Causeway Coast & Glens Borough Council

**PLANNING COMMITTEE MEETING HELD WEDNESDAY 28 SEPTEMBER 2022**

**Table of Key Adoptions**

| No. | Item | Summary of Decisions |
|---|---|---|
| **1.** | Apologies | ***Alderman Boyle; Councillor McGurk*** |
| | | |
| **2.** | Declarations of Interest | ***Nil*** |
| | | |
| **3.** | Minutes of Planning Committee Meeting held Wednesday 24 August 2022 | ***Confirmed as a correct record*** |
| | | |
| **4.** | Order of Items and Confirmation of Registered Speakers | |
| **(i)** | LA01/2020/0975/F, (Referral) Lands due south of 56 Lisnagrot Road Kilrea | ***Deferred for a Site Visit*** |
| **(ii)** | LA01/2022/0061/O, (Referral) Lands located immediately North of 41B Tirkeeran Road, Garvagh | ***Deferred for a Site Visit*** |
| **(iii)** | LA01/2020/0815/O, (Referral) 124 Mullan Road & Lands immediately South East of 124 Mullan Road, Rasharkin | ***Deferred for a Site Visit*** |
| **(iv)** | LA01/2020/1135/F, (Referral) Site at 80a Curragh Road, Dungiven | ***Deferred for four weeks for submission of further information*** |
| **(v)** | LA01/2021/0034/F, (Referral) 15 Ballyrashane Road, Coleraine | ***Withdrawn by the Agent*** |
| | | |
| **5.** | Schedule of Applications: | |
| **5.1** | LA01/2015/0188/F, (Major) 275m NW of 145 Pollysbrae Road | ***Deferred for three months for submission of further information, consultation and consideration*** |
| | | |
| **5.2** | LA01/2019/0890/F, (Major) Existing Rigged Hill Windfarm site 6km East/South East of Limavady | ***Approve*** |
| | | |
| **5.3** | LA01/2020/1403/F, (Objection) Lands immediately South of 80-90 Freehall Road | ***Approve*** |

| | | |
|---|---|---|
| | & West of 7, 9, 11 & 15 Belvedere Avenue, Castlerock | |
| | | |
| **5.4** | LA01/2021/1014/F, (Referral) Flat No's 4A, 4B, 4C, 4D, 4E, 4F, 4G, 4H, 5A, 5B, 5C, 5D Millthorne Mews, Main Street, Limavady | ***Disagree and Approve***<br><br>***Delegate Conditions and Informatives*** |
| | | |
| **6.** | Development Plan | |
| **6.1** | LDP – 6 month work programme | ***Information*** |
| **6.2** | DfC Proposed Listing – War Memorial, Ballydevitt Road, Aghadowey | ***Agree to Option 1: Agree to support the listing and agree to the Head of Planning responding to DfC:HED on behalf of the Council*** |
| | | |
| **7.** | Correspondence | |
| **7.1** | Letter to DfI Minister re: LDP Process | ***Information*** |
| | | |
| | ***'IN COMMITTEE'*** (Item 8 inclusive) | |
| **8.** | Confidential Items | |
| **8.1** | Update on Legal Issues | ***Information*** |
| **8.2** | Finance Period 1 - 4 - Update 2022/23 | ***Information*** |
| **8.3** | New Planning IT System | ***Information*** |
| **8.4** | CC&G Landscape Study | ***Note and agree the content of this report and the CC&GBC Landscape Study*** |
| | | |
| **9.** | Any Other Relevant Business (In Accordance With Standing Order 12 (O)) | ***Nil*** |

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING COMMITTEE HELD IN THE COUNCIL CHAMBER, CIVIC HEADQUARTERS AND VIA VIDEO CONFERENCE ON WEDNESDAY 28 SEPTEMBER 2022 AT 10.30am**

| | |
|---|---|
| **Chair:** | Councillor McMullan (C) |
| **Committee Members Present:** | Alderman Baird (C), Boyle (C), Duddy (R), S McKillop (R), McKeown (C)<br>Councillors Anderson (R), Dallat O'Driscoll (R), Hunter (R), MA McKillop (R), Nicholl (R), Peacock (C), Scott (C), Storey (C) |
| **Non-Committee Members Present:** | Councillor Callan (C), Councillor Schenning (C) |
| **Officers Present:** | D Dickson, Head of Planning (C)<br>S Mulhern, Development Plan Manager (R)<br>S Mathers, Development Management and Enforcement Manager (R)<br>E Hudson, Senior Planning Officer (R)<br>J McMath, Senior Planning Officer (R)<br>J Lundy, Senior Planning Officer (R)<br>S O'Neill, Senior Planning Officer (R)<br>R McGrath, Senior Planning Officer (R)<br>I Owens, Committee & Member Services Officer (R)<br>S Duggan, Civic Support & Committee & Member Services Officer (C) |
| **In Attendance:** | M Kearney, Shared Environmental Services<br>A Jamieson, Shared Environmental Services<br>M McNally, NIEA<br><br>J Winfield, ICT Manager (C)<br>A Lennox, ICT Officer (C) |

**Public in Attendance:** Public / Registered Speakers 13no.(R)

**Key** **R =** Remote **C =** Chamber

**Registered Speakers Table**

| Application No | Name |
|---|---|
| LA01/2019/0890/F | L McLaughlin<br>O Kirk, V Ferry, S Caldwell Nichols, P Phillips<br>M Bradley MLA |
| LA01/2020/1403/F | G Jobling, D McLaughlin |
| LA01/2020/0975/F | N Dallat, J Muldoon |
| LA01/2022/0061/O | A Roarty |
| LA01/2021/1014/F | J Dunlop, D Miller, L Canny |
| LA01/2020/0815/O | T Cassidy |

The Head of Planning undertook a roll call of Committee Members in attendance.

The Chair read extracts in relation to the Remote Meetings Protocol and reminded the Planning Committee of their obligations under the Local Government Code of Conduct.

The Chair welcomed Councillor Storey and Councillor Peacock to their first Planning Committee meeting.

## 1. APOLOGIES

Apologies were recorded for Councillor McGurk.

## 2. DECLARATIONS OF INTEREST

There were no declarations of Interest.

## 3. MINUTES OF PLANNING COMMITTEE MEETING HELD WEDNESDAY 24 AUGUST 2022

Copy, previously circulated.

Proposed by Alderman Baird
Seconded by Councillor Scott
- that the Minutes of the Planning Committee meeting held Wednesday 24 August 2022 are signed as a correct record.

The Chair put the motion to the Committee to vote.
7 Members voted For, 0 Members voted Against, 5 Members Abstained.
The Chair declared the motion carried.

**RESOLVED -** that the Minutes of the Planning Committee meeting held Wednesday 24 August 2022 are signed as a correct record.

Alderman Baird stated she was not present for all of the meeting and abstained.

Alderman Boyle stated she was not at the meeting and abstained.

Councillor Hunter stated the MS Teams connection was poor and abstained.

Councillors Peacock and Storey, being new Planning Committee Members stated they were not in attendance at the Planning Committee meeting and abstained.

*** Councillor Storey arrived during consideration of the Item at 10.35am.**

**4. ORDER OF ITEMS AND CONFIRMATION OF REGISTERED SPEAKERS**

The Chair invited site visit proposals, if required.

**(i) LA01/2020/0975/F, (Referral) Lands due south of 56 Lisnagrot Road Kilrea**

Proposed by Councillor Nicholl
Seconded by Councillor Peacock

- That Planning Committee defer LA01/2020/0975/F, (Referral) Lands due south of 56 Lisnagrot Road Kilrea for a Site Visit, for the reason that it needs to be seen; in context of the refusal reasons it would be better as a Committee to look at it on the ground to better inform decision making and consideration under policies CTY8, CTY13 and CTY14.

The Chair put the motion to the Committee to vote.
13 Members voted For, 0 Members voted Against, 0 Members Abstained.
The Chair declared the motion carried.

**RESOLVED** - That Planning Committee defer LA01/2020/0975/F, (Referral) Lands due south of 56 Lisnagrot Road Kilrea for a Site Visit, for the reason that it needs to be seen; in context of the refusal reasons it would be better as a Committee to look at it on the ground to better inform decision making and consideration under policies CTY8, CTY13 and CTY14.

**(ii) LA01/2022/0061/O, (Referral) Lands located immediately North of 41B Tirkeeran Road, Garvagh**

Proposed by Councillor Nicholl
Seconded by Councillor Peacock

- That LA01/2022/0061/O, (Referral) Lands located immediately North of 41B Tirkeeran Road, Garvagh is deferred for a Site Visit for the reasons, that looking at it from the site map and layout, it would be prudent as a Committee to see the site in its context and layout on the ground to look at the reasons under policies CTY 2A, CTY 14 and better inform the decision of the application.

The Chair put the motion to the Committee to vote.
13 Members voted For, 0 Members voted Against, 0 Members Abstained.

The Chair declared the motion carried.

**RESOLVED** - That LA01/2022/0061/O, (Referral) Lands located immediately North of 41B Tirkeeran Road, Garvagh is deferred for a Site Visit for the reasons, that looking at it from the site map and layout, it would be prudent as a Committee to see the site in its context and layout on the ground to look at the reasons under policies CTY 2A, CTY 14 and better inform the decision of the application.

**(iii) LA01/2020/0815/O, (Referral) 124 Mullan Road & Lands immediately South East of 124 Mullan Road, Rasharkin**

Proposed by Councillor Storey
Seconded by Councillor Anderson

- That LA01/2020/0815/O, (Referral) 124 Mullan Road & Lands immediately South East of 124 Mullan Road, Rasharkin is deferred for a Site Visit for the reason to see it in the context of other buildings along this road look at the site in relation to them.

The Chair put the motion to the Committee to vote.
13 Members voted For, 0 Members voted Against, 0 Members Abstained.
The Chair declared the motion carried.

**RESOLVED** - That LA01/2020/0815/O, (Referral) 124 Mullan Road & Lands immediately South East of 124 Mullan Road, Rasharkin is deferred for a Site Visit for the reason to see it in the context of other buildings along this road look at the site in relation to them.

**(iv) LA01/2020/1135/F, (Referral) Site at 80a Curragh Road, Dungiven**

Proposed by Councillor Nicholl
Seconded by Councillor Peacock

- That Planning Committee accede to the request to grant LA01/2020/1135/F, (Referral) Site at 80a Curragh Road, Dungiven an extension of four weeks for submission of further information.

In response to questions, The Head of Planning referred to Sect b54 of the Planning Act (NI) and clarified information can be submitted up until determination and the decision notice issued, that consideration of material issues submitted need to be taken into account.

The Head of Planning clarified a previous application referred to by Alderman Duddy, of a similar nature, had not disclosed medical reasons. The Head of Planning stated she understood the frustration regarding the submission of late information, and that it is a matter for Planning Committee to consider whether to defer determination for the submission of further information. The Head of Planning clarified the request was similar deferring to allow a bat survey to be undertaken, to allow the submission of further information, to help support the application, and that was the basis of the correspondence received.

The Head of Planning clarified there was a requirement to submit medical circumstances to demonstrate hardship is caused under Policy CTY6 and that

the information is protected data and that Committee move, *'In Committee'* to discuss, unless the Applicant or Agent disclose the information in public.

*** Alderman S McKillop arrived at the meeting at 10.50am.**

The Chair put the motion to the Committee to vote.
13 Members voted For, 0 Members voted Against, 0 Members Abstained.
The Chair declared the motion carried.

**RESOLVED** - That Planning Committee accede to the request to grant LA01/2020/1135/F, (Referral) Site at 80a Curragh Road, Dungiven an extension of for four weeks for submission of further information.

**(v) LA01/2021/0034/F, (Referral) 15 Ballyrashane Road, Coleraine**

The Head of Planning advised LA01/2021/0034/F, (Referral) 15 Ballyrashane Road, Coleraine had been withdrawn by the Agent.

*** Alderman Duddy arrived during consideration of the Item at 10.36am.**

**5. SCHEDULE OF APPLICATIONS:**

**5.1 LA01/2015/0188/F, (Major) 275m NW of 145 Pollysbrae Road, Limavady**

Report and correspondence from Agent previously circulated.

**App Type:** Full Application

**Proposal:** Proposed broiler poultry house (containing 33,500 birds) landscaping swale and ancillary site works at lands approximately 275 metres north west of 145 Pollys Brae Road Limavady Co. Derry.

**Recommendation**
That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 and 8 and resolves to **REFUSE** planning permission subject to the reasons set out in section 10.

Development Management and Enforcement Manager proceeded to present.

Councillor Scott raised the correspondence from the Applicant who wished to provide further information and queried the length of time they had asked for. Councillor Scott considered the timescale would therefore include NIEA consultation before being brought back to Committee.

The Head of Planning invited the Development Plan Manager to clarify that it was her understanding the request was four weeks.

The Development Plan Manager clarified he was proceeding to address the matter.

Proposed by Councillor Scott
Seconded by Alderman Baird

- that Planning Committee defer LA01/2015/0188/F, (Major) 275m NW of 145 Pollysbrae Road, Limavady for three months for submission of information, consultation and consideration.

The Chair put the motion to the Committee to vote.
14 Members voted For, 0 Members voted Against, 0 Members Abstained.
The Chair declared the motion carried and application deferred.

**RESOLVED** - that Planning Committee defer LA01/2015/0188/F, (Major) 275m NW of 145 Pollysbrae Road, Limavady for three months for submission of information, consultation and consideration.

**5.2 LA01/2019/0890/F, (Major) Existing Rigged Hill Windfarm site 6km East/South East of Limavady**

Report and Addenda and objection additional information received previously circulated.

**App Type:** Full Planning

**Proposal:** The Repower of the existing Rigged Hill Windfarm comprising the following main components; (i) Decommissioning of the existing 10 turbines (ii) Removal and restoration of the existing substation building and compound (iii) Removal and restoration of other redundant infrastructure (iv) 7 No. wind turbines with an output of around 29MW (v) Construction of approximately 4.82km of new access tracks; (vi) Upgrade of approximately 1.75km of existing access tracks; (vii) Construction of temporary and permanent hardstanding areas for each turbine to accommodate turbine component laydown areas, crane hardstanding areas and external transformers and/or switchgears; (viii) Temporary construction compound/laydown areas; (ix) Turning heads and passing places incorporated within the site access infrastructure; (x) New Road Junction with Terrydoo Road; (xi) Meteorological Mast; (xii) Substation with roof mounted solar panels, and associated compound (xiii) Removal of self-seeded trees in East of the Site and (xiv) all associated ancillary works.

**Recommendation**
That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to APPROVE planning permission subject to the conditions set out in section 10.

The Development Management and Enforcement Manager provided a summary of the addendum notifications and a verbal addendum below:

- Two further objections have been submitted. One follows the generic template referred to in Addendum 6 and the issues are considered there.
- The other is an objection to the Habitats Regulation Assessment and to consideration of the application under the EIA Regulations.
- In respect of in-combination assessments, where an appropriate assessment has concluded that there will be no likely significant adverse effects or insignificant residual effects alone, the proposal could not contribute to in-combination effects and an in-combination assessment is not necessary.
- Additionally, the grid connection application is not made. As such, the grid connection is not a plan or project within the meaning of the Habitats Directive and cannot be considered 'in combination'. When the grid connection application is made, it will be considered alongside the present proposal.

- Regarding discharge to watercourses, while Schedule 6 consent is required outside the planning process, the principle of such discharge was considered in the HRA and it was found that there will be no likely significant adverse effects.
- Reference is made to alleged reliance on post planning consents. However, the HRA does not rely on same. Rather, there is sufficient detail in the outline documents to appropriately assess the proposal to ensure no significant adverse impact.
- The HRA does not rely on monitoring as mitigation.
- Comment is made on Whooper Swans and the absence of collision risk monitoring. However, given flight paths, the collision risk to Whooper Swan was assessed as very low. Both NIEA NED and SES have reviewed the content of the Environmental Statement regarding avian features, including the survey data, and are content that that there will be no significant adverse impact.
- Regarding HRA, there is no doubt remaining regarding the absence of adverse effects.
- Comment is made that transboundary EIA consultation should have been carried out. While the objection does not cite which issues are potentially relevant, reference is made to this immediately after comment on Whooper Swans. Given that flight routes associated with the Republic of Ireland are sufficiently distant from the site (approx. 20km), there would not likely to have a significant effect on the environment.
- Consultation with the Republic of Ireland (through DfI) was not required as the development is not likely to have a significant effect on the environment there.
- Three further objections were received this morning these contain the following:

1. A study of population size, breeding success and habitat use of Whooper Swans in Ireland.
2. A report by the Wildfowl and Wetland Trust on migration routes of Whooper Swans and Geese in relation to windfarm footprints.
3. A representation made by Birdwatch Ireland on a windfarm proposal at Ballynagare, Co. Kerry.
4. New articles from the BBC, the Irish Independent and Ecofact Newsdesk regarding power lines and impact on swans.

- Position of Planning Department on Whooper Swans remains as stated in the main report, the addenda and this verbal addendum i.e. that the impact was assessed and found that there was no significant adverse impact. Overhead power lines are not part of this proposal.

* **Councillor Storey left The Chamber at 11.09am and returned.**

The Development Management and Enforcement Manager presented as follows via slide Presentation.

- This proposal is for the “repowering” of the Rigged Hill wind farm which was approved in 1994. Presently, there are 10 operational wind turbines

at 57m high. The proposal is to replace these with 7 wind turbines at 137m height.

- This application was presented to the Planning Committee previously in October and November 2021 in addition to January and March this year. It was deferred on each occasion to allow the Planning Department to consider further information submitted.

- Aligning with Paragraph 9.2 of the Protocol, this presentation focuses on developments/ information since last deferred in March 2022. However, further presentation, including additional slides, is available to the Committee on request.

- The further objections received regarding public consultation (PAN process), noise, viability of windfarms/ cost of electricity and scale/ character have already been addressed in the main report and addenda. Further comment is made on these issues in the latest Addendum, Addendum 6.

- Concerning the length of the planning permission, unlike the original 1994 permission which was not time limited, the proposal is to limit the overall permission to 35 years from the date of approval.

- After deferral of the application in March, further plans were submitted regarding site drainage. These, together with the content of specific detailed objections regarding natural heritage issues were subject to further consultation with NIEA, Shared Environmental Services, Loughs Agency and DfI Rivers. Such issues of objection largely related to: drainage and water quality; protected bird species; Atlantic Salmon; bats; electricity connection and peat. Consultees and the Planning Department are content with the proposal having considered these issues, the detail of which is set out in Addendum 6.

- Conclusion- Having regard to the relevant issues, on balance, the proposal is considered to comply with policy. Therefore, the recommendation is to approve.

The Chair invited L McLaughlin to speak in objection to the application. L McLaughlin stated Drumsurn was the location closest, there were two hundred individual objections, 110 households in Drumsurn, the majority of the Community. L McLaughlin stated he and a couple of others had visited households to tell them about this application and to facilitate them to make their own objections, the responses massive and people had signed letters of objection. L McLaughlin stated impact on the landscape and character of the area. 137m elevation wind turbine, located on the summit of Rigged Hill a peak of 514m, an incredible height in the Binevenagh landscape and Benbradagh. The site is high in the Roe Valley, will have a detrimental impact on the landscape of the local area and Roe Valley. L McLaughlin stated the community located closest was opposed; there was a wind farm already there

and it is not acceptable to increase the height 2 ½ times what they are now. The current wind farm designed to blend in and the proposed wind farm does not do that and it should be refused.

L McLaughlin stated other reasons for objection include that housing would be devalued, the potential noise impact, impact on the local habitat, lack of consultation and the amount of wind farms located in the area. The area is already very environmentally friendly however electricity prices continue to increase. Overwhelming feeling is it would not benefit the people of Drumsurn. He stated that he wants to safeguard local landscape and environment in this part of the world and considered the proposal will visually impact and dominate the landscape.

L McLaughlin concluded there would be an impact on landscape and character of the area; noise impact; negative impact on the local habitat especially and number of wind farms located in the local area.

In response to questions from Elected Members, L McLaughlin referred to the consultation, that people had no idea of the planning application and when he had explained the height of the turbines and location on the summit of Rigged Hill people were appalled. L McLaughlin stated specific Information Days were not held in Drumsurn, which had three Community Halls and there had been no excuse for there not having Information Days in Drumsurn. He stated looking at the Planning Report, the Planning Application advertised in certain newspapers but these are not newspapers of choice for Drumsurn residents.

The Chair invited O Kirk and V Ferry to speak in support of the application.

O Kirk stated Scottish Power welcomed the recommendation to approve and conditions detailed. She highlighted since the Planning Committee meeting in October 2021 recommended approval, there had been no material amendments to the development, no changes to planning legislation or position from statutory consultees. The late objection is noted and addressed by the Planning Officer. The objections raised by L McLaughlin addressed at length in the papers. O Kirk stated the Scottish Power Planning Consultation PAN Application had been approved by Council, there had been newspaper notices, a leaflet drop of a 5km radius including Drumsurn, website information and it continues to be there. Remind of need to consider and balance the environment and economic and social benefits. Regarding the environment, O Kirk referred to the new NI Energy Strategy target to reach 70% renewable energy by 2030. This repowering application will generate 29MW renewable electricity at six or seven times the output of the existing wind farm, repowering would maintain the level of renewable energy in NI, and help reach net zero targets.

V Ferry stated Scottish Power had operated since 1994, a skilled workforce, supporting business and had built a local skills basis. The economic assessment considers that this development will deliver a considerable £2.1M capital expenditure in the area and 16 jobs. At the NI level this is a £4M capital expenditure project that will be in operation for 30 years providing 3 lifetime jobs and £10.6M expenditure value. V Ferry advised of a package of community benefits, community entity and local groups and individuals and to

take into account the long term development and vision. V Ferry advised of the Habitat Management for the peatland to continue the decarbonisation agenda. V Ferry advised of colleagues in attendance to answer questions.

In response to questions from Elected Members, O Kirk provided detail on the public consultation events signed off by Council, 3 held in Garvagh over a 3-year period, 2 held in Limavady over a 2-year period had met the requirements, with over 50 people in attendance who had responded to questions and discussion. V Ferry advised of the proposal spread over Limavady, a central location and greater catchment, there had been two leaflet drops over a 5 Km radius of the site, detail on a website and public consultation dates with exhibiting information. NIEA information on the NI Portal and their staff contactable to discuss. She advised they continue to host and hold discussion and meetings with anyone who wishes to engage with them. V Ferry referred to the size and exhibition material, posters were placed at Post Offices and other venues and accessible locations for the residents of Drumsurn within the proposed vicinity of site. O Kirk clarified the agreed PAN for the major application is in accordance with the Planning Act (NI), which was verified by Council, a 5K map was supplied for the leaflet drop, in line with statutory requirements so that people impacted would know as much as they could. V Ferry clarified the output would be six or seven more than the current annual output of the existing wind farm and clarified it would benefit approximately 19,000 homes. O Kirk clarified the capacity output would depend on weather conditions. NI Renewable statistics state that up to 70% of electricity from renewable energy last year and 43% of that from wind energy. She advised capacity output dependent on the nature of the wind.

L McLaughlin expressed a wish to speak.

The Chair ruled he could not address Committee.

The Chair invited M Bradley MLA to speak in support of the application. The Chair advised M Bradley MLA was not in attendance.

Proposed by Councillor Scott
Seconded by Councillor Anderson
**-** That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to APPROVE planning permission subject to the conditions set out in section 10.

The Chair put the motion to the Committee to vote.
9 Members voted For, 2 Members voted Against, 3 Members Abstained.
The Chair declared the motion carried and application approved.

**RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to APPROVE planning permission subject to the conditions set out in section 10.

*** Councillor Storey left The Chamber and returned during consideration of the Item.**

*** Councillors Callan and Schenning arrived at the meeting and left during consideration of the Item.**

*** Councillor Callan, non-Committee Member returned to The Chamber at 11.42am.**

**5.3 LA01/2020/1403/F, (Objection) Lands immediately South of 80-90 Freehall Road & West of 7, 9, 11 & 15 Belvedere Avenue, Castlerock**

Report and addendum previously circulated.

**App Type:** Full
**Proposal:** Residential development comprising of 14 detached & semi-detached dwellings with associated landscaping, drainage infrastructure & other associated works

**Recommendation**
That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to **APPROVE** outline planning permission subject to the reasons set out in section 10.

**Addendum Recommendation**
That the Committee note the contents of this Addendum and agree with the recommendation to Approve the proposed development in accordance with paragraph 1.1 of the Planning Committee report.

Senior Planning Officer, E Hudson presented via slide presentation:

- (Slide) Planning Application LA01/2020/1403/F. This is a full application for a housing development at lands at the edge of Castlerock. The development is for 14 social housing units comprising 3 no. detached single storey properties, 4 blocks of semi-detached properties and one block of 2 maisonettes and is being made by Apex Housing Association.
- There is an addendum to accompany your Committee report.
- This is an objection item and there have been 13 letters of objection received from 12 separate addresses. Details of these objection are outlined in para. 5.2 of the Committee Report. To summarise they relate to principle of development, road safety, impact on wildlife, privacy concerns, impact on AONB, flooding and integration.
- Our recommendation is to approve planning permission.
- (Slide) This is the red line boundary of the site. The site is located outside the Settlement Development Limit of Castlerock and within the open countryside and the Binevenagh AONB.
- (Slide) This is the site layout drawing. The site has been considered under Policy CTY 5 of PPS 21 and this relates to social and affordable housing. This policy is specifically for social and affordable housing on or near a small settlement, where the application is for no more than 14 dwellings and is made by a registered housing association and where a demonstrable need has been identified by the Northern Ireland Housing Executive. Castlerock would be considered a small settlement as it has a population of less than 2,250.

- The Executive have identified that Castlerock is within a housing needs area with a 5 year projected new build requirement of 11 social housing units for the period 2020-2025. There are 36 applicants on the waiting list for Castlerock of which 14 are first preference and are deemed in housing stress. The Housing Executive has confirmed that the housing mix proposed is suitable.
- The policy requires that a proposal will only be acceptable under this policy if it cannot be readily met within an existing settlement in the locality. As part of their submission the applicants have submitted a supporting statement outlining their consideration of existing land within Castlerock settlement development limit. None of the 11 zoned housing sites in the Northern Area Plan had any requirement for social housing and of these 11, 9 were committed sites at the time of adoption of the Plan – all with extant permissions on them. Any of the undeveloped land does not meet the threshold for the requirement for social housing to be delivered. At the time of adoption of the Area Plan it was foreseen that any requirement for social housing in Castlerock could be dealt with by the implementation of Policy CTY 5 hence why there was no specific requirement for zoned social housing provision.
- The policy goes on to consider the acceptability of sites in order of preference. The 1st preferable sites are those adjacent to existing settlement limits subject to amenity and environmental considerations
- (Slide) The proposed site is located adjacent to the southern boundary of the settlement development limit of Castlerock shown here on the Area Plan as a red star and as such would be the 1st preference siting for development under this policy.
- (Slide) Looking at some drawings of the proposed house types. These show a streetscape of the dwellings adjoining the southern boundary of the settlement development limit. The site slopes down from the road in an easterly direction and the proposed house types reflect this with the single storey dwellings at the higher part of the site and the 2 storey at the lower end.
- (Slide) Various house types. A mix of single and 2 storey.
- (Slide) This is a view of the site taken from the Freehall Road.
- (Slide) A further view of the site from the Freehall Road taken further back. Shows the gradual slope of the site towards the eastern boundary which abuts the rear gardens of Belvedere Ave. The separation distance between the opposing rear of existing properties that abut the site along Belvedere Ave and Freehall Road are considered acceptable to alleviate concerns of overlooking. Adequate provision of private amenity space is provided for each unit and an area of public open space is provided. Buffer landscaping has been provided along the open boundary of the site to help it integrate.
- (Slide) This is a view looking of the northern and eastern boundaries of the site where you can see the rear boundaries of adjoining properties along Freehall Road and Belvedere Avenue.
- A waste water treatment plant is proposed as part of the development and this is located in the southern corner of the development. Noise and

odour assessment have been submitted with the application and consultees content.

- A Drainage Assessment was submitted as part of the application and DFI Rivers have advised it has shown that the design and construction of a suitable drainage network is feasible and prior to development commencing the applicants are required to demonstrate how any flooding emanating from the surface water drainage network will be safely managed so as not to create a flood risk.
- NIEA noted that the boundary hedgerows and watercourse have the potential for foraging and commuting habitats for many species including bats and they welcome the retention of these boundaries. A condition has been included requiring the submission of a lighting plan to be submitted demonstrating that any proposed lighting will have a light spill of less than 1 Lux on all site boundaries and watercourses. This will ensure there is no adverse impact on bats.
- (Slide) A final photo of existing development along Freehall Road. The site will be located to the rear of these dwellings.
- Recommendation is to grant planning permission with conditions.

In response to questions from Elected Members, Senior Planning Officer clarified the application was subject to a waste water treatment plant, NI Water response was based on a waste water treatment plant and network not being used. She advised of the condition by NIEA to ensure no adverse impact on aquatic environment and for them to have the detailed design to ensure it meets their requirements. It will not join the mains as there were capacity issues at Castlerock. Senior Planning Officer advised there was a condition attached with the recommendation for approval and cited the condition to Members. She advised of further condition regarding design and no adverse level of noise and a further condition concerning odour to be discharged if planning permission granted.

Senior Planning Officer clarified the 2011 planning application had been withdrawn and there was no extant planning permission on this site; the area was not zoned for housing; is located in the open countryside and AONB; and, Policy CTY5 of PPS 21 applied. She advised that no land was zoned for social housing in Castlerock and that the social housing need would be dealt with by Policy CTY5 which allows development of no more than fourteen social housing units.

The Chair invited G Jobling and D McLaughlin to address Committee in support of the application. G Jobling advised she represented Apex Housing Association. The Senior Planning Officer had provided a comprehensive review of the application. She advised there were two issues under Policy CTY5 of PPS 21; consideration of lands outside the settlement development limit and edge of settlement development limit for social housing; and, a need identified.

G Jobling advised that the proposal is in compliance with policy CTY5 of PPS 21 and blends in to the settlement. Regarding the waste water impact assessment, this was submitted as part of the application as due diligence had been carried out, had liaised with NI Water and there was need for a treatment

works as there were capacity issues on the network. They had agreed to include waste water treatment works on the site. G Jobling stated acceptance of the conditions stated in the Report, subject to Planning Committee being approved an Article 161 consent would be submitted under NI Water legislation for connection and nature of the waste water treatment works and technical details.

G Jobling stated the application is intended to meet a housing need, there were 36 people on the housing waiting list and 14 houses would seek to address the shortfall in the area and would be attractive along the Freehall Road. G Jobling invited questions.

There were no questions put.

Proposed by Alderman Duddy
Seconded by Councillor Anderson
**-** That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to **APPROVE** outline planning permission subject to the reasons set out in section 10.

The Chair put the motion to the Committee to vote.
13 Members voted For, 0 Members voted Against, 0 Member Abstained.
The Chair declared the motion carried.

**RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to **APPROVE** outline planning permission subject to the reasons set out in section 10.

**The Chair declared a recess at 12.04pm.**

* The meeting reconvened at 12.10pm.

The Head of Planning undertook a roll call of Committee Members in attendance.

*** Councillor Storey had re-joined the meeting.**

**5.4 LA01/2021/1014/F, (Referral) Flat No's 4A, 4B, 4C, 4D, 4E, 4F, 4G, 4H, 5A, 5B, 5C, 5D Millthorne Mews, Main Street, Limavady**

Report and correspondence from Agent previously circulated.

**App Type:** Full Planning

**Proposal**: Proposed change of use from 12 No. 3 bedroom student accommodation flats to 12 No. 2 bedroom flats

**Recommendation**
That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to REFUSE planning permission for the reasons set out in section 10.

Senior Planning Officer, J McMath presented via slide presentation as follows:

- (Slide) the site is within the settlement development limit of Limavady, within an area of archaeological potential and just outside the town centre boundary as provided for by the Northern Area Plan 2016.
- (Slide) the site currently contains a three and a half storey building which is currently vacant and has previously been approved for and used for student accommodation albeit the building constructed slightly deviates from the approved plans.
- (Slide) site measures 0.087 ha. To the west and immediately adjacent the site is a terrace of one and a half storey student accommodation units (1 - 3 Lodge Court) and to the south a two storey block comprising 4 flats (11 – 14 Lodge Court). The site and the existing flats and student accommodation all access via the same access point onto Main Street.
- (Slide) the front elevation of the building, note the front of the building is used for parking and turning of vehicles for all existing units
- (Slide) rear elevation, note the narrow separation between building and public road and boundary defined by metal fence
- (Slide) gable elevation.
- (Slide) the application seeks permission for the change of use from 12no. 3-bedroom student accommodation flats to 12no. 2-bed flats and involves the reconfiguration of the flats. 8 parking spaces are proposed to the front with additional use of 10 existing parking spaces to front of Lodge Court. Amenity areas are annotated to the front (1.6mx20m paved area with 2 benches), side (25m$^2$ drying line and cycle stand) and rear (2m x 14m planted out) of the building. Bin storage proposed in blue lands adjacent to student terrace building.
- As student accommodation is sui generis planning permission is required to change the use to permanent residential accommodation.
- As the proposal is for the change of use of student accommodation to 12 flats it falls to be determined under PPS7, the associated addendum and design guide. PPS7 states in the preamble that it applies to all residential development proposal with the exception of proposal for single dwellings in the countryside and the design guide is for use by all those involved in the design of new residential developments and the rejuvenation of existing housing areas. As covered in detail in the Committee Report, the internal floor space are below the space standards set out in the Addendum to PPS7 and DSDs Housing Association Guide but due to the location along an arterial route within a large town an exception can be applied. Similarly, there is a shortfall in parking for the proposed development when considered with the adjacent student and residential flats. However given the availability of on street parking this is sufficient to permit a reduction in this case.
- No external changes are proposed and as such the proposal respects the surrounding context in terms of scale, proportions, massing and appearance. However, it is the introduction of 12 flats for permanent occupancy that would have an unacceptable impact on the local character and residential amenity by reason of unsatisfactory amenity space provision.

- Policy and guidance stipulates that amenity space for flats can be provided as private communal space, this should range in amount from a minimum of 10m$^2$ to 30m$^2$ per unit. This development therefore requires between 120 and 360m$^2$ of communal amenity space.
- Approximately 90m$^2$ is shown but it is broken into various separate areas which are less meaningful due to their size and some are not useable.
- The first area is the parking area to the front of the existing building. This is also used for the parking and turning of vehicles and 8 car park spaces are shown finished in grass-crete with the remaining area finished in gravel. No provision has been made for the car parking that already takes place on this area by the student accommodation so in practice it is more extensively used than shown. There is no separation between the parking / turning and the amenity areas therefore it would not provide a safe and private amenity area and does not count towards the communal amenity space required.
- The applicant has shown 32m$^2$ of amenity space paved in front of the building, however it is 1.8m wide and is of limited use. Two benches are to be provided but as they are located immediately beside the living room window for the ground floor flats which would introduce communal space which would reduce privacy and impact on residential amenity.
- To the rear 28m$^2$ of amenity space has been shown but it is restricted in dimensions, is immediately adjacent the public road which is 1m higher and is defined by a high metal fence and immediately adjacent to the ground floor bedroom windows which renders this impractical to be used for communal amenity space.
- To the northern gable as area of 25m$^2$ has been provided for clothes drying and bike stands while external would not offer amenity benefit as it is surrounded on all three sides and would be in shadow.
- 5m$^2$ of space is annotated adjacent to the 3 parking spaces. This area is to be planted and is not useable.
- Another area to the south west adjacent to the gable of the student terrace has been identified as amenity space but due to the size and location it is not usable.
- There is no bin store within the application site, instead a bin store is proposed to the north of the student terrace which is within blue lands 15m from the building.
- The planning history gave permission for student accommodation which did not serve as a primary residence for the occupants therefore a reduced amount of amenity space and parking was considered acceptable. The change of use to flats to serve as permanent residences require adequate amenity space in line with the provision of guidance to serve the permanent occupants.
- Looking at other material considerations, open space elsewhere in Limavady such as the Recreational Grounds do not overcome the failure to provide the minimum standard of private communal amenity space as an integral part of the development.

- A precedent case at Rockmills in Derry has been raised but this is not determining as areas of usable communal amenity space were provided on the stamped approved drawings.
- Linenhall Street was approved by the DOE and in the town centre.
- The case law quoted by the agent refers to when we can depart from policy and unjustifiable reliance on policy. Firstly that acknowledges that the proposal is contrary to policy. Secondly this case does not merit a departure from policy as the original application served a transient population and the change of use to serve permanent residents without adequate amenity space would provide substandard accommodation and fail to provide a quality residential environment.
- The reuse of the building is a material consideration but is not determining as the building could be reused for residential use and provide adequate amenity by amending the scheme in various ways such as providing balconies, look at parking provision, designate the rear space to the ground floor flats or by reducing the no. of flats and by increasing the space standards of the flats. This in turn would reduce the amount of total amenity space and parking required which could be facilitated within the application site. This could allow a sustainable reuse of the vacant building and provide a quality residential environment for occupants.
- As proposed, the quality of the development is substandard with inadequate amenity space and is contrary to policy.
- Refusal is recommended

In response to questions from Elected Members, Senior Planning Officer clarified previous 1997 planning permission was clearly described as Student Accommodation and a condition was not required to limit use as the use was limited by the description of the development detailed on the planning permission decision notice, hence the need for the Planning Application in the first place. The current application requires consideration under PPS7 and Creating Places, new policy and guidance since the 1997 permission. The 1997 application was determined by DOE as the decision maker. For a transient population for students and not their primary residence, the 1997 permission was found to be acceptable, and the specific amount of amenity space was considered acceptable.

Senior Planning Officer clarified the proposed 12 flats, would require a minimum of $10m^2$ to $30m^2$ per unit, that is a total of 120-$360m^2$ to be achieved. Option to reduce the number of flats to increase floor space and reduce car parking spaces required would also reduce required amenity space enabling the ability to provide satisfactory amenity space by looking at how the site works together. Senior Planning officer clarified the original planning permission in 1997 for Student Accommodation and the current proposal a change of use. Senior Planning Officer advised one single amenity area would be more useable than individual smaller separate portions that really only provide for visual softening; external provision is preferred for bin storage, bicycles and for children to play. She clarified that the application is on the outer edge of the Town Centre, with the Town Centre to the eastern boundary of the site.

The Chair invited J Dunlop and L Canny to speak in support of the application.

J Dunlop advised he was the agent for the change of use from a 12no. 3-bed flats to 12no. 2-bed in the centre of Limavady beside at the Courthouse, just outside the Town Centre boundary.

L Canny highlighted the existing building is in excellent condition and he advised the planning history of the site is very significant given the approval in 1997 for a 12no. 3-bed student accommodation. L Canny stated that there was no condition restricting the use of student accommodation on the 1997 approval and referred to conditions on approvals for farm buildings. He advised that a condition should have been applied. He advised it was the intention to reconfigure the 12no. 2-bed and no external changes are proposed. L Canny advised the application complies with SPPS providing more housing in urban areas and promote city and town centre living. The proposal would bring the building back into operational use and PPS7 does not apply as this is a conversion rather than a new build. L Canny stated that the development as residential accommodation does not change as the use has approval for flats He advised that the refusal reason was therefore invalid. He referred to a precedence case at Rockmills and compared the amenity space on the same scale for 94 apartments and where the original approval was student accommodation. He concluded by stating that the existing building has a current approval for flats, social and economic benefits, bringing a redundant building back into use, there have been no objections, no other use for the buildings and it will fall into disrepair.

No questions were put to the speakers.

Alderman Baird stated she wished to propose the report recommendation to refuse planning permission.

Proposed by Alderman Duddy
Seconded by Councillor Nicholl
**-** That the Committee has taken into consideration and disagrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to APPROVE planning permission for the reasons:
- the building has already been in use for considerable period of time. It was originally approved for flats in 1997;
- is on the edge of Limavady Town Centre beside the Court House;
- is not a new residential development, is going to be renovated into 2-bed flats;
- complies with Policy QD1(a) as there has been no material change to the external appearance and therefore will not alter or change the character, topography of the site, scale, massing and appearance, only materially altered inside to provide flats;
- There is adequate provision of public open space;
- notes the change in policy since 1997; students previous living in the accommodation:
- very aware of the fact students would be handing around outside more than settled families and must take that into consideration;
- Look at original planning decision by DOE which was suffice and sufficient then;

- opinion what was deemed satisfactory in 1997 is satisfactory now;
- previous use as flats for student accommodation and remains flats but for families is a determining factor;
- Students using outside probably more than families of 1-2 people, with 1-2 children, flats are for short-term accommodation, and equally as transient as students during term time;
- 1997 initially granted permanent flats and there was no requirement for as much amenity space; only 30m$^2$ ;shortfall in amenity space and need to give consideration to the added benefit of housing provision to the current housing crises.

During consideration Alderman Baird sought clarification whether a proposer was permitted to speak.
The Chair ruled there had been no seconder and there was a proposer and seconder on the table.

Alderman Baird stated she supported the officer recommendation. She considered it important to provide modern, safe space. There was a lack of open space and outdoor space and need to consider that these flats may be occupied by single parents with young children or single persons. Alderman Baird referred to the demand for housing in Limavady and that it is hard for Housing Executive to provide disabled and elderly accommodation. She considered it important to provide adequate space standards than being condemned to four walls and smaller spaces; should be improving living conditions for a quality of life and taking a step forward and not a step back in standards.

The Chair put the motion to the Committee to vote.
9 Members voted For, 3 Members voted Against, 1 Member Abstained.
The Chair declared the motion carried and application approved.

**RESOLVED** - That the Committee has taken into consideration and disagrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to APPROVE planning permission for the reasons:

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- complies with Policy QD1(a) as there has been no material change to the external appearance and therefore will not alter or change the character, topography of the site, scale, massing and appearance, only materially altered inside to provide flats;
- There is adequate provision of public open space;
- notes the change in policy since 1997; students previous living in the accommodation:

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- Look at original planning decision by DOE which was suffice and sufficient then;
- opinion what was deemed satisfactory in 1997 is satisfactory now;
- previous use as flats for student accommodation and remains flats but for families is a determining factor;
- Students using outside probably more than families of 1-2 people, with 1-2 children, flats are for short-term accommodation, and equally as transient as students during term time;
- 1997 initially granted permanent flats and there was no requirement for as much amenity space; only 30m$^2$ ;shortfall in amenity space and need to give consideration to the added benefit of housing provision to the current housing crises.

**RESOLVED** – That Conditions and Informatives are delegated to Officers.

**The Chair declared a recess for lunch at 1.00pm.**

* **The meeting reconvened at 1.55pm.**

The Head of Planning undertook at roll call of Committee Members in attendance.

* **Alderman Duddy, S McKillop, Councillor Callan (non-committee member) Anderson, and Schenning (non-committee member) did not re-join the meeting.**

* **Alderman McKeown re-joined the meeting.**

## 6. DEVELOPMENT PLAN

### 6.1 LDP – 6 month work programme

Report, previously circulated presented by the Development Plan Manager.

**Purpose of Report**
To present, in line with Section 5 of the Council's published LDP Timetable, the 6-month indicative LDP Work Programme (attached at Appendix 1) which outlines the work areas to be carried out by the Council's Development Plan Team within this programme (Jul-Dec 2022).

**Background**
Revised LDP Timetable
Members agreed a revised LDP Timetable at 24th March 2021 Planning Committee Meeting. The indicative date for publication of the Draft Plan Strategy (dPS) is spring/summer 2022.

As Members are aware, the dPS was agreed at the 24th August 2022 Planning Committee Meeting to proceed for ratification to the 4th October 2022 Full Council Meeting.

The Development Plan team are now working to collate the extensive document library that will accompany the dPS publication.

The timetable is kept under review and the Planning Committee (LDP Steering Group) is updated quarterly on progress. Any proposed revision will be brought to the Planning Committee for agreement.

LDP Project Management Team & Steering Groups

Consultation with the LDP Project Management Team (key consultees and stakeholders) on the draft policy approach continued electronically throughout the previous programme reporting period (Jan-Jun 2022) due to ongoing government guidance.

LDP Steering Group Meetings were held on 27th January & 18th May 2022 to agree draft policy approach discussed at the suite of Member Workshops (completed in the previous reporting period).

Working Groups/Collaborative Working

Virtual meetings of the NI Development Plan Working Group will continue throughout this programme. The next meeting is scheduled for 10th October 2022.

Collaborative work will also be undertaken on the following, as and when required:

- NI Coastal/Marine Group;
- Cross-Border Development Plan Group;
- Cross-Boundary Group (adjoining councils); and
- Sperrin AONB Group.

Sustainability Appraisal

A Sustainability Appraisal incorporating Strategic Environmental Assessment (SA/SEA) of the LDP is an iterative process, continuing throughout the entire Plan-making programme. The Council has employed SES to carry out the LDP SA/SEA on its behalf.

Settlement Appraisal

This has been carried out in line with the Evaluation Framework set out in the Regional Development Strategy (RDS) 2035.

Landscape Study

Given the level of landscape and environmental designation covering the Borough (over 40% coverage), this study is a key piece of evidence required to inform our LDP policy approach. The Study provides a robust 'sound' evidence base that will inform the draft LDP policies and proposals.

Annual Monitors

Work will continue on the Council's annual retail, employment and housing monitors within this work programme.

Building Preservation Notices (BPNs)

Ad hoc requests for BPNs will be processed throughout the work programme, as and when required.

Trees
Ad hoc requests for Tree Preservation Orders (TPOs) and Works to Trees will be processed throughout the work programme, as and when required.

Other work
In addition to the items above, the Development Plan team will continue to assist our development management colleagues with planning applications, LDP and Conservation Area consultation responses and duty planner rota duties. Council consultations from other councils, as well as other ad hoc papers will be processed and/or presented as and when required.

Attendance at other councils' Independent Examinations (IEs) will continue in line with the Planning Appeals Commission (PAC) schedule as this is a crucial learning resource on the evolution of the Northern Ireland Plan-Making process.

**IT IS RECOMMENDED** that the Planning Committee note the content of this report.

**6.2 DfC Proposed Listing – War Memorial, Ballydevitt Road, Aghadowey**

Report, previously circulated presented by The Head of Planning.

To present the Department for Communities: Historic Environment Division (DfC) advance notice of listing to the Council.

**Background**
DfC wrote to the Council on 9th September 2022 (see Appendix 1) seeking comment (by 21st October 2022) on a proposed listing within the Borough under Section 80 (1) of The Planning Act (Northern Ireland) 2011.

The Council, in light of its ownership of the memorial, has also received an owner notification letter (see Appendix 2).

The proposed listing is as follows:

Reference - HB03/03/011, Address War Memorial, Ballydevitt Road, Aghadowey, Co. Londonderry.

**Options**
Option 1: Agree to support the listing: or
Option 2: Agree to oppose the listing.

**Recommendation**
**It is recommended** that the Planning Committee agree to either Option 1 or Option 2 (above) and agree to the Head of Planning responding to DfC:HED on behalf of the Council.

Proposed by Alderman Baird
Seconded by Councillor Scott
**-** that the Planning Committee agree to Option 1: Agree to support the listing and agree to the Head of Planning responding to DfC:HED on behalf of the Council.

The Chair put the motion to the Committee to vote.
11 Members voted For, 0 Members voted Against, 0 Members Abstained.
The Chair declared the motion carried.

**RESOLVED** - that the Planning Committee agree to Option 1: Agree to support the listing and agree to the Head of Planning responding to DfC:HED on behalf of the Council.

## 7. CORRESPONDENCE:

### 7.1 Letter to DfI Minister re: LDP Process

Copy, previously circulated.

**MOTION TO PROCEED '*IN COMMITTEE'***

Proposed by Councillor Scott
Seconded by Alderman Boyle and

**AGREED –** that Planning Committee move *'In Committee'.*

* **Press and public were disconnected from the meeting at 2.01pm.**

***The information contained in the following items is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.***

## 8. CONFIDENTIAL ITEMS:

### 8.1 Update on Legal Issues

The Head of Planning provided a verbal update on the application for leave by Mr Duff in relation to Craigall Quarry. She advised that decision by Justice Humpheries is that the application for leave had been dismissed.

The Head of Planning advised that a date for the Court of Appeal hearing by Mr Duff on the East Road, Drumsurn application is still awaited.

### 8.2 Finance Period 1 - 4 - Update 2022/23

Confidential report, previously circulated.

**Background**

This Report is to provide Members with an update on the financial position of the Planning Department as of end Period 4 of the 2022/23 business year.

Detail was provided within the confidential report.

**IT IS RECOMMENDED** that the Committee notes the update provided on the Planning budget as of end of period 4 of 2022/23 financial year.

### 8.3 New Planning IT System

The Head of Planning provided a verbal update.

A new Planning Portal will be launched this autumn for 10 of the 11 Councils in Northern Ireland (including Causeway Coast and Glens) and the Department for Infrastructure (DfI).

This will allow customers to:

- submit planning applications online
- view, comment on and track live planning applications online
- submit Tree Preservation Order requests online
- report breaches of planning control online (enforcement complaints)
- submit requests for regional property certificates online

An enhanced public register where customers can search for and view historical applications across Northern Ireland (excluding Mid Ulster) will also be provided.

As part of the switchover to the new portal, a period of read only access to the current system is required for approximately 3 weeks ahead of system launch. Arrangements will be put in place to try to deal with business as usual but as the Councils, Department and Consultees will have restricted capacity to process cases, some delays may occur for both new and existing cases in the system at that time.

**8.4 CC&G Landscape Study**

Confidential report, previously circulated, presented by the Development Plan Manager to present the CC&G Landscape Study.

**Background**
On 1st April 2015 the majority of central government planning functions transferred to local councils. This included responsibility for preparing Local Development Plan (LDPs), a key part of which is undertaking a local Landscape Character Assessment of the council area. Central government retained an 'oversight' role for LDP preparation and the responsibility for the preparation of regional landscape and seascape character assessments.

Members will be aware that Douglas (Doug) Harman Landscape Planning (in association with Countryscape, Fiona Fyfe Associates Ltd and Carol Anderson Landscape Associates) prepared a Landscape Study on behalf of the Council. Doug introduced the Study at a Member Workshop held on 14th October 2020.

The confidential report detailed the following areas:

- The Landscape Study
- Table 1: Landscape Study Documents
- SA/SEA Screening

**IT IS RECOMMENDED** that the Planning Committee note the content of this report and the CC&GBC Landscape Study attached at Appendices 1-3.

The Head of Planning advised of an error in the recommendation and that the recommendation should read **IT IS RECOMMENDED** that the Planning

Committee note and agree the content of this report and the CC&GBC Landscape Study attached at Appendices 1-3

Proposed by Councillor Scott
Seconded by Alderman Boyle
- that the Planning Committee note and agree the content of this report and the CC&GBC Landscape Study attached at Appendices 1-3.

The Chair put the motion to the Committee to vote.
10 Members voted For, 0 Members voted Against, 0 Members Abstained.
The Chair declared the motion carried.

**RESOLVED** - that the Planning Committee note and agree the content of this report and the CC&GBC Landscape Study attached at Appendices 1-3.

**MOTION TO PROCEED 'IN PUBLIC'**

Proposed by Councillor McMullan
Seconded by Councillor Storey

**AGREED** – that Planning Committee move 'In Public'.

**9. ANY OTHER RELEVANT BUSINESS (IN ACCORDANCE WITH STANDING ORDER 12 (O))**

There were no Items of Any Other Relevant Business.

This being all the business the Chair thanked everyone for being in attendance and the meeting concluded at 2.19pm.

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Chair