointed out also the need for further consideration to be given to exploring the potential future role of the Committee and of the Council in the planning process and the capacity building measures required to provide a greater understanding of the role of the Members in relation to the delivery of the planning function.

The Committee was advised that Mr. C. McIlwaine, Belfast Area Planning Manager, was in attendance and he was admitted to the meeting and welcomed by the Chairman.

Mr. McIlwaine reminded the Committee of the background to the introduction of the streamlined process and the recent letter from the Minister which had outlined the proposals to expand the criteria for the identification of those applications. He informed the Committee that, currently, twenty-two local councils had adopted the extended scheme and that, potentially, it would allow for seventy-five percent of planning applications to be dealt with within the streamlined application process. He advised also that, at present, fifty percent of streamlined applications were processed within approximately fifteen weeks and non-streamlined applications were processed in just over forty weeks. It was anticipated, therefore, that there would be a substantial reduction in the timescale for processing applications if the streamlined scheme was adapted as outlined. Mr. McIlwaine pointed out that the intention of the amended scheme was to simplify the application process in relation to consultation and he assured the Committee that it was not intended that any steps currently undertaken during assessing applications would be omitted. He concluded by providing a reassurance that only non-contentious applications and those which had received no objections would be included within the amended streamlined application scheme.

Mr. McIlwaine answered a number of questions put by the Members in relation to how the figure in connection with housing applications of up to a maximum of twenty-five units had been identified; how the definition of minor, intermediate and major had been determined in relation to the categorisation of planning applications; and the possibility of highlighting those applications which had been categorised as major within the streamlined process. Mr. McIlwaine stated that any decision which would be taken by the Committee to extend the current streamline system could be reviewed in six months' time to assess its effectiveness. He undertook also to explore the possibility of adapting the current computer system to allow for the highlighting of major applications within the streamlined list.

The Chairman thanked Mr. McIlwaine for his attendance at the meeting.

The Committee agreed to defer consideration of the recommendations to enable a further report on areas for discussion and a suggested way forward to be submitted to a future meeting.

Chairman