

# Planning Committee

Tuesday, 21st July, 2020

## SPECIAL MEETING OF PLANNING COMMITTEE HELD REMOTELY VIA MICROSOFT TEAMS

- Members present: Councillor Hussey (Chairperson);  
Councillors Brooks, Carson, Collins,  
Garrett, Groogan, Hanvey,  
Maskey, McCullough, McKeown,  
Murphy, Nicholl and O'Hara.
- In attendance: Mr. A. Thatcher, Director of Planning and  
Building Control;  
Mr. E. Baker, Planning Manager  
(Development Management);  
Ms. N. Largey, Divisional Solicitor; and  
Mrs. L. McLornan, Democratic Services Officer.

### **Apologies**

An apology for inability to attend was reported from Councillor Hutchinson.

### **Declarations of Interest**

In relation to Item 4c, LA04/2020/0474/F - Construction of film studios complex, Councillor O'Hara advised that he was on the Board of the Belfast Harbour Commissioners but explained that, as it was a Council appointment, that it did not constitute a conflict of interest and that he could fully participate in the discussion on the item.

### **Planning Decisions Issued**

The Committee noted a list of decisions which had been taken under the delegated authority of the Director of Planning and Building Control, together with all other planning decisions which had been issued by the Planning Department between 8th June and 10th July.

### **Planning Appeals Notified**

The Committee noted the receipt of correspondence in respect of a number of planning appeals which had been submitted to the Planning Appeals Commission, together with the outcomes of a range of hearings which had been considered by the Commission.

### Miscellaneous Items

#### Departmental Performance Update (to 31 March 2020)

The Committee considered the undernoted report and the associated appendix:

#### **“1.0 Purpose of Report or Summary of main Issues**

**1.1 To provide the Planning Committee with an overview of the performance of the Council’s Planning Service during 2019/20 in line with statutory and local performance indicators, as well as practical outcomes. A Performance Report for 2019/20 is provided on mod.gov.**

#### **2.0 Recommendation**

**2.1 Members are asked to note the Performance Report for 2019/20 available on mod.gov.**

#### **3.0 Main report**

#### **3.2 Background**

**Officers regularly reports performance to the Planning Committee as it’s a valuable indicator of the overall operation and effectiveness of the Council’s Planning Service. This captures key performance information according to both regional and local indicators in relation to planning applications, enforcement and appeals. It also includes key outcomes of the development management process and provides a narrative around performance in the context of overall improvement of the Council’s Planning Service. Members are asked to note the report and ask any questions that may arise.**

**3.2 In addition, on 02 July 2020 the Department for Infrastructure published its annual Northern Ireland Planning ‘Statistical Bulletin’. This provides finalised activity and performance figures for the planning system in Northern Ireland for 2019/20. It includes a statistical breakdown of the performance of each of the 11 councils and the Department itself as Planning Authorities. A copy of the Statistical Bulletin can be found at the link below:**

**<https://www.infrastructure-ni.gov.uk/publications/northern-ireland-planning-statistics-april-2019-march-2020>**

#### **4.0 Financial & Resource Implications**

**4.1 Performance is an indicator of an efficient and effective planning service, which supports value for money and effective use of resources.**

#### **5.0 Equality or Good Relations Implications / Rural Needs Assessment**

**5.1 No adverse impacts identified.”**

During discussion, a number of Members thanked the Planning team for its continued hard work in reaching its targets.

A number of Members requested that information on the following issues be included in future performance reports:

- a breakdown of housing applications, in terms of whether they are social, affordable or private housing, and also the geographical locations of the applications in terms of whether they are located in the city centre or outside of the city centre;
- how many times has the Planning Committee granted an application despite statutory objections;
- how often the Committee disagrees with officers' recommendations, and by illustrating whether they were major or local applications;
- information regarding the average time for enforcement cases; and
- annual figures relating to how many decisions the Planning Appeals Commission overturned, particularly appeals made from Committee decisions and those made from officers' decisions.

The Committee noted the update that had been provided and agreed that the information which had been requested should be included in future updates.

#### **Award of Contract to Replace the Planning Portal**

The Committee considered the undernoted report:

##### **“1.0 Purpose of Report or Summary of main Issues**

**1.1 To advise the Planning Committee that a contract has been awarded to replace the Northern Ireland Planning Portal with a new IT system, expected to be implemented late 2021/early 2022. The replacement Planning Portal will allow applicants to submit online applications for the first time and is expected to greatly improve the efficiency of the Council's Planning**

Service. It will also support increased flexibility for remote working.

## **2.0 Recommendation**

**2.1 Members are asked to note the report.**

## **3.0 Main report**

### **Background**

**3.1 The Northern Ireland Planning Portal (NIPP) provides the public website interface which citizens use to find information and comment on planning applications. It also provides back-office software that the Council's Planning Service uses to process planning applications and enforcement cases, as well as supporting the administration of regional property certificates.**

**3.2 The NIPP was implemented by the former Department of Environment in 2010 as a regional IT solution and was inherited by the 11 councils as a shared system in 2015 on the transfer of planning powers to local government. The NIPP is provided by a third-party supplier, DXC. The contract for the Planning Portal is managed by the Department for Infrastructure (DFI) and will expire at the end of December 2021.**

**3.3 Since 2016, DFI and the 11 councils have been part of a regional project to explore options for replacing the NIPP. In January 2019, DFI published an Outline Business Case (OBC) which recommended that the NIPP is replaced by another shared regional IT system, based on a 'Commercial Off The Shelf' product with some local configuration for each Planning Authority. All 12 Planning Authorities signed up to the next phase of the project which was to undertake a procurement process. This was completed in March 2020. DFI subsequently published a Full Business Case (FBC) proposing to award the contract to TerraQuest Solutions, the preferred supplier.**

### **Award of Contract**

**3.4 In April 2020, the Strategic Policy and Resources Committee agreed the award of contract subject to the following:**

- the Department and a minimum of 10 councils agree the award of the contract by the end of June 2020;
- the capital cost to Local Government will be split evenly between councils and operating costs will be split according to fee income (as set out in the Funding Proposal accompanying the Full Business Case), but fixed for at least three years to aid financial planning;

- implementation of the six recommendations of the Gateway Review 3 report (independent assurance report); and
- BCC is part of the first wave of councils to implement the new IT system (as previously requested).

3.5 DFI and 10 councils (including BCC) have agreed the FBC and the contract has been awarded accordingly, with the new IT system to be shared by these 11 Planning Authorities. Only Mid Ulster Council has withdrawn from the process and it will procure its own standalone system. The new regional IT system is expected to be implemented late 2021/early 2022 and BCC will be part of the first wave. The award of contract is for an initial 10 years with 5 + 5 year options according to the performance of the new system.

**New supplier – TerraQuest Solutions**

3.6 The contract has been awarded to TerraQuest Solutions. The company was one of five suppliers to submit Selection Questionnaires and these were shortlisted to two suppliers for the final tender stage. The procurement was based on Competitive Procedure with Negotiation overseen by the Central Procurement Directorate (Department of Finance). The tenders were assessed on the basis of 60% quality and 40% cost. TerraQuest Solutions' bid won in both categories.

3.7 TerraQuest Solution's winning bid is made on behalf of a consortium which includes PortalPlanQuest (PPQ) and DEF Software (DEF). PPQ operates the Planning Portal in England (a national website that hosts around 90% of online planning application submissions in England). It is also contracted to deliver this service in Wales. DEF Software provides digital and cloud-deployed back-office systems to local councils for Planning, Building Control and related services. DEF currently has 35 live UK sites including council planning services in both England and Wales.

**Benefits of the new IT system**

3.8 The benefits are summarised in the table below.

Public Access website	Back-office IT system
Ability to submit online planning applications including online payments	Automated uploading of applications, drawings and documentation (i.e. no need for manual data entry or scanning)

Public Access website	Back-office IT system
	online applications)
Ability to submit online enforcement complaints	Improved workflow for staff with assignment of configurable task notifications prioritised according to a Red/Amber/Green traffic light system
Ability to submit online requests for Property Certificates (part of the property conveyance process)	Ability to assign, allocate, reallocate work electronically within the system, as well as checking reports and signing off decisions (to support a paperless office approach)
Shared regional approach to online submissions providing consistency across the vast majority of NI	Automated notification reminders to staff, customers and consultees to complete tasks / submit information / provide a consultation response
The online process will drive quality applications at submission through identification of validation and configurable local information requirements	Ability for each council to configure their own templates e.g. standard customer letters, delegated and committee reports, and model planning conditions
Improved access to information for customers including availability of planning constraint layers (both textually and GIS)	Enhanced reporting and monitoring of performance and outcomes (by teams, individuals and wider service)
	Fully integrated Electronic Documentation Management System to support a paperless office approach
	Communications Portal to support communication within the system between BCC staff and customers, and BCC staff and consultees
	Module for monitoring S76 agreements; enhanced monitoring of planning conditions
	Better support for remote working including field work using mobile devices
	Potential efficiencies in the Property Certificate process as a result of increased automation

Public Access website	Back-office IT system
	Better integration with other service area's IT systems through APIs

### Implementation

- 3.9 The Council has played a lead role in the project to date, being one of three councils to agree the specification for the new IT system on behalf of local government, representation on the tender panel and providing staff to the core project team. It is vital that the Council continues to have a lead role during the design and implementation stage to ensure that its requirements are met. A BCC Senior Planning Officer has been seconded to the core project through Interchange as the Business Lead, an influential role, and will represent BCC's interests well. BCC will continue to be represented on the Planning Portal Governance Board which has strategic oversight of the project.
- 3.10 Officers have established an internal implementation team projected managed by a Business Support Officer within the Planning Service. This reports to an internal project board, chaired by the Director of Planning and Building Control, with representatives from the Planning Service, Digital Services and Audit, Governance and Risk Service and other services contributing as required. Planning and Digital Services staff will be drawn into the internal project team as and when required during the implementation phase.

### Governance

- 3.11 The Planning Portal Governance Board will retain overall strategic control of the project. The Governance Board is chaired by DFI and includes the 10 councils. The new supplier is also represented. BCC is represented by the Planning Manager (Development Management) and Head of Digital Services.

### Contingency

- 3.12 The current NIPP is supported until the end of December 2021. There is currently no contingency for technical support for the Planning Portal beyond that date. The new IT system is not scheduled to go live in full until February 2022, although BCC will be part of the first wave implementation planned for late 2021. Notwithstanding, the timetable may slip due to various risks including the Coronavirus pandemic. DFI is assessing contingency options for providing continued technical support

for the current NIPP post December 2021 to ensure business continuity, and regularly reports to the Planning Portal Governance Board on this issue. The need to replace the

current NIPP is a service risk, which is being continuously monitored.

#### **4.0 Financial & Resource Implications**

4.1 The cost of the new IT system will be shared between DFI and the 10 councils. The Department will fund 55% of the overall costs. In terms of local government costs, capital costs will be split evenly between the 10 councils with operating costs split according to fee income. The overall cost to BCC will be £2,062,000 over 21 years (£98k pa).

#### **5.0 Equality or Good Relations Implications / Rural Needs Assessment**

5.1 No adverse impacts identified.”

A Member requested that the Trade Unions be consulted in respect of any staffing implications.

In response to a further Member’s question, the Planning Manager confirmed to the Committee mitigation measures which would be put in place to ensure a smooth transition between the old and the new systems.

The Committee noted the update which had been provided.

#### **Restricted Item**

**The information contained in the report associated with the following item is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.**

Resolved – That the Committee agrees to exclude the members of the Press and public from the Committee meeting during discussion of this item as, due to the nature of the items, there would be a disclosure of exempt information as described in Section 42(4) and Section 6 of the Local Government Act (Northern Ireland) 2014.

#### **LDP Timetable and Update**

(Councillor Nicholl left the meeting at this point in proceedings)

The Development Planning and Policy Manager and the Principal Planning Officer provided the Committee with an update on the progress of the draft Plan Strategy (dPS) for the Belfast Local Development Plan (LDP) including the revision of the Timetable, recent correspondence from the Planning Appeals Commission (PAC in relation to the potential Independent Examination, the updated response to recent consultation on the Affordable Housing definition and work on the development of Supplementary Planning Guidance (SPG) which would support the final plan.



The Members were reminded that a number of workshops on SPG, which were due to be held in March and April, had been postponed due to Covid-19. It was proposed that these could be rearranged and held remotely in due course.

The Committee:

- noted the updates on the proposed revision of the Timetable;
- noted the correspondence from the PAC and proposed approach to a Council response;
- noted the updated response in relation to the Department for Communities (DfC) re-consultation on the Affordable Housing definition; and
- agreed that the workshops in relation to the Supplementary Planning Guidance be rearranged and held remotely in due course.

### **Planning Applications**

**THE COMMITTEE DEALT WITH THE FOLLOWING ITEMS IN PURSUANCE OF THE POWERS DELEGATED TO IT BY THE COUNCIL UNDER STANDING ORDER 37(e)**

**LA04/2018/2876/F - Residential development comprising 16 units (10 semi-detached and 6 detached) on Lands opposite 13, 15, 17 and 32 Somerdale Park**

(Councillor Nicholl re-joined the meeting at this point in proceedings)

Before presentation of the application commenced, the Committee agreed to defer consideration of the application to enable a site visit to be undertaken to acquaint itself with the location and the proposal at first hand.

The Committee also noted, as the application had not been presented, that all Members' present at the next meeting, would be able to take part in the debate and vote on this item.

**LA04/2020/0639/F - Alteration and extension to Church Hall Branial Methodist & Presbyterian Church, Lower Branial Road**

The Principal Planning officer provided the Committee with the key aspects of the application, for which Belfast City Council was the applicant.

She outlined the main issues which had been considered in the assessment of the application, including the design, scale and massing, the impact of the proposal on the character and appearance of the area, the impact on the living conditions of the neighbouring properties and road safety.

She explained to the Committee that the design and external appearance of the extension was considered acceptable and would bring community benefits through the provision of additional community facilities. She added that there would be no detrimental impact on the character or appearance of the area.

The Members were advised that DFI Roads had offered no objection to the proposal.

The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions.

**LA04/2020/0474/F - Construction of film studios complex including ancillary offices, workshops, ancillary car parking, services and access from existing internal access road, landscaping and associated site works on lands immediately north and south of existing film studios north of Dargan Road Belfast (within wider Belfast City Council lands known as North Foreshore/Giants Park)**

The Principal Planning officer outlined the details of the major application, which would form Phase II of the current complex which was approved under LA04/2015/1605/F. He explained that the site was un-zoned "white land" within the Belfast Urban Area Plan (BUAP) and that it was located within the development limits of the City in the draft Belfast Metropolitan Area Plan (dBMAP).

The Committee was advised of the main issues which had been considered during the assessment, including the principle of the proposed use at the location, scale, massing and design, traffic and parking, landscape, habitat regulations assessment, drainage and flooding, contaminated land, the pre-application community consultation report and developer contributions.

The Principal Planning officer explained that DfI Roads, Environmental Health, NIEA, Shared Environmental Services, Rivers Agency, NI Water and Belfast City Airport had all been consulted in addition to the Council's Economic Development Team, the Tree Officer and the Landscape Team, and that no objections from consultees had been made.

The Members were advised that one representation had been received, which cited an error in the description of the site address and relating to letters not having been made available to view on the portal. He pointed out that these issues had both since been rectified. The representation had also raised concerns relating to the rationale behind the Council's decision that an Environmental Statement was not required for the application and he pointed out that this had been addressed within the report.

The Principal Planning officer outlined that the application was considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (natural habitats, etc) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Services on behalf of the Council, which was the competent authority responsible for authorising the project and any assessment of it required by the regulations.

He explained that the proposed development was estimated to represent an investment of £45million, generate in excess of 200 construction jobs and approximately 1,000 creative industry jobs.

The Members' attention was drawn to the Late Items pack, where an additional condition was deemed necessary, to ensure that the office component of the studios was not used for any purposes other than ancillary to the main use, as use of non-ancillary offices at the location would be contrary to the draft development plan zoning.

The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions, and to deal with any new issues raised by third parties.

**LA04/2020/0446/F - Part change of use from purpose built managed student accommodation to aparthotel development covering floors 5-11 26-44 Little Patrick Street (Temporary)**

The Principal Planning officer provided the Committee with the key aspects of the application which sought temporary permission for the part change of use from purpose built managed student accommodation (PBMSA) to aparthotel development covering floors 5-11.

He outlined the key issues in the assessment of the proposal, including access, movement, parking and transportation, road safety, waste management and other environmental factors. He advised the Members that it had been assessed against and was considered to comply with the SPPS, BUAP, dBMAP, PPS3, PPS13 and PPS16.

The Committee was advised that there were no objections raised by consultees, but that a response from DFI Roads was outstanding. The planning officer added that no written representations had been received.

In response to a Member's question as to whether this would set a precedent, he explained that each application was always considered on its own merits.

In response to a question from a further Member regarding the time period of two years, the agent confirmed to the Committee that the use could revert back to PBMSA prior to September 2023.

The Committee granted approval to the application, with delegated power to the Director of Planning and Building Control for the final wording of the conditions and updated Section 76 legal agreement, and to deal with any new issues that may be raised.

Chairperson