



## PRESS RELEASE

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### **COMMITTEE SAYS PLANNING SYSTEM NOT FIT FOR PURPOSE**

The Northern Ireland Assembly Public Accounts Committee (the Committee) has today published a report, entitled *Planning in Northern Ireland*. The report examines how the Department for Infrastructure (the Department) and local government has delivered planning decisions since 2015, when the two tier planning system was established.

Chairman of the Committee, William Humphrey MBE MLA said, **“We recognise the importance of a properly functioning planning system which should contribute towards a more socially, economically sustainable Northern Ireland. The Committee is therefore very concerned at the failure of the planning system to deliver.**

**“The Committee was both alarmed and appalled at the performance of the planning system. Planning decisions are unacceptably slow; nearly one fifth of the most important planning applications are not processed within three years. Not only does this have an impact on applicants, it also risks investment in Northern Ireland.**

**“We also were shocked that seven years on, no council has been able to produce a local development plan. The Department underestimated the complexity of progressing Local Development Plans. These plans should make a real difference to local communities, but have been hampered by a lack of key skills and resources within councils, compounded by a series of unnecessary “checks and balances” by the Department.**

The report also highlighted concerns about transparency around planning decisions. Not only is this against best practice, it can also contribute to public mistrust in any decisions taken.

Mr Humphrey said: **“The basis for making key decisions was often absent and this is extremely worrying. There needs to be urgent remedial action to ensure better transparency around decision making and how councils exercise enforcement powers given the considerable variation across councils.**

**“What is even more troubling is that there appears to be a lack of accountability for poor performance. This is a serious concern and demands immediate change. We have made it clear that the Department must provide the Committee with a radical action plan. We also expect the Department to provide the successor Committee with an update on improvements made in six months.**

Mr Humphrey said: **“The planning system is one of the worst examples of silo-working within the public sector that we have encountered. There is an urgent need for a radical cultural change in the way in which central and local government interact. If the planning service is to improve, the Department and councils must start to collaborate as equal partners. This will require a concerted effort from all those involved to work in a more productive way.**

**“The planning system in Northern Ireland is clearly not working. We are calling for a fundamental review, led by someone independent from the Department, to identify the long-term, strategic changes needed to make the planning system fit for purpose”.**

ENDS

Notes to Editors

The full Report, *Planning in Northern Ireland*, can be found on the Assembly website:

The Committee's recommendations from the Report are:

### **Recommendation 1**

The planning system should act as key economic driver for Northern Ireland and has a crucial role in leveraging investment, protecting the environment and delivering places that people want to live and work in. However, on the basis of the evidence presented to the Committee, it is clear that the system is failing on delivering its key functions - major applications take years to decide, plan-making is incredibly slow, and enforcement is inconsistent. Given such obvious issues, the Committee believes that a significant programme of reform is needed.

**The planning system in Northern Ireland is not working. The Committee recommends that a Commission is established to undertake a fundamental review to ascertain the long-term, strategic changes that are needed to make the system fit for purpose. This should be led by someone independent from the Department.**

### **Recommendation 2**

Whilst there are widespread, systemic issues affecting planning in Northern Ireland, the Committee could not understand the reluctance, amongst many of those it heard evidence from, to initiate changes that could improve performance within a shorter timeframe. This inaction is stifling the system and cannot be allowed to continue.

**The Committee has heard that there are a number of opportunities to make immediate improvements to the planning system. We recommend that a commission is established to identify tangible improvements that can be achieved in the short term. This must focus on problem solving, delivery and achieving outcomes within a fixed time frame.**

### **Recommendation 3**

In the course of its inquiry, it became clear to the Committee that the planning system lacks robust accountability arrangements. Missed targets and poor performance have become accepted as the norm. The Committee was alarmed by the Department's misunderstanding of accountability. Publishing data is not accountability. The Committee is also concerned that the Department has been more focussed on talking about performance than implementing the significant actions that are so clearly needed.

**The Committee expects action to be taken to improve the planning system. In lieu of any accountability for performance within the system, the Department will provide the Committee with a radical action plan and provide the successor Committee with an update on the improvements made in six months' time.**

### **Recommendation 4**

Northern Ireland's planning system is intended to be a plan led system. Despite this, the production of Local Development Plans (LDPs) has been both slow and expensive. Whilst there was an initial expectation that plans would be completed

within three and a half years, seven years following the transfer of planning powers to local government no council has an approved LDP.

Current projections mean that it will be 13 years into the 15-year cycle before all councils have a completed plan in place. Without these, many councils are relying on outdated area plans to guide decisions, which in some cases are over 30 years old.

**The Committee recommends that the Department considers ways to streamline the remaining LDP processes, and works with councils to learn lessons from those that have been through the independent examination process with a view to taking a more pragmatic approach to the remaining plans. The Department and councils need to work collaboratively to produce these important plans as soon as possible.**

#### **Recommendation 5**

Core to much of the Committee's work has been the promotion of the highest ethical values in public services. During the inquiry into planning the Committee heard a number of concerns around record keeping and the transparency of decision making. Given planning decisions are often amongst the most contentious decisions that will be taken within the public sector, adherence to the highest ethical standards are essential. Monitoring the level of transparency will be key going forward to engender trust in the planning system.

**The Committee recommends that all those involved in decision-making ensure that processes are open and transparent, particularly where a high degree of interpretation has been exercised. The Department and councils should consider how checks on good record keeping, to ensure transparency, could be carried out effectively.**

#### **Recommendation 6**

Confidence in the planning system is low. Members of the public feel excluded and often believe they have no choice but to launch legal proceedings, in the form of judicial reviews, to challenge decisions that impact their communities. This is expensive, time consuming and confrontational for all those involved. Greater engagement is needed.

**The Committee recommends that the Department should ensure that there is suitable and proportionate means of engaging with the planning system. This should include a deeper consideration of the appropriateness of limited third-party rights of appeal.**

#### **Recommendation 7**

Planning must play an essential role in helping to address many of the issues being experienced with housing in Northern Ireland. In particular, the Committee is concerned by the evidence it has heard in relation to rural development. The level of variation in how this policy is being applied across Northern Ireland is of particular concern, along with what appears to be a disproportionate interest in this area from some planning committees.

The Committee is also concerned that work to clarify this policy had been commenced by the Department but was abandoned only two months after the Planning Advice Note was published. It is essential that this work be resurrected urgently, but accompanied with proper engagement between central and local government.

**The operation of the planning system for rural housing is at best inconsistent and at worst fundamentally broken. The Committee believes that it is essential that policy in the area is agreed and implemented equally and consistently across Northern Ireland. The Department should ensure this is the case.**

#### **Recommendation 8**

The Department told the Committee that amongst its responsibilities within the two tier system in Northern Ireland was oversight. However, the Committee heard evidence that the Department was overwhelmingly focused on matters of process rather than on the strategic issues which require strong, decisive leadership. The Department told us it was challenging to identify when it was appropriate to intervene – the Committee believes the Department has got this balance wrong.

**The Committee recommends that the Department urgently considers how it exercises its oversight of the planning system. In the Committee's view, this must be accompanied with a cultural change. Intervention should be to support delivery and to make improvements. The current minimal approach is no longer sustainable.**

#### **Recommendation 9**

The planning system should be key to providing places that people want to live and work in. Whilst timely decisions are essential, it is perhaps even more important that development that is approved is of high quality. Allowing poor quality applications into the system will only result in poor quality development. Despite this, the Committee heard that the system has been incredibly slow to implement relatively simple changes which could improve the quality of applications. This cannot be allowed to continue.

**The Committee recommends that the Department and local government should implement immediate changes to improve the quality of applications entering the system. Whilst this may require legislative change, we do not believe that this should be an excuse for delay.**

#### **Recommendation 10**

Without any review of past decisions, it is hard for those who make decisions to properly understand how the outcomes of those decisions impact on the communities around them. A key means of improving the quality of future decisions must be to reflect on the consequences of planning decisions.

**The Committee recommends that planning authorities regularly review past decisions to understand their real-world outcomes, impact on communities and the quality of the completed development.**

### **Recommendation 11**

If the planning system is to deliver its key functions, it must be properly resourced and financially sustainable. However, at local council level, the planning system has been running at an ever-increasing shortfall since the transfer of functions in 2015. The Committee believes the current funding model does not recognise the importance of the planning system, and needs to be revised. Current planning fees, set by the Department, do not reflect the needs of the system. If developers are willing to pay higher fees for a better service, then at least part of the solution to financial sustainability is obvious. The Committee cannot understand why this hasn't been progressed.

**The planning system must be financially sustainable and this requires an appropriate, long-term funding model. The Committee recommends that all those involved in delivering planning work together to achieve this. In the short term the Department should take the lead on bringing forward legislation on planning fees as a matter of urgency.**

### **Recommendation 12**

Underpinning many of the issues that the Committee found hampering the planning system was a lack of joined-up working. The Committee has stressed the importance of joined-up working in many of its inquiries, but the planning system is amongst the starkest examples of the negative consequences when public bodies don't work together.

Changing this will require leadership – but will also require both central and local government to step up and work together in the interests of the planning system and its users rather than individual bodies. This will require a cultural change, but is essential to allow a more responsive, effective planning system.

**There is a fundamental need for a cultural change in the way local and central government interact around planning. Whilst cultural change will take time, this should be reflected immediately in a more inclusive planning forum which includes representation from developers and communities.**

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