

Pre-application community consultation process pack

The Planning Act (NI) 2011 provides for the transfer of the majority of planning functions from central government to local councils. It also brings forward a number of reforms to the planning system.

The revised legislation splits development proposals into three categories:

- **regionally significant;**
- **major; and**
- **local.**

The legislation requires that applicants for **all regionally significant and major developments** must undertake formal public consultation prior to the submission of a planning application. This is to ensure that communities are made aware of, and have an opportunity to comment on, such proposals before an application is made.

All applications for regionally significant or major developments submitted on or after 1 July 2015 must comply with the pre-application community consultation process outlined in this guidance.

Please note - pre-application consultation does not replace the opportunity, or remove the need, for communities and individuals to make formal comments on proposals during the planning application process.

This pack contains the following:

- **Guidance**
 - New hierarchy of development
 - Proposal of Application Notice
 - Pre-application consultation report
 - Pre-application process
 - Major application definition checklist

Please return Notices to:

Belfast Planning Service
Belfast City Council
The Cecil Ward Building
4-10 Linenhall Street
Belfast
BT2 8BP
Tel. 0300 200 7830
Email: planning@belfastcity.gov.uk

This pre-application pack is also available at www.belfastcity.gov.uk/planning

A Word version of the Proposal of Application Notice can also be downloaded from the website.



Belfast
City Council

Pre-application community consultation process

Guidance notes

New hierarchy of development

There are three types of development which a proposal may fall into:

Regionally significant developments

As included in The Planning (Development Management) Regulations (Northern Ireland) 2015 (see checklist at end of this pack). Applicant must consult with the Department of the Environment for these types of applications prior to submission of a proposal of Application Notice as outlined in The Planning Act (Northern Ireland) 2011 Section 26.

These should not be made to the council.

Major developments

As included in The Planning (Development Management) Regulations (Northern Ireland) 2015 (see checklist at end of this pack)

Local developments

All development, other than regionally significant and major developments, belong to the category of local developments. (these will not require community consultation)

Proposal of Application Notice

If pre-application consultation is required, applicants must submit a Proposal of Application Notice **at least** 12 weeks prior to the submission of the planning application. The Proposal of Application Notice Form is available online at: www.belfastcity.gov.uk/planning

The notice must detail the consultation process the applicant will undertake, including when, how and with whom. If additional consultation is required we will respond to the notice within 21 days stating why the proposal is insufficient in that particular case and set out any additional consultation that is required.

The Notice should include:

- contact details for the prospective applicant or agent;
- if the site has a postal address, that address, including postcode;
- a description of the proposed development, including details of proposed use, floor space (industrial / commercial), number of units (residential) etc.;
- a plan showing the outline of the site at which the development is to be carried out; and
- an account of what consultation the prospective applicant proposes to undertake.



Who should be consulted and how?

The prospective applicant is required to indicate in the Notice what consultation will be undertaken.

The statutory minimum requirements are:

- The consultation must include at least one public event where members of the public may make comments to the prospective applicant on the development
- Details of the proposal and consultation must be published in a local newspaper at least seven days prior to the event being held.

The public event advertisement must include:

- the location and description of development,
- details of where further information is available,
- date and location of the event,
- a statement explaining how, and by when, anyone wishing to make comment to the prospective applicant relating to the proposal may do so, and
- a statement that comments made to the prospective applicant are not representations to the planning authority.

An example template for the required press advert and the Proposal of Application Notice is included at the end of the pack and also available at www.belfastcity.gov.uk/planning

The planning authority may, within 21 days of receiving the Proposal of Application Notice, notify the prospective applicant of any other persons they consider must also receive a copy of the Notice and of any other consultation that must take place, including the type and form of consultation.

In addition to the statutory minimum requirements Belfast City Council is in most cases likely to require the following additional consultation to be carried out:

- the Proposal of Application Notice to be sent to members of council for the District Electoral Area in which the proposed development is situated
- additional publicity to be provided for events including leaflets to neighbouring properties and posters in prominent locations in the area

We may still request further consultations over and above these depending on the nature, extent and location of the proposed development.

Consultations must be carried out in a manner that provides genuine opportunities for members of the public to engage with applicants. For example, the timing and location of events should be considerate of the lifestyles and commitments of all members of the local community.

We would also expect applicants to be mindful of the need to ensure equality of opportunity in the ways in which they consult and engage with stakeholders, and consider how they will reach relevant groups and communities in an appropriate way. More advice on promoting equality, including helpful guidance on methods of consultation, can be found in our Equality Scheme and specifically chapter three: 'Our arrangements for consulting' available at: www.belfastcity.gov.uk/equality

Advice on community consultation can also be found in DOE Practice Note 10 available at www.planningni.gov.uk/advice



Belfast
City Council

Outcome

The consultation should be a meaningful engagement with local communities and those **who can represent the community's views, and should offer the opportunity to dispel any misunderstandings** around the projects and address local objection early in the process.

The applicant must submit a pre-application consultation report with the planning application, detailing the consultation undertaken and any changes made to the proposal as a result.

Pre-application consultation report

The purpose of the pre-application consultation report is to confirm that pre-application consultation has taken place in line with statutory minimum requirements and in line with any further requirements set by the planning authority in their response to the Proposal of Application Notice.

The report should:

- set out what steps were taken to comply with the statutory requirements and those of the planning authority. This should include copies of advertisements of the public event(s) and specify who has been consulted and what methods have been used.

It is advisable that the report also includes:

- reference to, and examples of, material made available at such events; response from those consulted and the applicants consideration of those responses. The report should also set out to what extent, the proposals may have changed as a result of pre-application consultation.

The report must be made in writing and accompany the planning application when submitted and the planning authority is required to include it on part 1 of the planning register along with the application, plans and drawings.

Further information

If you require more information or help, please contact:

Belfast Planning Service
Belfast City Council
The Cecil Ward Building
4-10 Linenhall Street
Belfast
BT2 8BP
Tel. 0300 200 7830
E-Mail: planning@belfastcity.gov.uk



Belfast
City Council

Pre-Application process

	Applicant	Planning Authority	Public
1. Pre-Application Consultation	If pre-application consultation, submit Proposal of Application Notice to the planning authority and begin consultation	Respond to notice within 21 days stating whether consultation is acceptable and detailing any further consultation required.	Respond to applicant with views/opinions on the proposed development
2. Planning Application	Submit planning application including pre-application consultation report. (minimum of 12 weeks from planning authority receipt of proposal of application notice)	Assess the application and recommend a decision	Submit formal representations on the application to the planning authority. (21 day window from application validation date or expiry date of any advert.)



Major application definition checklist

Description of Development	Major Development Criterion	Regionally Significant (section 26) Criterion
(1) EIA development	Development of a description in paragraphs; 1, 3, 4, 5, 6, 11, 12, 15, 17, 18, 19, 22, 23 and 24 mentioned in Schedule 1 to the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2012	Development of a description in paragraphs; 1, 3, 23 and 24 mentioned in Schedule 1 to the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2012
(2) Energy Infrastructure		
Generating stations	The construction or extension of and on shore generating stations where its capacity is or is more that 5 megawatts	The construction or extension of and on shore generating stations where its capacity is or is more that 30 megawatts
Power lines	Installation of a power line above ground exceed 33kilovolts if the purpose of the line is the provision of a supply to more than one customer	Installation of a power line above ground is or is more than 110 kilovolts and a length of more than 15 kilometres
Storage	Installation for the storage of petroleum, petrochemical or chemical products where the storage capacity of the facility is expected to be 30,000 tonnes or more	(a) Installations for the storage of petroleum, petrochemical or chemical products where the storage capacity of the facility is expected to be 200,000 tonnes or more (b) Installation for the underground geological storage of petroleum, carbon dioxide or compressed air storage
Gas extractions	The extraction of petroleum and natural gas for commercial purposes where the amount extracted is more than 250,000 cubic metres per day	(a) Any proposal relating to the extraction of unconventional hydrocarbons (b) Extraction of petroleum and natural gas for commercial purposes where amount extracted exceeds 500 tonnes per day (oil) and 500,000 cubic meters per day (gas)
Pipelines	Pipelines with diameter of more than 400mm or more than 20 kilometres in length for the transport of oil/gas/chemicals or for the transport of carbon dioxide streams for the purposes of geological storage, including associated booster stations	Pipelines with a diameter of more than 800mm or a length of more than 40 kilometres for the transport of oil/gas/chemicals or for the transport of carbon dioxide streams for geological storage, including associated booster stations



Major application definition checklist

Description of Development	Major Development Criterion	Regionally Significant (section 26) Criterion
<p>(3) Transport Infrastructure</p> <p>Constructing new or replacement railways, airfields, harbours and ports, waterways, transit ways</p>	<p>The area of the works is or exceeds 1 kilometre in length of 1 hectare</p>	<p>Construction of lines for long-distance railway traffic and of airports with a basic runway length of 2,100 metres or more</p> <p>Inland waterways and ports for inland waterway traffic which permit the passage of vessels of over 1.350 tonnes</p> <p>Trading ports, piers for loading and unloading connected to land and outside ports (excluding ferry piers) which can take vessels of over 1.350 tonnes</p>
<p>(4) Waste Infrastructure</p> <p>Waste management facilities</p> <p>Waste water</p>	<p>An installation for the disposal, treatment or recovery of hazardous waste with capacity for an annual intake of 25,000 tonnes or more</p> <p>Waste disposal installations for the incineration or chemical treatment (as defined in Annex I to Directive 2008/98/EC under heading D9) of non-hazardous waste with a capacity exceeding 100 tonnes per day</p> <p>Waste water treatment plants with a capacity exceeding 50,000 population equivalent</p>	<p>An installation for the disposal, treatment or recovery of hazardous waste with capacity for an annual intake of 100,000 tonnes or more</p> <p>Waste disposal installations for incineration or chemical treatment (as defined in Annex I of Directive 2008/98/EC under heading D9) of non-hazardous waste with a capacity exceeding 100,000 tonnes per day</p> <p>Waste water treatment plants with a capacity exceeding 150,000 population equivalent</p>
<p>(5) Housing</p>	<p>(a) Development that comprises 50 units or more; or</p> <p>(b) The area of the site is or exceeds 2 hectares</p>	<p>N/A</p>



Major application definition checklist

Description of Development	Major Development Criterion	Regionally Significant (section 26) Criterion
<p>(6) Retail, community, recreation, culture</p> <p>Including cultural and community facilities, retail, leisure and entertainment development (Parts A & D—Schedule to the Planning (uses Classes) Order (Northern Ireland) 2004)</p>	<p>(a) development that comprises 1000sq meters or more gross floor space outside town centres; or</p> <p>(b) The area of the site is or exceeds 1 hectare outside town centres</p>	<p>N/A</p>
<p>(7) Business, Industry Light and general), Storage and distribution</p> <p>(Part B—Schedule to the Planning (uses Classes) Order (Northern Ireland) 2004)</p>	<p>(a) Development that comprises 5000 sq metres of more gross floorspace; or</p> <p>(b) The area of the site is or exceeds 1 hectare</p>	<p>N/A</p>
<p>(8) Minerals</p> <p>Extraction of minerals</p>	<p>The area of the site is or exceeds 2 hectares</p>	<p>(a) Development involving quarries or open-cast mining where the surface of the site exceeds 25 hectares, or peat extraction where the surface of the site exceeds 150 hectares</p> <p>(b) Development involving underground mining where the surface of the site exceeds 2 hectares</p>
<p>(9) All other Development</p> <p>Any development not falling wholly within any single class of development listed above</p>	<p>(a) Development that comprises 5000 sq metres or more gross floorspace; or</p> <p>(b) The area of the site is or exceeds 1 hectare</p>	<p>N/A</p>





Proposal of Application Notice

To be completed in respect of all major categories of development

Under the Planning Act (Northern Ireland) 2011

We will respond within 21 days of receiving the Notice. We will advise whether the proposed Pre-Application Consultation is satisfactory or if additional notification and consultation above the statutory minimum is required. The minimum consultation activity includes the holding of one public event and its advertisement in a local newspaper

1

Applicant details

Name _____

Address _____

Postcode _____

Telephone _____

Email _____

Please tick the box if the applicant is an elected member, or and officer involved in the planning process, of Belfast City Council or is a partner / close friend / relative of either

2

Agent's details (if applicable)

Name _____

Address _____

Postcode _____

Telephone _____

Email _____

Please tick the box if the applicant is an elected member, or and officer involved in the planning process, of Belfast City Council or is a partner / close friend / relative of either

3

Address of location of proposed development

Please state the postal address of the prospective development site. If there is no postal address, describe its location. Please outline the site on an OS base plan and attach it to this completed Notice.

4

Describe the development to be carried out, outlining its characteristics. Please also include appropriate drawings including plan, elevations and site layout of the proposal.

State what type of planning permission this Proposal of Application Notice will relate to (please tick):

Full planning permission Outline planning permission
Reserved matters Previous reference number _____
State Class: Major Category _____

5

State which other parties have received a copy of this Proposal of Application Notice

Elected Members for District Electoral Area	Date Notice Served
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
Other	Date Notice Served
_____	_____
_____	_____

6

Please give details of proposed consultation:

Proposed Public Event	Venue	Date and Time
_____	_____	_____
_____	_____	_____
_____	_____	_____

Proposed newspaper advert date:

Name of publication used:

Details of any other consultation methods (date, time and with whom):

Details of any other publicity methods (e.g leaflets, posters):

Signature _____ **Date** _____

(A planning applications for this development cannot be submitted less than 12 weeks from the date the Proposal of Application Notice is received and without the statutory requirements having been undertaken. The application must be accompanied by the Pre-Application Consultation report)

PUBLIC EVENT ADVERTISING TEMPLATE

(responsibility of the prospective applicant)

Planning Act (Northern Ireland)2011 and The Planning (Development Management) Regulations (Northern Ireland) 2015 (Regulation 5 (2)(b))

PRE-APPLICATION PUBLIC EVENT

Proposal:

Location

a (type of event; public meeting, exhibition etc)

will take place on (date) at (time)

at (venue)

Further information relating to these proposals may be obtained from:

.....

If you wish to make comments on the proposals you may do so at the above event and/or in writing to

.....

and no later than.....

This notice does not relate to a planning application, Comments should not be made to Belfast City Council. Any comments made to the prospective applicant are not representations to the planning authority, If a planning application is subsequently submitted to Belfast City Council, normal neighbour notification and publicity will be undertaken at that time and you will have the opportunity to make formal representation regarding the proposal at that time.

Notes

This advert must be placed in a local newspaper at least seven days prior to the date of the event