

# Development Plan

## Practice Note

02

### Statement of Community Involvement

Revised November 2025

Version 3



Department for

Infrastructure

An Roinn

Bonneagair

Department für

Infrastructure

## Preamble

This Practice Note is designed to guide planning officers and relevant users through the preparation of the Statement of Community Involvement (SCI) and deals primarily with procedures as well as good practice. It forms part of a series of new practice notes published by the Department<sup>1</sup> stemming from the **Planning Act (Northern Ireland) 2011** (herein referred to as “the 2011 Act”) and any related subordinate legislation. The emphasis is very much on advice but where explicit legislative requirements must be followed these will be made clear.

Where appropriate this practice note will therefore highlight:

- Relevant legislation;
- Procedural guidance;
- Definitions;
- Best practice examples / relevant case law

This guidance is not intended to replace the need for judgement by planning officers involved in the plan making process or those making planning decisions. Nor is it 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 between the Practice Note<sup>2</sup> and legislation the provisions of the legislation will prevail.

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<sup>1</sup> Department means the Department for Infrastructure unless otherwise stated. The Department for Infrastructure came into being on 8 May 2016 and the Department of the Environment was dissolved in accordance with the Departments Act (Northern Ireland) 2016 and The Departments (2016 Act) (Commencement) Order (Northern Ireland) 2016.

<sup>2</sup> Please ensure you are considering the most up to date version of Development Plan Practice Note 02 on the Department’s website at [www.infrastructure-ni.gov.uk](http://www.infrastructure-ni.gov.uk) and the Planning Portal at [www.planningni.gov.uk](http://www.planningni.gov.uk) and the most up to date planning legislation on the UK legislation website at [www.legislation.gov.uk](http://www.legislation.gov.uk), which is also available via the Department’s website.

## **1.0 Introduction**

**1.1** The purpose of the SCI is to outline how a council proposes to engage the community and stakeholders in exercising its planning functions. The SCI should set out a council's policy as to the involvement, in the exercise of a council's functions under the development management and local development plan provisions of the **2011 Act**, of persons who appear to a council to have an interest in the matters relating to development in its area. The Department has published its own statement of community involvement and can be found on the Department's website.

**1.2** The SCI explains how the community and stakeholders will be involved in the development management process as well as the preparation of the local development plan. It should also set out the steps that a council will take to facilitate community involvement. It allows everyone to know with whom, what, where and when participation will occur in the planning process. When finalised, it should present a vision and strategy for involving the community and stakeholders at various stages of the planning process. The SCI should set out the standards to be met by a council in terms of community involvement, building upon the minimum requirements set out in both the **Planning (Local Development Plan) Regulations (NI) 2015** (herein referred to as "the LDP Regulations") and the **Planning (Statement of Community Involvement) Regulations (NI) 2015** (herein referred to as "the SCI Regulations").

## **2.0 Legislative Context**

**2.1** This practice note focuses on the legislative requirements for a council's SCI.

**2.2** **Section 4** of the 2011 Act requires a council to prepare a SCI. The SCI Regulations set out the requirements for the preparation, form and content and publicity for the SCI.

### **3.0 Community Involvement in the Planning Process**

#### Identification of and engagement with key groups and organisations in the delivery of planning services

**3.1** A council should involve the community at an early stage in the planning process and anyone who wishes to get involved is encouraged to do so at the opportunities provided. The following groups of people are most likely to become involved:

- People living within the area / neighbourhood;
- Elected representatives;
- Voluntary groups;
- Community forums / groups / umbrella organisations;
- Environmental groups;
- Residents groups;
- Business interests;
- Developers / landowners;

**3.2** It should be noted that the above list is not intended to be exhaustive and in no way restricts other individuals, groups and organisations from participating in the planning process.

**3.3** The planning system can be difficult to understand which means some groups of people may find it difficult to get involved. These under-represented groups can include young people, ethnic minorities, people with disabilities and disadvantaged communities. A council may therefore wish to liaise with community representatives to help identify under-represented groups within its area and develop strategies and specific consultative methods in order to encourage engagement with these groups in the planning process. This may include targeting participation through workshops, focus groups or mapping exercises

and ensuring venues for consultation events are as accessible as possible to all groups of the community, that events are held at locations within the community and at varying times which appeal to a wider range of people.

**3.4 Section 75 of 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;
- between men and women generally;
- between persons with a disability and persons without; and
- between persons with dependents 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. The above groups, commonly referred to as “Section 75 groups”, are important participants within the planning process and can provide valuable insights into the consideration of equality issues.

#### Community Input into the Local Development Plan Process

**3.6** Strengthening community and stakeholder involvement in planning is a key objective of the local development plan system. There are widespread benefits of involving communities and stakeholders in the preparation of local development plans. ‘Front loading’ of the local development plan process will help encourage and facilitate a higher level of meaningful community and stakeholder involvement earlier in the process. Front-loading also offers an opportunity for communities and stakeholders to influence plan content by sharing their knowledge and views with planners.

**3.7** This will help to ensure that any issues can be considered and

addressed accordingly at the point the Plan Strategy and/or Local Policies Plan is subject to independent examination. This will also help achieve a sense of local ownership and community buy-in for the policies that will shape the places in which communities and stakeholders have an interest.

- 3.8** Councils will need to be proactive when involving stakeholders and the community, through setting out their approach in the SCI. The SCI will help to raise public and stakeholder awareness and should ensure better community involvement throughout the entire local development plan preparation process. A council should propose an appropriate level of involvement and use suitable methods of engagement in relation to the local development plan. Otherwise, the SCI may become counter-productive by unnecessarily prolonging the plan process, particularly as the LDP progresses through the various stages of preparation and adoption.

#### Community Input into the Development Management Process

- 3.9** The two-tier planning system seeks to enhance local democratic accountability in the planning system. The vast majority of planning applications are determined by councils giving local politicians the opportunity to shape the areas they are elected to serve. The Department will determine regionally significant applications and also has powers to call in applications from councils, although this will be used exceptionally rather than routinely.<sup>3</sup>
- 3.10** New provisions within the 2011 Act not only aim to improve efficiency in determining applications but enhance community consultation at the appropriate points in the planning process.

### **4.0 Principles for Community Involvement**

- 4.1** A timely and proactive approach to community involvement should be adopted through a process of providing clear information and

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<sup>3</sup> Further information on 'call in' can be found in Development Management Practice Note (DMPN)13 Notification and Call In.

encouraging participation through both plan preparation and the delivery of development management functions. The process must therefore be informative, user friendly, as inclusive as possible, and conducted in an open and transparent way.

#### 4.2 Community involvement should:

- build on a clear understanding of the needs of the community and be fit for purpose;
- be front loaded – there should be opportunities for early community involvement and a sense of local ownership of local policy decisions;
- use methods of involvement which are relevant to the communities concerned, for example:
  - Media: local newspapers, TV and radio stations can carry stories about local development plan proposals as can social media sites;
  - Leaflets/ Brochures: can publicise an outline of the plan and inform the public about further opportunities to get involved;
  - Public Exhibitions/ Displays/ Roadshows: are a good medium for disseminating information, allowing communities to air their views however they are fairly resource intensive and attendees are self selecting;
  - One to One Meetings with selected stakeholders: are a useful means of identifying key issues, getting key people involved and achieving alignment with other strategies and initiatives;
  - Public Meetings: are an open and inclusive way for people to engage in robust debate on issues although attendees are self selecting;
  - Focus Groups: are useful for area based discussions and

presentation of options and may help a Council to gain a better understanding of public concerns and provide an opportunity to explore issues in-depth;

– Workshops: are useful for identifying and focusing discussion around difficult issues and key themes and is a means of engaging local communities and developing ownership of proposals;

- Provide opportunities for ongoing involvement as part of a continuous programme, not a one-off event;
- Be transparent and accessible; and
- Be planned into the process for the preparation and revision of the local development plan.

## **5.0 Updating a SCI**

**5.1** All councils in Northern Ireland have adopted a SCI since the handover of the majority of planning functions in 2015: This section provides a reminder of the legislative requirements to establish a SCI and the steps necessary to update it.

### Form and Content

**5.2** Within the context of Section 4 of the 2011 Act, reference to ‘the statement of community involvement’ should be interpreted as one SCI to cover all functions under Parts 2 and Part 3 of the 2011 Act.

**5.3** Regulation 4 of the SCI Regulations sets out the requirements for the form and content of the SCI. The SCI must include the following matters;

- a) the principles of how a council will involve the community in exercising its local development plan functions under Part 2 of the 2011 Act;

- b) the timing of, and the method by which
  - i. participation will occur at each stage of the local development plan procedure, and
  - ii. how a council will respond to the participation process referred to in sub-paragraph (i);
- (c) details of how a council will use those responses at each stage in developing the content of its local development plan;
- (d) the principles of how a council will involve the community in exercising its planning control functions under Part 3 of the 2011 Act.

**5.4** A council should ensure that their SCI is ‘fit for purpose’, recognising the limits of a council’s resources. Councils should ensure that they propose appropriate types and scales of involvement in relation to the development management and local development plan functions. It would be counter-productive for SCI’s to specify particularly complex processes of community involvement. A council should achieve appropriate balances in terms of SCI content. If the SCI is too general, it will fail to provide communities with sufficient guidance as to what type of involvement they can expect. Alternatively, over-prescription may have considerable resource implications for all parties involved in the planning process. A SCI should be concise and should be written in plain English with the use of tables and diagrams where appropriate.

**5.5** It should recognise and express the need for front-loading and it should reflect community needs by identifying the range of groups and stakeholders that have been or need to be involved. The SCI may also include specific consultation groups and focused consultation workshops in an endeavour to elicit responses on a particular issue which needs to be addressed.

**5.6** The SCI should set out how communities can be involved in a timely and accessible way and also identify suitable involvement techniques

required to facilitate and encourage meaningful community and stakeholder engagement.

- 5.7** The SCI should be clear about the different stages of involvement such as information, consultation, participation and feedback and demonstrate how these will be done in different ways at various stages and with different communities/ stakeholders. The SCI should also show that the process of involvement can be resourced and managed effectively, and how the results will feed into the planning process. A council should also build flexibility into their SCI to allow additional work to be undertaken if substantive issues emerge.

#### Development Plan

- 5.8** In relation to a council's local development plan functions, it is a statutory requirement that the local development plan must be prepared in accordance with the SCI. Therefore, before a council can consult on its preferred options paper, it must have an agreed SCI in place in order to inform the general public and all stakeholders of how, where and when they can become involved in the local development plan preparation process.
- 5.9** The SCI should set out the programme for community involvement throughout plan preparation from the initial stages through to adoption and should also stipulate appropriate methods of involvement relevant to the community, the stage of plan preparation and the timing and scope of community involvement. The SCI should set out a council's vision and strategy for community involvement and may also identify the key consultees and the stages in the LDP process when they will be notified and /or consulted.
- 5.10** It is important to note that if a council gives a commitment to go beyond the minimum statutory requirements in its SCI, it must comply with that commitment.

## Development Management

**5.11** In addressing the delivery of development management functions the SCI should include the following matters:

- how the council will handle representations on planning applications;
- how the community can become involved in the new pre-application community consultation process; and
- the principles of the process for involving the public in its planning control functions including the method by which the community may comment on and input to the determination of planning applications.

As with the development plan process, the SCI should cover the minimum requirements for consultation and publicity.

**5.12** The SCI should inform developers that they must undertake pre-application community consultations on major applications as prescribed in the 2011 Act.

**5.13** Under **Section 50 of the 2011 Act** a council must decline to determine a major application where the community consultation requirements as set out in Section 27 have not been complied with. The SCI should therefore highlight that a council is unable to determine a major application where the legislative requirements for community consultation have not been met.

**5.14** The SCI should state how a council will publicise planning applications and how anyone who wishes to make a representation to the application may do so. It should also make clear how a council will handle representations and how they will be taken into account in the determination of the application. Reference should also be made to the pre-application community consultation process carried out by developers and how the public can become involved in those consultations.

- 5.15** Whilst **Sections 8(4)(b) (Plan Strategy) and 9(4)(b) (Local Policies Plan)** place a statutory requirement on councils to prepare their Development Plans in accordance with their SCIs, there is no equivalent provision with regard to the exercise of a council's functions under Part 3 (Planning Control) of the 2011 Act. The management, handling or processing of planning applications by a council should therefore not be delayed until such time as the council's SCI is agreed and in place.
- 5.16** Further details on the suggested form and content of a SCI covering both development plan and development management functions is provided at Annex 1.

#### Consultation on the SCI

- 5.17** An effective SCI should set out a policy for community involvement which meets the statutory requirements for consultation while at the same time being tailored to a council's circumstances. The SCI should set out the methods a council will use to enable people to properly engage and contribute to the process of preparing LDPs. A variety of methods are likely to be utilised by a council to ensure this process is as productive as possible. The techniques should be fit for purpose for the different stages of preparation of LDPs and for different groups.
- 5.18** A council may already have established methods of community consultation at the local level which they can build upon in preparing their SCI. A council should seek to integrate consultation exercises and co-ordinate their activities as much as possible with other consultation programmes or initiatives, in particular, those relating to the development of the Community Plan.
- 5.19** Regulation 5 of the SCI Regulations requires a council to consider whether it is appropriate to invite representations from persons who have an interest in development in its area. Therefore, the decision whether to undertake public consultation on the SCI is at the discretion of a council. If a council does decide to undertake a public consultation exercise, it must make arrangements for inviting representations as it

thinks appropriate and take account of any representations received.

#### Agreement of the SCI

**5.20 Regulation 6** of the SCI Regulations sets out the requirements for the agreement of the SCI. The SCI must;

- (a) be approved by resolution of the council prior to submission to the Department for its agreement;
- (b) the Department must respond within four weeks of receipt of the statement of community involvement unless it has, before the expiry of that period, notified the council in writing that it requires more time to consider the document;
- (c) if before the end of the period mentioned in paragraph (b), the Department has failed to respond to the receipt by it of the statement of community involvement, its agreement will be deemed to have been given at the end of that period;
- (d) until such time as the Department agrees the statement of community involvement, the council must not take any steps under Regulation (7) to advertise its proposals;
- (e) the council must keep the statement of community involvement under regular review and any revision must comply with the requirements of this regulation.

**5.21** In the event that a council cannot reach agreement with the Department, the Department may direct a council to revise its SCI and re-submit it to the Department for approval.

**5.22** When undertaking a submission to the Department in accordance with **Regulation 6** the following is advised:

- Changes to an extant SCI should be highlighted in order to aid expedient processing by the Department.
- The covering letter should enclose details of where the extant

SCI can be located on the council's website.

- Indicate the legal provision under which any change is being undertaken and provide the reason for an update being made.

#### Availability of the Statement of Community Involvement

**5.23** Following agreement of the SCI, Regulation 7 of the SCI Regulations requires a council to make a copy of the agreed SCI available for inspection at its principal offices during normal office hours and also to give notice by local advertisement that the SCI is available for inspection and the place and times where it can be inspected. A council must also publish the SCI on its website.

#### The Local Development Plan Timetable

**5.24** It may be necessary to periodically update a SCI, including in circumstances where a council has undertaken a regular review in line with Regulation 6(e) of the SCI Regulations. This may also be necessary when changes have been made to the council LDP timetable and a council must be satisfied that any changes made to the timetable are, where necessary, reflected in the SCI. The publicity requirements regarding availability of the timetable under regulation 8 of the LDP Regulations also apply.

#### The Department for Infrastructure SCI<sup>4</sup>

**5.25 Section 2 of the 2011 Act** requires the Department to prepare and publish a SCI. This covers those aspects of planning management that the Department has responsibility for and these responsibilities are contained within Part 3 of the 2011 Act.

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<sup>4</sup> The Department's Statement of Community Involvement (SCI) is available at [www.infrastructure-ni.gov.uk/articles/departments-statement-community-involvement-sci](http://www.infrastructure-ni.gov.uk/articles/departments-statement-community-involvement-sci)

## **Annex 1: Example<sup>5</sup> of a SCI for a Council's Development Plan and Development Management Functions**

### **1.0 What is the Statement of Community Involvement?**

#### **Purpose**

- 1.1** The purpose of this statement is to set out policy for involving the community in the production of **XXXXX** Local Development Plan 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 Local Development Plan formulation and the determination of planning applications

#### **A Vision of Participation**

- 1.2** *“A sustainable society must be instilled with democratic values. Its citizens must share a sense of effective participation in the decision making process. They must feel they have a say in their society’s development and the skills, knowledge and ability to assume responsibility for that development.”*

The Sustainable Development Strategy for Northern Ireland – First Steps Towards  
Sustainability (DOE, 2006).

- 1.3** This is a shared vision of participation in decision making and it is therefore aimed to ensure that:
- (i) Everyone has an early and informed opportunity to express their views on the development of the area and have it considered before decisions are made;
  - (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;
- 1.4** It is intended to adopt a proactive and timely approach to community

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<sup>5</sup> Example is based upon the legislative requirements for SCI, however may contain additional provisions in the interest of suggested good practice. A council should refer to relevant legislative requirements and determine whether any additional provisions are necessary and if so, tailor these to meet their objectives for local community involvement.

involvement through a process of providing clear information and encouraging participation during plan preparation and planning application submission, assessment and determination. The process must therefore be informative, user friendly, as inclusive as possible, and conducted in an open and transparent way. Every effort is to be made to engage the community, record views and provide feedback.

## **2.0 Local Community Involvement in the Preparation of the Local Development Plan**

### **Purpose**

- 2.1 The purpose of the **XXXXXX** 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 **XXXXX** up to 20**XX**.

### **Who can get involved?**

- 2.2 Anyone who wishes to get involved in the preparation of this local development plan will be encouraged to do so at the opportunities provided. 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.

- 2.3 Elected members, forums, community and residents groups provide a voice for the local community. Other voluntary and interest groups also bring a

special knowledge and can ensure that important concerns are addressed.

### **Empowering disadvantaged and under-represented groups**

2.4 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.

2.5 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. The above “Section 75 groups” are important participants within the planning process and include people who traditionally have been under represented or disadvantaged. These groups will be targeted through the consultation process on the local development plan 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 Equality Impact Assessments will also be sought within the specified period for comment along with the Draft Plan Strategy and Draft Local Policies Plan.

2.6 To ensure that local development plan and consultation documents are accessible to everyone they will be made available upon request in different formats upon request, including electronic, Braille, large text print, audiocassette. Plain English is to 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.

## **How and when will the Community be Involved**

2.7 A local development plan is made at different stages, each presenting opportunities for community involvement. Each of these stages is identified with the actions that are to be taken to involve the community. The actions will fulfil and in some cases exceed the statutory requirements on public consultation. The Timetable for when the different stages are to be reached is obtainable from the Council Office and on the website.

### **A. Data Collection**

2.8 Surveying and information gathering will be an ongoing function of the Council, however, it will be particularly important at this early stage of plan preparation. Information obtained at this stage will be used to establish the social, economic and environmental characteristics of the plan area and enable the Council to determine the issues which need to be addressed and the options for addressing them. This will be undertaken using a topic-based approach accompanied with a Countryside Assessment.

### **Actions**

- Set up a **Steering Group** comprising the Council Planning Committee, with the Council Chief Executive and Head of Planning. 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 from the Council(s), the Principal Planning Officer and representatives 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, incorporating Strategic Environmental Assessment (SEA), and Equality Impact Assessment;
- This **Statement of Community Involvement (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 written invitation requesting them to participate in the plan making process by providing information on the key strategic issues that the local development plan 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 Equality Impact Assessment;
- The **Scoping Report of the Sustainability Appraisal incorporating SEA** will be sent to the statutory consultation body and if necessary, the Department may be requested to undertake trans-boundary consultation with the Republic of Ireland.

## ***B. Draft Plan Strategy Preparation***

- 2.9 This stage represents the start of work on a **XXXXXX** 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 **XXXXXX**. 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 will also be subject to the initial stages of Sustainability Appraisal, incorporating SEA, and

## Equality Impact Assessment.

### Actions:

- Issue a **public notice** in the local newspapers for two consecutive weeks , Belfast Gazette and on the website of:
  - (i) The intention to prepare a local development plan, accompanied by a Sustainability Appraisal, incorporating SEA and an Equality Impact Assessment;
  - (ii) Publication of the POP inviting comment within 8 to 12 weeks ;
  - (iii) Community meetings, exhibitions and pop-in information sessions;
  - (iv) Publication of the initial stages of Sustainability Appraisal, incorporating SEA, and Equality Impact Assessment and invite comment as considered necessary.
- Make the **Countryside Assessment and Topic Papers available** on the website and provide hard copy at a specified price;
- Issue a **press release** about the intention to prepare a local development 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 in XXXXXX;
- **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 8 to 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 8 to 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;
- A **Public Consultation Report** will be presented to elected members following the 8 to 12 week 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 Local Development Plan;

- The **Project Plan Team** will be given an 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, incorporating SEA and Equality Impact Assessment process;

### **C. Publication of Draft Plan Strategy**

2.10 The Draft Plan Strategy will set out the Council's objectives and strategic policies regarding the future development of the area. It will be a public consultation document and form 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 website of:
  - (i) Publication of Draft Plan Strategy and accompanying Sustainability Appraisal Report<sup>6</sup> and Equality Impact Assessment and how to view or obtain copies;
  - (ii) The dates and locations of public exhibitions;
  - (iii) The 8 week consultation period and closing date for receipt of representations to the Draft Plan Strategy and accompanying Sustainability Appraisal Report and Equality Impact Assessment;
- **Make the Draft Plan Strategy and any supporting documentation including the Sustainability Appraisal Report and Equality Impact Assessment available on the website and at the Council Office and provide hard copies upon request at a specified price;**

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<sup>6</sup> Sustainability Appraisal Report incorporates SEA Environmental Report

- Hold **launch and exhibition** to announce the publication of the Draft Plan Strategy and issue press releases;
- Hold **public exhibitions** in **XXXXXXX** (Towns, Villages, Settlements etc). Planning Officers will be available to answer any questions;
- **Write to key consultees and elected members** to inform them of; the publication of the Draft Plan Strategy, the dates of the public exhibitions; the 8 week consultation period and the closing date for representations and provide them with a copy of the document;
- **Write to all who submitted a representation to the POP** informing them of the publication of the Draft Plan Strategy and accompanying documents; advising how they can view or obtain copies; the dates of the public exhibitions; the 8 week consultation period and closing date for representations;
- Representations received will be **reported to elected members**.

#### ***D. Public Inspection of Representations***

2.11 All representations are to be made available for public inspection as part of the public consultation process. Interested parties may also comment on 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 Council Office and on the 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 of the availability of representations for inspection and the 8 week consultation period including closing date for

counter representations;

- **Make copies of counter representations available for inspection** in the Council Office and on the website;
- Counter representations will be **reported to elected members**.
- **Representations and counter representations will be fully considered by the Council** before it submits the Draft Plan Strategy to the Department for independent examination.

#### ***E. Independent Examination***

2.12 The Council will not submit the Draft Plan Strategy to the Department unless it considers that it is ready for independent examination (IE). The purpose of the IE is to determine whether the Draft Plan Strategy satisfies relevant statutory requirements and whether it is sound.

#### **Actions:**

- Continue to **make the Draft Plan Strategy, and any accompanying documentation available** on the website;
- **Advertise dates, times and venues for the IE at least 4 weeks before the IE** is to be held indicating that representations and counter representations are available for inspection;
- **Notify all persons who submitted representations and counter representations to Draft Plan Strategy** of the arrangements for the IE indicating that representations and counter representations are available for inspection;
- **Request key consultees to provide comment on the representations and counter representations** for consideration at the IE.

#### ***F. Adoption of Plan Strategy***

2.13 Following the IE, the Department will issue a Direction to the Council,

requiring it to adopt the Draft Plan Strategy as originally prepared or with modifications. The Council 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 website of the:
  - (i) adoption of the Plan Strategy;
  - (ii) where to get copies of the Plan Strategy and any accompanying documents, the Department's Direction and the Independent Examiner's Report;
- **Make the Plan Strategy and any accompanying documents, the Department's Direction and Independent Examiner's Report available** on the website with hard copy available on request for a specified price;
- **Write to key consultees and those submitting representations and counter representations** advising them of the adopted 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.

**G. Local Policies Plan**

2.14 The Local Policies Plan will be the second document comprising the Local Development Plan. It will be consistent with the adopted Plan Strategy and set out the Council's more detailed policies and proposals regarding the future development of the area. The Draft Local Policies Plan will be a public consultation document and form 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 website of:

- (i) Publication of Draft Local Policies Plan and accompanying Sustainability Appraisal Report<sup>4</sup> and Equality Impact Assessment and how to view or obtain copies;
  - (ii) The dates and locations of public exhibitions;
  - (iii) The 8 week consultation period and closing date for receipt of representations;
- **Make the Draft Local Policies Plan and any supporting documentation including the Sustainability Appraisal Report and Equality Impact Assessment, available** on the website and at the Council Office and provide hard copies upon request at a specified price;
  - Hold **launch and exhibition** to announce the publication of the Draft Local Policies Plan and issue press releases;
  - Hold **public exhibitions** in **XXXXXX** (Towns, Villages, Settlements etc). Planning Officers will be available to answer any questions;
  - **Write to key consultees and elected members** to inform them of; the publication of the Draft Local Policies Plan, the dates of the public exhibitions; the 8 week consultation period and the closing date for representations and provide them with a copy of the document;
  - **Write to all who submitted a representation and counter representation to the Draft Plan Strategy** informing them of the publication of the Draft Local Policies Plan and accompanying documents advising how they can view or obtain copies; the dates of the public exhibitions; the 8 week consultation period and closing date for representations;

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<sup>4</sup> Sustainability Appraisal Report incorporates SEA Environmental Report

- Representations will be **reported to the elected members**.

#### ***H. Public Inspection of Representations***

2.15 All representations to the Draft Local Policies Plan will be made available for public inspection. Interested parties may also comment on site specific representations that have been received (counter representations).

##### **Actions:**

- **Make copies of representations available for inspection** in the Council Office and on the 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 of the availability of representations for inspection and the 8 week consultation period including closing date for counter representations;
- **Make copies of counter representations available for inspection** in the Council Office and on the website;
- Counter representations will be **reported to the elected members**;
- **Representations and counter representations will be fully considered by the Council** before it submits the Draft Local Policies Plan to the Department for independent examination.

#### ***I. Independent Examination***

2.16 The Council will not submit the Draft Local Policies Plan to the Department unless it considers that it is ready for independent examination (IE). The purpose of the IE is to determine whether the Draft Local Policies Plan satisfies relevant statutory requirements and whether it is sound.

**Actions:**

- Continue to **make the Draft Local Policies Plan, and all accompanying documentation available** on the website;
- **Advertise dates, times and venues for the IE at least 4 weeks before IE** is to be held indicating that representations and counter representations are available for inspection;
- **Notify all persons who submitted representations and counter representations to the Draft Local Policies Plan of the arrangements for the IE** indicating that representations and counter representations are available for inspection;
- **Request key consultees to provide comment on the representations and counter representations** for consideration at the IE.

***J. Adoption of Local Policies Plan***

2.17 Following the IE, the Department will issue a Direction to the Council, requiring it to adopt the Draft Local Policies Plan as originally prepared or with modifications. The Council may also be directed to withdraw the Draft Local Policies Plan. 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 website of the;
  - (i) adoption of the Local Policies Plan; and
  - (ii) where to get copies of the Local Policies Plan and accompanying documents, the Department's Direction and the Independent Examiner's Report.

- **Make the Local Policies Plan and accompanying documents, the Department's Direction and Independent Examiner's Report available** on the website with hard copy available on request for a specified price;
- **Write to key consultees and those submitting representations and counter representations** advising them of the adopted Local Policies Plan, and where to obtain copies together with the Department's Direction and the Independent Examiner's Report.

### **3.0 Local Community Involvement in the Council's Development Management Function**

#### **Purpose**

- 3.1** The Council as the local planning authority for the area deals with all planning and listed building applications in the district. It also deals with applications for works in conservation areas, works to protected trees, advertising consent and applications for hazardous substances. Development management is the process through which such applications are considered. An important part of the process is to provide information and advice to applicants and to seek and take into account the views of the general public and statutory consultees on all planning applications. The statutory requirements for consultation on planning applications are set out in legislation. These requirements vary according to the type of proposal but include notification to specified bodies and general publicity.
- 3.2** The Council receives a wide variety of planning applications and therefore needs to involve the community to differing degrees, according to the scale and complexity of the application.

This section looks at:

- how the public can become involved at the various stages of the application process; and
- how the level of community involvement will depend on the scale of the application.

## **Pre-Application Stage**

### Pre-Application Discussions (PADs)

- 3.3** Pre-application discussions are encouraged for a range of types of applications, both major and local. The objective of pre-application discussions should be to confirm whether the principle of development is acceptable and to clarify the format, type and level of detail required to enable the council to determine an application. For major applications it will also enable the applicant to discuss with the council details of how the community should be involved in the decision-making process.

### Pre-Application Community Consultation (PACC)

- 3.4** The council strives to inform and involve the wider community in helping to create better quality developments and place making. Applicants submitting major applications to the council or as the case may be the Department must undertake community consultation before submitting their application.

The Council will require the following actions to be undertaken before the application is submitted-

1. Notify the council, at least 12 weeks in advance, that an application for a major planning application is to be submitted.
  2. Hold at least one public event where the community will be afforded the opportunity to make comment.
  3. 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.
  4. Submit a pre-application community consultation report.
- 3.5** 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.
- 3.6** As previously stated the Council would recommend all applicants considering

submitting development proposals that fall within the definition of major development to seek a Pre-Application Discussion with planning officers.

Where applicants fail to fully meet the pre-application community consultation requirements the Council will decline to determine the application.

### **Application Stage**

- 3.7** When a planning application is submitted for determination the Council will involve the community in the decision making process. If you feel you will be affected by development proposals you will have an opportunity to consider what is proposed and how it will affect you. You will also have the opportunity to make your views known before a final decision is made on the application.

### Advertising and Neighbour Notification

- 3.8** The Council undertakes 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.

### Advertising

- 3.9** The Council will advertise all new applications on a weekly basis in at least one local newspaper (in accordance with **Section 41 of the Planning Act**).

### EIA Development

- 3.10** Environmental Impact Assessment (EIA) is a method for ensuring that the likely effects of new development on the environment are fully understood and taken into account before consent is given for the development to proceed.

The Environmental Statement (ES) produced as part of an environmental impact assessment, brings together in a single document or series of documents information about a proposed development and its effects on the environment.

- 3.11** In most cases it will fall to the council to determine if the application is an EIA application. It should be noted that if an application is an EIA application it cannot be processed until the ES is received. When a developer submits an

ES in support of a planning application, the Council will publish a notice of its receipt in a local newspaper and indicate where it may be purchased and the address of the Council Office where it may be inspected. The Council will also allow 4 weeks from the date the notice is first published for representation to be made.

#### Neighbour Notification

**3.12 The 2011 Act** 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 Council's Neighbour Notification Scheme, the Council will ensure that planning applications are brought to the individual attention of the occupiers of buildings on neighbouring land which are within 90m 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 20m in width'.

**3.13** The Case Officer when carrying out a site inspection will also check the accuracy of the neighbour notification details supplied on the application form and may add details as considered appropriate.

**3.14** 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.

#### **Obtaining further information and getting involved in planning applications**

**3.15** Planning applications including supporting documents and corresponding plans can be viewed online as well at the council offices during normal office hours. 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

**3.16** The Council will make the application, plans and any associated environmental statement available on a public register in accordance with **Section 242 of the Planning Act**. Each register will contain the following

information:

- a copy( which may be photographic) of each application together with copies of plans and drawings submitted in relation thereto;
- the decision notice, if any, in respect of the application, including details of any conditions subject to which permission or consent was granted;
- the reference number, the date and effect of any decision of the PAC in respect of the application; and
- brief details of any revocation or modification relating to any permission or consent, including date of issue.

#### File Inspection

**3.17** The Council 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

**3.18** Individuals, groups and organisations can comment on a planning application even if they have not been neighbour notified by the Council. All comments will be carefully considered. Care should be taken when making comments to the council to ensure that no personal data is included.

**3.19** When a decision is made on a planning application only certain issues are taken into account, these are often referred to as 'material planning considerations'. Material considerations must be genuine planning considerations. The basic question is not whether owners and occupiers of neighbouring properties would experience financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and buildings that ought to be protected in the public interest.

**3.20** Generally greater weight is attached to issues which are supported by evidence rather than solely by assertion. If an identified problem can be dealt with by means of a suitable condition the Council is required to consider this

as an alternative to refusing an application.

**3.21** You can make comments in a variety of ways, these are as follows- Online at: .....

By email ..... (Please quote the application number)

By post to: .....

**3.22** All written comments on an application will be acknowledged within five working days, however the Council may be unable to respond to each comment made due to the large number it receives. 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. The Council will not normally contact the respondent again until after a decision is made unless the application is to be determined by the Planning Committee, is significantly altered or is withdrawn.

**3.23** The Council may, if it considers it appropriate to do so, 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.

**3.24** You may also wish to contact your local councillor, who has the ability to request that the application is determined by the relevant planning committee. Oral, anonymous or defamatory comments cannot be taken into account. You should ensure that your comments relate to relevant planning matters.

**3.25** The Council will consult with a range of Statutory Consultees (see annex 1) 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 representative will be copied to the appropriate consultee for consideration and comment. The council will carefully take any comments made into account before a decision is made. All comments are scanned and added to the web site once email addresses and hand written signatures have been removed (it should be noted that typed names and addresses remain visible).

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

### **Community Involvement at the Planning Committee Stage**

**3.27** Planning applications are usually determined by officers using delegated powers. The circumstances under which an application can, or cannot, be determined using delegated powers are set out in the Council's Scheme of Delegation, which is subject to regular review.

#### Pre-determination hearings and speaking at the Planning Committee

**3.28** For those major applications that have been notified to the Department but have been returned to the Council for determination the Council will afford the applicant the opportunity of appearing before and being heard by the Council.

**3.29** If an application goes before a planning committee, the council will also offer people who have made representations the opportunity to speak and make direct representation to elected members. Requests to speak must be made in writing, which includes emails, and must be received by 2pm on the day of the committee meeting.

### **Community Involvement after a Planning Application has been determined (Post Application Stage)**

**3.30** 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 and the reason for that decision. The decision is recorded on the council's website and in the statutory Planning Register.

If it is a case that has been considered by the Planning Committee, it can be found either by contacting the Development Management team the day after the Committee meeting, or by viewing the minutes of the meeting which will be published on the Council website within three to five working days.

## **Involving the Community When an Appeal is Made Against a Planning Refusal/Granted Conditions/Enforcement Notice**

- 3.31** 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 the Council's decision on an application or a condition attached to a permission, he/she may appeal to the PAC. An applicant may also appeal to the PAC where the Council has not determined an application within the relevant period prescribed by the Planning (General Development Procedure) Order (NI) 2015, where such an appeal is lodged, the application is deemed to have been refused. Appeals must be lodged with the PAC within four months from the date of notification of the Council's decision, or expiry of the prescribed period as the case may be.
- 3.32** 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.

## **Community Involvement in Planning Enforcement**

- 3.33** The council encourages 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 the Department. This may also include failure to carry out development in accordance with the approved plans or conditions.
- 3.34** 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 and complainants notified. Complainants are given leaflets explaining enforcement notices.
- 3.35** 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 council's reasons will be sent to the complainants. Many initial complaints relate to non-enforcement issues in the district, such as householder permitted development type extensions or alterations to a dwelling house. In such cases, the council will provide the complainant with the guidelines for 'permitted development' which do not require planning permission.

- 3.36** The Council's priorities for enforcement action are contained within the Council's Enforcement Strategy. The Enforcement Strategy is subject to regular review and a public consultation exercise will form part of this review process.

### **Community Involvement in Supplementary Planning Guidance**

- 3.37** The Council will also prepare non-statutory planning guidance to support its 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 the Council web site.

### **Community Involvement in Conservation Area Designation**

- 3.38** A Conservation Area is an area of special architectural or historic interest, the character of which it is desirable to preserve and enhance. The Council considers that consultation with, and the involvement of local people is important when undertaking work associated with Conservation Areas. This will help encourage greater ownership of the concept and greater co-operation and commitment to achieving the aims of the designation. The Council will involve the community in the designation, variation or cancellation of a Conservation Area. This will entail formal consultation with the Historic Buildings Council and Department for Communities, advertising by way of a public notice in the local press and public meetings to discuss and present proposals. Upon formal designation the Council will publish a public notice in the local press and hold a public launch and exhibition.

## **Community Involvement in the Designation of a Simplified Planning Zone**

- 3.39** Where the Council proposes to commence work on a simplified planning zone it will undertake consultations with the neighbouring district council, the land owner and occupier, the Department for Communities and will notify the Department for Infrastructure.
- 3.40** Once details of a scheme have been prepared the Council will make copies available for inspection at the Council's office, give notice by way of an advertisement in the local press and on the Council's website, and will serve a notice on those it has consulted with.
- 3.41** Following advertising of the proposed planning zone(s) details there will be an eight week period when representations can be made to the Council. If the Council subsequently decides not to proceed with the proposed planning zone it will publish a further advertisement to that effect and will notify all those have made representations.
- 3.42** The Council may cause an independent examination to be held to consider the representations received. Where it is proposed to hold an independent examination detail including the time and place of the examination will be published in the local press. Where it is decided not to hold an independent examination the Council will notify all those who have made representations.
- 3.43** Following the independent examination the Council will produce a report and statement detailing its decision and outlining reasons for its decision. Notice of publication will be advertised in the local press and the report and statement will be available for public inspection in the Council offices.

## **Appendix 1 - Consultees**

Where a Council undertakes consultations on a planning application the consultee will be required to respond within 21 days, or any other date as agreed in writing, after which time the Council may determine the application whether or not a response has been received. In the case of those developments which are subject to an Environmental Impact Assessment (EIA) the Council will not make a determination until 28 days have passed.

The Council will undertake consultations with a number of key bodies-

**Department of Agriculture, Environment and Rural Affairs – NI Environment Agency** in respect of proposals that may impact on natural habitats and built heritage, entail the redevelopment of contaminated land, developments which require storage and processing of controlled waste materials and/or proposals resulting in discharges to the natural environment.

### **Department for Infrastructure:-**

**DfI Roads** in respect of proposals which impact on road and rail infrastructure.

**DfI Rivers** where it is considered that there is potential for flooding or increased surface water run-off and/or impact on existing watercourses or flood defences.

**NI Water** in respect of proposals impacting on water and sewerage infrastructure.

**Department of Enterprise, Trade and Investment** on all major energy infrastructure projects.

It should be noted that the above is not intended to be a definitive list of consultees nor cover all circumstances under which a consultation with a statutory consultee may be carried out. Due to wide range of development proposals submitted to the Council each application will be carefully considered and consultations will be undertaken in line with statutory requirements. The need for consultations will vary between applications depending on the on the nature and scale of the proposal. Further information

on the consultation process is contained within the Department's Development Management Practice Note 18 (The Consultation Process and duty to respond).

## DPPN 2 Review – Schedule of Changes

Page Number	Paragraph Number	Summary of change
Cover page	N/A	Revised date and version number
Page 2	2.1	Revised para 2.1
Page 5	3.9	Reworded paragraph
Page 7	5.0	Reworded heading
N/A	Section 5	Removal of “Requirements for the Preparation of the SCI” graphic
Page 7	5.1	Reworded paragraph highlighting that all councils now have an SCI.
Page 12	5.22	New paragraph highlighting Regulation 6 requirements.
Page 13	5.23	Amended numbering
Page 13	5.24	New paragraph highlighting review of SCI in accordance with regulation 8.
Page 13	5.25	New paragraph to reference Dfl SCI.
Page 27	3.1	Inclusion of HSC and advertising consent
Page 33	N/A	Revisions to post 2015 reorganisation of central government departments.
N/A	N/A	Update to footnotes

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