



Subject:	Implementation of the Belfast Local Development Plan, Plan Strategy
Date:	18 April 2023
Reporting Officer(s):	Kate Bentley, Director of Planning and Building Control
Contact Officer(s):	Ed Baker, Planning Manager (Development Management) Keith Sutherland, Planning Manger (Plans and Policy)

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of Main Issues
1.1	To set out the proposed approach to applications previously decided by the Committee but which will not have a decision issued at the point of adoption of the new Plan Strategy. The Plan Strategy will be adopted on 02 May 2023.
2.0	Recommendation
2.1	The Committee is asked to: <ul style="list-style-type: none">• note the report; and• give delegated authority to the Director of Planning and Building Control to reassess and determine Local applications that the Committee has previously decided, but which will not have a decision issued on 02 May 2023, in the context of the new Belfast LDP Plan Strategy.
3.0	Main Report
3.1	<u>Background</u> The Belfast Local Development Plan, Plan Strategy will be adopted on 02 May 2023.

3.2	<p>Section 6(4) of the Planning Act (Northern Ireland) 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>
3.3	<p>The Plan Strategy, alongside the Local Policies Plan which is yet to be published, will form new Development Plan for Belfast and will replace the Belfast Urban Area Plan 2001 as the statutory plan for the city. The above legislation means that the Plan Strategy will have primacy in decision making for all planning applications and other determinations, including assessment of enforcement cases, from the date of adoption.</p>
3.4	<p>When considering land-use zonings, designations and proposals maps, the Council will still have regard to the Belfast Urban Area Plan 2001, draft Belfast Metropolitan Area Plan 2015 and other draft plans until such time as the new Local Policies Plan is adopted.</p>
3.5	<p>The Plan Strategy will replace the operational policies currently provided by the Departmental Planning Policy Statements (PPSs). Those policies will no longer have effect from 02 May 2023, irrespective of whether planning applications have been received before or after that date (par. 1.11 of the Strategic Planning Policy Statement).</p>
3.6	<p>The Plan Strategy comprises strategic and topic based operational policies including, but not limited to, housing, employment, design, built heritage, environment, communities, transport, infrastructure and natural heritage. A suite of Supplementary Planning Guidance that provides additional advice on the implementation of policies within the Plan Strategy will also come into effect at the same time.</p>
<p>Reassessment of applications previously considered by the Committee</p>	
3.7	<p>Having regard to Section 6(4) of the Act, on adoption of the new Plan, the Council will need to reassess all applications previously considered by the Committee but which do not have a decision issued at the point of adoption, in the context of the new policies in the Plan Strategy. Typically, those will be applications where the determination was subject to the prior completion of a Section 76 planning agreement, or where delegated authority was given to officers to address other outstanding issues before a decision can be made, and the decision remains to be issued.</p>
<p><i>Major applications</i></p>	
3.8	<p>Legislation requires that applications for Major development are determined by the Committee and cannot be delegated. Members are advised that Major applications previously decided by the Committee but remain undetermined at the point of adoption of the Plan Strategy will be reported back to the Committee for reconsideration in the light of the new policies. This will take the form of an addendum report to the original case officer report. It is expected that this process will commence in June after the election.</p>
<p><i>Local applications</i></p>	
3.9	<p>It is proposed that reassessment of applications for Local development that have previously been decided by the Committee is delegated to officers. However, this would not include Local applications required to be determined by the Committee in accordance with legislation under paragraph 3.8.5 of the Scheme of Delegation. Therefore, the following such Local applications would not be delegated to officers.</p>

3.10	<ul style="list-style-type: none"> • Those made by elected members of the Council; • Those made by Council staff at senior management grade (PO12) or above and all staff in Place and Economy Department and Legal Services; • Those made by the Council; • Those in which the Council has an estate <p>The Committee is asked to give the Director of Planning and Building Control delegated authority to reassess and determine those Local applications that the Committee has previously decided but which do not have a decision issued on 02 May 2023. In some cases, these include associated Conservation Area Consent, Listed Building Consent and other consents. The Local applications officers are seeking delegated authority to reassess and determine are listed at Appendix 1. It should be noted that a decision on some or all of those applications may have been issued by the adoption date.</p>
4.0	Financial & Resource Implications
4.1	The reassessment of Local applications previously decided by the Committee by officers will save Committee and officer time and help to minimise costs.
5.0	Equality or Good Relations Implications / Rural Needs Assessment
5.1	No adverse impacts identified.
6.0	Appendices – Documents Attached
	Appendix 1 – list of Local applications previously decided by the Planning Committee for which delegated authority is sought for officers to reassess and determine.