



<b>Subject:</b>	Second Review of the Implementation of the Planning Act (NI) 2011
<b>Date:</b>	17 February 2026
<b>Reporting Officer(s):</b>	Kate Bentley, Director of Planning and Building Control
<b>Contact Officer(s):</b>	Ed Baker, Planning Manager (Development Management) Dermot O'Kane, Acting Planning Manager (Development Plan and Policy)

<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>	
<b>After Committee Decision</b>	<input type="checkbox"/>
<b>After Council Decision</b>	<input type="checkbox"/>
<b>Some time in the future</b>	<input type="checkbox"/>
<b>Never</b>	<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 Purpose of Report or Summary of Main Issues</b>	
1.1	The Department for Infrastructure (DfI) is carrying out a second review of the implementation of the Planning Act (Northern Ireland) 2011. DfI wrote to all Heads of Planning (Appendix 1) asking for an assessment as to whether it would be appropriate to amend or repeal any of the existing provisions of the act, supported if possible with additional information and / or evidence including operational experience. This report sets out a suggested response to the DfI on the matter.
<b>2.0 Recommendation</b>	
2.1	The Committee is asked to agree the draft response (appendix 2) to DfI's request in relation to second review of the Implementation of the Planning Act (NI) 2011.
<b>3.0 Main Report</b>	
3.1	DfI are legislatively required to review the implementation of the Planning Act (NI) 2011 by Section 228(1)(b) of the Act. The purpose of the review is to ensure continued oversight of

	the legislative framework underpinning the two-tier planning system, and to assess whether it remains appropriate and fit for purpose.
3.2	A first review of implementation of the Act was carried out following a Call for Evidence in February 2021. Having agreed to an extension of the deadline for responses, Belfast City council considered the matter at its Planning Committee in <a href="#">March 2021</a> and agreed a <a href="#">response for submission</a> . The <a href="#">DfI report</a> was subsequently published in January 2022.
3.3	The DfI report sets out that “ <i>almost two-thirds of the Act (162 sections) were not remarked upon. As had been anticipated, the vast majority of comments focused on sections with regard to Local Development Plans (LDPs), development management and planning enforcement. Comments were also received with regard to the functioning of the planning system within the context of the COVID 19 pandemic and post pandemic recovery.</i>
	<i>Following analysis of responses, the broad themes to emerge included calls:</i> <ul style="list-style-type: none"> <li>• <i>for the planning system as a whole, to take account of other strategies on for example: climate, environment, renewable energy;</i></li> <li>• <i>to streamline, and address perceived obstacles / inefficiencies in local development plan-making;</i></li> <li>• <i>for greater clarity in the role of the Department in plan-making, development management / decision-taking, and planning enforcement;</i></li> <li>• <i>for quicker and more streamlined decision-taking on planning applications and to address perceived obstacles at various stages including, preapplication consultation, and pre-determination hearings;</i></li> <li>• <i>to better utilize digitization across the planning system, including a review of planning application and advertising requirements;</i></li> <li>• <i>to uplift and broaden the scope of planning fees to better match costs;</i></li> <li>• <i>for greater and more regular use of powers to assess a council’s performance;</i></li> <li>• <i>to future-proof planning against potential emergencies, for example: extending extant planning permissions, and suspending in-person engagement;</i></li> <li>• <i>for greater powers to councils in relation to conservation areas and trees;</i></li> <li>• <i>to commence the Review of mineral planning permissions;</i></li> <li>• <i>to prioritise ‘green infrastructure’ projects in post-COVID 19 recovery.”</i></li> </ul>
3.4	The Department is required to publish the second review report within 5 years of the first report. The second report will therefore need to be published before the end of January 2027.
3.5	As with the first review, DfI are keen to stress that the report will deal with the implementation of the Act and is not an examination of the performance of the overall two-tier planning system. The review must consider the objectives intended to be achieved by the Planning Act, assess the extent to which those objectives have been achieved and assess whether it is appropriate to retain, amend or repeal any of the provisions of the Planning Act in order to achieve those objectives.
3.6	In their correspondence (Appendix 1) DfI have asked for responses by the 20 February 2026. Given the need to bring a response before Committee, Councils have asked for an extension to this deadline. DfI have confirmed that responses will be accepted after the 20 February.
3.7	<p><b>Key Issues</b></p> <p>In its response to the Call for Evidence in 2021, the Council sought to influence much needed change and improvement to the planning process in Northern Ireland. The previous submission was provided in the format of responses to structured questions. The previous response of the Council has been reviewed and updated to remove references to Covid</p>

	recovery as well as references to work that has been undertaken or is underway to refine the system (including for example the introduction of statutory validation checklists and the removal of mandatory Pre Determination Hearings). This work has mainly come through the Regional Planning Improvement Programme, on which the Committee has been regularly updated. The draft response to the second review is included in Appendix 2.
<b>4.0</b>	<b>Financial &amp; Resource Implications</b>
4.1	There are no financial or resource implications as a direct result of this report. There may however be financial or resource implications if changes are made to the planning system as a result of the review of Regional Planning Improvement Programme.
<b>5.0</b>	<b>Equality or Good Relations Implications / Rural Needs Assessment</b>
5.1	There are no equality or good relations implications as a result of the report or review of the implementation of the Planning Act (NI) 2011 or a need for a rural needs assessment at this time.
<b>6.0</b>	<b>Appendices – Documents Attached</b>
	Appendix 1 – Correspondence from the Chief Planner, DfI January 2026.  Appendix 2 – Draft response to the request for information.

DRAFT