



# The Planning and Water Appeals Commissions

**Annual Review 2024/25**

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## CHIEF COMMISSIONER'S STATEMENT

This is the annual review of the Planning Appeals Commission and the Water Appeals Commission (PACWAC) for the financial year April 2024 to March 2025.

In January 2025, the Commission reached a key milestone of being at full complement in terms of the number of Commissioners. This is the first time that we have been in this position since I was appointed in 2017. Accordingly, and given ongoing training and development we have seen significant improvements in performance. I wish to express my gratitude to the Commissioners and the administrative team, as our progress is testament to their efforts.

We appreciate the patience shown by many of our external stakeholders whilst we addressed the challenges faced in recent years. Capacity and capability building takes time. The Annual Report clearly illustrates the effort our workforce has put in to improve overall productivity this financial year.

I acknowledge the support of the Department of Justice in continuing to make appointments to the Commission against a challenging financial backdrop. This recognises the importance of resourcing the Commission to assist in its ability to perform. We continue to have discussions with the Department as to how our work could be funded and resourced better to ensure that we can build on the progress already made.

We have increased the numbers of appeal decisions issued year on year. We have also implemented an action plan to lead to more timely decisions. For those appeal cases submitted in 2024, the decision times are within our performance objectives with median times in the region of 25 weeks. These timelines clearly show what can be delivered when operating effectively whilst continuing to maintain a high quality of decisions. We hope that we will be able to continue to build on these positive steps.

We have also delivered on our commitments to:

- Implement changes to our complaints process.
- Continue discussions with our sponsor body regarding funding and structural review. This is important given the introduction of a new workstream to the Commission.
- Identify opportunities to ensure that other organisations gain a full understanding of our role.
- Continue to ensure that the quality of decisions is maintained.

We published our Corporate Plan for 2024-2027 in September 2024 which set out our key business priorities. Our first priority is 'Focus on Performance'. Our work in this respect is well advanced and we will continue to build on the achievements made so far. The second priority is 'Looking Forward'. We need to address challenges in terms of resourcing new

workstreams and to respond to external factors which can affect performance within the Commission. We have also identified a number of opportunities to enhance understanding of the work of the Commission, and we aim to take this forward in the coming months.

We have made significant progress this year and can look forward to the future with a positive mindset. We will continue to deliver to the best of our ability in line with the resources we have available.

## SECTION ONE

# Our Work and People

## Our Work and People

### The Commissions

The Planning Appeals Commission is an independent appellate body established under statute to decide a wide range of appeals and to report on various matters under planning and other legislation.

The Water Appeals Commission, while sharing the vision, aims, objectives and core values of the Planning Appeals Commission, is a separate appellate body, exercising a wide range of functions under water, fisheries and drainage legislation.

The Commissions are not part of any Government Department. Financial and administrative support is provided by the sponsoring Department, the Department of Justice, through the Northern Ireland Courts and Tribunals Service.

The Commissions are completely autonomous in their decision-making. We are not answerable to any government Department or any other agency or public body. Our decisions are subject to the supervision of the Courts, reflecting our independent appellate roles in planning and environmental matters.

We aim to make the best possible appeal decisions and offer the best possible recommendations in a timely fashion, consistent with the evidential context within which appellate functions are exercised. The underlying values that the organisation seeks to uphold are:

#### **Independence**

We are an independent organisation which is free from external influence. We are a key democratic safeguard where citizens can access justice and challenge decisions in front of an independent body. Commissioners act and take decisions impartially, fairly and on merit, based on the evidence and without predisposition towards any party's case.

#### **Quality**

We deliver quality decisions and recommendations based on the evidence that is presented to us with high levels of professionalism and accountability. We act in an open and transparent manner. We appreciate the role and purpose of the Commissions.

#### **Continuous Improvement**

We have a focus on continuous learning and improvement whilst managing customer expectations. We treat people with respect and recognise individual experience and knowledge. We value the views of our stakeholders.

The Commission has also committed to two further key business priorities:

### **Focus on Performance**

Our stakeholder engagement has confirmed that customers want quality decisions in a timely fashion. Our performance has not been where it needs to be for the reasons outlined in many of our publications. We have, however, improved at an organisation level and we intend to continue to build on this.

### **Looking Forward**

We need to address existing challenges in terms of resourcing and to respond to external factors which affect performance within the Commission.

## **Our Work**

The Commissions have two broad areas of work which are categorised as Hear and Decide and Hear and Report. Hear and Decide is the appeal casework. Appellants lodge appeals and the Commission considers the evidence and makes a final decision. In addition to the appeal decision the Commission may have to consider a costs claim if it is submitted.

The Commission is not a planning authority. We do not process planning applications, rather we consider the merits of the decision taken by a planning authority. We are therefore not required to consult with statutory or non-statutory consultees. All Commission decisions are based on the evidence submitted by the parties to the appeal.

Hear and Report is a second area of work which is less predictable and more resource intensive. The principal elements are firstly, public inquiries and hearings into regionally significant and called in planning applications, and secondly independent examinations into local development plans (LDPs). In these cases, most referrals are made from the Department for Infrastructure (DfI) to the Commission. The Commission considers the evidence presented and report back to the referring authority who make the final decision.

The legal remit of the Commission in carrying out a public inquiry is to consider the representations made in relation to a proposal. Ownership of an application remains with the referring authority, as does any requirement to process the application.

There are also a variety of other Hear and Report functions, including public inquiries into development schemes, vesting orders and road schemes, and hearings into the need for environmental impact assessments for planning applications.

## Our People

Our work is carried out by Commissioners supported by an administrative team. We have had a number of new individuals join in the reporting year:

- Principal Commissioner Paul Duffy
- Commissioner Rachel Taylor
- Commissioner Hannah Ellison

No Commissioners left the team in the last year.

The administrative team saw quite a few changes throughout the financial year with some members leaving. However, five members of staff joined the team.

The Commission wishes to express its thanks to those who have left the organisation.

## Commissioners

For the first time in the tenure of the current Chief Commissioner, as of January 2025, the Commission is at full complement (20 full time equivalent Commissioners). This is a major achievement giving the Commission a robust base from which to deliver its services. Commissioners in post are outlined below:

Chief Commissioner	Miss A Kells BA (Hons) MSc LLB MRTPI
Deputy Chief Commissioner	Ms P O'Donnell BSc (Hons) DipTP MRTPI
Principal Commissioners	Mr M Watson BSc (Hons) DipTP MRTPI Mr Paul Duffy BSc (Hons) Dip UD MRTPI (from April 2024)
Senior Commissioners	Ms M Jones BA (Hons) BArch ARIBA MRTPI Mr K Donaghey BSc MRTPI Dr D O'Neill BSc (Hons) DipTP PhD MRTPI Ms J McParland BSc MRTPI



Ms C McDonagh BSc (Hons) DipTP MRTPI

Ms L Roddy BSc (Hons) MSc MRTPI PIEMA

Mr G Kerr BSc (Hons) MSc MRTPI

Mrs T Harbinson BSc DipTP MRTPI

Ms C McKeary BSc (Hons) MSc MRTPI

## Commissioners

Mr D Hannon BA DipTP MRTPI

Ms D McShane BA (Hons) MTP MEPPA MRTPI

Ms B Stevenson BSc (Hons) MSc MRTPI

Mr K Gillespie BA (Hons) BPI MLegSc MRTPI

Mr K O'Connell BA MSc MRTPI

Mr G McCallion BSc (Hons) LLM DipTP MRTPI

Ms Rachel Taylor BSc DipTP MRTPI (from April 2024)

Ms Hannah Ellison BSc MSc MRTPI (from January 2025)

## Administrative Team

Administrative support is provided by our sponsoring Department, the Department of Justice, through the Northern Ireland Courts and Tribunals Service and consists of the following:

Chief Administrative Officer (1)

Office Manager (1)

Hear and Report Programme Officer (1)

Casework Manager (1)

Team Leaders (1) (plus 1 vacant post)

Casework Officers (4) (plus 1 vacant post)

IT Project Business Lead (1)

IT Project Support Officer (1)

## SECTION TWO

# What we have delivered

## What we have delivered

As set out in the Chief Commissioner's Statement, 2024/25 has been a positive year for the Commission. We outlined our priorities and objectives in our business plan which were:

### Priority: Focus on Performance

#### Objective 1

**To deliver a high-quality service that meets the needs of our customers. To achieve this we will:**

- Develop and implement an action plan to identify and respond to cases which have lingered in the system.
- Continue to focus on increasing the quantum of cases disposed of with the aim of addressing timeliness issues in future years.
- Reallocate cases when a resource becomes available and address individual performance issues, and
- Continue to ensure that the quality of decisions is maintained.

### Priority: Looking Forward

#### Objective 2

**To ensure that the organisation is placed in the best position to deal with future challenges we will:**

- Continue with customer engagement exercises.
- Aim to be at full complement within the financial year.
- Continue to invest in the training and development of our workforce to enhance skill sets to ensure effective contributions to the organisation.
- Update the Remote Hearings Protocol to take account of the move to hybrid hearings.
- Implement changes to our complaints process to align with customer needs.
- Continue discussions with our sponsor body regarding funding and structures.
- Identify opportunities to ensure that other organisations gain a full understanding of our role; and
- Ensure our keyword search facility is enhanced, particularly to take account of new plan strategies.

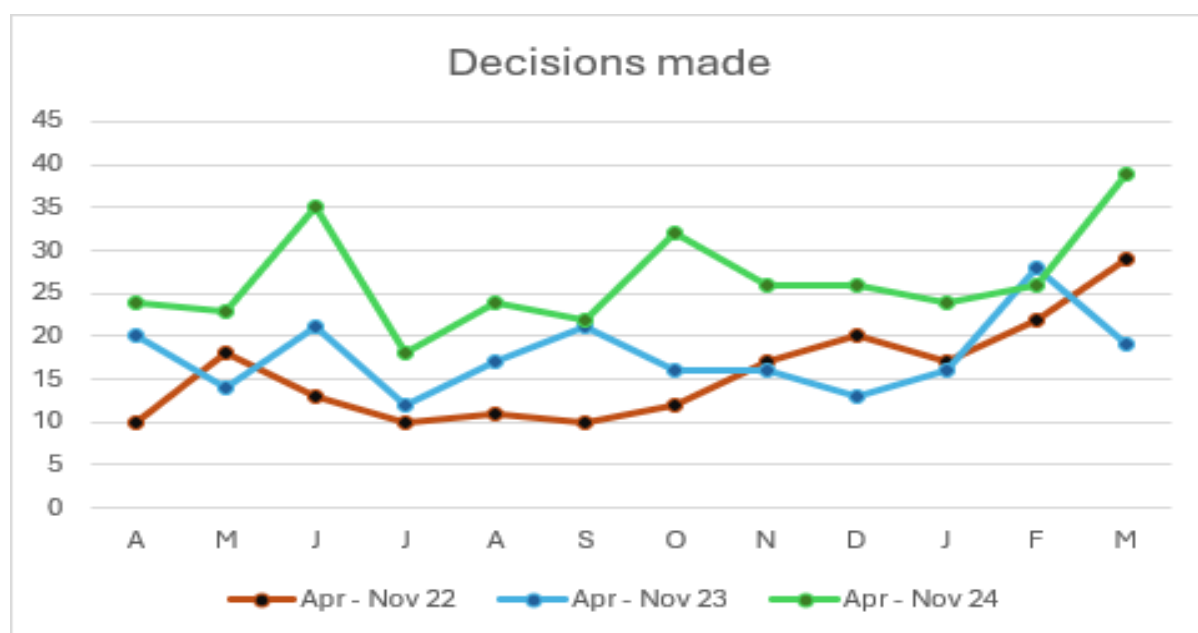
## Resources

As outlined in the previous section, the Commission is now at full Commissioner complement. However, operational capacity is impacted by the intensive training required for new members of the workforce and we expect to be at full operational capacity by 2026/27. We also must deal with the imposition of a new dispute mechanism for validation checklists and are in discussions with our Sponsor Body regarding resources to accommodate this additional work. Despite the challenges that remain, the Commission continues to deliver our services as outlined below.

## Performance

The focus on performance in the last year has been to increase the quantum of cases disposed of with the aim of addressing timeliness issues in future years. We developed and implemented an action plan identifying and responding to cases which have lingered in the system. This involved reallocating cases when a resource became available. Reallocation is an option limited to appeals progressing by way of written representations and this is reflected to the timeframes identified later in the report.

We have increased the quantum of cases disposed of and have seen year on year increases in the number of appeal decisions issued as shown in the graph below. This is primarily down to recently appointed Commissioners gaining experience and confidence in their role.



The investment in the new IT system is paying dividends as management information is now available to address issues at the necessary level. As independent decision makers, once a case has been allocated to a Commissioner it is for them to deal with. We do request that Commissioners issue decisions in date order in the interest of fairness to our customers. In terms of the historical cases within the system, we set a corporate objective of issuing all pre 2022 cases by the end of the calendar year. Of the 109 cases in the system at the start of the financial year, a small number remain. Of these, the majority have been delayed for justifiable reasons, such as the submission of updated environmental information.

One action plan objective was to reduce the in-hand cases down to pre-COVID levels (201 cases) by the end of the 2024/25 financial year. This was achieved by November 2024 with 191 cases in hand. We continue to improve in reducing the number of in-hand cases with 149 cases at year end.

At the start of January 2025, a review took place of all remaining 2023 cases, and we will continue to ensure older casework is delivered as soon as practically possible. We are in a good position in terms of year-on-year improvements and we hope to build on this.

As Commissioners gain experience through undertaking appeal casework, capability to undertake more complex, usually referred, casework increases. We have been able to allocate a number of referred cases, and we will continue to progress this workstream subject to the resources available.

## Quality

The Commissions' decisions can only be challenged by an application to the High Court for judicial review, on a point of law only. In circumstances where the decision is clearly flawed the judicial review application is not contested. In the event of a successful challenge, following receipt of a Court Order, the appeal is reheard by a different Commissioner from that which made the original decision, and a new decision is issued. In 2024/25, three cases proceeded to judicial review, one of these decisions was quashed. Of previously received JRs, two decisions were quashed within this financial year.

The Commissions' complaints procedure is detailed on our website. All complaints are investigated and a relevant response issued. Where complaints are found to be justified, an explanation and apology are provided. In 2024/25 we received nine complaints of which five were justified. Three were justified on the grounds of delay on issuing the appeal decision, however, there were two justified complaints in relation to the planning merits.

The Commission's handling of complaints is scrutinised by an Independent Complaints Audit Panel (ICAP). The Panel comprises one member appointed by the Royal Town Planning Institute and one member appointed by the Bar Council of Northern Ireland. The Panel's

purpose is to independently review complaints made to PACWAC and advise if the action taken in respect of the complaint was appropriate and that the complaint has been correctly classified as justified/unjustified.

Panel Members are not permitted to audit complaint files in which they could be considered to have a conflict of interest. This may arise in a situation where the Panel Member acted in a specific case or are a retained advisor for a complainant. If this situation arises the review of the complaint file will be undertaken by the second Panel Member. This Panel Member should report separately on the complaint in the final report identifying that there is a conflict of interest point which has been addressed in line with this document.

The Panel are currently reviewing the complaints received in 2024/25. A copy of their report will be published on our website once it is available.

The Commissions' measure of quality is to ensure that the number of appeal decisions giving rise to a justified complaint or successful judicial review challenge in the current accounting year amounts to no more than 1.5% of the total number of appeal decisions issued.

The number of appeal decisions which were associated with a justified or partially justified complaint relating to the quality of the decision, or successful judicial review challenge, is five. This means that 98.4% of decisions were free from challenge.

## Finance

The budget of the Commission is set out below. The income received from planning appeal fees is £77,675. The remainder of the budget for the Commission is provided by the Northern Ireland Courts and Tribunals Service (NICTS).

	£	%
<b>INCOME</b>		
Appeal fees	£77,675	
Photocopying charges	£170	
TOTAL	£77,845	
<b>EXPENDITURE</b>		
Commissioner salaries	£1,835,521	67.6%
Administrative staff salaries	£448,797	16.53%
Travel & subsistence	£10,693	0.39%
Accommodation charges	£159,697	5.88%
Advertising	£18,839	0.69%
External training	£1,893	0.07%
Legal fees	£103,785	3.82%

Postage & telephone charges	£5,005	0.18%
Electricity	£9,693	0.36%
Library	£12,673	0.47%
Stationery & printing	£3,437	0.13%
Contract cleaning	£6,005	0.22%
Office equipment	£0	0%
Incidental expenses	£27,069	1.00%
Software maintenance contract	£65,688	2.42%
Refund of fees	£6,342	0.23%
<b>TOTAL</b>	<b>£2,715,137</b>	<b>100%</b>

## Stakeholder Engagement

During this financial year, the Commission continued to be involved with events to improve the understanding of our role in the NI planning system as set out below:

- Presentation to the Interim Regional Planning Committee, the NI Planning Consultants Forum and the Northern Ireland Planning Law Update all at the invitation of the Royal Town Planning Institute.
- Attendance at the Heads of Planning meeting at their invitation.
- Presentation to Councillors organised by the Northern Ireland Local Government Association, and
- Involvement in various student exercises for both the Queen's University of Belfast and Ulster University.

We also published an updated Remote Hearings Protocol in September 2024. In March 2025, we published an updated complaints process document which will take effect from 1<sup>st</sup> July 2025. The update reflects discussions held at stakeholder engagement sessions and feedback from the Independent Complaints Audit Panel.

## Hear and Report Casework

Hear and Report is an area of work which is resource intensive due to the nature of the issues raised and the level of public interest. The principal elements are public inquiries and hearings into regionally significant and called in planning applications as well as Independent Examinations. In these cases, referrals are mainly made by the Department for Infrastructure to the Commission. The Commissioner will consider the evidence provided to them and report back to the Department, who make the final decision.

There are also a variety of other Hear and Report functions, including public inquiries into development schemes, vesting orders and road schemes, and hearings on the need for Environmental Impact Assessments for planning applications.

We had committed to the following objectives for this workstream in 2024/25:

- Provide the final IE report on the Derry and Strabane District Council Draft Plan Strategy to DfI (LDP2022/DS/PS)
- Open the hearing sessions in relation to the Dalradian conjoined public inquiry (2021/C005, 2021/C006, 2021/C007, 2021/DR001, 2021/WHR01, 2021/WHR02, 2021/WHR03, 2021/WHR04)
- Undertake at least three hearings against EIA Determinations

All three objectives were delivered as outlined below.

## **Local Development Plan (LDP) Independent Examinations (IE)**

Within the financial year, the Commission has not received any LDP referrals.

The final report was submitted to DfI in May 2025 in relation to the Derry City and Strabane District Council LDP Plan Strategy.

PACWAC continues to encourage the Councils and the Department to keep the Commission updated on any changes to their timetables and have actively engaged with Councils and the Department on administrative matters in relation to the submission of Development Plan Documents for IE.

## **Public Local Inquiries**

2021/C005 – Underground Mining, Curraghinalt Project (Dalradian)

2021/C006 - Powerline, Curraghinalt Project (Dalradian)

2021/C007 – Powerline, Curraghinalt Project (Dalradian)

2021/WHR01 – Water Discharge, Curraghinalt Project (Dalradian)

2021/WHR02 – Water Discharge Curraghinalt Project (Dalradian)

2024/WHR01 – Water Abstraction and Impoundment, Curraghinalt Project (Dalradian)

2024/WHR02 – Water Abstraction and Impoundment Curraghinalt Project (Dalradian)

2021/DR001 – Road Abandonment, Curraghinalt Project (Dalradian)

The Commission had scheduled dates for the conjoined public inquiry to commence in September 2024. At the time of making these arrangements the Commission was in receipt of two Directions from Northern Ireland Environment Agency (NIEA) which were



subsequently found to be outside the legal remit of NIEA to issue. The scheduled hearing sessions had to be postponed as the applicant had to make new abstraction and impoundment applications and for NIEA to make new referrals to the Commission.

The hearing sessions subsequently commenced in January 2025. On the third day of the hearings, during discussions regarding transboundary issues, DfI requested that the Commission suspend the inquiries to allow transboundary consultation to take place. The Commission acceded to this request. A mid inquiry meeting was arranged for 26<sup>th</sup> March 2025 but has since been cancelled. The Commission are to take no further action until DfI has completed the steps that it now deems necessary in relation to transboundary consultation.

Due to the added resource available with the pause in Dalradian proceedings, the Commission has moved to progress other Hear and Report work that has previously been held in abeyance.

Please note, some cases below have two reference numbers due to uploading of information to the icasework system. The bracketed reference is superseded by the new reference number.

#### 2021/C010 – Wind farm, Gruggandoo, Newry

A public inquiry was scheduled to open on 12<sup>th</sup> March 2025. A postponement was requested by the applicant to allow the updating of environmental information. A new date has been set for 3<sup>rd</sup> September 2025.

#### 2022/C002 – Wind farm, Carnalbanagh

A public local inquiry was scheduled for 21<sup>st</sup> May 2025. A postponement has been facilitated to allow DfI to process an amended application submitted by applicant.

### Hearings

#### 2021/C003 – Anaerobic Digester, Milford, Armagh

The Commissioner's report as to whether an EIA is required was issued to the Council in November 2024. The Council subsequently notified the Commission that they had accepted the Commissioner's recommendation.

#### 2021/C008 – Mixed tourist accommodation, Dungiven

The Commissioner's report as to whether an EIA is required was issued to the Council in August 2024. The Council subsequently notified the Commission that they had accepted the Commissioner's recommendation.

#### 2021/C009 – Car Park, Bushmills

The Commissioner's report as to whether an EIA is required was issued to the Council in August 2024. The Council subsequently notified the Commission that they had accepted the Commissioner's recommendation.

#### 2022/C001 – Craigall Quarry, Kilrea

A hearing has been requested in relation to the need for an environmental impact assessment. The hearing has not been held due to a judicial review of a linked case.

#### 2022/C004 – Railroad Energy Ltd., Clonmore Road, Dungannon

A hearing has been scheduled for 16<sup>th</sup> April 2025 in relation to the need for an environmental impact assessment.

#### 2023/EIA0001 (2023/M0001) – Development at Glenshane Road, Derry

A hearing has been requested in relation to the need for an environmental impact assessment. Hearing scheduled for 8<sup>th</sup> May 2025 to hear the legal grounds of linked case.

#### 2023/EIA0002 (2023/M0002) – Quarry, Kildoag Road, Derry

A hearing has been requested in relation to the need for an environmental impact assessment. Hearing scheduled for 15<sup>th</sup> May 2025 to hear the legal grounds of linked case.

#### 2023/M0003 – Extraction, transportation and working of sand and gravel, Lough Neagh

A hearing was scheduled for 25<sup>th</sup> June 2025. A postponement was subsequently requested by the applicant to facilitate updating of environmental information.

#### 2023/M0004 – Mixed use development at Blaris, Lisburn

A hearing was scheduled for 18<sup>th</sup> June 2025. A postponement has subsequently been requested by the applicant to facilitate updating of environmental information.

#### 2023/M0005 – Multi-sport indoor/outdoor facility, Holy Cross College, Strabane

A hearing has been requested in relation to a proposed multi-sport indoor/outdoor facility in Strabane. This has been scheduled for September 2025.

#### 2023/M0006 – Windfarm, Unshinagh, Carnlough

A hearing has been requested in relation to a proposed windfarm at lands approximately 5 kilometres south-west of Carnlough and 5 kilometres west of Glenarm. This has been

scheduled for September 2025. A postponement was subsequently requested by the applicant to facilitate updating of environmental information.

### 2024/M0001 – Demolition of existing buildings and erection of two new dwellings, Belfast

A hearing has been requested in relation to a proposed demolition of existing dwellings and erection of two new dwellings and associated site works in Belfast.

Hear and Report work has been progressed following on from the postponement of the Curraghinalt Project (Dalradian) public local inquiry hearing sessions due to resource availability. The position, in terms of allocation of a Commissioner resource to the Hear and Report work will be kept under continued review.

## Hear and Decide Casework

The following tables set out detailed information on the volume of casework processed, the means of processing appeals, delivery times achieved and appellants' success rates for each procedure.

**Table 1: Key Statistics, by appeal type**

Appeal type	Received	Decided	Successful	Success Rate %
Refusal or conditional grant of planning permission	147	232	50	21.6 %
Non determination of planning application	3	15	7	46.7 %
Enforcement related	56	50	6	12 %
Other *advertisements, roads, listed buildings consent	10	12	2	16.7 %
<b>TOTAL</b>	<b>216</b>	<b>309</b>	<b>65</b>	<b>21 %</b>

The Commission has delivered on our commitment to increase the number of appeal decisions issued compared to 2022/23 (189 decisions) and 2023/24 (213 decisions). In addition to the appeals outlined above, 29 appeals received in 24/25 were subsequently withdrawn (43 withdrawn in total) and a further 12 appeals were deemed to be invalid (9 of these required a finding from the Commission).

Good progress is being made in terms of addressing the backlog of cases within the Commission which has arisen for a variety of reasons, including the impact of cases still in the system because of delays arising from the Covid pandemic, the ever-evolving planning policy context, the timing of appointments to the Commission, vacancies, and a significant amount of the Commissioner cohort remaining in training.

The new system is now delivering case management information and as the table below illustrates the Commission has delivered year on year increases in the numbers of decisions issued while the overall caseload has reduced to its lowest in the last four years. The figures for the number of appeals in hand is down to 149 from 281 last year showing a reduction of 47%.

	2021/22	2022/23	2023/24	2024/25
Number of appeal decisions issued	142	189	213	309
Number of appeals on hand at year end	338	379	281	149

We had hoped to be at pre-COVID levels for appeals in hand by the end of the financial year. We had achieved this milestone by November 2024.

Success rates vary from year to year and between different appeal procedures as each appeal is decided on its own specific facts and individual circumstances. The Commission considers that success rate variations hold no particular significance and that there is no connection between an appeal outcome and the means of processing employed.

**Table 2: Key statistics, by procedure**

Procedure	Number	Allowed	Success Rate %	Median Time
Hearing	99	26	26.3 %	47.1
Written Representation with Accompanied Site Visit	45	8	17.7 %	31.4
Written Representation with Commissioner site visit	165	31	18.8 %	89.6
<b>TOTAL</b>	<b>309</b>	<b>65</b>	<b>21 %</b>	<b>72.7</b>

The median time to clear appeals has increased from 71 weeks in the previous year however this is the result of the continuing work to clear the backlog of the oldest appeals. However, we have already begun to see an improvement in the median decision making time for 2024 appeals as outlined below.

	All	IH	WR	ASV
Median decision-making time for all decisions issued in 2024-25 (weeks)	72.7	47.1	89.6	31.4
Median decision-making time for all 2024 appeal decisions issued in 2024-25 (weeks)	25.0	27.4	24.1	24.6

Whilst we know that we will not meet the Key Performance Indicators (KPIs) whilst we continue to deal with older casework, they remain a benchmark for service delivery. The objectives are to decide 80% of appeals within specified timeframes (excluding cases where delays are caused by the appellant, and developments involving an Environmental Impact Assessment) as set out below:

- Informal hearings within 30 weeks.
- Written representations with an accompanied site visit within 28 weeks.
- Written representations with a Commissioner site visit within 26 weeks; and
- Enforcement-related appeals within 34 weeks.

Significant progress has been made with those cases received in 2024. These are being processed and allocated as normal. Those which have had decisions issued are in line with KPIs. They demonstrate what can be achieved when the Commission is resourced and everything is progressing effectively.

## Costs Awards

The Commission is empowered to make Orders as to the costs of the parties involved in planning and other appeals. Costs awards are intended to provide redress where unreasonable behaviour by one party to an appeal has put another party to unnecessary expense. It is on this basis that the Commission assesses claims for costs. Over the last year the following decisions have been made in relation to cost claims:

**Table 3: Costs awards**

Type of decision	2023/24
No award	20
Partial award	6
Full award	0
<b>TOTAL</b>	<b>26</b>

Further detail in relation to costs awards at Council level is provided under the statistics at Council level section.

#### Statistics at Council level

Please note the figures below exclude appeals against non-determination, enforcement notices and those categorised as 'other' by PAC. We expect these figures will be replicated in the Planning Monitoring Framework which will be published by the Department for Infrastructure.

**Table 4: Percentage of appeals against refusal of planning permission that are dismissed**

Council	Number of appeals against refusals determined**	Number dismissed (i.e., the council's decision was upheld)**	Percentage of decisions upheld
Antrim & Newtownabbey	47	35	74.5 %
Ards & North Down	10	9	90 %
Armagh City, Banbridge & Craigavon	31	24	77.4 %
Belfast City	15	7	46.7 %
Causeway Coast & Glens	20	12	60 %
Derry City & Strabane	10	7	70 %
Fermanagh & Omagh	10	9	90 %
Lisburn & Castlereagh	29	27	93.1 %
Mid & East Antrim	20	19	95 %
Mid Ulster	6	5	83.3 %
Newry, Mourne & Down	34	28	71 %
<b>Northern Ireland</b>	<b>232</b>	<b>182</b>	<b>78.4 %</b>

**Table 5: Number of claims for costs received during the period (this may differ from the number of claims awarded during the same period)**

Total number of claims for costs received by the PAC (incl. 2 ineligible claims)		26	
Number of valid claims for costs received by the PAC (involving planning authority)		24	
	Breakdown of claims for costs received by the PAC (involving planning authority)		
	Costs claims made by the planning authority	Costs claims received against the planning authority	Total number of cost claims received involving planning authority
Antrim & Newtownabbey	0	6	6
Ards & North Down	0	0	0
Armagh City, Banbridge & Craigavon	1	3	4
Belfast City	0	0	0
Causeway Coast & Glens	1	3	4
Derry City & Strabane	0	4	4
Fermanagh & Omagh	0	1	1
Lisburn & Castlereagh	1	0	1
Mid & East Antrim	0	2	2
Mid Ulster	0	1	1
Newry, Mourne & Down	0	1	1
Northern Ireland	3	21	24

**Table 6: Number of instances where costs were either awarded fully or partially in the planning authority's favour. The indicator measures the number of instances, not the amount of money.**

<b>Claims for costs made by planning authority – awards</b>				
	No award	Partial award	Full award	Total
Antrim & Newtownabbey	0	0	0	0
Ards & North Down	0	0	0	0
Armagh City, Banbridge & Craigavon	0	1	0	1

Belfast City	0	0	0	0
Causeway Coast & Glens	0	1	0	1
Derry City & Strabane	0	0	0	0
Fermanagh & Omagh	0	0	0	0
Lisburn & Castlereagh	0	1	0	1
Mid & East Antrim	0	0	0	0
Mid Ulster	0	0	0	0
Newry, Mourne & Down	0	0	0	1
<b>Northern Ireland</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>3</b>

**Table 7: Number of instances where costs were either awarded wholly or partially against the planning authority. The indicator measures the number of instances, not the amount of money.**

Claims for costs made against planning authority – awards				
	No award	Partial award	Full award	Total
Antrim & Newtownabbey	6	0	0	6
Ards & North Down	0	0	0	0
Armagh City, Banbridge & Craigavon	2	1	0	3
Belfast City	0	0	0	0
Causeway Coast & Glens	2	1	0	3
Derry City & Strabane	4	0	0	4
Fermanagh & Omagh	1	0	0	1
Lisburn & Castlereagh	0	0	0	0
Mid & East Antrim	2	0	0	2
Mid Ulster	1	0	0	1
Newry, Mourne & Down	0	1	0	1
<b>Northern Ireland</b>	<b>18</b>	<b>3</b>	<b>0</b>	<b>21</b>



## Water Appeals Commission

### Appeals Caseload

Table 8: Water appeals

	2020/21	2021/22	2022/23	2023/24	2024/25
Water appeals received	1	2	4	1	4
Water appeals withdrawn	1	1	0	2	2
Water appeals decided	0	0	1	1	1
Water appeals in hand	0	1	4	2	3

Activity in this area remains at a low level.

## SECTION THREE

# Looking Forward

## Looking Forward

We have set out a number of objectives in the 2025/26 business plan. These are:

### Priority 1: Focus on Performance

To deliver a high-quality service that meets the needs of our customers. To achieve this, we will:

- Continue to reallocate cases as and when resources become available to ensure timely decision making. In all cases, the appellant will be notified if a reallocation has been made.
- Actively review the remaining long-standing cases to ensure they are delivered as soon as practically possible.
- Aim to ensure that new cases entering the system are issued in a timely fashion.
- Continue to invest in the training and development of our workforce.
- Continue to ensure that the quality of decisions is maintained.

### Priority 2: Looking Forward

To ensure that the organisation is placed in the best position to deal with future challenges we will:

- Aim to be at full operational capacity by 2026/27.
- Undertake customer engagement exercises.
- Continue discussions with our sponsor body regarding funding and resourcing.
- Respond to any recommendations arising from the publication of the Northern Ireland Audit Office report.
- Engage in meaningful outreach work to ensure all interested parties understand our role in the planning process.
- Implement updates to the website including updating the keyword facility.

In addition to these objectives, we have a number of cases in hand which we will deal with in line with the resources that we have available. These include:

A total of 19 Hear and Report cases are in the system. There are 10 requests for public inquiries, six of these are referrals from the Department for Infrastructure (DfI). Four of those referred by the DfI are included in the Curraghinalt Project (Dalradian) conjoined public local inquiry (consisting of eight applications). These provide a particular challenge for the organisation, given the time and effort involved in organising and conducting a Public Inquiry of such magnitude. The remaining nine cases are requests for hearings, four of which

challenge if Environmental Impact Assessments are required and the remaining are either regionally significant or called-in applications.

For 2025/26 we intend to:

- Recommence the hearing sessions in relation to the Dalradian conjoined public inquiry (2021/C005, 2021/C006, 2021/C007, 2021/DR001, 2021/WHR01, 2021/WHR02, 2024/WHR01, 2024/WHR02).
- Issue decisions in respect of legal grounds for the enforcement cases linked to EIA hearing requests and schedule hearings in respect of the EIA determination if necessary.
- Conduct at least two other hearings and issue reports thereafter.
- Focus on improving the timeliness of appeal decisions.

The resourcing implications of the Dalradian Inquiry continue to pose a challenge. It is important that the Inquiry recommences at the earliest opportunity, but this is largely outside the control of the Commission and is subject to external factors which have caused delay. Whilst we have taken steps to allocate other Hear and Report cases in light of the suspension of all works on the Inquiry; we must be mindful of the implications of its recommencement on Commission resources in all forward planning.

We have made good progress in terms of improving upon the quantum of decisions issued and will now focus on the timeliness of decision making. We have made some progress to date, but we acknowledge that it may not be possible to deliver on KPIs within the forthcoming year due to some longstanding cases which have yet to be delivered. We will use our best endeavours to improve on delivery timelines where these are within our control, subject to the resources we have available.