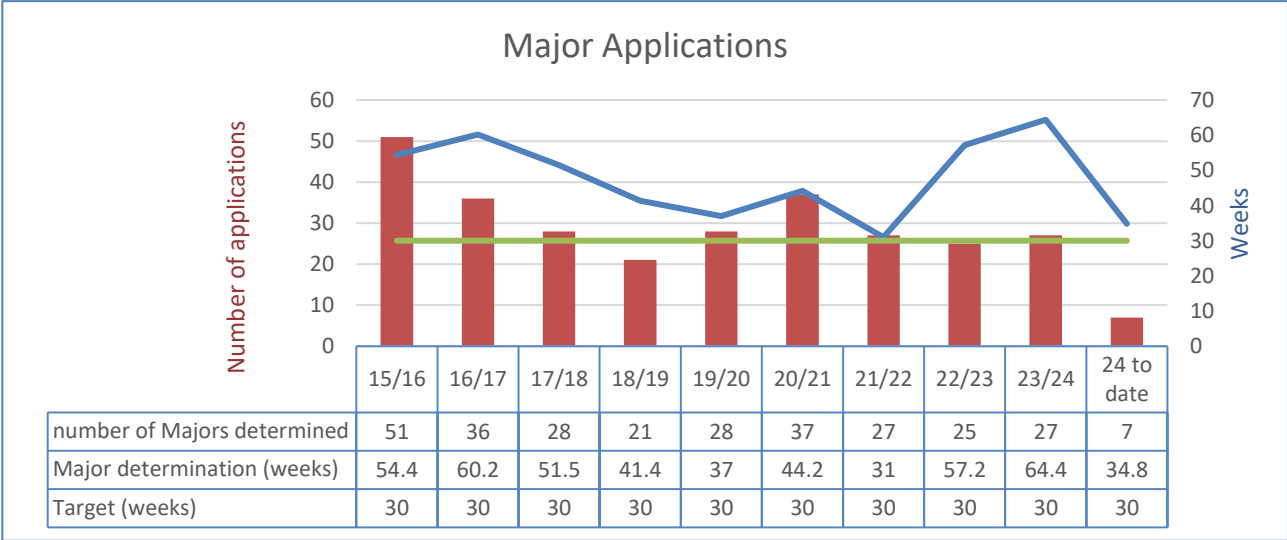




Subject:	Update on Planning Performance
Date:	23 rd August 2024
Reporting Officer(s):	Kate Bentley, Director of Planning and Building Control
Contact Officer(s):	Ed Baker, Planning Manager (Development Management)

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.	
Insert number <input type="checkbox"/>	
<ol style="list-style-type: none">1. Information relating to any individual2. Information likely to reveal the identity of an individual3. Information relating to the financial or business affairs of any particular person (including the council holding that information)4. Information in connection with any labour relations matter5. Information in relation to which a claim to legal professional privilege could be maintained6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction7. Information on any action in relation to the prevention, investigation or prosecution of crime	
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

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

1.0	Purpose of Report or Summary of Main Issues																																												
1.1	To provide an update on Planning Performance. The report sets out how current performance challenges are being addressed through the Planning Service's updated Improvement Plan.																																												
1.2	A similar update report will be taken to the Planning Committee.																																												
2.0	Recommendation																																												
2.1	The Committee is asked to: <ul style="list-style-type: none"> Note the report 																																												
3.0	Main Report																																												
	<u>Background</u>																																												
3.1	At its 21 st June 2024 meeting, the Committee sought an update on planning performance. The Planning Service last formally reported its Improvement Plan and performance to the Planning Committee on 12th December 2023 (Item 15).																																												
	<u>Performance</u>																																												
	<u>Overview</u>																																												
3.2	The Council's Planning Service is subject to three statutory indicators set by the Department for Infrastructure (DfI). The statutory indicators are a simple but crude measurement of performance which can be affected by a significant number of factors. Performance over the last nine years is set out below along with performance for the current year to date.																																												
	<u>Major applications</u>																																												
	 <p>The chart 'Major Applications' displays two metrics from 2015/16 to 2023/24, plus 2024 to date. The left Y-axis represents the 'Number of applications' (0-60), and the right Y-axis represents 'Weeks' (0-70). Red bars show the number of applications, and a blue line shows the average weeks. A green horizontal line at 30 weeks indicates the target. The data is summarized in the table below:</p> <table border="1"> <thead> <tr> <th></th> <th>15/16</th> <th>16/17</th> <th>17/18</th> <th>18/19</th> <th>19/20</th> <th>20/21</th> <th>21/22</th> <th>22/23</th> <th>23/24</th> <th>24 to date</th> </tr> </thead> <tbody> <tr> <td>number of Majors determined</td> <td>51</td> <td>36</td> <td>28</td> <td>21</td> <td>28</td> <td>37</td> <td>27</td> <td>25</td> <td>27</td> <td>7</td> </tr> <tr> <td>Major determination (weeks)</td> <td>54.4</td> <td>60.2</td> <td>51.5</td> <td>41.4</td> <td>37</td> <td>44.2</td> <td>31</td> <td>57.2</td> <td>64.4</td> <td>34.8</td> </tr> <tr> <td>Target (weeks)</td> <td>30</td> <td>30</td> <td>30</td> <td>30</td> <td>30</td> <td>30</td> <td>30</td> <td>30</td> <td>30</td> <td>30</td> </tr> </tbody> </table>		15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24 to date	number of Majors determined	51	36	28	21	28	37	27	25	27	7	Major determination (weeks)	54.4	60.2	51.5	41.4	37	44.2	31	57.2	64.4	34.8	Target (weeks)	30	30	30	30	30	30	30	30	30	30
	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24 to date																																			
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Target (weeks)	30	30	30	30	30	30	30	30	30	30																																			
3.3	Current performance so far in 2024/25 is an average processing time of 34.8 weeks against the target of 30 weeks. This is currently a significant improvement over 2023/24. The number of Major applications received each year is given for information.																																												
3.4	All Major applications must by law be determined by the Planning Committee. Analysis of the Major applications determined in 2023/24 shows that the main impact on performance were delays post-																																												

Committee. In 2023/24, it took an average of 25 weeks to report Major applications to Committee – well inside the statutory target. However, the KPI statistics are generated from the time taken from validation of an application to issuing the decision notice. Therefore, the overall processing time was 64.4 weeks.

3.5 Two withdrawn Major applications significantly adversely affected the statistics – LA04/2019/2882/O renewal of outline permission for mixed use development of the SSE Arena car park and lands adjacent (withdrawn after 189 weeks); and LA04/2020/2071/F erection of 57 apartments at Tates Avenue (withdrawn after 127 weeks).

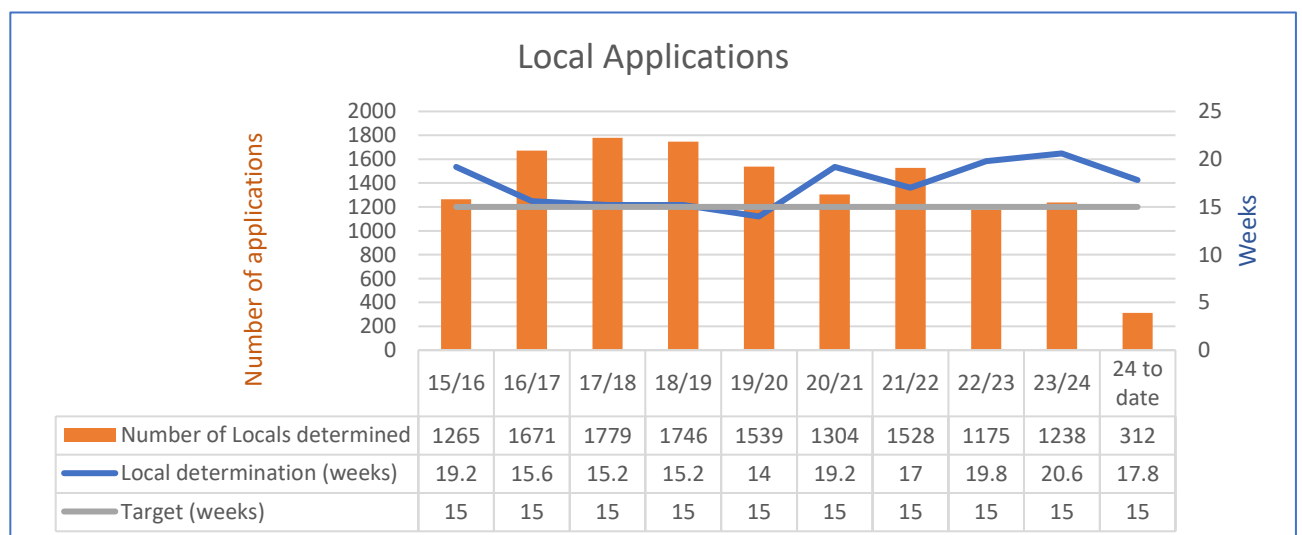
3.6 Of the 27 Major application decisions made in 2023/24, nearly half (13 applications) were subject to significant post-Committee delays of 10 weeks or more. In 9 of these applications the delay was the need to complete a Section 76 planning agreement before the decision could be issued. In the other 4 cases, the delays were due to either procedural issues or outstanding consultations.

3.7 Whilst the Section 76 planning agreement process was the main cause of delays post-Committee, the most common reason for Major applications not achieving the 30-week target was found to be the quality of applications and the need for applicants to address outstanding issues to make their proposals acceptable. Such delays affected 9 of the 19 major applications determined outside the 30-week target in 2023/24. This underlines the importance of the quality of planning applications on submission.

3.8 Measures to address both of these issues are already being progressed and are set out later in this report.

3.9 Dfl’s measurement of performance is very narrow and does not consider quality of decision making or outcomes. The Planning Service approved all Major applications 100% in 2023/24, which is a strong indication of commitment to customer service and quality outcomes. There is a significant amount of unmeasured work undertaken by the Planning Service each year in improving the quality of both Major and Local applications through negotiating amendments to schemes and seeking additional information to address Council policy and satisfy consultees. Details of how Belfast will seek to report performance in future years are set out later in the report.

Local applications

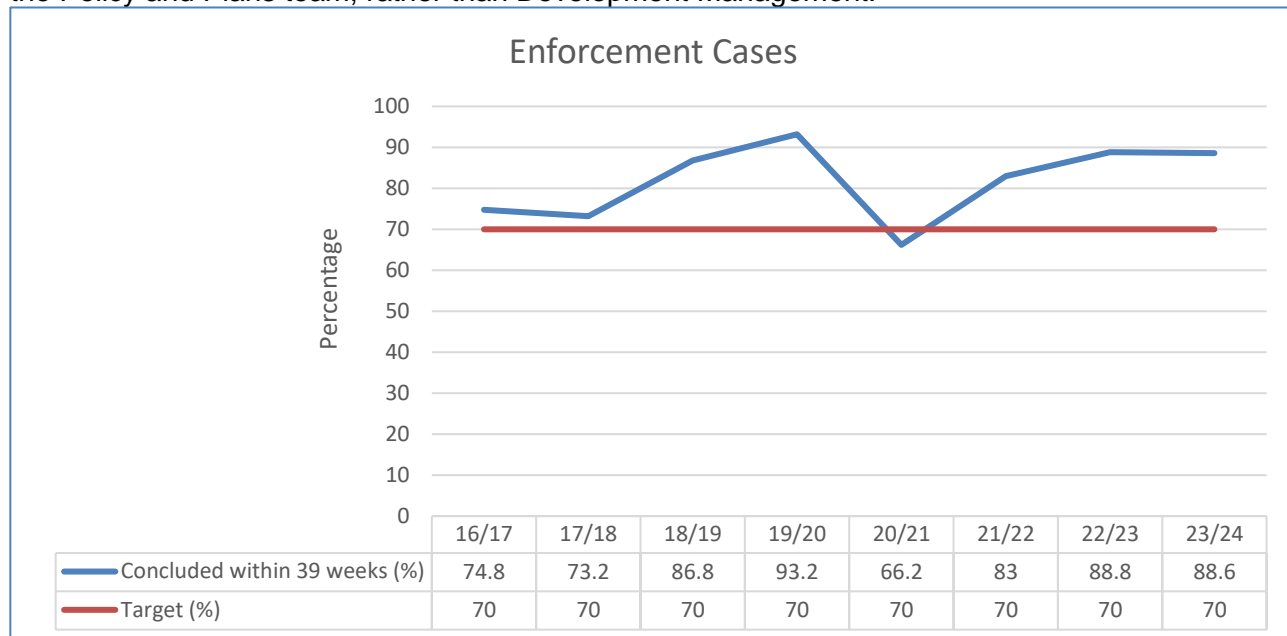


3.10 Current performance is an average processing time of 17.8 weeks against the target of 15 weeks. Performance for the past two months has been 15.4 weeks. This is currently a marked improvement over the performance for 2023/24. No detailed analysis of the 1,238 decisions from

2023/24 has been undertaken because of the size of the sample, but the general issues affecting performance and measures being taken to address them are set out below.

Enforcement

3.11 The statutory KPI for enforcement is to conclude at least 70% of all cases within 39 weeks. The Planning Service has historically exceeded this target by some margin and continues to do so with last years performance of 88.6% cases concluded within 39 weeks. The Enforcement team sits in the Policy and Plans team, rather than Development Management.



Regional performance

3.12 The official regional [planning statistics for 2023/24](#) were published by DfI on 1st August 2024. Belfast City Council was above the regional average for Major applications (64.4 weeks compared to a regional average of 46.5 weeks) but was slightly below the regional average for Local applications (20.6 weeks compared to 20.8 weeks).

3.13 A number of councils in NI were able to meet the processing targets for both Major and Local applications as set out below:

Major applications		
Authority	Number of Major applications	Determination timescales (weeks)
NI Average	12	46.5
Belfast	27	64.4
Antrim and Newtownabbey	18	21.1
Armagh Banbridge and Craigavon	11	27.6
Fermanagh and Omagh	12	22.9

Local applications			
Authority	Number of Local applications	Determination timescales (weeks)	Approval rates
NI Average	872	20.8	95.4%
Belfast	1,262	20.6	98.1%
Mid and East Antrim	771	9.4	93.9%
Antrim and Newtownabbey	591	13.0	89%

	Fermanagh and Omagh	799	13.2	98.7%
3.14	<p>Whilst direct comparisons with other Planning Authorities are difficult to make due to a lack of information on resources available or working practices, it is clear that Belfast City Council received and determined the most Major applications by some margin. We also received and determined the most local planning applications of any council in 2023/24, with an approval rate above the NI average and significantly above the two authorities that determined applications within the 15 week target, again demonstrating strong commitment to customer service and positive decision making.</p>			
4	<p><u>Challenges Specific to 2023/24</u></p>			
4.1	<p>A report to the December 2023 Planning Committee highlighted significant challenges that the Planning Service had encountered over the previous 12 to 18 months. Firstly, implementation of the new regional Planning Portal in December 2022, which was not in a steady state until June 2023 had a significant impact on the ability to process applications, the throughput of applications and performance.</p>			
4.2	<p>Secondly, whilst the adoption of the Belfast Local Development Plan: Plan Strategy in May 2023 was a significant step in the Council establishing its growth strategy and planning policy framework, its adoption had a significant impact on processing of applications. The adoption of a new policy framework required the 1,150 live applications to be re-assessed against the new policies in the Plan Strategy. Whilst adoption was anticipated for some time, the new policies could not be practically applied until the Plan Strategy had been adopted. This was still a significant undertaking, impacting on resources and resulting in significant delays to application processing times.</p>			
4.3	<p>In addition, staff turnover and long-term absence in 2023/24 significantly stretched resources at this time of significant pressure.</p>			
4.4	<p>Finally, prior to COVID-19, the Planning Service had around 850 live applications. This grew to around 1,250 applications (45% increase) 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 challenges around implementation of the new Planning Portal in December 2022, adoption of the Plan Strategy in May 2023 and staff turnover/ long-term sickness in 2022 and 2023 contributed to an increase to the current 1,100 live cases.</p>			
5	<p>Ongoing Challenges and Opportunities</p>			
5.1	<p><u>Regional improvement</u> In April 2022 (item 6), the Planning Committee considered a report on the NI Audit Office and Public Accounts Committee reviews of the NI planning system. The Public Accounts Committee called for fundamental reform of planning at a regional level. An Interim Regional Planning Commission was established in February 2023 to oversee the regional improvement agenda, supported by a “Planning Improvement Programme” drawn up by DfI and local government. Belfast City Council continues to feed into this process and lobby for significant improvement at regional level.</p>			
5.2	<p>The Planning Improvement Programme includes specific areas of focus for Development Management and the processing of applications including consideration of DfI’s oversight role, call-in criteria and call-in notification procedures, as well as review of PAD processes and development management application processing in local authorities.</p>			
5.3	<p>As part of the Planning Improvement Programme Heads of Planning in NI have also been working to produce guidance on a Planning Performance Framework which could be produced by local authorities on a yearly basis. Such a framework would look to provide information on a range of</p>			

	<p>qualitative and quantitative indicators for planning activity at a local level, going beyond the three basic KPIs currently published by the DfI.</p>
5.4	<p>The production of such a framework follows established practice in Scotland and Wales and could ensure consistency for informal benchmarking as well as ease of accessing information. By reporting on the services provided, the contribution to outcomes (using case studies) and improvement actions, the performance framework will help to demonstrate the contribution that Planning decisions make to the economy, society and the environment as well as providing accountability in terms of performance of the planning system and improvements in the system at both a local and regional level.</p>
	<p><u>Quality of Applications</u></p>
5.5	<p>Assessment undertaken of Major applications in 2023/24 and continued working knowledge of the processing of local applications, confirms the long held view that improvement to performance can only be realised through close working with our customers to improve the quality of applications entering the system. In 2018, the Planning Service published an <i>Application Checklist</i>, which sets out the minimum information requirements for applications on submission. Belfast City Council was the first Planning Authority in NI to publishes such guidance, and DfI has recognised the important role it has played in improving the application process, planning to introduce legislation later this year to make such checklists mandatory.</p>
5.6	<p>We have also worked to review and implement a new streamlined Pre-Application Discussion (PAD) service which seeks to increase value in PAD discussions and ensures that they are tailored to the needs of the potential applicant.</p>
5.7	<p>The Planning Service is seeking to establish a collaborative partnership forum with customers to jointly improve the planning processes in the city. This will be a compact group that will meet quarterly and represent planning agents, developers and architects. The partnership will also have an important role in informing change and improvement to the NI planning system itself.</p>
	<p><u>Statutory Consultees</u></p>
5.8	<p>The Council is legally obliged to engage with statutory consultees other than on the most minor applications. Consultation responses are often returned outside the 21-day consultation period and in many cases require additional information (frequently related to the quality of submissions) which extends the application process. The consultation process is one of the principal barriers to effective performance.</p>
5.9	<p>DfI publishes quarterly and annual reports on statutory consultee performance. The most recent statistics for 2023/24 Q3 show that 75% of consultation responses were responded to in time (i.e. within 21 days). By far the most prevalent consultee is DfI Roads (80% responses within time), followed by DAERA (73%), NI Water (96%), DfI Rivers (63%) and DfC Historic Environment Division (37%).</p>
5.10	<p>Unfortunately, only regional data is available on statutory consultee performance. Officers believe that it is important for the Council to understand how statutory consultees perform in Belfast compared to regionally. The Planning Service has previously requested this information, but DfI have been unable to provide this breakdown. The Planning Service is therefore working to produce its own report on this data in conjunction with the ICF team which manages the contract for the new Planning Portal.</p>
5.11	<p>The Planning Service also engages a range of non-statutory consultees, mainly other service areas within the Council, the most prevalent of which is Environmental Health. Environmental Health currently has a backlog of consultations dating back to April 2024, due to 43% staff vacancy within its planning consultations team (4 positions). Recruitment is currently underway and the</p>

	posts should be filled by the Autumn. In the meantime, the Planning Service and Environmental Health are continuing to work together closely on rationalising consultations issued to the team.
5.12	<p><u>Internal structure and processes</u></p> <p>In June 2023, the Development Management teams were reorganised to provide a more suitable staffing structure. 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. Each area team deals with a mixture of Major and Local applications and led by a Principal Planning Officer under the overall management of the Planning Manager (Development Management).</p>
5.13	<p>There are several benefits of this new structure, notably:</p> <ul style="list-style-type: none"> • More equitable roles, with responsibility for the review of work and 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, appeals and other work; and • Providing better support for case officers and widening their experience and professional development. The new structure means that work on Major and strategic applications can be supported by more junior officers within the sub-teams, which widens experience and provide a broader “team approach” to strategic project work.
5.14	<p><u>Managing workload and the impact of Legacy applications</u></p> <p>As outlined earlier, the sheer number of applications currently in the system mean that some officers are carrying significant caseloads. There has been a specific focus in the Development Management team to reduce the overall numbers of applications and whilst the number constantly fluctuates, over the last 5 months the total live applications in the system has been reduced from 1,250 to 1,100.</p>
5.15	<p>Importantly, there is renewed focus on how long current applications have been in the system, with RAG reports produced on a regular basis to identify those applications that are already beyond the 15 or 30 week target, and those that are nearing it. This is allowing more focused prioritisation of workloads. Working with the ICF for the Planning Portal the service is developing its own suite of performance management reports which will enable the production of much more detailed monitoring of performance at service, area team, sub-team and individual staff level.</p>
5.16	<p>With a number of applications in the system already beyond the 15 or 30 week target, there is a need to recognise the potential impact of these on the Council’s KPI figures even if processes and systems are improved as outlined in the report. Every application that is determined (even if they are withdrawn) will impact on the average timescales reported in the KPI figure.</p>
5.17	<p>Officers are classifying any application over two years old as a legacy application. There are currently 71 legacy applications in the system including a Major application that dates back to 2017; one Local application validated in each of 2018 and 2019; and 8 applications validated in 2020. The processing of these and other older applications means that performance may remain above the KPI target before it gets better.</p>
5.18	<p>The focus on determining the older applications in 2024/25 and the improvements in train and proposed will enable the Planning Service to hit the ground running in terms of meeting performance targets for 2025/26.</p>
5.19	<p><u>Section 76 planning agreements</u></p> <p>In June 2024 the Planning Committee considered a report which assessed the reasons why 29 planning applications that had been determined by Committee were yet to be issued. Of the 29</p>

	<p>applications 24 (83%) were awaiting completion of a Section 76 planning agreement. Three applications (10%) had been notified to the DfI and two applications (7%) were awaiting further consultation responses.</p>
5.20	<p>The Committee were informed that historically focused negotiations on the detail of planning agreements have tended to take place once an application is scheduled to be presented to Committee. This was leading to delays post Committee whilst the detail of the agreement is worked through. Officers therefore proposed a streamlined process to frontload this work as much as possible before an application is presented to Committee.</p>
5.21	<p>Model planning agreement clauses have been drafted that cover a wide range of issues typically included in s76 agreements. The Council's Application Checklist is being amended to give clarity on what will be expected from applicant namely the early submission of Heads of Terms which should include the proposed obligations contained in the schedule to the model agreement which are applicable, details of all owners and / or persons who have an estate in the land and contact details for the applicant's solicitor. Applications that require a s76 planning agreement will now not normally be reported to the Committee until the planning agreement has been agreed in principle by the Planning Service and applicant. The Planning Service will then aim to issue the decision notice within 10 working days of the end of the Committee decision call-in process.</p>
5.22	<p>Reports on the applications that have been determined by Committee but which are yet to be issued will now be presented to Planning Committee meetings as part of the monthly report on decisions issued.</p>
	<p><u>Lean redesign experimentation</u></p>
5.23	<p>In December 2022, the Planning Service reported to the Planning Committee on the experimentation that it has been undertaking, applying lean systems redesign principles. The experimentation has largely concentrated on small-scale proposals such as householder applications and advertisements, although it has also included a small number of large scale Local and Major applications.</p>
5.24	<p>Between August 2022 and December 2023, a small project team within the Planning Service experimented with over 300 applications, with an approval rate of 98%. It was originally intended that the officers would be brought into work in the lean way on a staggered basis however because of the specific challenges experienced in 2023/24 set out above as well as turnover of staff, it was considered more pragmatic and beneficial to take the learning from the experimentation and roll this out more widely with particular focus on applying the principles to householder and advertisement applications as part of the pilot for improving minor application performance (see below).</p>
5.25	<p>The key principles identified through the experimentation which will be applied to all applications include:</p> <ul style="list-style-type: none"> • Much faster check of the application on receipt to ensure that it has all the necessary information to determine it (validation and completeness check); • Initial assessment of the application at the same time as the validation/completeness check so that much earlier feedback is given to the applicant (or their agent); • Personal engagement with the applicant at this early feedback stage, which also provides opportunity to set out an indicative timescale for the decision (managing expectations) and build a relationship with the customer; • More focused consultation so that statutory and non-statutory consultees are only consulted where 1) there is a legislative requirement; and/or 2) the consultation will add genuine value to the process by helping the Council make a better decision.

5.26	<p>Whilst the lean experimentation largely focused on smaller application, a small number of more significant applications have progressed in accordance with the principles set out above. These include three determined Major applications</p> <ul style="list-style-type: none"> • LA04/2023/4737/F 459 bedroom PBMSA scheme at Dublin Road (24 weeks); • LA04/2023/4366/F erection of Grade A office building at Dublin Road (23.5 weeks); and • LA04/2023/4613/F erection of Grade A office building at City Quays (24 weeks).
5.27	<p>Two other Major applications that were subject to the same approach have however been significantly delayed, illustrating the problems described previously in this report:</p> <ul style="list-style-type: none"> • LA04/2023/4181/F - an application for a new pumping station at Sydenham, east Belfast. The application was validated in October 2023 and the Planning Service is still awaiting a consultation response from DfI Roads, some 9 months after originally issuing the consultation. • LA04/2023/3799/F - an application for a replacement school in west Belfast. The application was validated in August 2023. DAERA responded three months later requesting further information in relation to bats. Further information was subsequently provided and DAERA subsequently requested a further bat survey which can only be carried out at the end of the summer. Further re-consultation with DAERA will be necessary once the survey is submitted and a decision may not be able to be made on the application until towards the end of the year. This would be some 16 months or 65 weeks or so after the application was first submitted. Whilst we could request the application is withdrawn to minimise the impact on our KPIs, the applicant is the trustees of the primary school and they would incur an additional £14,000 further planning application fee if they withdrew and resubmitted the application. The Planning Service has been lobbying for change to the fee regulations to address these scenarios.
	<p><u>Minor applications pilot</u></p>
5.28	<p>Starting in June of this year, the pilot has seen the submission of 125 new minor applications (householder and advertisement) with 19 decisions at an average processing time of 5.15 weeks. The pilot involves the implementation of key learning from the Planning Service’s lean redesign experimentation, including streamlined validation processes, much earlier assessment and feedback to customers, resulting in improved processing times.</p>
	<p><u>Improvement Plan</u></p>
5.29	<p>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 improving the quality of applications on submission and providing a more efficient, effective and customer-focused service. A copy of the Council’s <i>Guide to the Planning Application Process</i>, including 10 Operating Principles, is provided at Appendix 1.</p>
5.30	<p>Since 2018, the Planning Service has regularly updated its Improvement Plan and has periodically reported it to the Planning Committee. It was last reported to the Planning Committee on 12th December 2023 (Item 15).</p>
5.31	<p>The Planning service’s Improvement priorities for the next 12 months are referenced throughout this report, but are summarised below.</p>
	<p><u>Conclusions</u></p>
5.32	<p>As set out, there are some positive signs of improvement to performance, and there are a number of further process improvements either being or to be implemented.</p>
5.33	<p>In summary, the Planning Service improvement priorities for the next 12 months include:</p> <ul style="list-style-type: none"> • Continuing to influence positive change to the NI planning system.

5.34	<ul style="list-style-type: none"> • Development of more comprehensive performance information to provide narrative to the current KPI statistics and to illustrate more qualitative performance factors. • Establishment of a <i>Belfast Planning Partnership</i> as a forum for collaborative working with customers; • Development of Belfast specific information on statutory consultee performance; • Implementation of a comprehensive internal Performance monitoring of performance at service, area team, sub-team and individual staff level; • Implementation of the model planning agreements and new procedures to speed up the Section 76 planning agreement process; • Continued operational improvement of processes including the wider roll-out of learning from the lean redesign experimentation; • Adoption and publication of a validation checklist for mandating information requirements on submission of applications (based on the current Application Checklist); • Review of PAD fees and use of Planning Performance Agreements; <p>As set out, it will be challenging for the Planning Service will meet the statutory KPIs targets until 2025/26. This is because of the need to bed-in new streamlined processes; reduce the backlog of live applications to more manageable levels; and clear “legacy” applications of more than two years old from the system.</p>
6.0	Financial & Resource Implications
6.1	There are no financial or resource implications associated with this report.
7.0	Equality or Good Relations Implications / Rural Needs Assessment
7.1	There are no equality or good relations / rural needs implications associated with this report.
8.0	Appendices – Documents Attached
	Appendix 1 – Guide to the Planning Application Process (including 10 Operating Principles)