

Minutes of Hybrid Meeting held between RSUA Members and Head of Planning CC&GBC held 22 February 2022

Attendance:

Denise Dickson (Head of Planning) (DD)

Ciaran Fox (RSUA Chair) (CF)

Emmet Doyle (RSUA) (ED)

Jude Faloon (RSUA) (JF)

Murray Bell (Local RSUA Rep MB) – Bell Architects Ltd

Eoighin Farren (EF) – Farren Architects

Rodney Hall (RH) – Hall Black Douglas Architects

Edelle Henry (EH) – McGurk Architects

Colin Shaw (CS) Taggart Architects

Jason Martin (JM) GM Design

Damien McLaughlin (DML) Here Architects

Graeme Montgomery (GM) – Montgomery Irwin Architects

1.1 DD opened the meeting, welcoming attendees and providing a background to the meeting and the Planning Review Report conducted by external consultant Mr J MacKinnon. She advised that she had met with RTPI Members and Ballycastle Chamber and looked forward to positive engagement with the RSUA moving forward.

1.2 CF welcomed the opportunity to meet and emphasised RSUA's wish to continue to have positive communication on issues going forward.

1.3 DD outlined the agenda for the meeting provided by RSUA.

1.4 DD went through the key recommendations of the Planning Review Report and outlined progress made to date.

Customer Survey:

2.1 DD advised that a customer survey has been drafted and opened discussions on how best to circulate to get responses.

2.2 RSUA attendees commented on:

- need to keep survey to 1 A4 page
- could be immediately after the planning decision is issued
- Q - who would the survey be issued to?

2.3 DD advised it is intended to issue to all those who input into the planning application process.

Design:

3.1 DD referred to the recommendation of the design arbitrator contained within the MacKinnon report. She advised that those in attendance at the RTPI meeting were not keen on this intervention. She advised that she was looking into the design review conducted in Wales the link to which had been provided by RTPI.

Link: <http://dcfw.org/publications/>

3.2 DD referred to MAG and the advice they had provided to the Northern Regional College application.

3.3 CF advised that RSUA has a Design Quality panel and agreed to forward further details to DD for consideration.

Media:

4.1 DD advised that this is a tricky area but that it is something that she will be improving. She highlighted the progress in performance and the importance to communicate this information.

4.2 RSUA attendees agreed that it is a difficult area but perhaps an explanation of the thought processes and rigour in an application consideration could assist the general public in understanding.

Quality of Submissions:

5.1 MB raised concern that RSUA members were being included in the ongoing comments regarding the poor quality of submissions. He stated that there is a need to distinguish between those submitting poor quality applications from applications made by RSUA architects

5.2 Application LA01/2021/1240/F was raised as an example of a poor application and yet the application proceeded to approval with no apparent issues relating to 'quality of submission'. DD stated that she would look into this.

5.3 DD referred to the DfI Review of the Implementation of the Planning Act and the agreement to amend the legislation to raise the bar for what constitutes a valid planning application. She referred to the Application checklist that has been agreed upon through Planning Committee to assist in front-loading applications and highlighted applications at this time will not be returned if the additional information is not received at the beginning of the process. She referred to Belfast City Council's implementation of the voluntary Application Checklist.

5.4 DD stated that she will consider conducting a quarterly random check on the quality of submissions and asked if there was an easy mechanism to distinguish between those submitting applications who are qualified architects and those who are not to analyse who is submitting the poor quality applications that would not be time-consuming. As a general rule, it is important to note that those who use the word 'architect' are more likely to be properly qualified as the

5.5 Discussion took place around the ARB register and the detail it provides and it was clarified that only names on the www.arb.org website are registered architects.

5.6 DD agreed to place a link to the RSUA and RTPI list of architects/consultants on the Planning website and CF to send RSUA leaflets on employing an architect which will be placed at the public reception at the planning department.

PAD Process:

6.1 DD stated that this is an area where it is agreed that the PAD process is not working. She highlighted issues in arranging meetings with consultees in attendance and advised that she had piloted an informal process with just Planning Officers in attendance that had received positive feedback from attendees. She had also discussed the idea of a booking calendar where agents could select a date for a PAD meeting with the relevant senior officer.

6.2 Discussions took place around the PAD process. RSUA attendees considered that:

- the current PAD process does not work and many architects avoid it as such.
- has caused delay and loss of investment to the area.
- the calendar booking system would be a good idea
- there is often a need for communication before submitting a planning application, but it needs to be meaningful
- it should be an opportunity to explain what the applicant is proposing to do and the background to it
- it would be beneficial to have the case officer who will be dealing with the formal application be involved in the PAD process, and the senior officer involved in the PAD should immediately engage with the follow-up submission to expedite.
- a strong indication of certainty regarding the proposed application is required but mindful it will still require to go through the statutory process which may raise other issues not previously considered, but this would be unusual.
- if the process was a quality process, developers/applicants would be willing to pay.
- Belfast paid PAD process is a mixed experience on value for money
- Process for smaller PADs could concentrate on just the Planning officer's input without consultees

6.3 DD agree to draft an Information Leaflet on a new PAD process and convene a further meeting at end of April with both RTPI and RSUA to seek their input on the proposed new process.

Contact, Meetings, Phonecalls, Application Process:

7.1 DD queried whether attendees considered there to be any improvement in the answering of calls and responding to emails in more recent months.

7.2 Discussions took place and RSUA attendees commented as follows:

- Local architects were not aware of any direct contact numbers or officer mobile numbers – the only available number is the mainline number to Council currently.
- Agreed that the service received from the Business Support Team is excellent
- It would be beneficial to know who the case officer is from the outset and who the Senior officer will be, ideally the senior officer should be stated on the application receipt letter.
- If there is an issue about the conduct of an RSUA member in communication with staff this should be reported to RSUA and can be dealt with under the RSUA Code of Conduct

7.3 DD agreed to send through to CF the list of contact details for the Planning staff.

Renewal Applications:

8.1 Discussions took place around the renewal application process. RSUA attendees considered that:

- There was an inconsistency in how different local authorities processed these types of applications.

8.2 DD agree to have this issue of inconsistency in the processing of renewal applications raised at the Principals' working group to ensure we are consistent with other councils and policy. She will subsequently issue an information leaflet on the renewal application process.

Material Start – Commencement of Development (raised by RH)

9.1 The low bar for the commencement of development is due to the financial constraints experienced during the last economic downturn and takes account of PAC judgements on this issue.

Non-Material Change Applications

10.1 Discussions took place around the non-material change process. RSUA attendees considered that:

- the bar for a non-material change is too high
- issue coming forward about heat pumps not currently covered under Permitted Development Rights and need to engage with DfI about this
- provide DD with details for consideration

10.2 DD agreed that an Information Leaflet on the Non-Material change process should be issued.

Discharge of Conditions and CLUDs Process:

11.1 Discussions took place around the Discharge of Conditions and CLUDs process. RSUA attendees considered that:

- these applications should be visible on the Planning Portal
- need to review the wording on the CLUD letter as it is incorrect

11.2 DD advised that Discharge of Conditions are now visible on the Planning Portal and will review the CLUD letter to identify the inaccuracy.

Enforcement:

12.1 Discussions took place around the Enforcement process. RSUA attendees provided an example from some time ago where they considered early contact had not been provided before taking enforcement action and another example where the action was very stringent.

12.2 General comment was that early and mediatory engagement would provide better resolution without immediate resort to enforcement action.

12.3 DD advised that normally 2 warning letters are issued and negotiations take place to remedy the breach before formal enforcement action is taken. The Enforcement Strategy has been reviewed.

12.4 Attendees agreed that enforcement was necessary, and no problem with it in principle as there needs to be a level field of understanding and interpretation.

Second Home Strategy:

13.1 DD advised that research on this topic has been carried out by her Development Plan team and that it is a difficult issue to resolve.

13.2 RSUA members raised concerns regarding second homes taking up Sewer and Storm infrastructure capacity and overall housing capacity.

13.3 DD agreed to a workshop specifically on this topic with RTPi and RSUA members.

nZEB and Beyond:

14.1 CF provided detail on the changes coming forward on technical specifications etc with quick implementation required.

14.2 DD queried if there is any RSUA training that staff could avail of to assist in informing them of the upcoming changes so that they are fully aware when assessing applications.

14.3 CF agreed to consider and get back to DD.

Date of Next Meeting:

15.1 Agreed to hold next meeting in April, with RTPi also in attendance, to discuss new PAD process.

ACTIONS

Issue	Action	Owner
Quality of submissions	RSUA to provide a leaflet on employing architects for use at the public counter	CF
	Identify how registered architects can be identified faster for benefit of CCG planners monitoring quality	CF
	Consider quarterly random check on quality of submissions on receipt of above	DD
Customer Survey	Develop and publish Customer Survey	DD
Design	RSUA to provide details of RSUA Design Quality Panel	CF
Communication	Distribute direct contact details for planning officers	DD
PADs Process	Convene meeting to discuss PADs process	DD
	Draft Information Leaflet on PAD process	DD

Renewal Applications	Leaflet on renewal process/raise inconsistencies in approaches at Principals Working Group	DD
Non-Material Changes	Leaflet on NMCs	DD
Error in CLUD letter	Identify error and resolve	DD
Enforcement case	Check if initial correspondence was formal enforcement action or warning letter	DD
Second Homes	Set up separate meeting to discuss issue of second homes	DD
nZEB	RSUA to explore training for planning officers	CF
Future meetings	Schedule regular follow-up meetings	DD/MB/CF