



A guide to the planning application process

Our aim is to help our customers get a timely planning decision that benefits our city.

To help achieve this, we follow our ten operating principles (see Appendix 1).

Introduction

The planning process has a vital role to play in shaping our city for the better. It ensures that development is properly managed in the public interest, taking opportunities to further sustainable development that meets the needs of both current and future generations.

Planning is also a significant tool in delivering the Belfast Agenda, the city's first Community Plan. Belfast has ambitious plans for growth including increasing the population of Belfast by 66,000 with 46,000 additional jobs by 2035. The planning process will help ensure that this change happens in a sustainable and managed way.

Belfast City Council has responsibility for most planning functions in the city, including:

- publishing a Local Development Plan that outlines how land should be used and developed in the future;
- making decisions on the majority of planning applications;
- making Tree Preservation Orders;
- investigating and enforcing breaches of planning control; and
- providing advice to customers on the planning process including our Pre-Application Discussion service.

This guidance is specifically aimed at the planning application process and how we deal with planning applications.

Our aim is to provide a responsive planning service that meets the needs of all citizens including applicants, developers, communities, businesses and interest groups.

Belfast City Council's [Statement of Community Involvement](#) sets out how we involve the community in making decisions on planning applications, as well as preparing our new Belfast Local Development Plan.

Legislation and policy context

The [Planning Act \(Northern Ireland\) 2011](#) provides the legislative framework for the planning system in Northern Ireland.

The Act requires that planning applications are decided in accordance with the Local Development Plan for the area, unless material considerations indicate otherwise.

You can find more information on the Local Development Plan, including the draft Belfast Local Development Plan on the [Belfast City Council website](#).

You can also find guidance on what is a [material consideration on our website](#).

The Department for Infrastructure is responsible for planning at regional level. It has published a series of planning policy documents that are an important material consideration in the decision-making process. These include:

- [Regional Development Strategy 2035 \(RDS\)](#)
- [Strategic Planning Policy Statement for Northern Ireland 2015 \(SPPS\)](#)
- [Planning Policy Statements \(PPSs\)](#)

Do I need to apply for planning permission?

Different types of consent

You may need to apply to us for the following types of consent:

- Planning permission for new buildings, structures, extensions, external alterations, changes to ground levels, change of use of land or buildings, and mining operations.
- Advertisement Consent for new signage
- Listed Building Consent for external or internal alterations to the built fabric of a Listed Building
- [Conservation Area Consent](#)¹ for demolition of a building or structure in a Conservation Area (where the structure exceeds 115 cubic metres)
- [Works to a tree covered by a Tree Preservation Order](#)
- [Works to a tree within a conservation area](#)

¹ Subject to the Planning (Control of Demolition in Conservation Areas) Direction 2015



Permitted development

Certain minor works or uses do not require planning permission from us and may be carried out as 'permitted development'.

The specific rules for permitted development are set out in the [Planning \(General Permitted Development\) Order \(Northern Ireland\) 2015](#). This includes certain proposals within the curtilage of a dwelling house, some changes of use and other minor operations.

You can find further advice on when planning permission is required on www.nidirect.gov.uk/articles/planning-permission-when-apply

If you would like us to confirm whether your proposal requires planning permission, you can apply for a [Certificate of Lawful Use or Development \(Proposed\)](#). This is a legally binding decision from the council and may be useful confirmation when you come to sell your home or property.

Deemed advertisement consent

Certain adverts and signs can be erected without the need for Advertisement Consent. These circumstances are set out in Schedules 2 and 3 of the [The Planning \(Control of Advertisements\) Regulations \(Northern Ireland\) 2015](#).

How do I submit a planning application?

You should submit your planning applications online using the [Planning Portal](#). You can also post your planning applications, however, this process may take longer.

The information requirements for submitting a planning application are set by [legislation](#).

Our [Application Checklist](#) sets out what information you need to provide with your planning application.

It is vital that applications are supported by the right information so that we can assess them properly and deal with them in a timely manner. If supporting information is missing, it can lead to delays or could even result in your application being refused.

We therefore strongly encourage you to use our Application Checklist.

Our [Pre-Application Discussion](#) service provides opportunity for you to discuss your proposals with a planning officer before you make a planning application. We can advise you on how to make your application, what the likely issues will be when it is considered and give you a preliminary view as to whether planning permission will likely be granted. For advice on smaller scale proposals such as domestic extensions, other home improvements and advertisements, we provide a Duty Planning Officer service (for further details see across page).

You can submit a planning application yourself or appoint an agent or architect to act on your behalf. Please note that if you use an agent or architect, our contact during the application process will always be with them.

Pre-Application Discussions

We offer a [Pre-Application Discussion service](#)² so you have better chance of getting permission when you submit your application.

A Pre-Application Discussion should improve the quality of your proposal, reduce the time it takes to determine your application, and give you peace of mind that you are on the right lines before making a planning application.

We are committed to providing a quality planning service, both in terms of the quality of new development and the timescale in which we make our decisions. Good quality decisions, made in a timely manner need commitment and input from both our officers and applicants.

Please note that if you choose not to follow our advice given at the pre-application stage, this could lead to your planning application being refused. Applications that do not follow advice can undermine the Pre-Application Discussion process and our ability to process applications efficiently and in a timely manner.

Duty Planner

For general enquiries or advice on smaller scale proposals such as domestic extensions, other home improvements and advertisements, we provide a [Duty Planner](#) service. The Duty Planner is available between 9.30am and 4.30pm, Monday to Friday (Wednesdays, 1pm to 4.30pm only). Call us on 9050 0510, email planning@belfastcity.gov.uk or call into the Cecil Ward Building, 4-10 Linenhall Street, Belfast, BT2 8BP.

How do we process your application?

Receipt of your application

When we receive your application, we will check if you have submitted the correct information using our [Application Checklist](#).

If information is missing, we will write to you and ask for it to be provided with 14 days. If you are unable to provide the information in time we will arrange for the application to be returned (including the fee) so that you can submit it again when all the information we need is ready.

If you choose to ask for your application to be decided without the necessary information then there is a risk that it will be refused and we will not return your fee.

When you submit a complete application with all the information we need, we will send you an acknowledgement and include the case officer's contact details, normally within seven days. The case officer will be responsible for managing your planning application and will be your point of contact throughout the process.

Consultation

Once we have all the information we need we will carry out consultations on the application in accordance with the [legislative requirements](#).

We will:

- publish notice of the application in the press;
- notify relevant neighbours by way of a letter;
- publish information about the application on the [Planning Portal](#) website;
- notify statutory consultees such as government departments; and
- consult relevant non-statutory consultees such as other service areas within the council.

We are unable to give a decision on the application until at least 14 days from when notice of the application is published in the press or from when neighbours are notified, whichever is the later. We are also unable to give a decision until at least 21 days after we have consulted a statutory consultee. (Please note that applications requiring an Environmental Statement under the [Environmental Impact Assessment Regulations](#) have a longer consultation period).

² Please note that there may be a charge for this service

Site visits

In some cases, we will need to visit the application site to help our assessment of your planning application. The case officer aims to visit the site within 21 days of the complete application being submitted. We will not always advise you of when we will visit the site because planning officers frequently visit several sites on the same day and it is difficult to give a precise time. However, if the site is inaccessible we will contact you to arrange access to the site in advance.

Feedback on your application

We will contact you once we have carried out our initial assessment of the application to tell you how the process is going. Normally this will be after the consultation period has ended.

If we find a problem with your application, we will let you know as soon as possible. Our aim will be to work with you to try to find a solution, where this is feasible. Please note that it will not always be possible to address the concerns under the current application and sometimes a new application may be required.

If we feel that an application should be refused, we will always let you know beforehand. Applications that have fundamental problems will be refused straightaway.

You can track the progress of a planning application on the [Planning Portal website](#). This includes the option of registering for email notifications about tracked applications.

Timely decision-making

We aim to decide local applications³ within an average processing time of 15 weeks and major applications⁴ within an average processing time of 30 weeks, in accordance with statutory indicators. In addition, we have introduced a further indicator for deciding householder applications⁵ within an average processing time of 12 weeks.

These indicators are an average processing time and we will not be able to decide all applications within these time periods.

If there is a problem with your application, we will let you know. If it is not possible to resolve the issue within the above timeframes we may invite you to withdraw the application and submit a new application that addresses our concerns to avoid your original application being refused. We will not accept significant changes to a proposal once the application is submitted because this undermines our ability to make timely decisions. Therefore, you should use our Pre-Application Discussion service to resolve any issues first.

Our [Pre-Application Discussion](#) service is aimed at identifying issues early and will give you a better chance of your application being determined more quickly.

Case Officer report

In some cases, the Case Officer will write a report that sets out their recommendation as to whether the planning application should be approved or refused. In other cases, the Reasons for Approval will be made clear on the decision notice. The report is a professional and impartial assessment of the relevant issues and only material planning considerations may be considered as part of the Council's assessment. The officer recommendation is always countersigned by another officer.

In the interests of transparency, the Case Officer report will be made publicly available once the decision is made so that reasons for the decision are clear. A copy of the report will be published on both the [Planning Portal website](#) and planning application file.

How we make decisions

Around 90% of planning applications are determined in accordance with the officer recommendation under 'delegated powers'. Our [Scheme of Delegation](#) sets out in detail when decisions are delegated to officers and when they must be made by the Planning Committee.

Section 76 planning agreements

A [planning agreement](#) is a legally binding agreement, normally between the applicant, landowner and council, to secure specific planning obligations necessary to make development acceptable. Planning agreements are typically used to secure affordable housing, travel plans, green travel measures, management of open space in residential schemes, student management plans for purpose-built managed student accommodation, employability and skills plans and financial developer contributions.

Planning agreements are drafted by the council, based on a series of model clauses which are updated periodically. In the interests of timeliness and certainty around the process, applications that require a planning agreement will not normally be reported to the committee, until the planning agreement has been agreed in principle by the Planning Service and the applicant, including content and ownership details confirmed by the applicant's solicitor. This agreement is without prejudice to the committee's decision on the application.

Planning Committee

Our Planning Committee meets monthly (other than July during the summer recess) and determines all applications for major development, those where the council has an estate and certain other applications set out in our [Scheme of Delegation](#).

If you would like to speak at our Planning Committee about a planning application that it is going to be considered you will need to complete our [online form](#). You will need to submit the request at least 48 hours before the committee meeting. Once we receive your request we will get in touch with you with more information.

Speaking rights at the committee are limited to the applicant, anyone who has submitted a written response to the application, and elected representatives.

Please note that we will not notify you when an application is going to be heard by the Planning Committee. You can check the agenda for upcoming Planning Committees on the [council website](#).

Regionally significant planning applications

The Department for Infrastructure has responsibility for dealing with planning applications that have [regional significance](#). If you have a query relating to a regionally significant planning application you should contact the Department directly. Call 0300 200 7830 or email planning@infrastructure-ni.gov.uk

³ All other development that does not fall within the definition of major development

⁴ The definition of a 'major' development is provided by the Planning (Development Management) Regulations (Northern Ireland) 2015

⁵ Householder applications are for domestic proposals such as an extension, garage, outbuilding, shed or satellite dish, alterations to an access or driveway, and other home improvements

Making comments on an application

Anyone may make a comment on a planning application. Comments must be made in writing and may be made online on the [Planning Portal website](#) or by email or post to the address at the bottom of this guidance.

We accept petitions but will only correspond with whoever submitted the petition and not with other signatories on the petition.

In assessing a planning application, we can only take account of [material planning considerations](#). Any comments you make should be restricted to material planning considerations only. For example, we are unable to take into consideration civil disputes or issues which are regulated by other non-planning legislation.

The case officer will summarise any submitted comments in their report and the council will take them into consideration when it makes its decision.

If you have made a comment on an application, you can track the progress of the application on the [Planning Portal website](#). This includes the option of registering for future email notifications.

Please note that we will not notify you when an application is going to be heard by the Planning Committee. You can check the agenda for upcoming Planning Committees on the [council website](#). Due to volume, we are unable to respond to individual comments submitted on planning applications. We are also unable to advise the outcome of the application, however, you can check the decision on the Planning Portal website.

Post-decision

The making of a decision on a planning application is not the end of the planning application process.

As the applicant you must ensure that you carry out the proposal in accordance with the approved plans. You will also need to make sure that you comply with any condition/s specified on the planning permission. Failure to do so may be a breach of planning control.

Discharging planning conditions

Sometimes we impose a planning condition that requires you to submit further details to us for approval before certain works or uses can commence. You should allow at least eight weeks for this information to be assessed following its submission and you should take this into account in your project timeline. More complex information may take longer to process. Failure to comply with these conditions could make your proposal unauthorised and liable to enforcement action.

Monitoring Conditions and Planning Agreements

In the interests of compliance and identifying breaches of planning control, we actively monitor planning agreements made under Section 76 of the Act to ensure they are complied with. We may also monitor certain planning conditions to make sure they are followed.

Other non-planning consents

It is the applicant's responsibility to ensure compliance with any relevant non-planning legislation when they implement their permission or consent, such as licensing, roads, drainage, water or environmental permits.

Works or use of land without permission

We investigate complaints about unauthorised works or use of land carried out in breach of planning control. You can find further information about our planning enforcement service and how to make an enforcement complaint on [our website](#).

Right of appeal

If you as the applicant are dissatisfied with our decision you have the right to lodge an appeal to the [Planning Appeals Commission NI](#). Planning appeals may be made in respect of the following:

- refusal of permission or consent, or
- imposing of a planning condition on the decision.

Please note that the right of appeal is limited to the applicant only and appeals must be lodged within **four months** of the decision. There is no third-party right of appeal in Northern Ireland.

Complaints

If you are unhappy with how we have dealt with an application or any aspect of the planning application process you can make a complaint which will be dealt with in accordance with Belfast City Council's corporate complaints procedure.

You can find further details on how to make a complaint [here](#).

Contacting the Planning Service

You can contact our Planning Service in the following ways:

Email: planning@belfastcity.gov.uk

Tel: 028 9050 0510

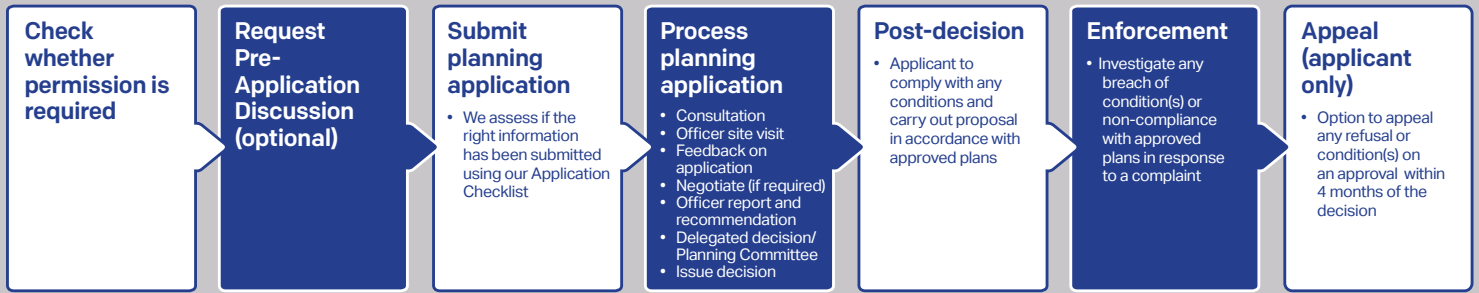
Post: Belfast Planning Service
Ground Floor
Cecil Ward Building
4-10 Linenhall Street
Belfast, BT2 8BP

Service standards

In order to provide an efficient and effective planning application service we will aim to meet the following service standards:

- Acknowledgement of planning application - within **seven days** of a complete application
- Site visit by Case Officer - within **21 days** of a complete application
- Average time for processing major applications - **30 weeks**
- Average processing time for processing local applications - **15 weeks**
- Average processing time for processing householder applications - **12 weeks**

Planning application process map



Appendix 1

Planning Applications – 10 Operating Principles

Helping our customers get a timely planning decision that benefits our city.

<p>1</p>	<p>We make sure we have the right information to support an application at the start of the process.</p> <ul style="list-style-type: none"> We tell our customers what information we need with their application before they submit it. Our Application Checklist will set out what information is required and when. We check if the required information has been submitted and ask for it if it is missing. If the information we need and ask for is not provided we may refuse permission. 	<p>6</p>	<p>We inform the applicant or agent as soon as we know that there is a problem with an application and try to find a solution.</p> <ul style="list-style-type: none"> Our customers need to know our views on their application. We give them an opportunity to address problems as soon as possible, where there is a likely solution.
<p>2</p>	<p>We make sure we consult the right people.</p> <ul style="list-style-type: none"> We consult the right people at the beginning of the process and follow the correct consultation procedures. We will use a Consultation Checklist to help us do this. 	<p>7</p>	<p>We provide a Pre-Application Discussion (PAD) service so that issues can be identified at the beginning of the process, before the application is made.</p> <ul style="list-style-type: none"> This leads to better quality planning applications which should be determined in a more timely manner. If applications do not accord with officer advice pre-application, we may refuse permission. This is because it can undermine the PAD process and our ability to process applications quickly and efficiently.
<p>3</p>	<p>We get on site as soon as possible</p> <ul style="list-style-type: none"> We can only properly assess a proposal once we have been on site. We get on site no later than 21 days after an application is valid. We record site visits on the back-office system so that we can measure our ability to get on site quickly. 	<p>8</p>	<p>If there's a fundamental problem with an application which can't be resolved following discussion with the applicant, we will immediately refuse the application.</p> <ul style="list-style-type: none"> Unacceptable applications should be determined as quickly as possible in the interests of the efficiency of the overall service.
<p>4</p>	<p>We make sure that we understand our customers' requirements</p> <ul style="list-style-type: none"> We need to understand why our customers have submitted their proposal and the timescales required for their project. This will enable us to help our customers achieve their objectives (if this is possible) within the planning rules. 	<p>9</p>	<p>We take advice from technical consultees into consideration but always ask, "Must we follow this advice in this particular situation?"</p> <ul style="list-style-type: none"> While we're obliged to consult and take account of advice from the relevant technical consultees, we take a proportionate approach to the handling of each planning application. If we do not receive a response from technical consultees in time, we may need to ask ourselves whether we can go ahead and make the decision without it.
<p>5</p>	<p>We decide the 'path' of an application as soon as possible (whether it will be approved, refused or if changes are needed).</p> <ul style="list-style-type: none"> This means that any problems with an application are dealt with at the outset, where possible, and that our customers know at an early stage about how we will deal with their application. 	<p>10</p>	<p>We keep the work moving at all times!</p> <ul style="list-style-type: none"> Any blockages in the process cause delays. We make sure that the blockage is never at our end. We constantly manage our work to make sure that the 'ball is always in the applicant's court, not ours'. We keep the work constantly moving!