

The Long-Term Impact of Planning Decisions

CHAIR: Cllr Dermot Nicholl, NILGA Executive, Causeway Coast & Glens BC

OBJECTIVES

1. To develop elected member understanding of the importance of quality environments and the councillors' role in promoting high quality development.
2. To explore the wider policy context and how this will drive future place-making practice
3. To develop an understanding of cumulative impact, dealing with innovative design and an awareness of subjectivity in decision-making.
4. To explore prevention in making decisions on quality of developments – how to say 'no'.

SPEAKERS:

Andrew Haley (Paul Hogarth Co), Chair of the DfC Ministerial Advisory Group (NI)

The importance of design in place-shaping and place-making

Angus Kerr, Chief Planner (DfI), 2020 Chair of RTPNI

Incorporating quality in planning decision-making processes

Ciarán Fox, Director, RSUA

Planning for the future and a green recovery

All Presentations and videos available on the NILGA website at

<https://www.nilga.org/nilga-networks/place-shaping-and-infrastructure>

GOOD PRACTICE INFORMATION:

Urban Maestro <https://urbanmaestro.org/>

Living with Beauty

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/861832/living_with_beauty_bbbbc_report.pdf

Active School Travel Index

<https://www.arup.com/perspectives/publications/promotional-materials/section/active-school-travel-index>

KEY ISSUES

- We do not need better policies, we need better decisions; we need to 'get tough', and to review and reflect on the success or otherwise of past decisions
- Using 'Living Places' when considering developments and procurements: Design should be at the centre of decision making, with quality safeguards embedded into procurements
- The LDPs are a huge opportunity to reference the importance of design and quality
- There is a design skills deficit in most of our 11 councils
- Developers need to know what the council expects – this requires a vision to do things 'right' and appropriate conversations with the developers
- We need to overcome the difficulties 'built into' the system due to the fragmentation of the public sector: early decisions often not made by placemakers, competing priorities, inter-departmental working. (e.g. green infrastructure – funding/interest split over three departments)
- Use 'design teams' to foster a collaborative approach and demonstrate leadership
- Climate action is a huge driver for change: -
 - need to get better at reporting on council performance and demonstrate leadership
 - reduce the need for travel with better connectivity, walkable developments
 - build to last – also improve the lifespan and energy performance of existing buildings
 - focus on emissions of proposed new large development (e.g. out of town shopping centres plus car parks)
 - reconnect with outdoor space
 - repurpose existing spaces e.g. converting retail units into housing.

DISCUSSION POINTS:

Q How can we ensure that planning legislation and policy stay up to date with the needs of the people environment and economy? Although LDPs are approaching finalisation and too much change isn't helpful, are we in danger of producing a suite of irrelevant documents?

A. There is no danger of councils producing a suite of irrelevant documents. There is always potential for slight misalignment as policy progresses, but the key is to keep policy and legislation up to date by reviews, giving an opportunity for continuous improvement. The current review is to address issues with the legislation that have become evident since the legislation was brought into use.

Councillors need to be clear in their decision-making.

Q. There is a high level of subjectivity at times when it comes to design, and councillors are presented with a fixed officer recommendation at the end of the line. Is there a conversation with planning officers?

A. MAGNI has conversations with planning officers. There is difficulty now that planning is in councils with an incomplete set of skills within the organisations (e.g. very few/no council architects, archaeologists, environmental consultants, roads engineers). We need to find better ways of having early stage conversations, including a wider range of skills, and bringing in ideas and views before applications are too far down the line. Some councils are further on in this than others.

Q. Why must we integrate with existing buildings particularly in rural areas – this leaves no scope for innovation in design?

A. Opportunity for innovation is limited and this is a frustration for architects, particularly when they see poor design being replicated multiple times, rather than designing appropriately for the landscape. Contextual design is currently not being encouraged. Some culture change is required to encourage innovation and to challenge poor design in applications. Design teams need to be given the opportunity to *explain* as well as *present* ideas, as more of an iterative process to empower strong decision-making.

The Minister has set up a planning forum to explore how to accelerate decision-making. There is a need to cut through the current ‘culture of being helpful’ to applicants which slows down the process.

Q. Can we refuse an application on grounds of ‘ugliness’? So many applications could be improved to make the resulting development so much better, including by being more aware of the context ‘outside the red line’.

A. Members may feel pressure to approve applications on the basis that they are investment in their areas. The economic rationale is more easily understood than design implications. Councillor confidence and capacity needs to be built in this area. Better communication with developers and communities to ensure there is understanding of what is required is essential as part of a front-loading conversation and an improved process. Design conversations need to take place as key stages in the journey of the application and development.

Q. How can the Department better support the development of greenways across council areas?

A. The Department is already proactive on this with a resourced team setting up pilots and accepting bids for funding for greenways. All councils are encouraged to approach DfI on this, as the timing is good on this. Some ‘shovel ready’ plans have been on DfI desks for a while and should now be taken forward.

Q. How can councils fast forward better energy performance in buildings?

A. Councils could put in place planning conditions in relation to better energy performance, but there may be legal considerations for attaching requirements to individual applications. Local plans policies can develop this approach at part of the LDP to effect change over a longer period. Better Building

Regulations would also be helpful. A conversation is needed on how to speed up attention to improving energy performance in buildings.

Q. Should the change in our lifestyles because of COVID lead to the development of temporary planning legislation?

A. The pandemic has already led to a changed approach in many areas, but the review of the Act is now the key opportunity at play, to give an opportunity to modernise e.g. via digitising the system. As councils bring forward LDPs these need to be examined in the context of the 'new normal'. It is a bit early to tell what is going to change, and so some flexibility may need to be built into the system.

Q. Is it ok that one council has not engaged in the planning portal?

A. This council will need to implement their own IT system, to appropriately serve the needs of their citizens and applicants.

Q. Is it ok for a council to 'approve everything'?

A. All councils need to comply with legislation and policy and ensure their approvals comply.

NEXT STEPS

- Better decisions are required in relation to design. Confidence and skills of councillors and planners needs to be built, in order to lead locally.
- Councillors need to be more aware of 'who is doing what', the impact of the competing priorities arising from our fragmented public sector, and to drive locally, what needs to be put in place 'on the ground'. Awareness of 'hard power' and 'soft power' needs to be developed.
- We need to be prepared for change, to ensure that we don't accept investment at any cost, and to make sure that what we leave in place for those coming after us is of high quality and good design.
- Engage in the review of planning legislation and develop better planning system as a result.
- Look at the skills deficit within councils and explore how this might best be addressed (e.g. through shared services approach).

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