



Subject:	Delegation of Local applications with NI Water objections
Date:	21 st April 2026
Reporting Officer(s):	Kate Bentley, Director of Planning and Building Control
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Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time 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 <input type="checkbox"/>

1.0	Purpose of Report or Summary of Main Issues
1.1	Since June 2022, the Planning Committee has periodically considered reports seeking delegated authority for the Director of Planning and Building Control to determine certain Local applications to which NI Water (NIW) has objected.
1.2	The Council continues to receive objections from NIW to some Local applications. The purpose of this report is to seek the Committee’s agreement to delegate to officers those Local planning applications to which NIW has objected as set out at Appendix 1 .
1.3	For the avoidance of doubt, it is only those applications which would have been delegated to officers under the Scheme of Delegation were it not for the objection from NIW (a statutory consultee) which are proposed to be delegated. Therefore, any of the Local applications listed at Appendix 1 which it may later transpire require to be referred to the Committee for other reason/s (other than the NIW objection) will be reported to the Committee to determine.

1.4	Elected Members can also still request that the applications at Appendix 1 are referred to the Committee under paragraph 3.8.1 of the Scheme of Delegation.
2.0	Recommendation
2.1	That the Committee agrees to delegate to the Director of Planning and Building Control those Local planning applications to which NIW has objected set out at Appendix 1 .
3.0	Main Report
	<u>Background</u>
3.1	As reported to the Committee Workshop in November 2021, NIW is objecting to a significant number of Local applications on grounds of insufficient waste-water infrastructure capacity.
3.2	As advised at the Committee Workshop, officers have been engaging with NIW to try to resolve those objections in a strategic context. Whilst progress is being made, and NI Water has been considering a threshold for the scale and nature of development above which they would like to be consulted on future planning application, the objections to these Local applications remain.
	<u>Scheme of Delegation</u>
3.3	The Committee will be aware that the Council operates a Scheme of Delegation for Planning which identifies which matters are to be determined by the Committee and which are delegated to officers.
3.4	Paragraph 3.8.5 (f) of the Scheme of Delegation (December 2025) states that planning applications are not delegated where <i>'There is an objection from a statutory consultee and the recommendation of the Planning Officer is to approve.'</i> This means that those applications are required to be determined by the Planning Committee.
3.5	The Planning (General Permitted Development) Order (Northern Ireland) 2016 identifies NIW as a statutory consultee <i>'...where a development proposal is likely to significantly impact upon the availability of suitable water and sewerage infrastructure to service development proposals.'</i>
3.6	This means that where NIW has lodged an objection to a Local application and the officer recommendation is to approve, the application is not delegated and must be determined by the Committee.
3.7	Therefore, the Committee has agreed to delegate Local applications with the NIW objections to the Director of Planning and Building Control, as set out in similar previous reports to the Committee. This has avoided the potential need to report to date 329 individual applications to the Committee. To have reported all those applications to the Committee would have been logistically extremely challenging, costly and would have resulted in further delays for applicants.
	<u>Nature of NI Water objections</u>
3.8	NI Water has lodged objections to Local applications for one or both of the following reasons. <p style="margin-left: 40px;">a) there is insufficient capacity at the local Waste Water Treatment Plant to support the proposed development, and/or</p>

	<p>b) there is insufficient network capacity within existing Combined Storm Overflows to support the development, and/ or</p> <p>c) there is insufficient network capacity within the foul sewerage system and a Wastewater Impact Assessment is required.</p>
3.9	In broad terms, NIW is concerned that a lack of infrastructure capacity would give rise to risk of environmental harm including pollution, flooding and adverse impact on existing property. In some cases, NIW is concerned that the application site may be hydrologically linked to Belfast Lough and may harm its water quality.
3.10	However, allowance must be made for existing significant committed development across the city including extant planning permissions. It is highly unlikely that all such development, which includes unimplemented permissions for around 20,000 houses and significant levels of commercial floor space across the city, will come forward at once, if at all. In practical terms it would be unreasonable for the Council to withhold planning permission given the fall-back of the need to connect those developments to existing waste water infrastructure.
3.11	In the case of Waste Water Treatment capacity, NI Water advises that there was an increased capacity from July 2023, albeit this will not be sufficient to address long term waste water treatment plant infrastructure requirements.
	<u>Habitats Regulations Assessment</u>
3.12	Officers have met with Shared Environmental Services (SES). Belfast City Council is the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) for undertaking an Appropriate Assessment where a proposal is likely to have a significant environmental effect on Belfast Lough, an environmentally protected Special Protection Area (SPA), RAMSAR and Special Area of Conservation (SAC). Water quality of the lough is a key consideration. The Habitats Regulations are framed in such a way that it is not only the impacts of individual development proposals that need to be considered, but also “in combination” impacts with other development.
3.13	A precautionary approach applies to Habitats Regulations Assessment (HRA). Competent Authority, the Council may take its own objective view on whether a proposal is likely to have a “significant effect” on water quality of the Lough. However, having regard to the precautionary approach, where NIW object to an application stating concerns about potential environmental pollution, the Planning Service will automatically consult SES and ask them to undertake a HRA Appropriate Assessment Screening to ascertain whether there would be a likely significant impact. This would also trigger statutory consultation with DAERA NIEA.
	<u>Local applications for which delegated authority is sought to determine</u>
3.14	The further Local applications to which NIW has objected and which delegated authority is sought to determine are listed at Appendix 1 .
3.15	It should be noted that only those applications which would have been delegated to officers under the Scheme of Delegation were it not for the objection from NIW are proposed to be delegated. Therefore, any of the Local applications listed at Appendix 1 which it transpires need to be referred to the Committee for other reason/s under the Scheme of Delegation will be reported to the Committee to determine. Individual Members can also still request

	that the applications at Appendix 1 are referred to the Committee under paragraph 3.8.1 of the Scheme of Delegation.
4.0	Financial & Resource Implications
4.1	The cost, time and resources involved in individually reporting all Local applications to which NI Water has objected to the Planning Committee would be considerable. It would also require several additional sittings of the Committee. The recommended approach set out in this report is considered to be a much more efficient use of resources.
5.0	Equality or Good Relations Implications / Rural Needs Assessment
5.1	No adverse impacts identified.
6.0	Appendices – Documents Attached
	Appendix 1 – List of Local applications which are proposed to be delegated to officers to determine.