

Belfast Planning Service

Statement of Community Involvement

Revised March 2018



Belfast
City Council

Keeping in Touch

You can contact the Council's Planning Service in the following ways:-

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Should you require a copy of this Statement of Community Involvement in an alternative format, it can be made available on request in large print, audio format, DAISY or Braille and may be made available in minority languages to meet the needs of those for whom English is not their first language.

Keeping you informed

The Planning and Place Department has set up a database of persons/stakeholders with an interest in the Local Development Plan. Should you wish to have your details added to this database please contact the Team on any of the ways listed above.

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1.0 Introduction

- 1.1 On 1 April 2015, councils were given new responsibilities and a broader range of powers under the Planning Act (Northern Ireland 2011) including becoming the main decision maker on the vast majority of planning applications and assuming powers for producing a Local Development Plan (LDP). It is the council's responsibility, working with local people, to create a clear vision of how the council area should develop and what it will look like in the years to come.
- 1.2 Councils also now have a statutory responsibility to lead and facilitate a community planning process. This will enable councils, in partnership with other public service providers, to influence how and where services are provided, allowing for a more flexible approach to meet local needs. Community planning places a duty on key departments and agencies to be engaged in the community planning process and to have regard for the community plan when considering how best to deliver services at local level. Councils' new duty to make arrangements for community planning will place elected representatives at the forefront of local service delivery. Through effective community engagement and an understanding of local issues, delivery of services will be more responsive to the needs of our citizens.

2.0 What is the Statement of Community Involvement?

Background and Purpose

- 2.1 The purpose of this statement is to set out the Council's policy for involving the community in the production of Belfast's LDP and the consideration of planning applications. It describes who, how and when the community will be invited to participate in the different stages of both LDP formulation and the determination of planning applications.
- 2.2 The requirement to produce a Statement of Community Involvement (SCI) was introduced in the Planning Act 2011. The Planning (Statement of Community Involvement) Regulations (Northern Ireland) 2015 sets out the process by which this should be done.
- 2.3 The document will support and supplement the commitments in our Equality Scheme and our responsibilities to consult under Section 75 of the Northern Ireland Act 1998 and represents a further step towards embedding meaningful consultation into our planning and decision-making processes.
- 2.4 The statement is not intended to be a source of definitive legal advice. Reference should be made to the actual legislation referred to in this document and if any discrepancy or conflict exists, the provisions of the legislation shall prevail.

A Vision of Participation

- 2.5 We are committed to ensuring that all council engagement is meaningful, inclusive and fit and this will be supported by an annual action plan to ensure that we consistently meet these principles. This is a shared vision of participation in decision making which should ensure that:

- (i) everyone has an early and informed opportunity to express their views on the development of the area and that these representations are considered before decisions are made; and
 - (ii) all groups in our community, regardless of religious belief, political opinion, racial group, age, sex, marital status, physical ability, sexual orientation, and those with and without dependants are enabled and empowered to participate.
- 2.6 We will adopt a proactive and timely approach to community involvement by providing clear information and encouraging participation during plan preparation and planning application submission, assessment and determination. The process will be informative, user friendly, inclusive and conducted in an open and transparent way. Every effort will be made to engage the community, record views and provide feedback.
- 2.7 Following the completion of the first key stage of the LDP process, being the preparation of the Preferred Options Paper (POP) and the subsequent consultation on the POP, the council has reviewed the LDP preparation timescale. At its meeting on 4th December 2017, the council agreed to revise the LDP Timetable and the Statement of Community Involvement. The dates and timeframes referred to in this revised document are in accordance with the council's decision. The revisions relate to the LDP preparation process only, as set out in Chapter 3 of this document.

3.0 The Preparation of the Local Development Plan

Purpose

- 3.1 The purpose of the Belfast City Local Development Plan, comprising the Plan Strategy and Local Policies Plan, is to inform the general public, statutory authorities, developers and other interested bodies of the policy framework and land use proposals that will implement the strategic objectives of the Regional Development Strategy and guide development decisions within Belfast until 2025. The community needs to take part in plan-making for local ownership and to help create the policies that will shape the future of land uses and development in Belfast.

Who can get involved?

- 3.2 Anyone who wishes to get involved in the preparation of the LDP will be encouraged to do so as the opportunities arise. In particular, the views of the following groups of people will be sought:

- people living within the area / neighbourhood;
- elected representatives;
- voluntary groups;
- community forums / groups / umbrella organisations;
- environmental groups;
- residents groups;
- business interests; and
- developers / landowners.

- 3.3 Elected members, forums, community and residents groups often provide a voice for the local community and will be encouraged to participate. Other voluntary and interest groups also bring a special knowledge and understanding of need and can ensure that important concerns are addressed. We would welcome anyone with an interest in planning in Belfast Council area to become involved in the Local Development Plan. Should you wish to have your details added to this database please contact the LDP Team.

Empowering disadvantaged and under-represented groups

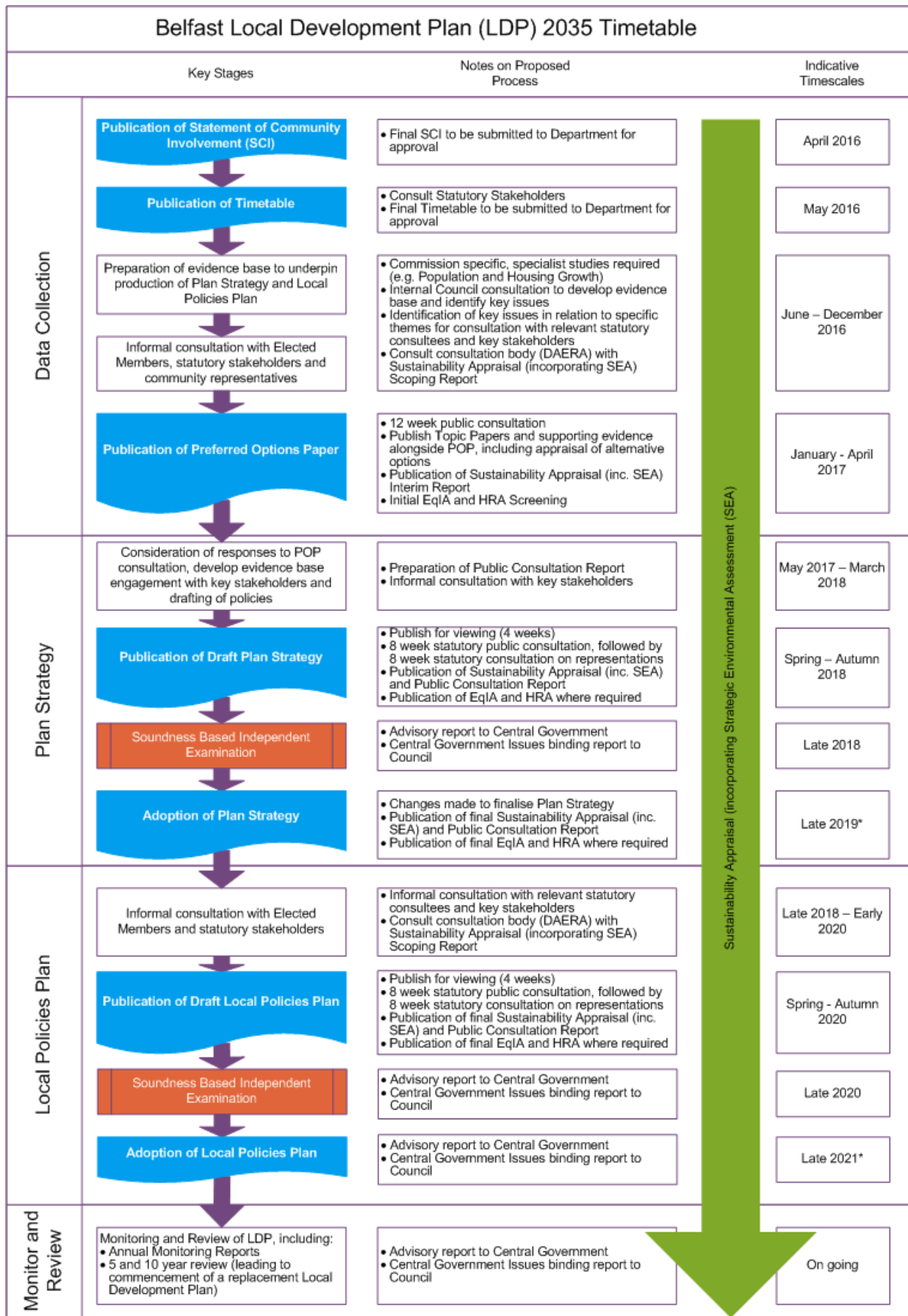
- 3.4 The Northern Ireland Act 1998 requires a public authority, in carrying out its functions relating to Northern Ireland, to have due regard to the need to promote equality of opportunity between:

- persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- men and women generally;
- persons with a disability and persons without; and
- persons with dependants and persons without.

- 3.5 In addition, without prejudice to the above obligations, public authorities are required to have regard to the desirability of promoting good relations between persons of different religious

belief, political opinion or race. These groups will be targeted through the consultation process on the LDP in order to obtain their views and contribute to the consideration of equality issues under Section 75. Their views on any equality screening documents or draft Equality Impact Assessments (EqIAs) will also be sought within the specified period for comment along with the draft Plan Strategy and draft Local Policies Plan.

- 3.6 To ensure that LDP and consultation documents are accessible to everyone they will be made available in different formats upon request, including electronic, Braille, large text print and audiocassette. Plain English will be used for all publications. A telephone, fax number and a text phone number will be stated on each document for people with hearing or speech impairments. If for any reason, a request for a document in a particular alternative format cannot be met, other possible solutions will be explored.
- 3.7 We are committed to carrying out consultation in accordance with the principles as contained in the Equality Commissions guidance “Section 75 of the Northern Ireland Act 1998 – A Guide for Public Authorities (April 2010)” and our Equality Scheme - chapter 3, ‘Our arrangements for consulting’.



* May require a longer period depending on changes required following Independent Examination

Fig 1. Main stages of Development Plan Production

How and when the community will be involved

- 3.8 A LDP is made at different stages, each presenting opportunities for community involvement. Each of these stages, along with the actions that will be taken to involve the community, are set out in Figure1: Main Stages of Development Plan Production.

Stage 1: Data Collection

- 3.9 The purpose of the data collection stage is to establish whether a new plan is needed, the key issues to be addressed and the options for addressing them. This will be undertaken using a topic based approach accompanied with a Countryside Assessment. By the end of the stage a timetable for plan preparation and a SCI will be agreed. A Preferred Options Paper (POP) will be prepared together with Scoping Reports for the Sustainability Appraisal including Strategic Environmental Appraisal and EqIA.

Actions

- Set up a **steering group** comprising of council members, with the Chief Executive, Director of Planning and Place or Planning Manager. This is the high-level co-ordinating body that will ensure overview and strategic input on behalf of the whole community, as well as from the planning professionals.
- Set up a **project management team** comprising senior council officers, the Principal Planning Officer and invite representation from the key statutory/government departments. The purpose of the team is to ensure key consultees co-operate in the plan making process. The project management team will be consulted on, and act as the screening and scoping group for the Sustainability Appraisal, including Strategic Environmental Assessment and EqIA.
- This **SCI** is prepared at this initial stage, listing the key consultees, community groups and under-represented (Section 75) groups who will be actively encouraged to participate in the process. These lists will be kept under review and written requests for inclusion from additional bodies will be considered.
- **Key consultees** will receive a written invitation requesting them to participate in the plan making process by providing information on the key strategic issues that the LDP should address.
- Under represented (Section 75) groups will be invited to identify whether there are any types of planning policies which are likely to have a significant impact on the groups they represent. They will also be provided opportunity to identify any particular issues or needs which they feel the plan should address. Where requested, this can be done through a face to face meeting with a planning official. Any comments received will be taken into account when screening and scoping the EqIA.
- The Scoping Report of the Sustainability Appraisal, incorporating Strategic Environmental Assessment, will be sent to the statutory consultation body (Department of Agriculture, Environment and Rural Affairs (DAERA)) and if necessary, the Department may be requested to undertake trans-boundary consultation with the Republic of Ireland.

Stage 2: Draft Plan Strategy Preparation

3.10 This stage represents the start of work on The Belfast City Local Development Plan. It commences with the publication of Preferred Options Paper (POP) setting out the key plan issues and the preferred options available to address them. The POP is a consultation paper to promote debate on issues of strategic significance which are likely to influence the shape of future development within the city. The intention is to stimulate a wide-ranging, yet focused, debate and encourage feedback from a wide variety of interests. Any representations or views received as a consequence of its publication will be considered whilst formulating the draft Plan Strategy. The POP identified will also be subject to a Sustainability Appraisal, including the Strategic Environmental Assessment and EqIA.

Actions:

- Issue a **public notice** in the local newspapers for two consecutive weeks, Belfast Gazette and on the council website, detailing:
 - (i) the intention to prepare a LDP, accompanied by Sustainability Appraisal, including Strategic Environmental and EqIAs;
 - (ii) publication and of the POP, inviting comment within a maximum of 12 weeks;
 - (iii) community meetings, exhibitions and pop-in information sessions;
 - (iv) publication of the screening and scoping papers for the Strategic Environmental and EqIAs, the intention to prepare a LDP and invite comments on the POP.
- Make the **Strategic Countryside Assessment** and **Topic Papers** available on the council website and provide hard copy at a specified price.
- Issue a **press release** about the intention to prepare a new plan and drawing attention to the POP and the public consultation.
- Hold a **launch and exhibition** to announce the publication of the POP.
- Hold **public meetings** and **exhibitions** with drop-in sessions throughout the city.
- Write to **key consultees** and **elected members** providing them with a copy of the POP and inviting them to: attend the launch; provide comments within 12 weeks; inform them of the public meetings, exhibition and drop-in information sessions.
- Write to **local community groups** and **under-represented (Section 75) groups** providing them with a copy of the POP and inviting them to: comment within 12 weeks; attend the public meetings, exhibition and drop-in information sessions and offering the opportunity of a meeting with a planning officer to record their views.
- We will notify all those within our Planning and Policy stakeholder database of the release of the Preferred Options Paper.
- A **public consultation report** will be presented to elected members following the consultation period. This will contain a summary of each representation and professional comment,

recording where members take a different view and the rationale for that view. This will be taken into account whilst formulating the draft LDP.

- The **project plan team** will be given opportunity to comment on emerging policy for inclusion in the draft Plan Strategy and will be an integral part of testing emerging policy through the Sustainability Appraisal, including Strategic Environmental Assessment and EqIA process.

Stage 3: Publication of Draft Plan Strategy

3.11 The draft Plan Strategy is a public consultation document and is not the final plan. It is an indication of our intentions regarding the future development of the area, and is a key part of the public participation process.

Actions:

- Issue a **public notice** in the local newspapers for two consecutive weeks, Belfast Gazette and on the council website, detailing:
 - (i) the publication of draft Plan Strategy and accompanying Sustainability Appraisal including the Environmental Report and Equality Report and how to view or obtain copies;
 - (ii) the dates and locations of public exhibitions;
 - (iii) the eight week period and closing date for receipt of representations to the draft Plan Strategy and accompanying Environmental Report.
- Further to the statutory 8 week period referred to above and in the interests of facilitating and encouraging public participation, the draft plan documents will be published 4 weeks in advance of the statutory 8-week period. Whilst submissions cannot be accepted during this initial 4-week period, it will allow interested parties additional time to view the documents.
- Make the draft Plan Strategy, the Sustainability Appraisal, including the Environmental Report and Equality Report and the Public Consultation Report, available on the council website and at our planning office and provide hard copies, upon request, at a specified price.
- Hold a **launch and exhibition** to announce the publication of the draft plan and **issue press releases**.
- Hold **public exhibitions** where Belfast Planning Service officers will be available to answer queries.
- Write to key consultees and elected members informing them of the publication of the draft Plan Strategy and providing them with a copy; the dates of the public exhibitions; the eight week period and closing date for representations.
- We will notify all those within our Planning and Policy stakeholder database of the release of the draft Plan Strategy.
- Write to all who submitted a representation informing them of the publication of the draft Plan Strategy and accompanying documents including the Public Consultation Report; advise how

they can view or obtain copies; the dates of the public exhibitions; the eight week period and closing date for representations.

- Representations will be reported to elected members before being forwarded to the Department and an independent examination is held.

Stage 4: Public Inspection of Representations

3.12 All representations will be made available for public inspection as part of the public consultation process. Interested parties may also comment on the site specific representations that have been received (counter-representations). These will also be considered at the independent examination.

Actions:

- make copies of representations available for inspection in the planning office and on the council website;
- write to key consultees and elected members, informing them that representations are available for inspection and the places and times at which they can be inspected;
- issue a **public notice** in the local newspapers for two weeks, Belfast Gazette and on the website detailing the availability of representations for inspection and the eight week period, including closing date, for counter- representations;
- make the counter-representations available on the council website and at our planning office for inspection; and
- Report counter representations to elected members before forwarding them to the Department.

Stage 5: Independent Examination

3.13 The purpose of the independent examination is to determine the soundness of the draft Plan Strategy, taking into account representations or counter representations. Council planning officers will be available to answer of the independent examiner's questions and provide comment on the representations and counter representations. After the council consults with the public it will submit its development plan document to the Department and make these available for inspection in accordance with the relevant statutory procedures. Documents will include:

- (i) A copy of the development plan document
- (ii) The documents specified in regulation 20 (2) of the Planning (Local Development Plan) Regulations (NI) 2015, and
- (iii) Such other documents as in the opinion of the council are relevant to the preparation of the development plan document

These will be located in the following locations:

- The council's principal offices
- Such other places in the district of the council as the council considers appropriate

Actions:

- Give notice to the Belfast Gazette and by local advertisement of the fact that the development plan document has been submitted to the Department and publish the notice on its website
- continue to make the draft plan, and all accompanying documentation available on the council website;
- advertise dates, times and venues for the independent examination at least four weeks before the examination is held, indicating that representations and counter representations are available for inspection;
- notify all persons who submitted representations and counter representations of the arrangements for the independent examination, indicating that representations and counter representations are available for inspection; and
- Notify the consultation bodies of the fact that the development plan document and the documents are available for inspection and the places and times at which they can be inspected.

Stage 6: Adoption of Plan Strategy

3.14 Following the independent examination, the Department will issue a direction to council, requiring us to adopt the draft Plan Strategy as originally prepared, or with modifications. We may also be directed to withdraw the draft Plan Strategy. In either scenario, the Department will be expected to give reasons for their decisions.

Action:

- Issue a **public notice** in the local newspapers for two weeks, in the Belfast Gazette and on the council website, detailing the:
 - (i) adoption of the Plan Strategy; and
 - (ii) where to get copies of the Plan Strategy, the Department's direction and the accompanying independent examiner's report.
- Make the Plan Strategy and the Department's direction and accompanying independent examiner's report available on the council website with hard copies available on request for a specified price.
- We will notify all those within our Planning and Policy stakeholder database of the release of the adopted Plan Strategy.
- Write to key consultees, and those submitting representation, advising of the adopted of the Plan Strategy, and where to obtain copies together with the Department's direction and the independent examiner's report. Also advise them of the commencement of work on the Local Policies Plan.

Stage 7: Local Policies Plan

3.15 The Local Policies Plan (LPP) is the second document comprising the LDP. The draft LPP is a public consultation document and is not the final part of the plan. The draft LPP will be consistent with the adopted Plan Strategy and will be our detailed land use proposals regarding the future development of the area. This draft document is a key part of the public participation process.

We will notify all those within our Planning and Policy stakeholder database of the commencement of work on our draft Local Policies Plan.

Actions:

- Issue a **public notice** in the local newspapers for two consecutive weeks, Belfast Gazette and on the council website, detailing:
 - (i) publication of draft LPP;
 - (ii) the dates and locations of public exhibitions; and
 - (iii) the eight week period and closing date for receipt of representations.
- Further to the statutory 8 week period referred to above and in the interests of facilitating and encouraging public participation, the draft plan documents will be published 4 weeks in advance of the statutory 8-week period. Whilst submissions cannot be accepted during this initial 4-week period, it will allow interested parties additional time to view the documents.
- Make the draft LPP and any supporting documentation, including detailed Countryside Assessment and Housing Capacity Study, available on the council website and at our planning office and provide hard copies, upon request, at a specified price.
- Hold a **launch and exhibition** to announce the publication of the draft LPP and **issue a press release**.
- Hold **public exhibitions** throughout the city where planning officers will be available to answer any questions.
- Write to **key consultees**, and **elected members** informing them of: the publication of the draft LPP and providing them with a copy; the dates of the public exhibitions; the eight week period and closing date for representations.
- Write to all who submitted a representation informing them of the publication of the LPP and accompanying documents, advising how they can view or obtain copies; the dates of the public exhibitions; the eight week period and closing date for representations.
- We will notify all those within our Planning and Policy stakeholder database of the publication of our draft Local Policies Plan.
- Representations will be reported to elected members before being forwarded to the Department and an independent examination is held.

Stage 8: Public Inspection of Representations

3.16 All representations to the draft LPP will be made available for public inspection. Interested parties may also comment on the site specific representations that have been received (counter-representations).

Actions:

- make copies of representations available for inspection in our planning office and on the council website;
- write to key consultees and elected members informing them that representations are available for inspection and the places and times at which they can be inspected;
- issue a **public notice** in the local newspapers for two weeks, Belfast Gazette, and on the council website detailing the availability of representations for inspection and the eight week period, including closing date, for counter representations;
- make the counter- representations available on the council website and at our planning office for inspection;
- We will notify all those within our Planning and Policy stakeholder database of the availability of representations for inspection; and
- report counter-representations to elected members before forwarding them to the Department.

Stage 9: Independent Examination

3.17 The purpose of the independent examination is to determine the soundness of the LPP, taking into account representations and counter representations. The council's planning officers will be available to answer any question of the independent examiners and provide comment on the representations and counter representations. After the council consults with the public it will submit its development plan document to the Department and make these available for inspection in accordance with the relevant statutory procedures. Documents will include:

- (i) A copy of the development plan document
- (ii) The documents specified in regulation 20(2) of the Planning (Local Development Plan) Regulations (NI) 2015, and
- (iii) Such other documents as in the opinion of the council are relevant to the preparation of the development plan document

These will be located in the following locations:

- The council's principal offices
- Such other places in the district of the council as the council considers appropriate

Actions:

- Give notice to the Belfast Gazette and by local advertisement of the fact that the development plan document has been submitted to the Department and publish the notice on its website
- continue to make the LPP, and all accompanying documentation, available on the council website;

- advertise dates, times and venues for the independent examination at least four weeks before the examination will be held, indicating that representations and counter representations are available for inspection;
- notify all persons who submitted representations and counter representations of the arrangements for the independent examination, indicating that representations and counter representations are available for inspection; and
- notify the consultation bodies of the fact that the development plan document and the documents are available for inspection and the places and times at which they can be inspected.

Stage 10: Adoption of Local Plan Policies

3.18 Following the independent examination, the Department will issue a direction to council, requiring us to adopt the draft LPP as originally prepared, or with modifications. We may also be directed to withdraw the draft LPP. In either scenario, the Department will be expected to give reasons for their decisions.

Action:

- Issue a **public notice** in the local newspapers for two weeks, in the Belfast Gazette and on the council website, detailing the:
 - (i) adoption of the LPP; and
 - (ii) where to get copies of the LPP, the Departments direction and the accompanying independent examiner's report.
- Make the LPP and the Department's direction and accompanying independent examiner's report available on the council website, with hard copies available on request for a specified price.
- Write to key consultees, and those submitting representations, advising them of the adopted LPP and where to obtain copies, together with the Department's direction and the independent examiner's report.
- We will notify all those within our Planning and Policy stakeholder database of the publication of the adopted Local Policies Plan.

Next Steps

3.19 Following the adoption of the Plan Strategy and LPP, we will identify our work priorities for the next five years in a new timetable. We may also issue a new SCI if considered appropriate.

3.20 The Community Plan

3.21 Councils have a statutory responsibility to lead community planning. The Local Government Act 2014 and Planning Act (Northern Ireland) 2011 link the community planning and development plan processes with draft guidance, suggesting that the LDP is intended to be 'the spatial reflection of the community plan' with the process working in tandem 'towards the same vision

for the council area and its communities’ by setting ‘the long term social, economic and environmental objectives’.

The Local Govt Act (2014) defines community planning as:

‘...a process whereby councils, statutory bodies and communities work together to develop and implement a shared vision for promoting the (social, economic and environmental) well-being in an area.’

3.22 We will lead this process for the city, and along with our community planning partners, are required by law to produce a community plan every four years which must include:

- an agreed long term vision for the city;
- a number of agreed key priority outcomes that partners will focus on to improve:
 - social wellbeing (including promoting equality and good relations);
 - economic wellbeing (including tackling poverty, social exclusion and deprivation);
 - and
 - environmental wellbeing (including how the city will contribute to achieving sustainable development).
- a plan outlining a range of short, medium and long term actions that partners across the city, including public services, community and voluntary groups plan to take to contribute to improve outcomes for communities.

3.23 **The Belfast Agenda**

3.24 Members have agreed that community planning in Belfast will be about building a Belfast Agenda – a shared vision and plan for improving Belfast and the wellbeing of local people that all partners and players will sign up to and work together to deliver.

3.25 The Belfast Agenda - the city’s community plan, will provide a shared strategic framework for Belfast. The Agenda will set a long term vision with measurable outcomes and agreed priorities and actions that will drive improvements in quality of life. The community plan will thus provide the strategic context for both a future regeneration policy and the spatial planning responsibility as part of the LDP.

The Belfast Agenda will create a shared vision for the city and will include measurable outcomes and actions. It will seek to improve people and place.

3.26 **The Belfast Conversation**

3.27 Community planning is about giving local people a voice. The council and our community planning partners must engage with a wide range of stakeholders, including local people, in developing the community plan. We are calling this programme of engagement the Belfast

conversation. Using a range of mechanisms, including public events and workshops, residents' surveys, online questionnaires and social media, the Belfast conversation gives people an opportunity to have their say. It gives local people a chance to help shape their city by telling us what they want Belfast and their local areas to be like; what quality of life outcomes they want to see and to share their ideas on how we might make this happen.

The Belfast Conversation is about listening to and involving local people in the design of the Belfast Agenda – to ensure it reflects and responds to the needs and ambitions of our city and its people; that our shared Belfast Agenda is real and meaningful.

- 3.28 This information will help create the Belfast Agenda, but as it develops and evolves, so too will the Belfast conversation – it will be an ongoing process of dialogue and become a natural part of the relationship between council, its community planning partners and the people and communities we serve.

4.0 The Council's Development Management Function

Purpose

- 4.1 As the local planning authority for the area we deal with all planning and Listed Building applications, including applications for works in conservation areas, works to protected trees and advertising consent. Development management is the process through which such applications are considered. This means that, for example, before any new housing or commercial developments can happen, or before changes are made to existing buildings, applicants must apply to council for permission. An important part of the process is that the views of the general public and statutory consultees are taken into account. Consultation is a statutory requirement and varies according to the type of proposal, but includes notification to specified bodies and general publicity.
- 4.2 We will involve the community to differing degrees, according to the scale and complexity of the application.

Pre-Application Stage

Pre-Application Discussions (PADs)

- 4.3 Pre-application discussions are encouraged for a range of types of applications, both major and local. The objectives should be to confirm whether the principle of development is acceptable, to clarify the level of detail required to enable us to determine an application and to discuss, if necessary, how the community should be involved in the decision-making process.

Pre-Application Community Consultation (PACC) for Major Applications

- 4.4 Legislation now exists that requires applicants to inform and involve the wider community in discussion prior to submitting a formal planning application for a major application in order to help to create better quality developments and place making from the outset. Applicants submitting major applications to the council, or as the case may be, the Department, must undertake community consultation before submitting their application.

As part of this process, applicants must:

- (i) Notify the council, at least 12 weeks in advance of when a major planning application is to be submitted, using a Proposal of Application Notice (PAN). The PAN should outline the detail of the proposed application and what consultation will be undertaken.
- (ii) Hold at least one public event where the community will be given the opportunity to make comment.
- (iii) Publish details of the proposal in the local press, outlining where further details can be obtained and the date, time and location of a public event. Within 21 days of receipt of the PAN we can ask for further individuals or organisations to receive the notice, or for additional consultation to be carried out.
- (iv) When the formal application is submitted, it must include a pre-application community consultation report.

- 4.5 We will assess the report and determine if the consultation undertaken meets the requirements set out. We can request further information, or decline the application, if we deem that those requirements have not been fulfilled.
- 4.6 Pre-application consultation is likely to be more successful if the applicant makes significant efforts to open lines of communication with, and provide feedback to, local communities and work with them to secure development proposals which are acceptable to everyone.
- 4.7 As previously stated, we recommend that all applicants, considering submitting development proposals that fall within the definition of major development, seek a pre-application discussion with planning officers. Where applicants fail to fully meet the pre-application community consultation requirements we will decline to determine the application.
- 4.8 Local people are encouraged to participate in these early engagement events, as it will help the developer better understand local concerns or circumstances, and possibly take action to address these concerns, before submitting a formal application.
- 4.9 It should be noted however, that the pre-application consultation is a process undertaken by developers / applicants. Responding to a Planning Appeals Commission (PAC) public meeting is not the same as responding at formal application stage. Key concerns and issues, if not adequately addressed by the developer, should also be raised at formal application stage.

Application Stage

- 4.10 When a planning application is submitted for determination you will have an opportunity to consider how a proposal will affect you and an opportunity to make your views known.

We will inform the public of all planning applications when required through:

- advertising; and
- neighbour notification.

- 4.11 We undertake statutory publicity in accordance with current legislation. Government may change the statutory publicity requirements and our future approach will reflect any changes that are made. We will engage with the community as required through the Environmental Impact Assessment (EIA) regulations.

Advertising and neighbour notification

- 4.12 We will advertise all new applications on a weekly basis in at least one local newspaper.
- 4.13 **The Planning (Northern Ireland) Act 2011** states that any affected occupier of land neighbouring the land to which the application relates shall be notified by serving a notice on them. Under the neighbour notification scheme, we will ensure that planning applications are brought to the individual attention of the occupiers of buildings on neighbouring land which are within 90 metres of the boundary of the application site. Neighbouring land is defined as 'land which directly adjoins the application site or which would adjoin it but for an entry or road less than 20 metres in width'.

4.14 The period for responding following receipt of a neighbour notification letter is 14 days, though any late representations received before a decision is made will still be considered.

Environmental Impact Assessment Development

4.15 Environmental Impact Assessment (EIA) ensures that the likely significant effects of new development on the environment are fully understood and taken into account by producing an Environmental Statement (ES).

4.16 We will determine if the application is an EIA application and will be processed when the ES is received. We will publish a notice of its receipt in a local newspaper and indicate where it may be purchased and inspected. We will also allow four weeks from the date the notice is first published for representation to be made.

Obtaining further information and getting involved in planning applications

4.17 The weekly lists of planning applications received within the council area are also available on the council website and the Northern Ireland Planning Portal (www.planningni.gov.uk). Planning applications, including supporting documents and corresponding plans, can be viewed online as well at our offices during normal office hours. Details of applications are published on large screens in our planning reception and updates of applications will be available on social media. Planning officers are available to give advice on current or proposed applications (you are advised to make an appointment if you wish to speak to a particular officer).

Public Register

4.18 We hold a public register comprising :

- a copy of each application, including submitted plans and drawings;
- the decision notice;
- the reference number, the date and any PAC decision; and
- brief details and date of any revocations or modification relating to any permission or consent.

File Inspection

4.19 We will make the application file available for inspection, by appointment. The amount of information on the file, will of course, be dependent on the stages the application has completed.

Submitting Comments

4.20 Individuals, groups and organisations can comment on a planning application even if they have not been neighbour notified. All comments will be carefully considered.

4.21 Only certain issues referred to as 'material planning considerations' are taken into account when deciding a planning application. The basic question is whether the proposal would unacceptably affect amenities and the existing use of land and buildings that ought to be

protected in the public interest. Oral, anonymous or defamatory comments cannot be taken into account.

4.22 If an identified problem can be dealt with by means of a suitable condition we can consider this as an alternative to refusing an application.

4.23 You can make comments in a variety of ways:

Telephone: **0300 200 7830**

Text phone: **028 9027 0405** (for people who are deaf or have a hearing impairment)

Email: planning@belfastcity.gov.uk (Please quote the application number)

Post: Belfast Planning Service
Belfast City Council
Cecil Ward Building
4-10 Linenhall Street
Belfast
BT2 8BP

4.24 All written comments on an application will be acknowledged within five working days. All comments will be summarised and fully considered within the planning officer's report. The acknowledgement letter will set out who is dealing with the application and who to contact if there are any questions. We will not normally contact the respondent again until after a decision is made unless the application will be determined by the Planning Committee, is significantly altered or is withdrawn.

4.25 You may also wish to contact your local councillor, who has the ability to request that the application is determined by the planning committee.

Role of council – engagement

4.26 We may, if it is considered appropriate, stage public exhibitions, issue press releases or arrange public meetings to provide information about major developments or proposals which are particularly significant or have wide-spread effects on communities.

4.27 We will consult with a range of statutory consultees (see annex D) to assist in the determination of an application. If a representation raises issues that are relevant to the responsibilities of the consultee (e.g. road safety) the representation will be copied to the appropriate consultee for consideration and comment. We will carefully take any comments made into account before a decision is made. All comments are scanned and added to the website once email addresses and hand written signatures have been removed.

4.28 We may negotiate changes to applications where these are expedient. Re-consultation (for 14 days) will take place on minor changes if we consider that they raise new issues that could lead to further comment. If a change is considered to be substantive, we may decline to treat it as an amendment and a new application may be invited.



Fig.2 Community Involvement in Development Management

Community Involvement at the Planning Committee Stage

- 4.29 Planning applications are usually determined by officers using delegated powers. Those that cannot be determined using delegated powers are set out in the council's Scheme of Delegation, which is subject to regular review.
- 4.30 For those major applications that have been notified to the Department but have been returned to council for determination, the applicant will have the opportunity of appearing before and being heard by the Planning Committee.
- 4.31 If an application goes before Planning Committee, we will also offer people who have made representations the opportunity to speak and make direct representations to elected members at the committee. Requests to speak must be made in writing, which includes emails, and must be received at least 48 hours in advance of the meeting.
- 4.32 Registering a request to speak can be made in the following ways:

Phone: –contact Democratic Services on 028 9027 0610

Email: democraticservices@belfastcity.gov.uk

Online - Alternatively, you can complete the online application form, which can be accessed at www.belfastcity.gov.uk/planning and clicking on ‘Request to speak to committee’

A deputation of a maximum of three people can speak and this will be restricted to making an oral presentation that must not exceed five minutes, in total. In addition, deputations will not be permitted to circulate any information at the meeting.

Community Involvement after a Planning Application has been determined (Post application stage)

- 4.33 A notification of decision letter is sent to the applicant/agent and all people who have responded to the consultation on the planning application, informing them of the decision. The decision is recorded on the Northern Ireland Planning Portal (www.planningni.gov.uk) and in the statutory Planning Register.

Minutes of the Planning Committee meeting will be published on our website within three to five working days.

- 4.34 Planning appeals may be made against the refusal of planning permission, conditions placed on a planning approval and an enforcement notice. Only applicants, and those upon whom notices have been served, have the right of appeal. There are no third party rights of appeal. Where an applicant is unhappy with our decision on an application or a condition attached to a permission, he/she may appeal to the Planning Appeals Commission (PAC). An applicant may also appeal to the PAC where we have not determined an application within the relevant period prescribed by the Planning (General Development Procedure) Order (NI) 2015. Appeals must be lodged with the PAC within four months from the date of notification of our decision.
- 4.35 All those people who responded on the original planning application that is the subject of appeal will be advised that an appeal has been received, and provided with an opportunity to make their views known. Copies of letters already submitted will be forwarded to the Planning Appeals Commission (PAC). For hearings and public inquiries, the interested parties have the opportunity to make their views known verbally to the PAC.

5.0 Community Involvement in Planning Enforcement

- 5.1 We encourage the community to report cases where they believe there has been a breach of planning control. A breach of planning control occurs when development or other certain activities take place without the necessary planning permission or consent from the council or DfI. This may also include failure to carry out development in accordance with the approved plans or conditions.
- 5.2 All planning enforcement related complaints are treated confidentially. If the complaint results in a planning application being submitted, then this will be publicised in the normal manner and adjoining neighbours notified.

- 5.3 In cases where planning enforcement action is taken, complainants are informed of the action. In cases where enforcement action is not taken, a full explanation, providing the reasons, will be sent to the complainants. Many initial complaints relate to householder permitted development extensions or alterations which do not require planning permission.

6.0 Supplementary Planning Guidance

- 6.1 We will also prepare non-statutory planning guidance to support our development plan. Supplementary planning guidance includes, for example, design guides and advice notes. These will be published for public consultation and comment prior to the publication of the final draft. There will however be no opportunity for formal objection to this type of document. Comments received will be published on our website.

7.0 Community Involvement in Conservation Area Designation

- 7.1 A conservation area is an area of special architectural or historic interest, the character of which it is desirable to preserve and enhance. We will involve the community in the designation, variation or cancellation of a conservation area to encourage greater ownership of the concept and greater co-operation and commitment to achieving the aims of the designation. This will entail formal consultation with the Historic Buildings Council and the Department, advertising by way of a public notice in the local press and public meetings to discuss and present proposals. Upon formal designation we will publish a public notice in the local press and hold a public launch and exhibition.

8.0 Community Involvement in the Designation of a Simplified Planning Zone

- 8.1 Where we propose to commence work on a simplified planning zone we will undertake consultations with the neighbouring district council, the land owner and occupier, the Department for Social Development and will notify the Department.
- 8.2 Once prepared, we will make copies available for inspection at our planning office, advertise in the local press and on our website, and will serve a notice on those we have consulted with.
- 8.3 Following advertisement of the proposed planning zone(s) details, there will be an eight week period during which we will receive representations.
- 8.4 We may cause an independent examination to be held to consider the representations received. Details of the time and place will be published in the local press. Where it is decided not to hold an independent examination, we will notify all those who have made representations.
- 8.5 Following the independent examination we will produce a report and statement detailing our decision and outlining reasons for this decision. Notice of publication will be advertised in the local press and the report and statement will be available for public inspection at our planning office.

Appendix A: Glossary

Community Places: provides a free, independent and professional planning advice service to individuals and groups who cannot afford professional fees.

Development plan: Local development plans (LDPs) apply regional policies at the appropriate local level and inform the general public, statutory authorities, developers and other interested bodies of the policy framework and land use proposals that will guide development decisions within a specified area.

Disabled person: Someone who has a physical or mental impairment that has a substantial (more than minor) and long-term (usually over one year) adverse effect on his or her ability to carry out normal day-to-day activities.

Environmental Impact Assessment (EIA): A procedure to be followed for certain types of project to ensure that decisions are made in full knowledge of any likely significant effects on the environment.

Environmental Statement: Environmental Impact Assessment (EIA) ensures that the likely effects of new development on the environment are fully understood and taken into account by producing an Environmental Statement (ES).

Independent Examination: the independent examination conducted by the Planning Appeals Commission (PAC) to test the soundness of a development plan document or Statement of Community Involvement (SCI).

Local Development Plan (LDP): The plan for the future development of the local area, drawn up by the local planning authority in consultation with the community.

Local Policies Plan: This provides detailed plans and policies for the development of specific geographical of subject areas

Planning Committee: a committee composed of city councillors which is responsible for planning applications, Tree Preservation Orders and enforcement action for the whole city.

Planning Appeals Commission (PAC): the body which provides a Commissioner to carry out an independent assessment of the soundness of a development plan document or Statement of Community Involvement (SCI). The Commission also processes planning, listed building consent, advertisement and enforcement appeals.

Plan Led System: The principle that the decisions upon planning applications should be made in accordance with the adopted development plan, unless there are other material considerations that may indicate otherwise.

Plan Strategy: This is the first part of the development plan and provides a framework or overview to guide the direction of the local plan.

Pre-Application Community Consultation (PACC): If an application is for a major or regionally significant development, applicants must submit a pre-application community consultation report together with their planning application. The purpose of the report is to provide details of the consultation that has been undertaken with the local community on the development proposal.

Preferred Options Paper (POP): Sets out the key plan issues ideas, possibilities and alternative proposals produced at an early stage in the production of the local plan and issued for public consultation and the preferred options available to address them. The POP is a consultation paper to promote debate on issues of strategic significance which are likely to influence the shape of future development within the city.

Proposal of Application Notice (PAN): In the case of major or regionally significant development, as prescribed within the Schedule to The Planning (Development Management) Regulations (NI) 2015, an applicant is required to submit a 'Proposal of Application Notice' at least 12 weeks prior to submitting a planning application for the proposal. The proposal of application notice should set out how an applicant proposes to engage and seek the views of the community on the proposed development.

Soundness: a development plan document will be sound if it meets certain tests at the examination stage. These tests require that a document is prepared according to the correct procedures, that it conforms to other policies, and that its proposals are coherent, consistent and effective.

Stakeholders: individuals or organisations who stand to gain or lose from the impact of a planning policy, proposal or decision. The term is used mostly to refer to bodies that will affect the delivery of a planning document's policies and proposals.

Statement of Community Involvement (SCI): the statement sets out our policy for involving the community in the production of the Local Development Plan and the consideration of planning applications.

Strategic Environmental Assessment (SEA): A procedure to follow that contributes to the integration of environmental considerations in the preparation and adoption of plans and programmes with a view to promoting sustainable development.

Supplementary Planning Document (SPD): a local development document which provides supplementary information about the policies in development plan documents. SPDs are not subject to independent examination. An SPD may be related to a topic or to a specific area.

Sustainability Appraisal: a tool for appraising policies to ensure they reflect sustainable development objectives (that is social, environmental and economic factors) and required in the Act to be undertaken for all development plan documents.

APPENDIX B

General Consultation Bodies for Local Development Documents

- Arts Organisations
- Bodies representing the interests of the economy
- Bodies representing the interests of the environment
- Community Associations
- Cultural and Historical Groups
- Health and Wellbeing Groups
- Older Peoples Groups
- Religious Groups
- Schools and other education bodies
- Section 75 Groups
- Supports Groups
- Victims Groups
- Voluntary bodies
- Womens's Groups
- Youth Groups

APPENDIX C

Specific Consultation Bodies for Local Development Documents

Please note this list also relates to successor bodies where re-organisations occur.

- Northern Ireland Government Departments
- Local planning authorities whose area adjoins the Belfast City Council boundary
- A water or sewerage undertaker
- The Northern Ireland Housing Executive
- The Civil Aviation Authority
- Any person to whom the electronic communication codes applies
- Electricity Companies
- Gas companies

APPENDIX D

Groups to be consulted when determining a planning application

Statutory Consultees

1. Department for Infrastructure (DfI)
2. Health and Safety Executive NI (HSENI)
3. Department for Communities (DfC)
4. Licensed aerodromes
5. Department of Agriculture, Environment and Rural Affairs (DAERA)
6. Department for the Economy (DfE)
7. Northern Ireland Housing Executive (NIHE)

Notes

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Belfast City Council

Cecil Ward Building

4-10 Linenhall Street

Belfast, BT2 8BP

Email: planning@belfastcity.gov.uk

Tel: 02890 500 510