Causeway Coast & Glens Borough Council

PLANNING COMMITTEE MEETING HELD
WEDNESDAY 23 AUGUST 2023

Table of Key Adoptions

No.	Item	*Summary of Decisions*
1.	Apologies	***Councillor McMullan***
2.	Declarations of Interest	***Nil***
3.	Minutes of Planning Committee meeting held Wednesday 28 June 2023	***Confirmed as a correct record***
4.	Order of Items and Confirmation of Registered Speakers	
4.1	Order of Business	***Proceed with the Schedule of Applications as scheduled on the Agenda***
4.2	LA01/2022/0575/F Adjacent to Shanty, Lansdowne Shelter, Lower Lansdowne Road, Portrush	***Withdrawn***
5.	Schedule of Applications	
5.1	LA01/2023/0325/F (Major) Old Bushmills Distillery Maturation Facility, Lands to the North and East of 30 Haw Road, Bushmills	***Approve - subject to Environmental Health agreement to the amended wording of Condition 22 to reflect noise levels; otherwise the wording in the Planning Committee Report remains.***
5.2	LA01/2019/1164/F (Major) Erection of 98 units with a mix of detached, semi-detached, terraced & single storey units in a range of 3, 4 & 5 bedroom house types. Works to include	***Approve***

	alteration of curtilage and boundary walls/pillars of no. 52 Killane Road to accommodate proposed development access.	
5.3	LA01/2021/1131/F (Council Interest) Lands 20m south west of 58 Cromore Road and lands 50m south east of 58 Cromore Road, Portstewart	***Approve***
5.4	LA01/2020/0559/F (Council Interest) 3 Berne Road, Portstewart	***Defer to allow the consideration of the information submitted, reconsult EHD and DFI Roads and then bring the application back to committee***
5.5	LA01/2020/0683/O (Referral) Lands approximately 120m South West of 37 Moneyrannel Road, Limavady	***Refuse***
5.6	LA01/2022/1196/O (Referral) Directly Adj to the South of 26 Atlantic Road, Coleraine	***Defer for a Site Visit***
6.	Correspondence	
6.1	DfI – Proposal of Application Notice (PAN) - Windyhill Solar Farm	***Noted***
6.2	Draft County Donegal Development Plan 2024-2030	
6.3	DC&S DC – Revised LDP Timetable	
6.4	M&EA BC – Pre-adoption Consultation Letter	
6.5	DAERA – Planning Consultations for Agricultural Development	
7.	Reports	
7.1	DAERA – Call for evidence on impacts of Air Pollution on the Natural Environment	***That the Head of Planning responds to this Call for Evidence***
7.2	Planning Department Business Plan 2023/24	***Approve the Planning Service Business Plan 2023/24 and note the Planning Department Risk Register 2023/24***
7.3	Revised Protocol for the Operation of the Planning Committee	***That Planning Committee amend the Planning Committee***

		Protocol, in order that speaking rights can be requested, if there is a further deferral, even if they have not registered for the initial Planning Committee meeting. That paragraph 11.10 is reworded as follows: Members of the Planning Committee should be mindful when making decisions that decisions and their reasoning may be appealed to the Planning Appeals Commission with the potential for award of costs against Council or challenged through a judicial review
7.4	Terms of Reference	***Approve***
	***'In Committee'* (Item 8, 8.1)**	
8.	Confidential Items	
8.1	Update on Legal Issues	
(i)	Rigged Hill	***Noted***
(ii)	East Road, Drumsurn	***Noted***
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 23 AUGUST 2023 AT 10.30AM

Chair:	Alderman S McKillop, Vice Chair, (C) (Items 1 – 5.6 inclusive) Councillor McMullan (C) (Items 5.7 – 9 inclusive)
Committee Members	Alderman Boyle (C), Coyle (C), Hunter (R), Scott (C), Stewart (C); Councillors Anderson (C), C Archibald (C), Kennedy (R), McGurk (R), Nicholl (R), Peacock (C), Storey (C), Wallace (C), Watton (C)
Officers Present:	D Dickson, Head of Planning (C) S Mulhern, Development Plan Manager (R) S Mathers, Development Management and Enforcement Manager (R) R Beringer, Senior Planning Officer (R) J McMath, Senior Planning Officer (R) J Lundy, Senior Planning Officer (R) M Jones, Council Solicitor, Corporate, Planning and Regulatory (R) S McAfee, Head of Health and Built Environment (R) S Duggan, Civic Support & Committee & Member Services Officer (R) J Keen, Committee & Member Services Officer (C)
In Attendance:	D Madden, Historic Environment Division (R) A Gault, Historic Environment Division (R) K Ward, Historic Environment Division (R) C Thompson, ICT Officer (C) C Ballentine, ICT Officer (C) A Lennox, ICT Officer (R) Public 6no. (C) and 10 no.(R)

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

Registered Speakers

Application	**Speaking Rights**
LA01/2023/0325/F	Andrew Heasley – Agent Support (R) Philip Stinson – Agent

	Colum Egan – Applicant
	Damian Dickson – Applicant
LA01/2019/1164/F	Michael Rogers – Agent Support (C)
LA01/2021/1131/F	Gemma Jobling Objector (R)
	Brian McMahon – did not attend
	Dorris MacMahon – did not attend
	Alan Stewart – did not attend
	David Dalzell – Agent (C) Support
	Caolan O'Neill - Applicant
LA01/2022/1196/O	Oswald Dallas – Agent Support (C)

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.

1. APOLOGIES

Apologies were received for Councillor McMullan.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF PLANNING COMMITTEE MEETING HELD WEDNESDAY 28 JUNE 2023

Copy, previously circulated.

Proposed by Alderman Scott
Seconded by Alderman Stewart

- that the Minutes of the Planning Committee meeting held Wednesday 28 June 2023 are signed as a correct record.

The Chair put the motion to the Committee to vote.
13 Members voted For, 0 Members voted Against, 1 Member Abstained.
The Chair declared the motion carried.

RESOLVED - that the Minutes of the Planning Committee meeting held Wednesday 28 June 2023 are signed as a correct record.

4. ORDER OF ITEMS AND CONFIRMATION OF REGISTERED SPEAKERS

4.1 Order of Business

Alderman McKillop (Chair), advised the Planning Committee Chair, Councillor McMullan, was not in attendance and he had requested that Agenda items (5.1)

LA01/2023/0325/F (Major) Old Bushmills Distillery Maturation Facility, Lands to the North and East of 30 Haw Road, Bushmills and (5.2) LA01/2019/1164/F (Major) Erection of 98 units with a mix of detached, semi-detached, terraced & single storey units in a range of 3, 4 & 5 bedroom house types, works to include alteration of curtilage and boundary walls/pillars of no. 52 Killane Road to accommodate proposed development access, be considered at the end of the Agenda.

Alderman Scott raised concern as there were Agents and Applicants in the public gallery waiting to participate in the items; and that rescheduling would inconvenience them.

Councillor McGurk stated support for the Chair in his absence, however, stated as there were public in the Gallery she was content to proceed with the Agenda, as scheduled.

In response to Alderman Boyle, the Chair confirmed that Councillor McMullan would be attending the meeting after lunch.

RESOLVED – That Planning Committee proceed with the Schedule of Applications as on the Agenda.

4.2 LA01/2022/0575/F Adjacent to Shanty, Lansdowne Shelter, Lower Lansdowne Road, Portrush

The Chair advised this application has been withdrawn from the planning process.

5. SCHEDULE OF APPLICATIONS

5.1 LA01/2023/0325/F Old Bushmills Distillery Maturation Facility, Lands to the North and East of 30 Haw Road, Bushmills, BT57 8YL

Report, previously circulated, was presented by the Development Management and Enforcement Manager, S Mathers.

Reason for Referral: Major Application
App Type: Full
Proposal: Section 54 application for the removal of condition No. 4 (phasing of construction) and variation of conditions No. 5 (restoration plan), condition No. 21 (hours of operation). condition No. 13 (lighting) and condition No. 14 (planting timescale's) of planning approval LA01/2017/0280/F (Proposed development of maturation facility comprising 29 warehouses)

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 presented via Power point as follows:

- This variation of condition application relates to the proposal for 29 maturation warehouses, approved in 2008. The site is located outside but close to Bushmills and was approved given space limitations on the main site. The conditions on which variation are sought relate to the phasing of development, implementation of landscaping, hours of operation and hours of lighting.
- The reason for the application is to increase the speed of delivery of the maturation sheds to meet the business needs of the company.
- While a major application, no PAN was required as this is a variation of condition application. However, there was community consultation before submitting the initial application in 2016.
- In terms of the Northern Area Plan 2016, the site is located outside Bushmills in the open countryside.

MAIN ISSUES

- Phasing and Landscaping- Condition 4 required the development of the site to progress in 7 phases over 16 years and 9 months, ending in 2035. The purpose of this was to allow landscaping to mature to mitigate the visual impact of the development. To date, 10 of the 29 maturation warehouses have been constructed. The proposal seeks to increase the delivery of the units to 6 per year, allowing completion within 3 years. Given that 90% of the tree planting has already been carried out and is progressing well, this is considered acceptable subject to a condition that all remaining planting takes place before the development of Phase 4. Phase 4 comprises 8 units to the north end of the site where there are critical views from Straid Road.
- Hours of Operation and Lighting- The existing conditions limit the hours of operation and site lighting to 5pm on weekdays. To allow for extended operational hours, it is proposed to amend these to 10pm on weekdays. This is acceptable, subject a specific noise limit condition, to take account of the extended period of operation.
- Representations- The detail of these is provided in the report.
- Conclusion- The proposal is considered acceptable and the recommendation is to approve.

No questions were put to the Development Management and Enforcement Manager.

The Chair invited Mr Heasley to speak in support of the application.

Mr Heasley spoke in relation to the amendment to Condition 22 to reduce noise levels; he stated there was an updated noise report and amended wording from the Environmental Health Officer and requested this is agreed through delegated powers once the Environmental Health Officer would return from absence. Mr Heasley stated he was happy to agree to the Condition, but wished to wait on the return of the Environmental Health Officer. In response to questions from the Chair, Mr Heasley stated the noise levels met the levels required by British

Standards and that variations to what was already put in place would need to be returned to Committee for consideration.

In response to questions, the Development Management and Enforcement Manager referred to paragraph 8.75 of the Planning Committee Report and advised the amendment to Condition 22 was due to extended running hours to 10pm instead of 5pm. The Development Management and Enforcement Manager restated that the recommendation is to endorse this condition.

The Head of Health and Built Environment advised there had been no complaints received; she clarified one location was impacted by traffic noise and the Condition applied due to this.

* **Councillor Peacock joined the meeting in the Chamber at 10.52am.**

In response to questions regarding variations to Conditions, the Head of Planning provided advice on how this could be undertaken.

Proposed by Councillor Storey
Seconded by Councillor Kennedy

- 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
- subject to Environmental Health agreement to the amended wording of Condition 22 to reflect noise levels; otherwise the wording in the Planning Committee Report remains.

The Chair put the motion to the Committee to vote.
14 Members voted For, 0 Members voted Against, 1 Member Abstained.
The Chair declared the 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
- subject to Environmental Health agreement to the amended wording of Condition 22 to reflect noise levels; otherwise the wording in the Planning Committee Report remains.

5.2 LA01/2019/1164/F Lands adjacent to and to the rear of 48 Killane Road, Limavady

Report, previously circulated, was presented by the Development Management and Enforcement Manager, S Mathers.

Reason for Referral: Major
App Type: Full

Proposal: Erection of 98 units with a mix of detached, semi-detached, terraced & single storey units in a range of 3, 4 & 5 bedroom house types. Works to include alteration of curtilage and boundary walls/pillars of no. 52 Killane Road to accommodate proposed development access.

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 full planning permission subject to the reasons set out in section 10.

The Development Management and Enforcement Manager presented via Powerpoint as follows:

- This application proposes a total of 98 dwelling units on this suburban site in Limavady adjacent the by-pass and accessed from Killane Road. This supersedes a previous scheme for 131 dwellings, approved in 2008, which was not implemented.
- As a major application, it was preceded by a PAN and was accompanied by a Design and Access Statement.
- The scheme provides for a mix of house types comprising mainly detached and semi-detached units. In addition, there are 6 terraced units and 4 apartment units. While the majority of house types are two storey, 6x 1.5 storey and 2 single storey units are proposed. The scheme provides 4 main areas of open space.
- In terms of the Northern Area Plan 2016, the site is within the settlement development limit of Limavady. Most of the site is within housing zoning LYH 01. As this was a committed site, there are no key site requirements. Therefore, the principle of housing is acceptable.

MAIN ISSUES

- Context & Character- The proposed density averages 20.4 units per hectare. While this is higher than the established density on Killane Road, developing a site at a very low density, at approximately half of that proposed, would not present an efficient and sustainable use of land. The site, by reason of its location to the rear of Killane Road properties, will not adversely affect the character of the area. Specific design treatment has been afforded to the single plot fronting onto Killane Road so that it fits in with the established character including the building line and separation distances. Given the change in levels and the successful landscaping scheme on the embankments, the proposal will not be readily discernible from the by-pass.
- Social Housing- Policy HOU 2 in the Northern Area Plan 2016 requires 20% social housing in proposals over 25 units. NIHE has confirmed the need for social housing at this location. Accordingly, 19 social housing units are proposed. Provision of these is regulated by condition.
- Heritage & Landscape Features- HED are satisfied that development can proceed subject to a developer-funded programme of archaeological work. Significant trees are located mainly in the road frontage plot (formerly 50 Killane Road) and are subject to a Tree Preservation Order (TPO). Only one TPO tree is required to be removed to facilitate the

access. The proposal has been designed to take account of the existing landscape features and proposes to retain site hedge boundaries.

- Open Space- 9.8% of the site is identified as open space. This is considered to broadly comply with the required area of 10% having regard to the specific layout. As less than 100 dwellings are proposed, an equipped children's playground is not required. A comprehensive landscaping scheme is proposed. All plots provide adequate private amenity space. However, where garden sizes are small or where further development could encroach on other properties, permitted development rights are removed by condition. This includes those plots to the rear of the properties on Killane Road.
- Access & Parking- In curtilage car parking is provided for the dwelling units. DFI Roads is content with the overall layout which is to be adopted. A single point of access is proposed off Killane Road. The impact on the road network has been considered and DFI Roads are satisfied.
- Relationship with other Properties- By reason of the specific design and separation distances, the relationship with approved and proposed dwellings is acceptable. The specific design features include the careful location of windows. Given traffic noise from the by-pass, properties are subject to noise attenuation measures in the form of fencing and window specification.
- Sewage Connection - NI Water has confirmed that foul sewer connection can be made to Killane Road. Given this, the proposal to directly connect to the WWTW with a pumping station provided within the site, has been removed.
- Representations - The detail of these is provided in the report.
- Conclusion - The proposal is considered acceptable and the recommendation is to approve.

A verbal Addendum was provided as follows:
All boundary treatments comprising screen walls shall be constructed in their entirety at each site prior to the occupation of the dwelling in that site in accordance with the approved details as shown on drawing No's 02 Rev 04 and 53. The development frontage wall with railings and gates at Killane Road as shown on drawing No's. 02 Rev 04 and 52 shall be provided in its entirety prior to the occupation of any dwelling on the overall site. All boundary treatments shall be retained permanently.
Reason: To ensure the provision and maintenance of a high-quality residential environment.

In response to questions, the Development Management and Enforcement Manager advised that 20% of the dwellings were required to be social housing and this had been met by the Developer. It was further advised that Condition 40 relates to all the units, due to consideration of overlooking and new windows under planning development; this was to protect the amenity within the adjoining site. It was confirmed that the number of units had been reduced by 33; there were more terrace dwellings than in the previous scheme, and this scheme mainly semi-detached houses.

The Chair invited Mr Rogers to speak in support of the application.

Mr Rogers welcomed the recommendation and advised design issues regarding sewage matters had been agreed early; the site can be developed quickly and that this was a committed housing site. The density of housing that has been proposed is a reduction to the previous application; public consultation had shown that lower density housing was preferred. Mr Rogers stated this was a neighbourly scheme; there is distinct character; conditions on boundaries and treatments had been met; there has been substantive consultation with consultees and that permitted development rights have been respected.

No questions were put to the speaker.

Proposed by Councillor Nicholl
Seconded by Alderman Boyle

- 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 full planning permission subject to the reasons set out in section 10

The Chair put the motion to the Committee to vote.
15 Members voted For, 0 Members voted Against, 0 Member Abstained.
The Chair declared the 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 full planning permission subject to the reasons set out in section 10.

The Chair declared a recess at 11:30am, to reconvene at 11:40am.

* **The meeting reconvened at 11:40am.**

The Head of Planning undertook a roll call.

5.3 LA01/2021/1131/F Lands 20m south west of 58 Cromore Road and lands 50m south east of 58 Cromore Road, North Ballyleese Townland, Portstewart

Report, addendums and erratum, previously circulated, were presented by Senior Planning Officer, J Lundy.

Reason for Referral: Council Interest
App Type: Full
Proposal: 5no. bubble domes for holiday use, including associated reception unit, access, guest and staff parking and landscaping
Recommendation

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.

Addendum Recommendation
That the Committee note the contents of this Addendum and agree with the recommendation to Approve the application in accordance with sections 1 and 9 of the Planning Committee report.

Addendum 2 Recommendation
That the Committee note the contents of this Addendum and agree with the recommendation to Approve the application in accordance with sections 1 and 9 of the Planning Committee report.

Erratum Recommendation
That the Committee note the contents of this Erratum and agree with the recommendation to approve the application in accordance with Paragraph 1.1 of the Planning Committee report.

Senior Planning Officer presented via powerpoint as follows:

- The application was deferred at the June meeting to allow a site visit which was carried out on Monday.
- The papers included with this application are 2 addenda, 1 erratum and a site visit note.
- The site is located outside of the designated settlement of Portstewart and within the Cromore LLPA as designated in the NAP. The site is located adjacent to a listed building Cromore House, lodge and the historic designated landscape of Cromore House, a supplementary site on the Department's Register of Historic Parks, Gardens and Demesnes of Special Historic Interest.
- A verbal erratum to correct the number of objections received from 9 to 12.
- There have been 14 letters of objection received from 5 sperate addresses. The points of objection are set out in paragraph 5.1 of the PCR.
- An addendum has also been circulated in response to an objection received 22nd June. The addendum responds to:
    - Impact on residential amenity
    - Noise
    - Impact on the historic building of Cromore House
    - Security and safety
    - Land ownership and rights of access
- These issues have been addressed in the committee report and addendum.
- Addendum two refers to a meeting with objectors and the HED and a further response from HED.

- The red line of the site showing access is from the Cromore Road and sweeps round the front of the estate grounds to a parcel of land to the western position of the house where it adjoins the Old Coach Road bridle path.
- The Cromore House, village and lodge are owned by a third party.
- Consideration has been given to the proximity of Cromore House and the proposal and any potential impact throughout the assessment as set out in the Planning Committee Report.
- The proposed block plans of the development with existing and proposed landscaping. This has been altered since first submitted. The original application was for 8 no bubble domes, the proposal in front of you today is for 5 no bubble domes. The closest bubble dome is 23m from the shared boundary.
- This plan was submitted with the application to show the movement of guests to and within the site. Accessed from Cromore Road along the existing lane with a left turn to be created onto the proposed car park and reception building. From the green area to the blue path is a new proposed lane. Guests then walk or are taken by an electric golf buggy along the access lane to the site as shown in blue. The gold colour is the pedestrian paths within the site and access onto the bridle path. The plan advises that guests will be made aware of the access routes and area not under the applicants' control and therefore out of bounds in their welcome pack on arrival.
- The bubble domes consist each of 3 interconnected domes and entrance, bedroom, living and bathroom. The materials are listed as being opaque colour PVC fabric (dark green), transparent pvc glazing and natural hazel wattle fencing. The maximum height is approx. 3.5m.
- The reception building has been designed and modified to the agreement of HED. It provides a reception area, office, kitchenet bin storage wc and public wc.
- The private driveway to Cromore House, the new proposed access is to the left. The plans indicate only one tree is to be felled in the carpark location due to its condition. The car park and access are to be constructed as a no dig principle so not to damage the roots of the existing vegetation. Further landscaping is proposed to further assist in screening the car parking and building.
- The Cromore House
- The path for guests to the access to the holiday park beyond the field gate
- The access to the bridge path connecting pedestrians to Mill Road or Agherton Road in Portstewart.
- Photos from the front of Cromore House, the footpath is located to the far side of the rhododendrons
- The site with the boundary trees shown along the blue line
- More images of the site
- From the site looking towards Cromore House. You can note the level change between the site and Cromore House and gardens.
- Wider frames photo
- The side boundary between the House and site. The gardens lands are to the right.

- The rear garden of the Cromore House and the site on the other side of the trees
- Further photos of the site. The proposal has been recommended for approval and found to meet the policies set out in the committee report, namely the Cromore LLPA and Policy ENV 1, the tourism policies of PPS 16 and the setting of the listed building and Department register of historic parks and gardens. All other issues such as impact of amenity, access, movement and parking, flooding, sewage and natural habitats have been fully considered. Section 10 of the Planning Committee Report set out the conditions relating to noise controls, natural habitats, tree and biodiversity protection.
- Sharon MacAfee from Environmental Health, Andrew Gault from DfC Historic Monuments and Dermott Madden from DfC Built Heritage are here to answer any questions if necessary.

In response to questions, the Senior Planning Officer advised the dome closest to the proximity of the boundary of the house as being 23 metres; that Historic Environment Division had not raised objections and Environmental Health were also satisfied, subject to noise management being in place. The Senior Planning Officer clarified the material of the domes had been considered; that Planning was satisfied with the setting and there was no significant adverse impact on the House.

In relation to questions about proximity of the domes to the house, Mr Madden, Historic Environment Division (HED), confirmed that Policy BH11 had been applied confirming there was no specific distance required and that HED were content with the assessment that has been completed. In relation to questions regarding the material being used for the domes, Mr Madden referred to Policy BH11 and confirmed that Historic Environment Division were content; policy refers to materiality; the domes are considered appropriate for the landscape and development; they are to be developed on the site of a former carpark used for the nursing home and the historic character will not be affected. Mr Madden referred to Item 6.30 within Policy BH11 confirming that the design of the pods respect the setting and that new buildings do not need to copy existing buildings including materials. Mr Madden referred to Item 6.13 of Policy BH11 stating that the key criteria was existing character; the material of the domes will blend in, there will be no damage and they will enhance the setting. Mr Madden confirmed that the Policy allows for modern materials to be used; there will be a better historic setting from the proposal; the material mitigated through improvements included within the application site.

The Chair invited Ms Jobling to speak on behalf of objectors.

Ms Jobling stated how close the site was to the clients property; it is of new modern land use which is not in keeping with the integrity of the Estate. The form and nature of the domes are inappropriate; tree planting is being used to hide the domes; the use of PVC is not acceptable; the site is formally a wilderness woodland area, not a tourist area. Ms Jobling stated that the intention for Cromore House is for residential use and this proposal will be a

nuisance for the house from tourists; the parking of cars will impact the setting and there will be an impact from light and noise disturbance and from the smell of barbeques; the holiday park will harm the historic character of the setting. Ms Jobling further stated that the appropriate assessments had not been completed including consideration given to the historical asset, there is not assessment of pedestrians, lights and traffic nor has a traffic plan been completed; no Heritage assessment has been presented; no conservation plans are in place; there is no assessment of odour, catering; the proposals are contrary to policies TSM6 and TSM7. Ms Jobling stated she has never witnessed an approval of a similar scheme and that a barrister was reviewing the decision, to consider legal proceedings. Ms Jobling stated that the applicant has no connection to Cromore House and that funding for restoration is unlikely if the domes proceed. She urged the Committee to refuse the planning application as it was prejudicial to the long-term preservation of Cromore House.

In response to questions from Elected Members, Ms Jobling stated the site was not a former carpark for the residential home; the site has trees to the perimeter; there is drainage infrastructure within the site. Ms Jobling confirmed the residential home closed 10 years ago prior to the client taking ownership. Ms Jobling stated the proposed new land use will impact on the ability to convert the house; her client was preparing an application for works on a residential home, but these are now on hold due to this application. Other projects are compromised due to tourist traffic. Ms Jobling confirmed her client purchased the estate thinking that all the grounds had been purchased but this folio had been missed.

The Chair invited Mr Dalzell to speak in support of the application.

Mr Dalzell stated the proposal was for high quality, low density, luxury tourist accommodation. The domes will be carefully sited within natural screening for integration; the proposed new planting will allow the woodland to be conserved for future generations and that only dead or dying trees will be removed. The creation of a wetland environment will enhance biodiversity in the area; the overgrown area will be a meadow. There will be cycle access to all amenities; the local economy will benefit as tourists will come to the area and with no catering facilities within the domes on site, the tourists will also be supporting the hospitality industry in the area. There will be small numbers of guests, disturbance will be kept to a minimum; jobs will be created; there will be a reduction in anti-social behaviour. Guests will receive an information pack before they arrive setting out the rules/areas which are out of bounds. The statutory consultees are content with the proposals and planning policy is also met.

In response to questions from Elected Members, Mr Dalzell confirmed the site was a carpark of crushed, heavily compacted, stone. Mr Dalzell confirmed there were similar bubble domes at Lough Erne. The appearance will be a dark green fabric, which has a tent like feeling; each dome will have 3 spheres at different heights; the upper part will be transparent.

In response to questions, the Senior Planning Officer confirmed that policies TSM6 and TSM7 have been satisfied; Environmental Health were satisfied with the noise report, it was common to have a noise management plan. The Historic Environment Division had not raised any issues. The Planning Department are content, all the required information has been received to make an assessment. The Senior Planning Officer confirmed there were no concerns regarding access; Cromore Village is already up the lane, there is traffic already using the laneway.

Proposed by Councillor C Archibald
Seconded by Alderman Stewart

- 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.
13 Members voted For, 3 Members voted Against, 0 Members 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 planning permission subject to the conditions set out in section 10.

5.4 LA01/2020/0559/F 3 Berne Road, Portstewart

Report, previously circulated, was presented by Senior Planning Officer, J Lundy.

- The application was deferred at the October meeting for one month to allow the submission of the outstanding information. An addendum has been circulated setting out the information required and what has been submitted so far. It also advises that further objections have been received and their content.
- Further to this an email was received on Monday from the agent, this has been circulated and is responding in part to the EHD concerns advising that further information will be submitted. A further email was received from the agent last night. The content of the email requires further consultation with EHD and it would therefore be **recommendation to defer to allow the consideration of the information submitted,**

reconsult EHD and DFI Road and then bring the application back to committee.

- Do you wish I proceed with the presentation at this stage or defer to allow consideration of the information and further consultation with EHD?

Proposed by Alderman Scott
Seconded by Councillor Anderson
- that Committee defer to allow the consideration of the information submitted, reconsult EHD and DFI Roads and then bring the application back to committee.

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

RESOLVED – that Committee defer to allow the consideration of the information submitted, reconsult EHD and DFI Roads and then bring the application back to committee.

5.5 LA01/2020/0683/O Lands approximately 120m South West of 37 Moneyrannel Road, Limavady

Report, previously circulated, was presented by Senior Planning Officer, J McMath.

Reason for Referral: Referral
App Type: Outline
Proposal: Proposed dwelling house and detached garage on a farm. Proposal includes upgrade to existing access, proposed driveway, landscaping & all associated site 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 **REFUSE** planning permission for the reasons set out in section 10.

Addendum Recommendation
That the Committee note the contents of this Addendum and agree with the recommendation to refuse the application in accordance with paragraph 1.1 of the Planning Committee Report.

Senior Planning Officer presented as follows via powerpoint presentation:

- This is an outline application for a dwelling house and detached garage on a farm. The proposal includes upgrade to existing access point, proposed driveway, landscaping & all associated site works.
- Site is at lands 120m SW of 37 Moneyrannel Road, Limavady.
- The site falls within the open countryside as indicated within the NAP, a Rough Fort, a scheduled monument is located approximately 100 metres

to the east and the site is located on a former brick field which is recorded on the industrial site register.

- There are 5 reasons for refusal covering the principle of a dwelling on a farm, integration, character and the impact on a scheduled monument. Please note that HED are in attendance for clarification or questions.
- Turning to first 2 refusal reasons The site falls to be determined under PPS21, policies CTY1 and 10 as it is for a dwelling on a farm.
- The farm business is active and established and no sell offs have been identified, the proposal complies with criteria A and B. However, criteria C requires the new building to visually link or be sited to cluster with an established group of buildings on the farm and where practicable access should use an existing laneway. Policy allows an exception to permit an alternative site when there are no other sites available elsewhere on the farm at another group of farm buildings and where there are H&S reasons or verifiable plans to expand the farm business at the existing building group.
- In this case the proposed site does not visually link or cluster with an established group of buildings on the farm. It is positioned approx. 500m away.
- The site does not obtain access from the existing lane but proposes a new vehicular access lane directly from the public road.
- An alternative site could be available (field 4 or 5) which would visually link or cluster as required by policy.
- The first part of the exceptions test is not met.
- The PAC decision quoted at para 8.5 of the committee report reinforces this approach.
- Regarding the second part of the exceptions test, the policy amplification explains that appropriate and demonstrable evidence from independent authority is required. In this case no demonstrable evidence has been submitted from H&S or EHO or similar to justify the alternative siting. Instead it is stated that the use of the existing lane is a H&S concern but no evidence has been forthcoming and it is noted that the lane is not dissimilar to many others. A solicitors letter was submitted which stated that the applicant does not enjoy adequate express rights of access for the purposes of a new dwelling and provided cost estimates for providing a new lane direct from Moneyrannel Road to the farm buildings. Property ownership or cost are not considered exceptional reasons to depart from the policy. The PAC decision quoted at para 8.7 considered ownership and control of laneway and land to improve visibility splays and concluded that ownership issues were not issues of safety but rather one of land ownership that may or may not be resolved with the relevant landowner. The second part of the exceptions test is not met.
- The proposal is contrary to policy CTY10 as the site is not visually linked or sited to cluster with an established group of buildings on the farm and as there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement and is contrary to policy CTY1.
- Turning to the site characteristics and integration and character.

- The site is a rectangular plot artificially cut from a larger field. The topography is flat and the site is set below the road level by approximately 2m. The NW boundary is defined by a 2m high hedge and the remaining 3 boundaries are undefined.
- The site lacks long established natural boundaries, is unable to provide a suitable degree of enclosure to integrate. The site relies primarily on the use of new landscaping for integration and fails to blend with the landform, buildings or other natural features to provide a backdrop. The site is isolated from the farm sheds over 500m away and fails to visually link or cluster. The site fails to integrate and does not respect the traditional pattern of settlement exhibited in the area (twice the size) and would result in a detrimental change to the rural character of the countryside. The proposal is contrary to policies CTY13 and 14 of PPS21.
- The adjacent Rough Fort, counterscarp rath is a scheduled monument of regional importance. As it is important to preserve in situ and within appropriate setting Policy BH1 of PPS6 operates a presumption in favour of the physical preservation in situ of archaeological remains of regional importance and their settings and adds that development which would adversely affect such sites or the integrity of their settings will not be permitted unless there are exceptional reasons. For clarity the amplification advises that exceptions to the policy are likely only to apply to proposals of overriding importance in the NI context. The site would result in adverse impacts upon the integrity and intrinsic character of the setting of the Rough Fort a regionally important scheduled monument and no exceptional circumstances have been forthcoming. The proposal is contrary to Policy BH1 of PPS6.
- The proposal is contrary to the relevant planning policies including the Northern Area Plan, SPPS, PPS 6 and PPS 21. The application is recommended for refusal.

In response to questions from Elected Members, Senior Planning Officer confirmed planning permission had been approved in 2011 and had not been implemented. The previous application was further from the road than the current application; the current application is on the boundary, Senior Planning Officer provided the dimensions of the previous proposed structure which had now expired. Senior Planning Officer confirmed the Planning Department were not aware of alternative sites being proposed. Senior Planning Officer clarified the planning history of the footings in place further along the same lane; Outline Planning was approved in 2015; in 2018 there was an application for a dwelling; this will have been considered on its own merits.

Proposed by Councillor Nicholl
Seconded by Councillor McGurk

- 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 set out in section 10.
- The dwelling is on the farm
- There is relevant previous history of large shed and associated works

- Outline application shows integration; the dwelling will not be seen where it is, landscaping can be completed.
- Sheds at other properties are more prominent
- There is a history of a dwelling with footings
- This is an acceptable site; the lane raises safety and access issues as detailed in the report
- There is weight in the previous approval beside for shed; it is a 6000 sq ft shed; Councillor Nicholl does not think it will have an impact
- There are other buildings on the horizon which are more prominent than this site
- Hedging is already in place so the building will not be seen.

The Chair put the motion to the Committee to vote.
5 Members voted For, 8 Members voted Against, 2 Members Abstained.
The Chair declared the motion lost and application refused.

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 **REFUSE** planning permission for the reasons set out in section 10.

The Chair declared a recess for lunch at 1.05pm, to reconvene at 2.05pm.

* **The meeting reconvened at 2.05pm.**

* **Councillor McMullan joined the meeting in the Chamber during recess.**
* **Alderman S McKillop left the meeting during recess.**
* **Councillor McMullan assumed the Chair for the remainder of the meeting.**

The Head of Planning undertook a roll call.

5.6 LA01/2022/1196/O Directly Adj to the South of 26 Atlantic Road Coleraine

Report and correspondence, previously circulated, was presented by Senior Planning Officer, J McMath

Reason for Referral: Referral
App Type: Outline
Proposal: Site for new Dwelling and Garage infilling gap within built-up frontage to laneway

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** outline planning permission subject to the reasons set out in section 10.

Senior Planning Officer presented as follows via powerpoint presentation:

Verbal addendum, Senior Planning Officer cited from the Agents' submission,

submission circulated.

- LA01/2022/1196/O is an outline application for a dwelling and garage directly adjacent and to the south of 26 Atlantic Road, Coleraine.
- The site is located in the rural area as defined in NAP 2016. Site accesses onto a laneway which in turn accesses onto Atlantic Road.
- The site comprises a cut from a larger agricultural field. Topography is flat. The northern, eastern and southern boundaries are defined by hedgerows. The western boundary is undefined.
- As this application has been submitted as an infill site it falls to be determined under policies CTY1 and 8 of PPS21.
- Policy CTY8 allows for the development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built up frontage and provided this respects the existing development pattern and meets other planning and environmental requirements. The definition of a substantial and continuously built up frontage includes a line of 3 or more buildings along a road frontage. In this case, there is not substantially or continuously built up frontage along a road frontage. There is one dwelling (No 26) to the immediate north of the site which has a frontage to Atlantic Road.
- Two buildings (no 24 and its garage) are located to the SW but these buildings have a frontage to the private laneway only. No 24 and its garage do not read as having a frontage to Atlantic Road.
- The site is therefore not located within a substantially and continuously built up frontage. the development to the north and south have frontages to separate roads/lanes which do not comply with policy. The proposal cannot rely on 2 frontages. There is no line of 3 or more buildings along a road frontage as required by policy.
- PAC examples are quoted in the Committee report which stated that “the policy refers to frontage not frontages. In the appeal case there is no small gap site within a line of 3 or more buildings along a singular frontage to meet the policy definition.
- The proposal is contrary to policy CTY8.
- In summary there is no line of 3 or more buildings along a road frontage as required by policy.
- In addition no overriding reasons have been forthcoming as to why the development is essential therefore the proposal is contrary to policies CTY1 and CTY8.

In response to questions from Elected Members, Senior Planning Officer confirmed the address of 24 Atlantic Road; the Planning Appeals Commission decision refers to frontage and when a site has frontage which is relevant in relation to Policy. Senior Planning Officer explained the frontage for 24 Atlantic Road is on a laneway; this is the only interpretation which is reinforced by the Planning Appeals Commission decision. Senior Planning Officer stated there is not a line of 3 or more buildings in a line on the road.

The Head of Planning referred the Judicial Review in relation to East Road in Drumsurn, stating there were similarities to this case. The Head of Planning

stated that the actual address of No. 24 Atlantic Road was irrelevant that question is where there is a frontage.

In response to an Elected Member, Senior Planning Officer illustrated Slides containing photographs to explain the frontages at no. 24 Atlantic Road and no. 26 Atlantic Road; No 24 is onto a laneway and No 26 is onto the main road.

The Chair invited Mr Dallas to speak in support of the application.

Mr Dallas stated there was 3 buildings with a gap site, capable of accommodating 2 sites. For the purpose of this application policy CTY8 includes a private lane; there is no difference between a road and a lane; no. 24, it's garage and no. 26 are continued frontage with no breaking up of the frontage. Mr Dallas stated he does not see the relevance of the Planning Appeals Commission decision. Mr Dallas stated the client would wish to return to live on the family farm. There have been no objections received in relation to this planning application; the dwelling will be well integrated.

In response to questions, Mr Dallas confirmed there was no need for a visual link in terms of the frontages and all the addresses are Atlantic Road.

Alderman Coyle stated he was confused regarding the issue with the frontages; that while the photographs in the presentation do provide a good visual aid, they do not always show what is on the ground.

Proposed by Alderman Coyle
Seconded by Councillor Anderson

- That the Committee defer consideration of the application for a Site Visit, in order to provide clarity on the frontage along the laneway and road.

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 application deferred for a site visit.

RESOLVED - That the Committee defer consideration of the application for a Site Visit to provide clarity on the frontage along the laneway and road.

6. CORRESPONDENCE

6.1 DfI – Proposal of Application Notice (PAN) -Windyhill Solar Farm

Correspondence, previously circulated was presented by the Head of Planning.

Committee NOTED the report.

6.2 Draft County Donegal Development Plan 2024-2030

Correspondence, previously circulated was presented by the Head of Planning.

Committee NOTED the report.

6.3 DC&S DC – Revised LDP Timetable

Correspondence, previously circulated was presented by the Head of Planning.

Committee NOTED the report.

6.4 M&EA BC – Pre-adoption Consultation Letter

Correspondence, previously circulated was presented by the Head of Planning.

Committee NOTED the report.

6.5 DAERA – Planning Consultations for Agricultural Development

Correspondence, previously circulated was presented by the Head of Planning.

Committee NOTED the report.

RESOLVED – That Planning Committee note the correspondence report.

7. REPORTS

7.1 DAERA – Call for evidence on impacts of Air Pollution on the Natural Environment

Report, previously circulated, presented by the Head of Planning.

Purpose
This Report is to bring to Members attention the Call for Evidence by DAERA on impacts of air pollution on the natural environment which closes on 15 September 2023.

Details
DAERA has launched an eight -week Call for Evidence on its Future Operational Protocol to assess the impacts of air pollutants, such as ammonia, on the natural environment. The Call for Evidence closes on 15 September 2023 and is available to view at https://www.daera-ni.gov.uk/future-operational-protocol-a-call-for-evidence

DAERA is committed to tackling the challenge and growing problem of ammonia emissions from agricultural activities and the impact on sensitive habitats and biodiversity across Northern Ireland.

Current policy is to deliver a solution which achieves both a protected and improved environment and a sustainable agriculture sector. To achieve that balance is challenging.

The recent consultation on the draft Ammonia Strategy was part of this programme of work and this Call for Evidence is the next step in the programme.

DAERA, in its role as the appropriate nature conservation body in Northern Ireland, has a duty to provide advice to planning authorities and other competent authorities on the potential impacts of air pollution, including ammonia, from plans and projects on designated sites and protected habitats. NIEA performs this function for terrestrial/freshwater environments on behalf of DAERA through the use of an operational protocol.

The Call for Evidence presents available scientific evidence and draws upon expertise from subject area specialists and invites stakeholders to submit additional evidence that will contribute to the development and delivery of a scientifically robust evidence-informed operational protocol to protect our natural environment and ensure sustainable development of the agricultural industry.

Recommendation
IT IS RECOMMENDED that the Committee agrees to the Head of Planning responding to this Call for Evidence.

RESOLVED – that the Head of Planning responds to this Call for Evidence.

7.2 Planning Department Business Plan 2023/24

Report, previously circulated, presented by the Head of Planning.

Purpose
The purpose of the Planning Service Business Plan is to set out the key business focus for Planning over the next business year for consideration and agreement by Members.

Details
The Planning Department Business Plan sets out the key objectives for the business over the next business year. It takes account of the current position at end of 2022/23 and builds on this performance for the incoming year.

Purpose of the Plan
The strategic aims of the Service are:

- To contribute to the growth of a sustainable economy and investment in the Borough by making timely decisions and developing sound planning policies.
- To contribute to the protection of the environment and the creation of safer communities by making sound decisions and developing sound policies through the development plan process.
- To engage customers, stakeholders and partners more effectively in order to increase understanding of and compliance with processes and regulation.

- To manage finance, staff, information and other resources effectively and efficiently within a strong corporate governance framework.

The business plan objectives are:
- To improve performance in relation to processing of planning applications
- To manage finance, staff, information and other resources effectively within the corporate governance framework

The Planning Service Business Plan is attached at Appendix 1 (circulated) and the Planning Department Risk Register attached at Appendix 2 (circulated).

Recommendation
IT IS RECOMMENDED that the Planning Committee APPROVE the Planning Service Business Plan 2023/24 and NOTE the Planning Department Risk Register 2023/24.

In response to questions in relation to the draft Plan Strategy, the Head of Planning confirmed that Elected Members can raise matters at the Local Development Plan Workshops and comments made will be taken on board.

Proposed by Alderman Boyle
Seconded by Councillor C Archibald

- that the Planning Committee APPROVE the Planning Service Business Plan 2023/24 and NOTE the Planning Department Risk Register 2023/24.

The Chair put the motion to the vote.
14 Members voted For; 0 Members voted Against; 0 Members Abstained.
The Chair declared the motion carried.

RESOLVED - that the Planning Committee APPROVE the Planning Service Business Plan 2023/24 and NOTE the Planning Department Risk Register 2023/24.

7.3 Revised Protocol for the Operation of the Planning Committee

Purpose
This Report is to provide Members with a review of the Protocol for the Operation of the Planning Committee.

Details
The Protocol for the Operation of the Planning Committee was last reviewed on 23 February 2022 and implemented 02 March 2022. This is attached at Appendix 1 (circulated) to this report.

Following the reviews into Planning by the Northern Ireland Audit Office and Public Accounts Committee, it is timely to carry out a review of the Protocol to ensure it is current and relevant and includes recommendations set out in the Reviews.

Amendments to the Protocol include clearer guidance on procedures for:

- public speaking
- referral requests
- site visits
- information received after the agenda has issued.
- Publication of information in the interests of open and transparency

The reviewed Protocol for the Operation of the Planning Committee is attached at Appendix 2 (circulated) to this report.

A template for registering to speak at the Planning Committee is attached at Appendix 3 (circulated) to assist those wishing to register to speak in providing the necessary information. This will be uploaded onto the Planning section of Council's website for ease of access.

A template for Members to request a referral of a Planning Application to the Planning Committee for determination is attached at Appendix 4. This will be uploaded onto the Planning section of Council's website for ease of access.

Recommendation
IT IS RECOMMENDED that the Committee approves the Protocol for the Operation of the Planning Committee as attached at Appendix 2 (circulated) to this report and to note the templates attached at Appendices 3 (circulated) and 4 (circulated).

In response to questions from Elected Members, the Head of Planning advised that the template is to provide brief details on the issues the speakers intend to address; asking for the information in advance allows the Planning Department to be prepared to answer questions and this is common practice in other Councils. The Head of Planning also advised that if Committee wished to have a timeline in place for receiving additional information, this can be put in the proposal. The Head of Planning explained the process for registering to speak at Planning Committee meetings and the reason for it. The Head of Planning advised that it was the responsibility of Agents to check the Planning Portal in relation to the progress of a planning application and check Councils website for the schedule of applications on the contentious list and on the Planning Committee agenda.

Proposed by Councillor Nicholl
Seconded by Councillor Peacock

- That Planning Committee amend the Planning Committee Protocol, in order that speaking rights can be requested, if there is a further deferral, even if they have not registered for the initial Planning Committee meeting.

The Chair put the motion to the vote.
12 Members voted For; 0 Members voted Against; 2 Members Abstained.

The Chair declared the motion carried.

RESOLVED - That Planning Committee amend the Planning Committee Protocol, in order that speaking rights can be requested, if there is a further deferral, even if they have not registered for the initial Planning Committee meeting.

Councillor Storey expressed concern regarding the wording of paragraph 11.10 stating that it was an onerous responsibility on Elected Members who were not legal personnel.

The Head of Planning advised that Elected Members were required to provide a rationale for their decisions as they may be appealed with the Planning Appeals Commission.

Alderman Boyle welcomed the amendment and urged Elected Members who were uncertain about anything when making a decision to express their concern at the time.

Proposed by Councillor Storey
Seconded by Alderman Scott

- Members of the Planning Committee should be mindful when making decisions that decisions and their reasoning may be appealed to the Planning Appeals Commission with the potential for award of costs against Council or challenged through a judicial review.

RESOLVED - That paragraph 11.10 is reworded as follows:

- Members of the Planning Committee should be mindful when making decisions that decisions and their reasoning may be appealed to the Planning Appeals Commission with the potential for award of costs against Council or challenged through a judicial review.

7.4 Terms of Reference

Report, previously circulated, presented by the Head of Planning.

Purpose
This Report is to provide Members with a review of the Terms of Reference for the Planning Committee.

Details
Causeway Coast and Glens Borough Council decided to utilise the traditional committee system as its preferred form of governance and, as a result, it has created a number of committees to progress the work of the new Council from 01 April 2015.

The Planning Committee ("the Committee") will have full delegated powers for taking key decisions and actions required to be taken specifically in relation to the work of the Planning Department. This will include:

- Taking decisions on planning applications and other planning related decisions as set out in the Scheme of Delegation
- Recommending to Council the LDP for public consultation and adoption
- Approving and overseeing the delivery of any relevant service strategies for the Planning Department
- Approving relevant policies and procedures to improve performance of the Planning Department
- Monitoring and reviewing business and service delivery plans for the Planning Department
- Approving the establishment of external partnerships relevant to the role of the Planning Department
- Approving the resolution of any associated issues
- Considering resource implications of any recommendations

At full Council meeting held 01 August 2023 it was resolved that approval of future changes to the organisational structure of the Planning Department and associated budget implications will fall within the remit of the Corporate Policy and Resources Committee.

Membership
The Committee is comprised of sixteen Elected Members appointed to the Committee at the Annual General Meeting of Council on 30 May 2023 with no substitutions permitted unless there are exceptional circumstances and agreed with the Chair. A quorum of 4 Committee Members (as set out in Council's Standing Orders) is required for the Planning Committee to convene. Business shall not be transacted unless a quorum of the Committee are present.

Members are required to attend mandatory training prior to taking their seat on the Planning Committee and attend other mandatory training as necessary. Members may be required to represent the Committee and Council at pertinent consultation and capacity building events. The membership list for the Committee is provided at Appendix 1 (circulated).

Chair
The Committee will be chaired in 2023/24 by Councillor Oliver McMullan (SF). In the absence of the Chairperson, the Committee will be chaired by the Deputy Chairperson, Alderman Sharon McKillop (DUP). In the absence of the Deputy Chairperson, a chair for the meeting will be agreed by the Members present.

Meetings
The first meeting of the Committee of the newly elected Council will be held on Wednesday 28 June 2023. The Planning Committee will normally meet on the fourth Wednesday of the month at 10.30am except in the months of July and December when there will be no meeting held as agreed by Council. A schedule of meetings for the Committee for the 2023/24 year is attached at Appendix 2. All meetings of the Committee will be governed by the Council's

Standing Orders, The Protocol for the Operation of the Planning Committee, the Scheme of Delegation for the Planning Department and the Local Government Code of Conduct for Councillors.

Sub-Committees and Working Groups
The Committee has the facility, if it so wishes, to establish and appoint any number of Sub-Committees and Working Groups it deems necessary to consider in more detail the work of the Committee concerning specific issues related to the Planning Department.

Communication and Reporting
The minutes of the Committee will be ratified by the Committee, and reported for noting at the monthly Full Council meeting. The minutes will be published on Councils website.

Recommendation
IT IS RECOMMENDED that the Committee approves the Terms of Reference as set out in this report.

Proposed by Councillor McMullan
Seconded by Councillor C Archibald and

RESOLVED - that the Committee approves the Terms of Reference as set out in this report.

MOTION TO PROCEED *'IN COMMITTEE'*

Proposed by Councillor Peacock
Seconded by Alderman Scott and

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

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.

Members of the press and public were removed from the meeting at 3:47pm

8. CONFIDENTIAL ITEMS

8.1 Update on Legal Issues

The Council Solicitor, Corporate, Planning and Regulatory provided an update on the ongoing legal challenges as follows:-

(i) Rigged Hill

The judgment for the Judicial Review has been received in draft stating that leave was refused.

(ii) East Road, Drumsurn

East Road, Drumsurn will be heard on 26 October 2023.

Committee NOTED the update.

MOTION TO PROCEED '*IN PUBLIC*'

Proposed by Alderman Scott
Seconded by Councillor Storey and

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

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

There were no matters of Any Other Relevant Business notified.

This being all the business the Chair thanked everyone for being in attendance and the meeting concluded at 3:50pm.

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Chair