

A

Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Monday 1 December 2014 at 7 pm, in Cookstown District Council Offices

Members Present:	In the Chair, Councillor Kearney (Chair) Councillors Bell, Clarke, Cuthbertson, Gildernew, Glasgow, McKinney, Mallaghan, Mullen, T Quinn, Reid, Robinson
Officers in Attendance:	Mr Tohill, Chief Executive Mr Boomer, Area Planning Manager Mr O'Hagan, ICT Manager Mrs Grogan, Committee Services/ Senior Admin Officer (D&STBC)
Others in Attendance:	Ms Hilda Clements, Senior Planning Officer Ms Sinead McEvoy, Principal Planning Officer

The meeting commenced at 7.00 pm.

P26/14 Apologies

Councillors McEldowney and McPeake.

P27/14 Declarations of Interest

The Chair reminded members of their responsibility with regard to declarations of interest.

Matters for Decision

P28/14 Receive and Confirm Minutes of the Planning Committee Meeting held on Monday 3 November 2014

Proposed by Councillor Cuthbertson
Seconded by Councillor T Quinn and

Resolved: That the minutes of the meeting of the Planning Committee held on Monday 3 November 2014, (P19/14 – P25/14) were considered and signed as accurate and correct.

P29/14 Transfer of Planning Accommodation and Related Costs

The ICT Manager presented a report on the cost of transferring planning functions and sought approval to procure the necessary ICT equipment in line with Planning Service requirements. The Officer stated that planning is transferring little or no ICT equipment as their current equipment is owned by IT Assist.

The ICT Officer added that Council will be required to provide Planning Officers with fit for purpose equipment and resources to deliver the planning function for Mid Ulster. This will include computers and associated equipment for staff to logon to council

network as of April 2015. It is proposed to build the new infrastructure in the New Year and test the same in conjunction with planning staff to avoid disruption to service on transfer. The process will tease out anomalies and all the requirements for Council to deliver planning from an ICT perspective.

The cost of accommodating and making the necessary provision for planning within the Magherafelt Offices is estimated to be £100,000.

Councillor Gildernew enquired if this took into account equipment for Dungannon and Cookstown offices.

Councillor Mallaghan enquired how much financial assistance DOE would be giving.

The ICT Manager stated that once installed operators will be able to access programmes from any Council site.

Councillor T Quinn advised that he would be meeting the Minister for the Environment tomorrow and, if the opportunity arises, would bring up the questions raised.

Councillor Reid enquired if funding was being ring-fenced from the ICT Convergence expenditure.

The Chief Executive advised that DOE would provide some support for the setting up of offices, but this would most likely be a minimal amount and that the £100,000 is additional to the £760,000 leaving it a total of £860,000 for ICT overall. The Chief Executive stated that a request for a meeting to discuss funding is with the Minister and officers will continue to lobby for a meeting. The recommendation was for consideration at this stage, but a decision would need to be made by the 15th December.

Councillor Glasgow asked it to be recorded that himself, Councillors McKinney and Reid were totally against this cost and that the Ulster Unionist Party would be sticking by their decision of opposing such costs.

Proposed by Councillor Mallaghan
Seconded by Councillor Gildernew

Resolved That it is recommended to the Council to grant approval to procure, through a competitive process, the necessary ICT resources for the delivery of the planning function.

The proposal was put to the meeting 9 (nine) members voted in favour and 3 (three) members voted against.

The Chair declared the proposal carried.

The ICT Manager left the meeting at 7.20 pm.

P30/14 Paper on Housing Provision Requirements to inform Mid Ulster Local Development Plan Preparations

Ms Clements presented a paper which provided an overview of the current housing situation in Mid Ulster Council area and to consider the housing requirements to 2030.

The paper provided:

- (i) the regional policy context for formulating Local Development Plan housing strategies and policies;
- (ii) a profile of the housing stock of Mid Ulster;
- (iii) an overview of the Housing Growth Indicators and how these can be notionally allocated; and
- (iv) an understanding of housing allocations, existing housing supply and the need for additional zoning.

The Area Planning Manager updated the Committee on affordability of housing and what best suits individuals. It was added that due to the economic downturn, particularly in the construction sector, people are finding it harder to get onto the property ladder.

The Area Planning Manager advised that in relation to tenure, type, affordability, occupancy and unfitness it can be concluded that:

- there is a need to provide a mix of housing types to meet the needs of smaller households (1-2 persons) as well as families;
- the private rented sector is primarily outside the scope of planning intervention other than through the control of Houses of Multiple Occupation;
- social housing can be addressed through the development management process provided there is a strategic policy on the development plan to facilitate this; and
- unfitness can be addressed through the provision of policies on renovation and improvement of dwellings.

Councillor Reid stated that there is a huge problem with zero hour contracts which is currently affecting a lot of people.

Councillor Clarke stated that in the rural area, when new builds and farmhouses were being constructed, it was usually family members in the construction trade that carried out the work which made homes more affordable. Over the years occupancy has dropped dramatically due to the economic downturn.

The Area Planning Manager advised that since 2008 there has been a dramatic decrease in people gaining employment with a high number migrating to try and get work across the water.

Councillor Gildernew expressed concern about how PPS21 has resulted in rural families having no option but to move into towns. He added that members of rural families cannot avail of sites being offered to them.

Councillor Bell felt it was encouraging to hear that there is room for scope as things can change. This Council needs to take into consideration social housing or areas for social housing, which in turn could result in the revival of the construction industry.

Councillor Mallaghan left the meeting at 7.45 pm.

The Chief Executive left the meeting at 7.45 pm and returned at 7.48 pm.

Ms Clements referred to the section on Accommodating Housing Growth and advised the allocation of housing growth to specific locations in a district is a matter for decision through the development plan process. In the allocation process, account must be taken of the roles and functions of each settlement, hubs should be given the primary focus for growth, the need to sustain rural communities living in smaller settlements and the open countryside should be recognised and small towns and villages should be consolidated and revitalised in their role as local service centres.

Councillor Bell referred to the demographics of Mid Ulster and the approach to date has been pushing rural communities to live in towns. PPS21 has failed the rural community who would need to be given the same respect as people living in towns.

Councillor Clarke agreed with Councillor Bell, the rural community will not be able to maintain schools, shops, post offices etc. Rural schools are being closed as people are not able to build in the rural area. The member further stated that during the building boom, people from urban areas built houses in the countryside but did not contribute to the rural way of living as they still sent their children to town schools and shopped in urban areas. Any policy being developed needs to look at and address such issues.

Councillor Robinson stated that there were a lot of facts and figures, really surprising that 50% of households only have 1 or 2 occupants therefore there should be flexibility, with smaller dwellings being built to accommodate everyone's needs. Councillor Robinson highlighted the attraction of people going to live where employment opportunities were coupled with better transport facilities.

The Area Planning Manager advised that there is a lot of zoned land in Dungannon, which has still yet to be utilised which will be very useful if the need for land arises.

Councillor Cuthbertson stated that developers are having problems building houses in villages due to the lack of investment in infrastructure such as water and sewerage.

Councillor Reid advised that people are downsizing through no fault of their own with some still living in the family home because they cannot get onto the property ladder. He added that smaller constructed houses would be an opportunity for such people. There is a need for a balance between rural and urban areas.

Councillor T Quinn stated that there was still 2,100 people waiting on social housing over the three areas and this issue needs to be addressed. The Member continued to say that it was most welcome that 58 new town houses were being constructed as social housing in Cookstown, but this was only a drop in the ocean as more needed to be done in urban and rural areas.

Councillor Bell advised that social housing needs to be in the same league as private developments as we do not want differences to be made.

Councillor T Quinn left the meeting at 8.30 pm.

In response to a query about statistics from NISRA, it was

Proposed by Councillor Bell
Seconded by Councillor Reid and

Resolved That it be recommended to the Council that the Chief Executive liaise with the Chief Executive of NISRA on gaining up to date figures on Population statistics.

The Area Planning Manager advised that he would get a general consensus from Council members before it was finalised.

P31/14 Planning Visit to Ayrshire Council

The Area Planning Manager updated members on Planning visit to North Ayrshire Council and advised that it was very productive, even though in his opinion the DOE were equally as good.

The Area Planning Manager advised that he was very impressed with the paperless office as everything was approved online and felt that work completed by paper leads to endless errors and that he would like to investigate some options for the paperless office and bring back to a future Planning Committee.

Councillor Reid stated that he found the trip very beneficial and to experience the way members conduct planning in North Ayrshire was very impressive. He was disappointed by the bad publicity in the Belfast Telegraph relating to the trip and stressed that a message should be sent back to the Belfast Telegraph for publication on how productive the whole experience was.

The Chief Executive advised that a strong letter had been drafted and issued to the Editor of the Belfast Telegraph from the Chair.

Members asked that the Committee be kept informed of any outcome.

Councillor Glasgow wanted to pass on his thanks to the staff who arranged the successful study visit and members agreed that credit be issued to all staff involved.

P32/14 Open Consultation List – Planning Reform and Transfer to Local Government – Proposals for Subordinate Legislation Phase 2: Closes on 31 December 2014

The Chief Executive advised that after careful consideration, he was satisfied that no response be issued.

P33/14 Co-operational Ireland – All Island Local Authority Forum Spatial Planning – Capacity Building Visit to Leitrim County Council 12th December 2014

The Chief Executive advised that an invitation had been received from Leitrim County Council for 10 members to attend the capacity building event on 12th December 2014.

It was agreed that Louise Hall, Business Support Officer would seek availability of members to attend and in their absence another member could be nominated from their party.

P33/14 Duration of Meeting

The meeting was called for 7.00 pm and ended at 9.00 pm.

CHAIR _____

DATE _____

B

Subject	Scheme of Delegation on Planning Function
Reporting Officer	Area Planning Manager, Mid Ulster Council

1	Purpose of Report
1.1	To provide members with information relating to the principles and options for delegating authority on specified elements of the planning function and powers to planning officers within Mid Ulster Council from 1 April 2015.
1.2	To commence discussion on development of Scheme of Delegation for Planning.

2	Background
2.1	Section 31(1) of the Planning Act (Northern Ireland) 2011 requires Council to produce and adopt a Scheme of Delegation for its district which must in turn be submitted to the Department for its consideration and consent.
2.2	A Scheme of Delegation, specific to planning, sets out decision making processes for an agreed list of application types which are delegated to an appointed Council Planning Officer in this case the Chief Planner and also those nominated by the said officer, rather than the Council. This form of delegation facilitates speedier decisions and approved efficiency of business.

3	Key Issues
3.1	Best practice from other jurisdictions suggests that 90-95% of all planning applications should be dealt with under delegation arrangements to the respective Planning Manager. An integral driver for bringing a scheme forward is found within the draft Planning (Development Management) Regulations (NI) 2015 where it states that, "council must prepare a scheme of delegation at intervals of no greater than three years".
3.2	A scheme brought forward will have the benefit of allowing Committee the time and resources to determine applications where their time is best served and required.
3.3.	The paper, as attached at Appendix 1, sets out three Options which could inform the development of a Scheme of Delegation for Planning within Mid Ulster to authorised officers.

4	Resources
4.1	<u>Financial</u>

4.2	None <u>Human</u>
4.3	None <u>Basis for Professional/ Consultancy Support</u>
4.4	None <u>Other</u>
	None

5	Other Considerations
5.1	N/A

6	Recommendations
6.1	Members consider for agreement the Scheme of Delegation for Planning Applications as laid out in Appendix 1.
6.2	Members agree that on receipt of approval for the scheme from the Department, council formally adopt the scheme and make it available for the public to view.
6.3	Members agree that any planning applications received after 1 April 2015 coupled with any enforcement or other planning decisions be processed under the new scheme.
6.4	Members consider whether the Committee system should run on a monthly, bi-monthly or 3 week cycle and whether the scheme has implications for the size and quorum of the Committee.
6.5	Members consider that as well as the planning functions covered by Section 31 of the 2011 Act, that Council also administer the enforcement of planning, Tree Preservation Orders, and the processing of other planning consents, advertising and conservation. Part 4 Section 7 (4) (b) Local Government Act (NI) 2014 allows a council committee to delegate these to an officer of the council. It is recommended that February Committee is presented with an explanation and proposals on delegation of these responsibilities.

7	List of Documents Attached
7.1	Appendix 1: Report on Scheme of Delegation for Planning in Mid Ulster Council

Scheme of Delegation for Mid-Ulster Council

1. Relevant Background and Introduction

1.1 This paper provides information relating to the principles and process of delegated planning powers and sets out a draft Scheme of Delegation (Annex 1) and how it will operate (Annex 2) for consideration and agreement by Council.

1.2 Section 31 (1) of the Planning Act (Northern Ireland) 2011 (the 2011 Act) requires the Council to produce and adopt a Scheme of Delegation for its area which must be submitted to the Department for agreement. This must be undertaken as soon as practicable after the 2011 Act comes into operation, i.e. 1 April 2015. 1.3 A Scheme of Delegation sets out where decision making for an agreed list of applications types is delegated to an appointed Council Officer, normally the Chief Planner and also those nominated by this officer, rather than the Council, thereby enabling speedier decisions and improved efficiency.

1.4 The 2011 Act introduces a new hierarchy of application based upon the type of development. A 3 tier classification consists of regionally significant applications, major applications and local applications. Regionally significant applications will be submitted to and decided by the Department. All major applications will be decided by the Council and will, therefore, be presented to the Planning Committee. These applications cannot be delegated.

1.5 The Scheme of Delegation only applies to applications within the category of Local Development or any application for consent, agreement or approval required by condition imposed on a grant of permission within that category. Local Development is defined in Regulation 2 of the Planning (Development Management) Regulations (Northern Ireland) 2015 and includes all application types that do not fall within the category Major. The Scheme of Delegation does not include Enforcement or other types of planning consent. These matters will be considered separately for agreement.

1.6 Best practice would suggest that eventually 90 – 95% of applications should be dealt with under delegation arrangements. This is level of delegation witnessed in the North Ayrshire Council study trip.

1.7 Schemes of delegation shall be kept under review and the Draft Planning (Development Management) Regulations (NI) 2015 proposes “the Council must prepare a scheme of delegation at intervals of no greater than three years”

2.0 Key Issues

2.1 Benefits of Delegation:

2.1.1 Schemes of Delegation will allow the Planning Committee to devote its finite time to determining applications that present issues that the Committee is best served to determine.

2.1.2 Delegation of planning applications to officers is seen as a critical factor affecting the overall performance of the development management process. It helps ensure that decisions are taken at the most appropriate level, procedures are clear and transparent, costs are minimised and members have more time to concentrate on the more complex cases. By not having a substantive number of applications delegated, planning committee members could become overwhelmed. Full planning reports will have to be provided to members for each application referred to committee. These

lengthy reports will necessitate members allocating time to review the content of the reports before attending the Planning Committee meeting.

2.1.3 Delegation to officers will allow the vast majority of local applications to be processed with greater efficiency and speed than would be the case were they to be considered by the Planning Committee.

2.2 Development Management – the existing Streamlined Procedure

2.2.1 Existing Councillors will be familiar with the existing streamlined application system which represents a form of delegation. It is considered that the new Council's Scheme of Delegation should build upon the success of this process. Under the current procedures the Department notifies the Council, on receipt of applications that they fall within the streamlined category. Any Councillor can request the application to be removed from the streamlined process. Provided the application is non contentious, i.e. there are no objections or the application is not recommended for refusal, the decision notice is issued without being presented on a monthly Council schedule.

Figure 1 Types of development type included in the current streamlining lists

- Extensions and alterations to a dwelling,
- Residential garages, sheds, etc. within curtilage of a dwelling
- Alterations to conditions (Article 28 of the 1991 Planning Order)
- Warehousing
- Change of use to residential
- Nursing homes
- Caravans
- Minor works - ATM machines, boundary walls, fences
- Means of access, hard standing, roads in industrial estates
- Reserved matters applications
- Advertisements and direction signs
- Electricity lines up to 33kv and substations
- Change of house types on approved sites.
- Shop fronts and minor alterations to commercial business and industrial premises
- Agricultural buildings, structures and associated works
- Alterations and extension to schools, churches, health centres and other educational, civic or community facilities
- Other similar development proposals which are minor in nature, for example, smoking shelters and disability access arrangements.
- Bus shelters
- Car Parks (not ancillary)
- Housing applications up to 25 units
- Office accommodation up to a maximum of 200sqm

2.2.2 In the business year 2013-2014 23% of applications submitted in the Mid Ulster District were presented to Committee (Table 1). However, examining the schedules for the last three months suggests that each committee meeting would have between 30 and 40 applications (Table 2). Under current arrangements, there is limited debate around the details or merits of the applications presented to Council. Indeed, many of the applications recommended as approvals, but which are presented to Council because an objection has been received, attract no comment or discussion. Allowing a minimum time of 15 minutes for the presentation of each application suggests that at best each committee would last for 6 hrs, and well in excess of 8 hrs based on the last three months. The adoption of the current streamlined system would place considerable pressure and time constraints on the new Planning Committee's ability to function efficiently and its ability to deliver timely decisions. Any proposed scheme needs to go beyond the current scheme of delegation.

Table 1 Applications determined by streamline or committee April 2013 to March 2014

Council Area	Streamlined	Committee
Cookstown	264	79
Dungannon	373	125
Magherafelt	340	82
Total	977	286

Table 2 Applications presented to Councils for the first time September to November 2014

Council Area	September			October			November		
	Total	Refusals	Objections	Total	Refusal	Objections	Total	Refusal	Objections
Cookstown	19	13	3	9	6	3	11	7	2
Dungannon	11	6	2	10	2	3	8	4	1
Magherafelt	8	5	1	15	14	0	13	12	0
Total	38	24	6	34	22	6	32	33	3

2.3 The Scheme of Delegation for Planning Applications

2.3.1 The 2011 Act requires that certain applications must be determined by the Planning Committee and these cannot be delegated to officers:

- Applications which fall within the Major category of development
- An application for planning permission where the application is made by the Council or an elected member of the Council
- The application relates to land in which the Council has an interest.

2.3.2 Based on the definition for major applications (Appendix A) as proposed in the Draft Planning (Development Management) Regulations (NI) 2015 it is anticipated that 3.5% of applications will fall in this category (Table 3). This represents a Committee load of 3- 4 applications on average per month, plus one or two more applications arising from the other category.

Table 3 Valid applications received by application type (April 2014 – October 2014) in Mid Ulster

Major Applications	Local Applications	Total
27	743	770

2.3.3 Although there is no statutory requirement to present other types of applications to Committee, it is common practice in other authorities across the UK to present the following applications to Committee:

- An application made by an employee of the Council, their spouse, partner or a close relative
- A local application where an associated major application is due to be or has been determined by the Planning Committee
- A local application which is a departure from the Development Plan

If it was purely the objective to maximise delegation, then meeting the statutory requirements would suffice although inclusion of elements in the second list (2.3.3) may be sensible. It is assumed that this would result in between 5-10 applications per month. Thus, broadly achieving the target of delegating 90-95 % of applications.

2.3.4 However, it is anticipated that members will still wish retain the opportunity to make representations on applications to the committee, normally acting as advocates for applicants or objectors. Three options for dealing with this have been identified:

Option 1: Remove refusals and permissions subject to objections from the scheme of delegation requiring determination by Committee.

2.4.5 This would be the simplest solution administratively, however, it would result in Agendas including between 20 and 40 applications based on past experience. It may be possible to speed up the meetings by deferring any applications where the Council wish further investigation (i.e. for Office or Site meeting) without the need for full discussion. However such applications would still need to return to Committee at a later date. Time in committee may be reduced by taking some items as read. Speedier decisions may also result from having additional Committee meetings, assuming twice the meetings halves the agenda. It is likely Belfast will opt for fortnightly meetings and North Ayreshire had three weekly cycles. However, this will still place a major burden on Committee members.

Option 2: Allow members to refer any application to the Planning Committee for decision.

2.3.6 Fermanagh and Omagh Shadow Council propose to delegate local applications recommended for refusal and those subject to objections. However, to ensure the Planning Committee retain the oversight role they will retain the opportunity to 'call in' these applications when necessary. The mechanism being that applications are notified to the planning committee, providing details of the nature of the objections or the reasons for refusal, under separate

administrative arrangements. Decisions will then be held for an agreed period of time to allow Council to defer the application. If the council wished to follow this path it may wish to extend the right to "call in" an application to any Council Member. The problem with this approach is that it is quite complex to manage, needing separate lists being sent to members, risking some applications being missed. It is also highly likely to result in a high number of applications being deferred to the Committee for office or site meeting, probably resulting in an outcome similar to Option 1.

Option 3 Defer decision on refusals and approvals subject to an approval for a meeting between elected members and the Planning Manager or his nominee.

2.3.7 This approach is inspired by the field trip to Leitrim Council where all decisions on applications are made by the Executive rather than members. Instead of deferring applications straight to the Committee, all refusals and applications with objections could automatically be deferred to the Chief Planning Officer or his nominee, in order to allow an elected member to advocate a case on behalf of an applicant/objector before the determination of the application. Where as a consequence of that meeting it is decided to approve the application it could remain as under the scheme of delegation allowing for issuing a speedy decision without the need to return the application to the Committee. The Committee could still retain the ability to have applications referred for their attention, however, for there to be any significant time saving this would need to be used sparingly. It is suspected that where a resolution is not achieved in the first instance the Committee effectively dealing with applications which are effectively refusals.

Preferred Option

2.3.8 In considering the three options, Option One is the simplest and most transparent system to operate. It is similar to the existing system which is understood by agents and applicants. It also gives the opportunity for the Committee to set the ground rules and make a difference. In addition to approvals and refusals it is also felt that any Planning Committee member should have the ability to call an application before it providing it is based on planning grounds

2.3.9 It is therefore advised that the Council adopt option 1 as set out in Annex A. However, this should be reviewed in 6-12 months, looking at the experience of other councils operating different delegation schemes.

2.4 Process

2.4.1 The attached flow chart sets out the process for determining applications under the new arrangements (Annex 2).

2.4.2 The Planning Manager will circulate a weekly list of applications received for Members information. Any applications which the Planning Committee wish to be referred to it, should be identified to the Council's Planning Officers at the earliest opportunity and no later than three weeks of the circulation of the application list.

2.4.3 Planning Officers will process the applications in the normal manner, including issuing consultations and undertaking the established publicity obligations to include advertisement in the local press and notifying neighbours. A Case Officer will consider the proposal and present a report to an Officer appointed under the Scheme of Delegation to determine the application. If the decision

is to be made under delegation the signature of three planning officers including an appointed officer is needed.

2.4.4 If the application is to be determined by the Committee determined under the Scheme of Delegation the Officer should proceed to issue a decision in the normal manner. If the application is to be determined by the Committee then a report should be placed on the earliest possible Planning Committee agenda. The Planning Committee will have the opportunity to determine the application as is or where it sees fit to defer decision to facilitate an office meeting or site meeting. At office Planning Committee members should not act as advocate for the applicant or objectors. This role meetings or site meetings should be left to other Council members.

2.5 Recommendation:

2.5.1 Council agree the suggested Scheme of Delegation for Planning Applications in Annex 1. If agreed this will be forwarded to the Department.

2.5.2 On receipt of approval for the scheme from the Department, the Council must formally adopt the scheme, make a copy of the Scheme of Delegation available for inspection at a Council Office and will publish it on its website. Council is free to take additional steps to publicise the scheme should they consider it appropriate.

2.5.3 Applications received after 1 April 2015 coupled with any enforcement or other planning decisions will be processed under the new scheme.

2.5.4 The Council members should consider whether the Committee system should run on a monthly, twice-monthly, or three week cycle and whether the scheme has implications for the size and quorum of the Committee.

2.64 As well as the planning functions covered by Section 31 of the 2011 Act, the Council will also have to administer the enforcement of planning, Tree Preservation Orders, and the processing of other planning consents, advertising, conservation, etc. Part 4 Section 7 (4) (b) Local Government Act (Northern Ireland) 2014 allows a council committee to delegate these to an officer of the council. It is proposed that at the next Committee is presented with an explanation and proposals for the delegation of these responsibilities.

Annex One: Draft Scheme of Delegation:

Delegation of Planning Applications, Enforcement and other Determinations

The Scheme of Delegation for planning applications, enforcement and other determinations was agreed by Mid Ulster District Council at its meeting of XXX following approval by the Department of the Environment for Northern Ireland on XXX. The approval is in accordance with Section 31 of The Planning Act (NI) 2011. The Scheme of Delegation takes effect from XXX.

Part A – Mandatory applications for determination by the Planning Committee:

Statutory requirements require that certain types of application must be determined by the planning committee and these cannot therefore be delegated to officers:

- Applications which fall within the Major category of development;
- An application for planning permission where the application is made by the council or an elected member of the council, and
- The application relates to land in which the council has an interest.

Part B – Delegated Applications:

The appointed person within the Council is the Planning Manager and other officers nominated by the Planning Manager.

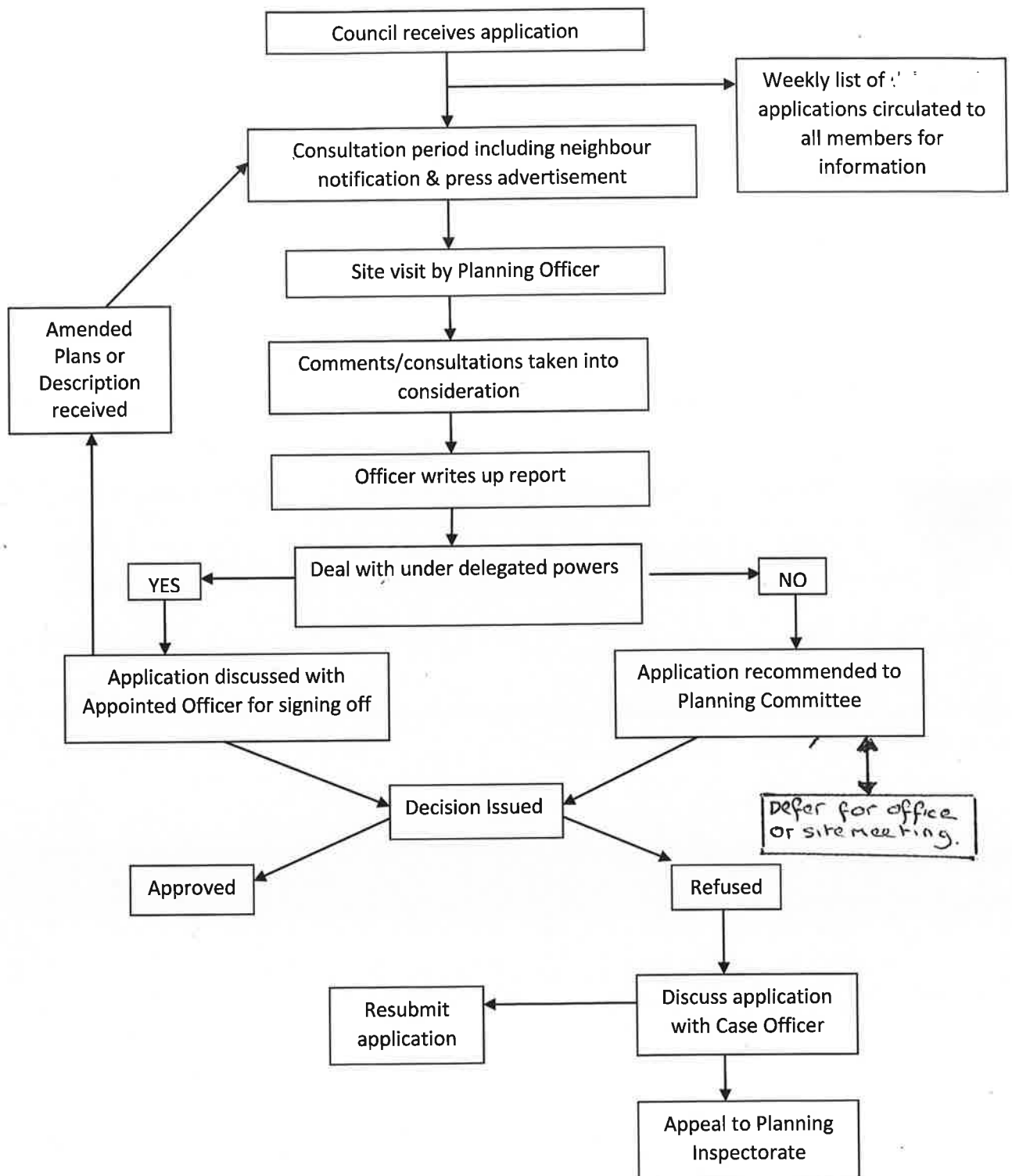
To determine all local development applications whether for approval or refusal with the exception of:

- Applications which are significant departures from the Development Plan or planning policy and which are recommended for approval.
- Applications submitted by members of council staff (or close relatives) involved in the consideration of planning applications, including senior council staff.
- Applications attracting valid planning objection including those from a statutory consultee, where the officer's recommendation is to approve.
- Applications where a Planning Committee member considers an application should be referred to Committee for determination. NB: a sound planning reason must be given for such a referral.
- All refusals of planning permission.

Applications where the Planning Manager considers that the proposal merits consideration by the Committee, for example an application subject to an Enforcement Notice where the recommendation is to refuse permission.

- Applications where a legal agreement is required.

Flow Chart for Local Development Applications



Appendix A

Major Development Thresholds as proposed by the Draft Planning Development Management Regulations 2015

1. In the Table below—

“airport” means an airport which complies with the definition in the 1944 Chicago Convention setting up the International Civil Aviation Organisation (Annex 14);

“area of works” includes any area occupied by apparatus, equipment, machinery, materials, plant, spoil heaps or other facilities or stores required for construction or installation;

“floor space” means floor space in a building or buildings.

2. The Table below sets out the classes of development belonging to the category of major development.

Description of Development	Major Developments – Threshold or criteria	Major Developments prescribed for the purpose of Section 26(1) of the Planning Act (Northern Ireland) 2011 i.e. Regionally Significant Development.
1. EIA Development:	Development of a description in paragraphs; 1,3,4, 5, 6, 11, 12, 15, 17, 18, 19, 22, 23 and 24; mentioned in Schedule 1 to The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2012	Development of a description in paragraph 1, 3, 23 and 24 mentioned in Schedule 1 to The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2012
2. Energy Infrastructure:		
<u>Generating stations:</u>	<p>The construction or extension of an on-shore generating station (when constructed or extended) where its capacity is or more than 5 megawatts.</p> <p>The installation of a power line above ground exceeds</p>	<p>The construction or extension of an on-shore generating station (when constructed or extended) where its capacity is or more than 30 megawatts.</p> <p>The installation of a power line above ground is or</p>

<u>Pipelines:</u>	gas/oil/chemicals or for the transport of carbon dioxide streams for the purposes of geological storage, including associated booster stations.	-for the transport of carbon dioxide streams for the purposes of geological storage, including associated booster stations.
3. Transport Infrastructure: Construction of new or replacement railways, airfields, harbours and ports, waterways, transit ways.	The area of the works is or exceeds 1 kilometre in length or 1 hectare.	Construction of lines for long-distance railway traffic and of airports with a basic runway length of 2,100 metres or more. Inland waterways and ports for inland-waterway traffic which permit the passage of vessels of over 1,350 tonnes. Trading ports, piers for loading and unloading connected to land and outside ports (excluding ferry piers) which can take vessels of over 1,350 tonnes.
4. Waste Infrastructure: Construction of facilities for use for the purpose of waste management, disposal or treatment. <u>Waste Management Facilities:</u>	An installation for the disposal, treatment or recovery of hazardous waste with a capacity for an annual intake of 25,000 tonnes or more. Waste disposal installations for the incineration or chemical treatment (as defined in Annex I to Directive 2008/98/EC under heading D9) of non-hazardous waste with a	An installation for the disposal, treatment or recovery of hazardous waste with a capacity for an annual intake is or more than 100,000 tonnes. Waste disposal installations for the incineration or chemical treatment (as defined in Annex I to Directive 2008/98/EC under heading D9) of non-hazardous waste with a

<p><u>Waste Water :</u></p>	<p>capacity exceeding 100 tonnes per day.</p> <p>Waste water treatment plants with a capacity exceeding 50,000 population equivalent.</p>	<p>capacity for an annual intake is or more than 100,000 tonnes.</p> <p>Waste water treatment plants with a capacity exceeding 150,000 population equivalent as defined in Article 2 point (6) of Directive 91/271/EEC(5).</p>
<p>5. Housing:</p> <p>Construction of buildings, structures or erections for use as residential accommodation; includes private schemes.</p>	<p>a) development that comprises 50 units or more; or</p> <p>b) the area of the site is or exceeds 2 hectares.</p>	<p>N/A</p>
<p>6. Retailing:</p> <p>Includes comparison shopping and mixed retailing development; convenience shopping development; and commercial leisure development.</p>	<p>a) Development that comprises 1,000 sq metres or more gross floor space outside town centres; or</p> <p>b) The area of the site is or exceeds 1 hectare outside town centres.</p>	<p>N/A</p>
<p>7. Business, Industry (Light and General), Storage and Distribution:</p> <p>(according to Part B of the Schedule to the Planning (Use Classes) Order (Northern Ireland) 2004).</p>	<p>a) Development that comprises 5,000 sq metres or more gross floorspace; or</p> <p>b) The area of the site is or exceeds 1 hectare.</p>	<p>N/A</p>
<p>8. Minerals:</p> <p>Extraction of minerals.</p>	<p>The area of the site is or exceeds 2 hectares.</p>	<p>a) Development involving quarries or open-cast mining where the surface of the site exceeds 25 hectares, or peat extraction</p>

		<p>where the surface of the site exceeds 150 hectares.</p> <p>b) Development involving underground mining where the surface of the site exceeds 2 hectares</p>
<p>9. All other development:</p> <p>Any development not falling wholly within any single class of development described in Parts 1 to 8 above.</p>	<p>a) Development that comprises 5,000 sq metres or more gross floorspace; or</p> <p>b) The area of the site is or exceeds 1 hectare.</p>	<p>N/A</p>