

# Public Document Pack

**Democratic Services Section  
Legal and Civic Services Department  
Belfast City Council  
City Hall  
Belfast  
BT1 5GS**



**Belfast  
City Council**

6th December, 2023

## **PLANNING COMMITTEE**

Dear Alderman/Councillor,

The above-named Committee will meet in hybrid format, both in the Lavery Room - City Hall and remotely, via Microsoft Teams, on Tuesday, 12th December, 2023 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

## **AGENDA:**

- 7 (b) Planning Service Updated Improvement Plan (Pages 1 - 22)
- 10 (f) LA04/2023/4165/F - Vary Conditions 15 and 16 of LA04/2020/0673/F, relating to trees and landscaping - Lands at "The Bullring" located parallel to the Westlink motorway and adjacent Denmark Street/California Close between Peters Hill and Regent Street (Pages 23 - 30)





<b>Subject:</b>	Planning Service – Updated Improvement Plan
<b>Date:</b>	12 <sup>th</sup> December 2023
<b>Reporting Officer(s):</b>	Kate Bentley, Director of Planning and Building Control
<b>Contact Officer(s):</b>	Ed Baker, Planning Manager (Development Management)

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

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

<b>1.0</b>	<b>Purpose of Report or Summary of Main Issues</b>
1.1	To report on the Planning Service’s updated Improvement Plan. The report includes current challenges for the Planning Service and how these are being addressed. The report also includes an update on the “lean redesign experimentation”, previously reported to the Committee in <a href="#">April 2023</a> .
<b>2.0</b>	<b>Recommendation</b>
2.1	The report is for notation.
<b>3.0</b>	<b>Main Report</b>
	<b><u>Background</u></b>
3.1	The Planning Service first published its Improvement Plan in 2018, following an independent review in 2017. Central to the recommendations of the independent review was the implementation of “10 Operating Principles”, aimed at front-loading the planning application process and providing a more efficient, effective and customer-focused service. This also included the publication of an <i>Application Checklist</i> , which sets out the minimum

	<p>information requirements for applications when they are submitted. Belfast remains the only Planning Authority in NI which publishes such comprehensive guidance, and the Department for Infrastructure (“Department”) has recognised the important role it has played in improving the application process, committing to introduce legislation to make such checklists mandatory as they are in GB.</p>
3.2	<p>Since 2018, the Planning Service has regularly updated its Improvement Plan and periodically reported it to the Committee. Following a recent period of significant strategic change, including the implementation of the new Planning Portal in December 2022 and adoption of the Belfast Local Development Plan: Plan Strategy, the Improvement Plan has been reviewed and further updated. For the next period, its key priorities are to reduce the number of live planning applications in the system and further improve the operational effectiveness of the Development Management (“DM”) service.</p>
	<p><b><u>Current challenges</u></b></p>
3.3	<p>The Planning Service has experienced significant challenge over the past 12 months or so, including:</p> <ul style="list-style-type: none"> <li>• Implementation of the new Planning Portal in December 2022;</li> <li>• Adoption of the Belfast Local Development Plan: Plan Strategy in May 2023;</li> <li>• Staff turnover and long-term absence;</li> <li>• Ongoing difficulties with the statutory consultation process and limitations of the NI planning system generally; and</li> <li>• Continued high number of live applications, originating from the COVID-19 pandemic and contributed by the above factors.</li> </ul>
	<p><b><u>Implementation of the new Planning Portal</u></b></p>
3.4	<p>The new regional Planning Portal went live in December 2022. It took around 3 months for the new system to become stable, impacting on the throughput of applications and performance.</p>
3.5	<p>Belfast City Council has responsibility for the contract management of the new Planning Portal (“Intelligent Client Function”) and is taking a lead role in continuous improvement of the system. The new team has settled in well and has received positive feedback from the partner Planning Authorities.</p>
3.6	<p>A key benefit of the new system is the ability to submit online applications with 83% of applications to the Council made online since go live in December 2022.</p>
	<p><b><u>Belfast LDP: Plan Strategy 2035</u></b></p>
3.7	<p>The Plan Strategy was adopted in May of this year. It will continue to take time for the new Plan Strategy to completely bed in as officers, agents, applicants and developers build confidence in understanding and applying its new polices. There continues to be focus on staff training and development, particularly around new policy areas such as affordable housing, housing mix, mitigation and management of climate change, and SuDS.</p>

Statutory consultation process and issues with the NI planning system

3.8 Applications of any tangible scale and significance require input from central government departments through the statutory consultation process. Statutory consultee performance remains patchy, with some consultees taking many weeks if not several months to provide a substantive response. There are particular issues with response times and support from DfI Roads, DfI Rivers and DAERA. This often results in delays and uncertainty to the application process.

3.9 The Planning Service continues to play a prominent role in pushing for significant reform of the regional NI planning system and advancing the regional improvement programme.

Backlog of live applications

3.10 Prior to COVID-19, the Planning Service had around 850 live applications. This grew to around 1,250 applications during the pandemic, increasing individual caseloads to unsustainable levels. Whilst the number of live cases was reduced to below 1,000 by November 2022, the issues around implementation of the new Planning Portal, adoption of the Plan Strategy and staff turnover have contributed to an increase to the current 1,100 live cases. There is currently a significant drive to reduce the number of live applications to more sustainable levels.

Performance

3.11 The Planning Service is subject to three statutory indicators. These are set out in the table below along with last year’s performance, current performance and peak performance since transfer of planning powers to the Council in 2015.

Description	Target	Peak	2022/23	Current
Major applications	<b>30 weeks</b> (average processing time)	31.0 weeks (2021/22)	57.2 weeks	66.0 weeks
Local applications	<b>15 weeks</b> (average processing time)	14.0 weeks (2019/20)	19.8 weeks	19.6 weeks
Enforcement cases	<b>70% cases</b> concluded within 39 weeks	93.2% (2019/20)	N/A	90.6%

3.12 Under performance of these statutory indicators is a result of a range of contributing factors, including those set out previously, some of which are outside the control of the Council. Work is ongoing at a regional level to improve the NI planning system as a whole and to develop a new Regional Performance Framework. This framework will support the council reporting on quantitative and qualitative performance in a more detailed way, helping to identify areas for improvement at regional level. The Planning Service is also developing a new local performance framework to support further improvement.

3.13 In relation to Major application performance, the Section 76 planning agreement process remains a key issue. Planning and Legal Services continue to work closely together to improve the process, including the implementation of model planning agreements and customer guidance. Planned improvements in this area could have a significant positive impact on Major application performance.

3.14 The enforcement service continues to exceed its statutory targets.

## Improvement

- 3.15 Following this period of significant strategic change, the specific focus now is on reducing the number of live applications and improving the operational effectiveness of the DM service. This will be built around a focus on “People”, “Policy” and “Process” as set out in the updated Planning Service Improvement Plan (see **Appendix 1**).
- 3.16 Central to this improvement will be the empowerment of staff, building individual and team confidence. The objective is to support corporately aligned and autonomous decision-making by individuals at all levels within the Planning Service. This is vital to the delivery of the service as it not sustainable for decision-making to be funnelled through a small number of more senior officers.
- 3.17 In these regards, the Improvement Plan aligns with the Council’s new People Strategy, providing an environment in which staff can demonstrate the organisational values of “integrity”, “responsibility”, “creativity” and “problem solving”.
- 3.18 Key actions in the updated Improvement Plan include the following:
- Streamlining operational processes including the wider roll out of the new lean experimentation approach to applications;
  - Simplifying the PAD process to make it quicker and more responsive;
  - Staff training and development;
  - Reviewing the current 10 Operating Principles;
  - Making more effective use of the new Planning Portal;
  - Improving the Section 76 planning agreement process; and
  - Continuing to influence positive change and improvement to the NI planning system
- 3.19 It is expected that there will be tangible improvement to performance over the coming months with performance continuing to be monitored monthly.
- Reorganisation of the DM team
- 3.20 In June 2023, the DM teams were reorganised to provide a more suitable staffing structure to support these changes. Since transfer of planning to the Council in 2015, the Planning Service had operated two DM teams – a small “Majors” team that processed Major applications (about 1% of all applications) and a much larger “Locals” team that processed the remainder (99%). This model was no longer considered fit for purpose and so the DM service has been reorganised into two geographical area teams covering North & East; and South & West respectively.
- 3.21 There are several benefits of this new structure, notably:
- More equitable roles, particularly at Senior Planning Officer level, with responsibility for sign off of decisions spread across a greater number of Senior Officers to avoid blockages;
  - Greater flexibility in moving work between the two teams to respond to spikes in applications, PADs and other work; and
  - Crucially, providing better support for cases officers and widening their experience and development. The new structure means that work on Major and strategic applications can be supported by more junior officers within the sub-teams so as to widen experience and provide a broader “team approach” to project work.

3.22	<p>Each area team is managed by a Principal Planning Officer under the overall management of the Planning Manager (Development Management).</p> <p><u>Lean redesign experimentation</u></p>												
3.23	<p>In December 2022, the Planning Service first reported to the Committee on the innovative experimentation that it has been undertaking following lean systems redesign principles. Since August 2022, a small project team within the Planning Service has experimented with 291 applications, determining 173 of these with an approval rate of 98% (94% normal approval rate).</p>												
3.23	<p><b>Table 1</b> below shows previous and current lean performance with a comparison against current Planning Service performance as a whole.</p>												
<table border="1"> <thead> <tr> <th data-bbox="274 622 587 656">Performance measure</th> <th data-bbox="587 622 874 656">November 2022</th> <th data-bbox="874 622 1161 656">November 2023</th> <th data-bbox="1161 622 1465 656">All Local applications</th> </tr> </thead> <tbody> <tr> <td data-bbox="274 689 587 723"><b>Valid to decision</b></td> <td data-bbox="587 689 874 723">5 weeks</td> <td data-bbox="874 689 1161 723"><b>11 weeks</b></td> <td data-bbox="1161 689 1465 723">19.6 weeks</td> </tr> <tr> <td data-bbox="274 723 587 757"><b>Receipt to decision</b></td> <td data-bbox="587 723 874 757">7 weeks</td> <td data-bbox="874 723 1161 757"><b>11 weeks</b></td> <td data-bbox="1161 723 1465 757">(Not measured)</td> </tr> </tbody> </table>		Performance measure	November 2022	November 2023	All Local applications	<b>Valid to decision</b>	5 weeks	<b>11 weeks</b>	19.6 weeks	<b>Receipt to decision</b>	7 weeks	<b>11 weeks</b>	(Not measured)
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<p><b>Table 1: Previous and current lean experimentation performance</b></p>													
3.24	<p>The lean experimentation has been impacted by the same challenges affecting the wider DM service as set out earlier in this report, including issues around implementation of the new Planning Portal. Therefore, application decisions have been removed from Table 1 for the period from 18 November 2022 to 31 March 2023 during which the Planning Portal was bedding in. These challenges have also prevented the project team expanding beyond two case officers. Nevertheless, the project team has experimented with around 300 applications, amassing significant learning.</p>												
3.25	<p>The key learning points from the experimentation to date have been:</p> <ul style="list-style-type: none"> <li>• Assessment of applications on “Day 1” allows the project team to make decisions much more quickly;</li> <li>• Prompt, direct customer contact builds relationships and saves time;</li> <li>• Significant scope to reduce hand-overs and inefficiencies;</li> <li>• Experimental methodology best relates to relatively straightforward applications, although since the summer the project team has been experimenting with large scale Local and Major applications;</li> <li>• As a by-product, the project team has identified areas where amendments to legislation could make huge differences overall. The Department has accepted that this lean methodology should be applied to the NI planning system overall; and</li> <li>• Case officers have more variety in their work, making it more enjoyable and supporting their development.</li> </ul>												
3.26	<p>Some areas of learning have already been applied to the rest of the DM service to improve overall efficiency and effectiveness of the wider team. Moving forward, it is planned to roll out the new lean way of working to the whole DM service, initially at Assistant Planning Officer level, which undertakes over half of the overall casework, as proportionately this will have the greater benefit on delivery of the Planning Service in the shortest space of time.</p>												

<b>4.0</b>	<b>Financial &amp; Resource Implications</b>
4.1	There are no financial or resource implications associated with this report.
<b>5.0</b>	<b>Equality or Good Relations Implications / Rural Needs Assessment</b>
5.1	There are no equality or good relations / rural needs implications associated with this report.
<b>6.0</b>	<b>Appendices – Documents Attached</b>
	Appendix 1 – Updated Improvement Plan



## Planning Service Improvement Plan Updated November 2023

### Introduction

1. Our operational Improvement Plan is focused on **“People”, “Policy” and “Process”**. These are the key themes of the new Planning and Building Control Division Business Plan. These three themes underpin the overarching aim of improving **“Performance”**. The Improvement Plan also aligns with the Council’s new organisational values of **“integrity”, “responsibility”, “creativity”** and **“problem solving”**, supporting the new corporate **“People Strategy”**.

### **“People”**

2. Our **staff are central to everything we do** and without them we cannot provide a service. Our DM people strategy focuses on the following areas:
  - **Empowering staff and building greater individual and team confidence** to undertake their work, through creating an environment in which staff can learn and thrive;
  - **Involving staff in discussions and decisions around change** and improvement, working to the principle that staff know the nature of their work better than anyone. This will also help with acceptance and ownership of change;
  - **Staff development and training**, this will include providing an appropriate framework for reviewing and improving team and individual performance;
  - **Ensuring that DM has the necessary resources to support the change programme** outlined in this Plan, including minimising the impact of gaps in the staff structure that arise from time to time; and
  - **Improving how we interface with customers and how they engage with us** to ensure a positive and more consistent approach to communication.

## “Policy”

3. Our staff need to be supported by **clear and robust policies and procedures** in order to carry out their work effectively. This will be achieved by:
  - **Building greater understanding of the LDP Plan Strategy** and its policies to improve our efficient and effective assessment of applications. This will also help communication with our customers in relation to PADs and planning applications around what is required to make their proposals acceptable;
  - **Reviewing the DM Operating Principles** to ensure that they remain fit for purpose, supporting the efficient and effective processing of planning applications. We will make sure that staff have appropriate training in the revised Operating Principles and that these are clearly communicated to our customers;
  - Making sure that there is **corporate and political alignment** for implementation of this framework and new Operating Principles. We will report these to CMT and the Planning Committee; and
  - Continuing to **develop and implement strategies for improving the Section 76 planning agreement process** in partnership with Legal Services. This is the most common cause of delays post-Committee, particularly for Major applications.

## “Process”

4. Our staff need to be supported by **efficient and effective processes** and systems in order to maximise their potential. We will focus on:
  - Making more **efficient and effective use of the new Planning Portal**. Our objective will be to maximise the amount of time that planning officers are undertaking assessment work and “value” activities that help the Planning Service make better planning decisions;
  - **Reducing the administrative burden on planning officers overall** – increasing the time available for assessment, case reviews (group), negotiations, report writing etc;
  - **Improving processes around how and when applications are assessed**, with particular focus on front-loading assessments;
  - **Reviewing the *Application Checklist***, including how we use it, making sure it is up to date and reflective of policy requirements;
  - A more streamlined approach to consultation. We will develop a **new consultation strategy for how and when we engage consultees and the**

**public** – Neighbour Notification, press adverts, statutory and non-statutory consultations (note – update to the Council's *Statement of Community Involvement* may be required)

- Continuing to **grow the lean experimentation project** until eventually the new way of working is rolled out to the entire DM team. In the meantime, we will **utilise some of the key learning points** from the experimentation to improve the operational effectiveness of the current application process;
- **Publishing an internal DM Manual** to assist existing staff and provide an important induction tool for new staff; and
- **Updating the Model Conditions** in line with previous learning and to reflect the new policies in the LDP Plan Strategy.

## Action Plan

5. To support the implementation of this Improvement Plan, we have updated its associated actions as set out at **Appendix 1**.
6. The actions in the Improvement Plan are timebound and identifies with individual "leads" for each, recognising that improvement will only be realised through effective team-work.
7. Overall responsibility for the Improvement Plan rests with the Planning Manager (Development Management), supported by the Principal Planning Officers.
8. Progress on implementing the Improvement Plan will be regularly reported to the DM team, Director of Planning and Building Control, CMT and Planning Committee.

# Planning Service Improvement Plan Actions (Updated December 2023)

## Updated Actions – Continuing to monitor

Theme / Action	Timeline	Progress	Lead	Status
<p><b>Process</b> – Continue to influence change and improvement to the NI planning system to ensure that it is “fit for purpose” and effectively supports Belfast and the wider region. Includes support for implementation of the recommendations of the Public Accounts Committee and NIAO reports (2022)</p>	Ongoing	<p>Interim Regional Planning Commission (IRPC) established and met for first time in February 2023. Director of Planning and Building Control an observer on the IRPC as chair of Heads of Planning group. BCC continuing to feed into SOLACE discussions on planning improvement. BCC Planning Manager jointly mentoring the Planning Policy Working Group tasked with leading on the implementation of the work programme actions relating to Plan-making.</p>	Director	2
<p><b>Process</b> – Fully implement the new Planning Portal and ensure its continued enhancement to support the work of the Planning Service</p>	Ongoing	<p>New Planning Portal went live on 05 December 2022. Main outstanding areas of implementation relate to the GDPR module and API with DAERA and consultees. Further improving functionality of the enforcement and policy monitoring modules.</p> <p>Operational issues currently being worked through and will be escalated to the ICF team if they cannot be resolved locally.</p>	Planning Manager (DM)	2
<p><b>Process</b> – Continued roll out of lean experimentation to improve efficiency in the</p>	Ongoing	<p>Lean experimentation began in August 2022. The project has experimented with over 300 applications and achieved substantial</p>	Planning Manager (DM)	2

handling of planning applications		learning with very positive results so far.  Two case officers currently in the project team. New way of working to be rolled out to wider team, initially at APO level.		
<b>Process</b> – Focus on improving the operational efficiency and effectiveness of the wider DM service, including applying learning from the lean experimentation as appropriate. Reinforce approach to positive decision-making and consideration of applications in the round	Ongoing	Initial workshops held with area teams on identifying common blockages and potential solutions, which have informed this updated Improvement Plan. Implemented a more focused approach to case management with officers conducting a fortnightly RAG review of their cases. Senior Planning Officers directly managing small-sub teams within the area teams. Consistent messaging at weekly team and area team meetings about positive cultural change.	Planning Manager (DM) / Principal Planning Officers	2
<b>People</b> – Roll out a series of "Principles of DM" training for Assistant Planning Officers and other new officers in order to provide a strong foundation for staff in Development Management	Ongoing	First "Principles of DM" training rolled out for staff (introduction to DM and decision making).  Further training sessions planned.	Planning Manager (DM) / Principal Planning Officer / Senior Planning Officers	2
<b>People</b> – Identify and implement a series of topic-based training sessions for the wider team in order to improve understanding of policy, common issues and how to resolve them	Ongoing	Training on affordable housing policies carried out. Priority training topics to be identified at the area team meetings. SPOs to lead on providing the training. Training on design and placemaking to be prioritised.	Senior Planning Officers	2

<b>Process</b> – Review Duty Planning Officer service to ensure that it provides a focused, proportionate and fit for purpose service	Dec-2024	Metrics obtained on the number, nature and duration of Duty Officer contacts. Business Support providing improved screening of calls to Duty Planning Officer. Proposals for revising the service being considered.	Planning Manager (DM)	2
<b>Process</b> – Update and issue the revised internal Consultation Checklist to reflect the current approach to engaging with non-statutory consultees	Dec-2024	Updated Consultation Checklist drafted, to be reviewed then issued to DM staff.	Principal Planning Officer	2
<b>Process</b> – Roll out the new streamlined approach to Pre-Application Discussions (PADs), ensuring that the process is simpler, more responsive and tailored to the nature of the proposal and needs of the customer	January 2024	Workshop with SPOs on the new approach to PADs taken place.  New internal PAD guidance drafted – to be reviewed and finalised.  Comms with customers on new approach to be rolled out, including updates to the BCC website and direct contact with customers on mailing list.	Planning Manager (DM)	2
<b>People</b> – Following the review of the Duty Officer service, explore options for providing case officers with regular “protected time” for finalising reports and decisions, and generally progressing their work	February 2024	Options currently being considered.	Planning Manager (DM) / Principal Planning Officer	2
<b>Policy</b> – Review and update internal Model Conditions to ensure that they address the new policies in the Plan	March 2024	Current Model Conditions previously reviewed by SPOs.	Planning Manager (DM)	2

Strategy. Updated Model Conditions to be incorporated into back-office IT system.		Previous work undertaken on improving Model Conditions. To be supplemented by new/amended conditions that respond to the Plan Strategy.		
<b>Process</b> – Review Appendix 3 of the Application Checklist, ensuring that it appropriately captures the information required by the policies in the Plan Strategy	March 2024	Bank of experience amassed of implementing the policies in the Plan Strategy. Early work undertaken in drafting improvements to the current Application Checklist.	Planning Manager (DM)	2
<b>People</b> – Improve engagement between DM services and agency practices/architects – improving communication channels and reinforcing the Planning Service Operating Principles	March 2024	Meeting agency practices being scheduled.	Planning Manager (DM) / Principal Planning Officers	2
<b>Process</b> – Reduce the backlog of live applications to more manageable and sustainable levels (circa 800-900 live applications)	March 2024	Targeted temporary overtime and increased flexible working introduced.	Planning Manager (DM) / Principal Planning Officers	2
<b>Process</b> – Review and as necessary refresh the Planning Service Operating Principles aimed at providing an efficient and effective DM service	June 2024	Workshops undertaken with area teams and feedback received from staff. Engagement with customers planned.  Revised Operating Principles to be drafted. Updated Operating Principles to be reported to CMT and Planning Committee.	Planning Manager (DM)	2

<p><b>Process</b> – Devise and implement a new consultation strategy for engaging with consultees and neighbours, including the approach to initial consultation and re-consultation</p>	<p>June 2024</p>	<p>Initial discussions taken place on potential options for the updated approach to consultations.</p>	<p>Senior Planning Officer</p>	<p>2</p>
<p><b>Process</b> – Update the Guide to the Application Process (pdf and BCC website) to reflect the review of the Operating Principles and updates to the Development Management service generally</p>	<p>June 2024</p>	<p>Pending the review of the Operating Principles</p>	<p>Planning Manager (DM)</p>	<p>2</p>
<p><b>Policy</b> – Publish a suite of Model Section 76 Planning Agreements, alongside customer guidance, to improve the planning agreement process. Refinement of current internal processes around planning agreements</p>	<p>June 2024 (TBC with Legal Services)</p>	<p>Planning/Legal Services workshops undertaken and Model Planning Agreements currently under development.</p> <p>New internal process map finalised.</p> <p>Planning Committee report template on delegated decisions involving Developer Contributions exceeding £30k in value being drafted.</p> <p>Legal instruction template being reviewed.</p> <p>Monitoring charges currently being reviewed.</p> <p>Legal Services reviewing legal fees associated with the preparation of Section 76 planning agreements.</p>	<p>TBC</p>	<p>2</p>



<b>People</b> - Customer workshop with agents, architects, developers and other regular applicants on implementation of the Plan Strategy Policies, Application Checklist requirements and Planning Service Operating Principles	June 2024	Pending.	Director / Planning Managers	2
<b>People</b> – Refocus management 121s for Senior Planning Officers with their Principal Planning Officer in order to provide improved management support	March 2024	Pending.	Principal Planning Officers	2
<b>Process</b> – Setup a procurement framework for independently assessing viability appraisals submitted with applications as and when required	June 2024	Meeting arranged with the Property & Projects team who are providing support to the Planning Service in developing the procurement framework.	Planning Manager (DM) / Business Support Manager	2
<b>Process</b> – Review and update the Planning Committee Operating Protocol	June 2024	Previous member workshops undertaken in March 2021 and October 2022. Further workshop with new Planning Committee planned.	Director	2
<b>Process</b> – Review deferred income stages for planning applications to enhance financial management of the Planning Service	Sep-2024	Initial work undertaken.	Business Support Manager	3
<b>Policy</b> – Complete a review of lessons learned in respect of the implementation of the new Planning Portal (to inform the next time the	Sep-2024	BCC staff lessons learned workshop completed.  Regional lessons learned exercise to be carried out.	Planning Manager (DM)	3

Council procures a new Planning IT system)		Planning Portal project board to be reconvened to review lessons learned and close the project.		
<b>Process</b> – Investigate options and implement preferred strategy for streamlining consultations to DfI Roads (using the successful model for rationalising Environmental Health consultations)	Sep-2024	Pending.	Principal Planning Officers	3
<b>People</b> - Improve the content and ease of access of planning information on the BCC website in liaison with BCC Comms team	Sep-2024	Pending.	Planning Manager (DM)	3
<b>People</b> – Finalise and implement an internal induction pack for new DM staff including a new Belfast “DM Manual”	Sep-2024	Initial draft of DM Manual prepared. To be reviewed and expanded.	Planning Manager (DM)	3
<b>People</b> – Develop a new performance framework for monitoring DM performance at service, area team, sub-team and individual level, which fully utilise the new Planning Portal.	Sep-2024	Previous work undertaken on developing a performance work to be provide the starting point.	Planning Manager (DM) / Principal Planning Officers	3
<b>People</b> – Staff to visit approved and constructed sites (to promote learning and development	Dec-2024	Action consistent with the recommendations of the NIAO/Public Accounts Committee reports (2022).	Planning Manager (DM)	3
<b>Policy</b> – Process to ensure that lessons from complaints, judicial reviews and appeal decisions and shared	Dec-2024	Previous work undertaken on developing a new approach.	Planning Manager (DM)	3

## Completed

Initiative / Action	Actioned	Progress	Status
Attend the regional Planning Continuous Improvement Working Group meetings to engage and influence outcomes	2017	Completed	
Implement a structured approach to staff meetings across the planning service	2017	Completed	
Introduce "bite size" training sessions for planning staff	2018	Completed	
Set up regular Management Team meeting with other Council Departments	2018	Completed	
Set up regular update meetings for CMT on Major planning applications and emerging issues	2018	Completed	
Set up development industry workshop to discuss service issues and inform improvement activity	2018	Completed	
Set up joint Working Group to engage with and influence the approach of Statutory Consultees, to support performance improvements	2018	Completed	
3 Establish and maintain a database for monitoring and reporting on Planning Agreements	2018	Completed	
Implement new application validation processes	2018	Completed	
Introduce more effective monitoring of complaints and processing times	2018	Completed	
Presentations to senior managers across the council to explain the role of the Planning Service	2018	Completed	
Set up quarterly meetings of the planning committee to discuss performance	2018	Completed	
Engage with and influence the Department led Planning Performance Monitoring Framework	2018	Completed	
Publish an Application Checklist to help customers understand what information they need to submit with their planning application	2018	Completed	

Publish Customer Guidance based on agreed Operating Principles to improve the operation of the application process	2018	Completed	
Implement Phase 1 of the Application Checklist (applies to the following applications – ≥10 residential units, ≥1,000sqm and ≥0.5ha)	2019	Completed	
Revise and refresh the Developers Forum to create an Industry Engagement Forum across Planning and Building Control	2019	Completed	
1 Continue to progress Improvement Plan including assigning resources to individual actions with timeframes for completion	2019	Completed	
1 Ensure that list of Portal users is relevant and up to date	2019	Completed	
Agree long term ITC solution for monitoring Planning Agreements (included in specification for replacement Planning Portal)	2019	Completed	
Implement Phase 2 of the Application Checklist (includes addition of Major applications)	2019	Completed	
Implement the new tender for advertising planning applications in the press	2019	Completed	
Review the use of VU.CITY in the DM process	2019	Completed	
1 Review the processes and timeliness around Major applications, including monitoring and reporting on delays in processing	2019	Completed	
1 Review Member training arrangements to ensure they take account of Local Government Auditor recommendation	2019	Completed	
1, 3 Apply resources to the monitoring of planning agreements	2019	Completed	
Contribute staff to the regional core project team overseeing replacement of the Planning Portal	2019	Completed	
1 Implement checklist to support the sign-off of applications	2020	Completed	

3 Publish the Developer Contributions Framework for adoption	2020	Completed	
3 Implement a strategy for spending Developer Contributions secured through the planning application process	2020	Completed	
Review and publish Scheme of Delegation for Planning	2020	Completed	
Agree an approach to replacing the Planning Portal	2020	Completed	
3 Develop an internal proforma for Planning and Legal Services to authorise spending of financial contributions by other service areas	2020	Completed	
3 Publish an Annual Monitoring Report which sets out what financial developer contributions have been collected, which have been spent and those that are still to be committed or spent (includes information dating back to first agreements in 2015)	2020	Completed	
Design and publish new online and printable application forms for Discharge of Condition and Non Material Change applications	2020	Completed	
Introduce an internal monitoring form for capturing key information about planning decisions	2020	Completed	
Introduce more streamlined approach to report writing for Householder and small-scale applications ("fast-track applications")	2020	Completed	
Introduce an internal Consultation Checklist to ensure that we consult appropriately on planning applications (including BCC internal consultations)	2020	Completed	
Review impact of Phases 1 and 2 of Application Checklist on performance and customer service	2021	Completed	
Respond to DFI Planning's "call for evidence" in respect of the Departmental review of implementation of the Planning Act 2011	2021	Completed	
Improve the handling of telecommunication applications through use of new report template for telecom application, updates to Application Checklist and roll-out of "technical factsheet" to	2021	Completed	

support officers in processing planning applications and PADs			
Update Application Checklist to improve information requirements for outline and telecom applications, as well as other miscellaneous improvements	2021	Completed	
Implement Phase 3 of the Application Checklist to be applied to all applications except Householder and minor Local applications	2021	Completed	
Ensure contingency in place to provide continued technical support for the current Planning Portal post end of contract	2022	Completed	
Establish a new "Intelligent Client Function" (ICF) team to manage the contract for the replacement Planning Portal on behalf of the 11 Planning Authorities	2022	Completed	
Finalise new Model Planning Conditions for use by replacement Planning Portal	2022	Completed	
Widen the use of "Reasons for Approval" (in lieu of officer reports) to all applications, except Committee applications, applications for Conservation Area Consent (DCA) and refusal decisions	2023	Completed	
Adoption and implementation of the Belfast LDP Plan Strategy, including ensuring internal staff readiness and engagement with customers	2023	Completed	
Introduce a weekly review of new applications for all staff to ensure early review as well as promote consistency of approach and staff development	2023	Completed	
Implement Phase 4 of the Application Checklist to reflect the new policies in the adopted Plan Strategy, including new information requirements	2023	Completed	
Update the "Reasons for Approval" in line with the adopted Plan Strategy, its new policies and tests	2023	Completed	
Restructure Development Management to two area based geographical teams (North and East; and South and West) to increase flexibility,	2023	Completed	

equalise roles at Senior Planning Officer level and increase opportunities for staff development			
Implement weekly area team meetings as a means to discuss applications that require further support, discuss policy and operational issues, and generally improve communication	2023	Completed	

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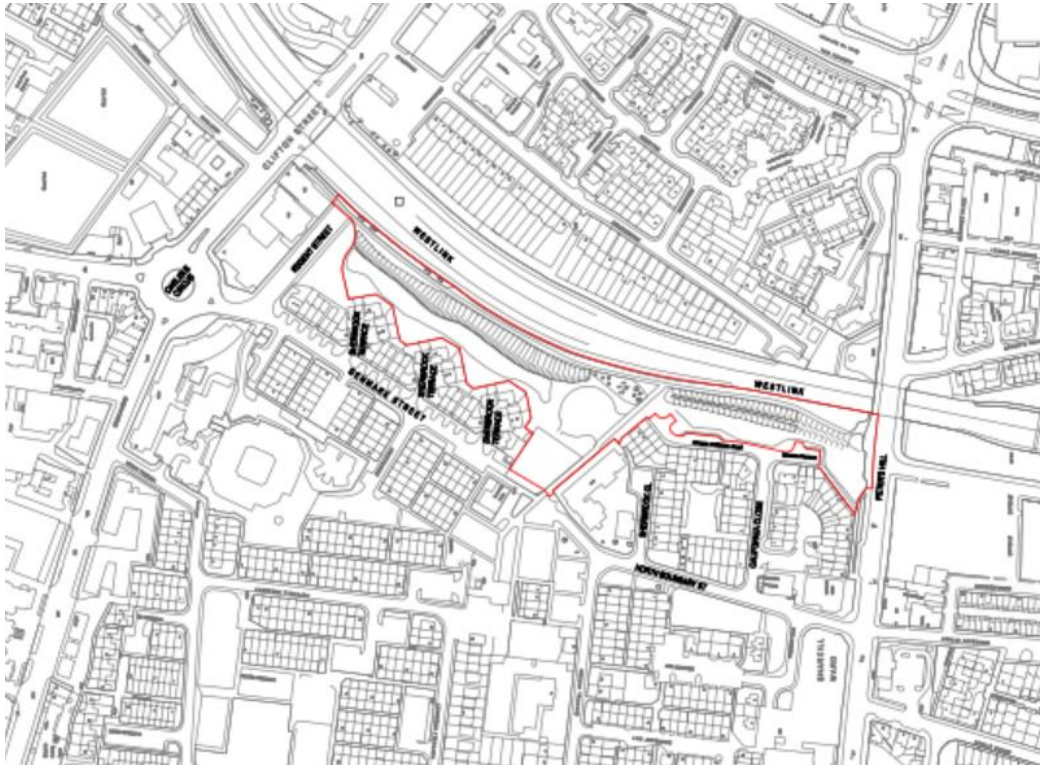


## Development Management Report Committee Application

<b>Summary</b>	
<b>Application ID:</b> LA04/2023/4165/F	<b>Committee Meeting Date:</b> 12 <sup>th</sup> December 2023
<b>Proposal:</b> Application under Section 54 of the Planning Act (NI) 2011 in respect of planning permission LA04/2020/0673/F to vary Conditions 15 and 16 relating to trees and landscaping and to supersede previous approved landscape plan.	<b>Location:</b> Lands at "The Bullring" located parallel to the Westlink motorway and adjacent Denmark Street/California Close between Peters Hill and Regent Street, Belfast
<b>Referral Route:</b> Major development (the proposal seeks to vary a condition on a previous permission for Major development and would, if approved, create a new standalone approval)	
<b>Recommendation:</b>	Approval subject to conditions
<b>Applicant Name and Address:</b> Department for Communities Causeway Exchange 1-7 Bedford Street Belfast	<b>Agent Name and Address:</b> AECOM The Clarence West Building 2 Clarence Street West Belfast
<p><b>Executive Summary:</b></p> <p>This application seeks to vary conditions 15 and 16 of planning permission LA04/2020/0673/F, which grants planning permission for environmental improvement works including new footpaths and cycleway, new multi use games area, new outdoor gym equipment, new play area, new street furniture and park lighting, relocation of the community garden providing new polytunnel, toilet block, shed and allotment beds, new car park provision, landscape interventions including planting, woodland management, resurfacing, regrading and all associated works.</p> <p>The proposal is to reflect a number of necessary design changes. The variation of condition 15 relates to a revised Tree Constraints Layout Plan which reflects where removed trees have been replanted and also indicates which trees were lost as a consequence of vandalism (before the contract commencement) and as a result of temporary replanting. The variation of condition 16 will supersede the approved Landscaping Layout Plan referenced previously with a revised Landscape Layout Plan which reflects the updated landscape design.</p> <p>Consultees have offered no objections subject to conditions. No representations have been received.</p> <p>It should be noted that the granting of a Section 54 application to vary conditions creates a new standalone planning permission. Therefore, should permission be granted, the other original conditions should be repeated as appropriate.</p> <p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.</p>	

## 1.0 Drawings

### Site Location Plan



### Aerial image



<b>2.0</b>	<b>Characteristics of the Site and Area</b>
2.1	The site is known as "The Bullring", located parallel to the Westlink motorway and adjacent to Denmark Street/California Close between Peters Hill and Regent Street, Belfast. Construction of the approved development is well under way.
2.2	The Westlink is adjacent to the SE boundary, whereas residential housing forms the NW boundary. The former Carlisle Memorial Methodist Church, its Cloister, and Clifton Street Orange Hall are located to the North of the site and are listed.
<b>3.0</b>	<b>Description of Proposed Development</b>
3.1	In May 2021, full planning permission was granted under application LA04/2020/0673/F for environmental improvement works including new footpaths and cycleway, new multi use games area, new outdoor gym equipment, new play area, new street furniture and park lighting, relocation of the community garden providing new polytunnel, toilet block, shed and allotment beds, new car park provision, landscape interventions including planting, woodland management, resurfacing, regrading and all associated works.
3.2	In October 2023, the current application was submitted seeking to vary conditions 15 and 16 of planning approval LA04/2020/0673/F.
3.3	<p>Condition 15 as approved states:</p> <p><i>"All trees and planting within the site shall be retained, as show on the approved plan No 03, received on 31/03/21. In the event of any trees or planting indicated on the approved drawings which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.</i></p> <p><i>Reason: In the interests of visual amenity"</i></p>
3.4	It is proposed to vary the wording of the condition to supersede the approved tree constraints plan mentioned (03) with a revised tree constraints plan.
3.5	<p>Condition 16 as approved states:</p> <p><i>"All soft landscaping works shall be carried out in accordance with the approved details on Landscaping Plan, Drawing Number 02, received on 31/03/21. The works shall be carried out prior to the completion of the proposal unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.</i></p> <p><i>Reason: In the interests of the character and appearance of the area."</i></p>
3.6	It is proposed to vary the wording of the condition to supersede the approved landscaping layout plan referenced (02)) with a revised landscape layout plan which reflects the updated landscape design.

4.0	<b>Planning Assessment of Policy and Other Material Considerations</b>
4.1	<b>Development Plan – operational policies</b>
	Belfast Local Development Plan, Plan Strategy 2035
4.2	<b>Development Plan – zoning, designations and proposals maps</b>
	Belfast Urban Area Plan (2001) BUAP
	Draft Belfast Metropolitan Area Plan 2015 (v2004)
	Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.3	<b>Regional Planning Policy</b>
	Regional Development Strategy 2035 (RDS)
	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	<b>Other Policies</b>
	Belfast Agenda
4.5	<b>Relevant planning history</b>
	The most relevant planning history is summarised below.
	LA04/2022/1346/DC – Discharge of Condition 11 – Condition (fully) discharged 31 <sup>st</sup> August 2022
	LA04/2021/2707/DC – Discharge of Conditions 6 and 11 – Condition 6 fully discharged 21 <sup>st</sup> June 2022 and Condition 11 partially discharged 19 <sup>th</sup> January 2022
	LA04/2021/2603/DC – Discharge of Condition 12 – Condition discharged 27 <sup>th</sup> June 2022
	LA04/2020/0673/F - Environmental improvement works to include: new footpaths and cycleway, new multi use games area, new outdoor gym equipment, new play area, new street furniture and park lighting, relocation of the community garden providing new polytunnel, toilet block, shed and allotment beds, new car park provision, landscape interventions including planting, woodland management, resurfacing, regrading and all associated works – Permission granted 27 <sup>th</sup> May 2021
4.6	There is a current application adjacent
	LA04/2023/4166/F - Relocation of the "Angel of the Shankill" statue to lands at the "Bullring" site – Under assessment
5.0	<b>Consultations and Representations</b>
5.1	<b>Statutory Consultees</b>
	N/A
5.2	<b>Non Statutory Consultees</b>
	BCC Tree Officers – No objection
	BCC Landscape, Planning and Development – No objection
5.3	<b>Representations</b>
	The application has been neighbour notified and advertised in the local press. No written representations have been received.

6.0	<b>PLANNING ASSESSMENT</b>
6.1	<b>Development Plan Context</b>
6.2	Section 6(4) of the Planning (Northern Ireland) Act 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.
6.3	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
6.4	The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.
6.5	<b>Operational policies</b> – the Plan Strategy contains a range of operational policies relevant to consideration of the application. The main policies for consideration in this case are Policies
6.6	<b>Proposals Maps</b> – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious. The relevant zonings/designations are set out below. The site is within the development limits of Belfast in the BUAP, and both versions of draft BMAP 2015. The site is unzoned white land within both versions of draft BMAP 2015 and BUAP.
7.0	<b>Key issues</b>
7.1	The principle of development has already been established through the planning approval LA04/2020/0673/F to which this proposal relates. The key issue to be considered in the assessment of the current application is landscaping.
8.0	<b>Landscaping</b>
8.1	The approved plans show sixteen existing trees transplanted from Upper Townsend Terrace. On commencement of development, only seven trees were found to be present, with nine stumps which appeared to be broken as a consequence of bonfires and anti social behaviour. The Agent submitted photographic evidence of this. These seven trees were transplanted to an area off Regent Street, along with 1 from Peter’s Hill.
8.2	During works twelve trees to be retained adjacent to Peter’s Hill, were temporarily transplanted to Upper Townsend Terrace. Eight of these did not survive however, and it

<p>8.3</p> <p>8.4</p> <p>8.5</p>	<p>was felt best for the remaining four surviving trees to be retained in this location to avoid further replanting stress.</p> <p>To mitigate the loss of the transplanted trees, nine new trees are proposed to the area adjacent to Peter’s Hill. This will be accompanied by additional planting of five new trees facing Peter’s Hill Road, and four along a new connecting pathway.</p> <p>There are a number of other minor changes to the landscaping plan including marking two proposed parking spaces as accessible bays; reconfiguring planters and other elements within the community garden and allotment areas; and the removal of the proposed secondary curved footpath in the north of the site.</p> <p>Having regard to the advice from BCC Tree Officers and BCC Landscape, Planning and Development, as well as OS2 of the Plan Strategy, it is considered that the proposed variation of conditions 15 and 16 in relation to the landscaping plan, are acceptable. The variation of conditions will create a new standalone planning permission and it will be necessary to repeat the conditions on the original permission as appropriate, with the exception of those already discharged subject to the variations granted by this decision.</p>
<p><b>10.0</b></p> <p>10.1</p>	<p><b>Recommendation:</b></p> <p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.</p>
<p><b>11.0</b></p> <p>11.1</p>	<p><b>Draft Conditions:</b></p> <p>It should be noted that the other original conditions will be repeated as appropriate as approval of this Section 54 variation of condition application will create a new standalone planning permission. Some conditions of the original approval LA04/2020/0673/F have been discharged and final wording will make reference to this.</p> <ol style="list-style-type: none"> <li>1. All trees and planting within the site shall be retained, as show on the approved plan No 03, received on 2nd October 2023. In the event of any trees or planting indicated on the approved drawings which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.</li> </ol> <p>Reason: In the interests of visual amenity”</p> <ol style="list-style-type: none"> <li>2. All soft landscaping works shall be carried out in accordance with the approved details on the approved plan, No 02, received on 2nd October 2023. The works shall be carried out prior to the completion of the proposal unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.</li> </ol> <p>Reason: In the interests of the character and appearance of the area.”</p>



<b>ANNEX</b>	
<b>Date Valid</b>	02/10/23
<b>Date First Advertised</b>	27/10/23
<b>Date Last Advertised</b>	(as above)
<b>Details of Neighbour Notification (all addresses)</b>	
<p>1, 10,11,12, 2, 3, 4, 5, 6, 7, 8, 9 Shankill Terrace  1, 11, 15, 17, 3, 5, 9 Stanhope Drive  1, 11, 11A, 13A, 15, 15A,17, 17A, 19, 21, 23, 25, 27, 29, 31, 37, 39, 41, 45, 47, 49, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, 7A, 9, 9A Stanhope Street  1, 10, 11, 12, 14, 2, 3, 4, 5, 6, 7, 8, 9 Upper Townsend Terrace  10, 12, 6, 8 Regent Street  10, 12, 14, 16, 18, 2, 20, 22, 24, 26, 28, 38, 4, 40, 42, 44, 46, 48, 52, 54, 56, 58, 6, 60, 62, 64, 66, 68, 8 Sherbrook Close  18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 43, 44, 46, 48, 52, 66, 68, 70, 72, 74, 76, 78 Sherbrook Terrace  56 -76 Townsend Street  57 Denmark Street  Denmark Street Community Centre, Denmark Street  Elim Church Hall, Townsend Street  82-84 Clifton Street</p>	
<b>Date of Last Neighbour Notification</b>	20/10/23
<b>Date of EIA Determination</b>	N/A