



**PLANNING COMMITTEE WEDNESDAY 26 FEBRUARY 2020**

**Table of Key Adoptions**

<b>No.</b>	<b>Item</b>	<b>Summary of Key Decisions</b>
1.	Apologies	<b>Councillor McGurk Councillor McLaughlin to arrive late Alderman Boyle to arrive late</b>
2.	Declarations of Interest	<b>Councillor Dallat O'Driscoll in LA01/2019/0132/F Councillor McMullan in LA01/2018/0349/F Councillor MA McKillop in LA01/2019/0147/F</b>
3.	Minutes of meeting held Wednesday 22 January 2019	<b>Confirmed</b>
4.	Order of Items and Confirmation of Registered Speakers	<b>LA01/2019/0861/O, LA01/2018/1497/F, LA01/2019/0755/F, and LA01/2019/0381/F deferred due to cancellation of scheduled site visits</b>  <b>LA01/2018/0134/F withdrawn from the Agenda pending consideration of further correspondence</b>  <b>LA01/2019/0990/F, LA01/2019/0525/F, LA01/2019/0281/F and</b>

		<b>LA01/2019/0383/O deferred for site visit</b>
<b>5.0</b>	<b>Schedule of Applications</b>	
<b>5.1</b>	Major LA01/2019/0132/F Proposed 110/33kv substation approximately 230m North West of 10a Drumbane Road, Garvagh and two proposed overhead line connections to the existing 110kv overhead line at Brockaghboy Wind Farm, South of Dowlins Bridge, Drumbane Road, Garvagh. All proposed infrastructure to be located within the townland of Brockaghboy	<b>Approve</b>
<b>5.2</b>	Major LA01/2018/0349/F Lands adjacent and West of Nos 27 & 29 Ballyquin Road, Limavady	<b>Approve</b>
<b>5.3</b>	Major LA01/2019/0630/F Lands to the rear of the existing Limavady Wolfhounds Pitch off Scroggy Road, Limavady	<b>Approve</b>
<b>5.4</b>	Referral LA01/2019/0147/F 220 Metres South-West of 54 Burrenmore Road, Castlerock	<b>Refuse</b>
<b>5.5</b>	Referral LA01/2019/0416/O 56m NW of 42 Bregagh Road, Armoy	<b>Defer consideration for site visit to be held</b>
<b>5.6</b>	Referral LA01/2019/0810/F 29 Broomhill Park, Coleraine	<b>Disagree with reasons for recommendations to Refuse and Approve</b>
<b>5.7</b>	Council LA01/2019/0063/F Crosstagherty Civic Amenity Site and Transfer Station, 7 Burnquarter Road, Ballymoney	<b>Approve</b>
<b>5.8</b>	Council LA01/2019/1388/F Land adj to SW of existing Ballywillan Cemetery, Magheraboy Road, Portrush	<b>Approve</b>
<b>6.</b>	Development Plan:	

<b>6.1</b>	Building Preservation Notice (BPN) – Barry’s Amusement, Portrush	<b>Agree NOT to serve BPN</b>
<b>7.</b>	Development Management:	
<b>7.1</b>	Update on Development Management and Enforcement Statistics 01/04/19 – 30/12/19	<b>Note</b>
<b>7.2</b>	Review of ‘Protocol for the Operation of the Planning Committee’ and ‘Scheme of Delegation’	<b>Agreed further amendments as detailed. All other suggested changes agreed.</b>
<b>8.</b>	Development Plan:	
<b>8.1</b>	LDP Update	<b>Information</b>
<b>8.2</b>	LDP – 6 Month Indicative Work Programme (Jan – June 2020)	<b>Agree</b>
<b>9.</b>	Correspondence	
<b>9.1</b>	Response to Derry City & Strabane LDP, Draft Plan Strategy	<b>Note</b>
<b>9.2</b>	DFC – Listing confirmation – Music Centre, Charles St, Ballymoney	<b>Note</b>
<b>9.3</b>	Mid & East Antrim Council – Draft Plan Strategy – Public Inspection of Representation and Counter Representations Public Consultation	<b>Note</b>
	<b>IN COMMITTEE</b>	
<b>10.</b>	Any Other Relevant Business (In accordance with Standing Order 12 (o))	
<b>10.1</b>	Planning Department Budget Update	<b>Note Head of Planning to bring back update on Crown Estates</b>

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING  
COMMITTEE HELD IN COUNCIL CHAMBER, CIVIC HEADQUARTERS  
WEDNESDAY 26 FEBRUARY 2020 AT 10:00AM**

**In the Chair:** Councillor Hunter

**Committee Members Present:** Alderman Boyle, Duddy, Finlay, McKeown and S McKillop  
Councillors Anderson, Baird, Dallat O'Driscoll, MA McKillop, McLaughlin, McMullan, Nicholl and Scott

**Non-Committee Members in attendance:** Councillor Holmes (LA01/2019/0132/F)

**Officers Present:** D Dickson, Head of Planning  
S Mathers, Development Management & Enforcement Manager  
J Lundy, Senior Planning Officer  
S Mulhern, Development Plan Manager  
E Hudson, Senior Planning Officer  
J McMath, Senior Planning Officer  
M Wilson, Senior Planning Officer  
D Hunter, Council Solicitor  
D Allen, Committee & Member Services Officer

**In Attendance:** Press (1 No.)

**Registered Speakers:**

- LA01/2019/0132/F Alan Campbell, Kate Finnegan, SONI (support)  
Alastair McKinley, RPS (support)  
Kate Finnegan (support)  
Kieran Quigg (objector)  
Helena Rafferty (objector)  
Councillor Richard Holmes (support)
- LA01/2018/0349/F Graeme Ogle, Hamilton Architects (support)
- LA01/2019/0525/F Tom Stokes, TSA Planning, Agent (support)  
Damien McLaughlin, HERE Architects (support)  
John Fulton (objector)
- LA01/2018/0134/F Gavin McGill, Clyde Shanks, Agent (support)  
Desmond Orr, Applicant (support)  
Hugh Morrison, Architect (support)  
Alexander Whiteside (objector)

Jonny Stewart, GM Design (objector)  
Councillor Finlay (objector)

- LA01/2019/0281/F Niall Hennessey (support)  
Ivor Boyd, Norma Wilkinson (objector)
- LA01/2019/0381/O Donal Healey, Agent (support)  
Gabriel Hegarty, Applicant (support)
- LA01/2019/0861/O Theresa Cassidy, Agent (support)
- LA01/2019/0147/F Alderman Fielding (support)
- LA01/2019/0146/O John Simpson, Agent (support)
- LA01/2019/0755/O Carol McIlvar (support)
- LA01/2019/0810/F Peter Creelman, Applicant (support)  
Councillor McQuillan (support)
- LA01/2019/0990/F Ryan Byrne, Applicant (support)

## 1. APOLOGIES

Apologies recorded for Councillor McGurk. Alderman Boyle and Councillor McLaughlin would be arriving late.

## 2. DECLARATIONS OF INTEREST

The Chair reminded the Planning Committee of their obligations under the Code of Conduct.

*"I would remind Members of your obligation under the Northern Ireland Local Government Code of Conduct for Councillors in relation to Planning matters.*

*Under Part 9 of the Code I would remind you of your obligation with regard to the disclosure of interests, lobbying and decision-making, which are of particular relevance to your role as a Member of this Planning Committee.*

*You should also bear in mind that other rules such as those relating to the improper use of your position, compromising impartiality or your behaviour towards other people, also apply to your conduct in relation to your role in planning matters.*

*If you declare an interest on a planning application you must leave the Chamber for the duration of the discussion and decision-making on that application".*

Declarations of Interest were recorded as follows:

Councillor Dallat O'Driscoll in:

- Major LA01/2019/0132/F - Proposed 110/33kv substation approximately 230m North West of 10a Drumbane Road, Garvagh and two proposed overhead line connections to the existing 110kv overhead line at Brockaghboy Wind Farm, South of Dowlins Bridge, Drumbane Road, Garvagh. All proposed infrastructure to be located within the townland of Brockaghboy.

Councillor Dallat O'Driscoll left the Chamber during consideration of the Item.

Councillor McMullan in:

- Major LA01/2018/0349/F Lands adjacent and West of Nos 27 & 29 Ballyquin Road, Limavady.

Councillor McMullan left the Chamber during consideration of the Item.

Councillor MA McKillop in:

- Referral LA01/2019/0147/F 220 Metres South-West of 54 Burrenmore Road, Castlerock

Councillor MA McKillop left the Chamber during consideration of the Item.

### **3. MINUTES OF MEETING HELD WEDNESDAY 22 JANUARY 2020**

Proposed by Councillor Baird  
Seconded by Councillor Scott and

**AGREED** - that the Minutes of the Meeting held Wednesday 22 January 2020 be confirmed as a correct record.

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

The Chair informed Members that due to the inclement weather conditions on Monday 24 February 2020 the four site visits scheduled did not take place and would be deferred. These are as follows:

- LA01/2019/0861/O Infill dwelling and garage at Land immediately north east of 150 Torr Road, Cushendun BT44 0PU
- LA01/2018/1497/F Proposed Agricultural Supplies/General Purpose Store at 118 Drumcroon Road, Blackhill, Coleraine BT51 4ER
- LA01/2019/0755/F Dwelling at a cluster at between 42 & 56 Drumsurn Road Limavady BT49 0PD
- LA01/2019/0381/F Proposed off site replacement dwelling at 80 metres North West of 83 Muldonagh Road, Claudy BT47 4EJ

The Chair advised the following application had been withdrawn from the Schedule:

- Objection LA01/2018/0134/F Lands 6 Metres South of 43 Ballyclogh Road, Bushmills, pending consideration of further correspondence.

Prior to presenting the reports, Site Visits were requested for the following applications:

Proposed by Councillor Nicholl  
Seconded by Councillor McMullan and

**AGREED** - that a site visit be held on LA01/2019/0990/F Adjacent to 66 Coolestan Walk, Limavady, to look at the space requirement.

Proposed by Alderman Duddy  
Seconded by Councillor Anderson and

**AGREED** – that a site visit be held on Application LA01/2019/0525/F Lands adjacent and North of Eoghan Rua GAC 101 Agherton Lane, Portstewart, to look at the site in context and view access and proximity to residents.

Proposed by Alderman Duddy  
Seconded by Councillor Scott and

**AGREED** – that a site visit be held on Application LA01/2019/0281/F Land at Asda, 1 Ring Road, Coleraine, to consider potential noise, light pollution and loss of amenity under SPPS and DCAN4.

Proposed by Alderman Finlay  
Seconded by Councillor Anderson and

**AGREED** – that a Site Visit be held on Application LA01/2019/0383/O Between 15 and 17 Mostragee Road, Stranocum, Ballymoney, to look at the proposed infill site to visualise the context with existing development.

## **5. SCHEDULE OF APPLICATIONS**

**5.1 Major LA01/2019/0132/F Proposed 110/33kv substation approximately 230m North West of 10a Drumbane Road, Garvagh and two proposed overhead line connections to the existing 110kv overhead line at Brockaghboy Wind Farm, South of Dowlins Bridge, Drumbane Road, Garvagh. All proposed infrastructure to be located within the townland of Brockaghboy (Agenda item 5.1)**

**\* Councillor Dallat O’Driscoll left the meeting having declared an interest in this item.**

Planning Committee Report, Addendum, Addendum 2, Addendum 3 and Site Visit report dated 20 January 2020, previously circulated and presented by the Development Management and Enforcement Manager, S Mathers via PowerPoint presentation.

The Development Management and Enforcement Manager also informed Members that there was 2 parts to a verbal addendum, and a letter of support from M Bradley MLA.

In respect to Part 1 of the verbal addendum the Development Management and Enforcement Manager referred Members to a letter that had been received from John Blair MLA, in support of the application. It stated that the environmental benefits provided were substantial and would go a long way into reducing carbon emissions. His party were satisfied that the residents’ concerns in relations to health and the visual impact of the substation had been answered by the independent report findings and that the benefits of the project far outweighed the negatives.



In respect to Part 2 of the verbal Addendum this referred to an email from Mr B Rafferty, in relation to the points raised in the Planning Committee Report. The Development Management and Enforcement Manager read out Mr Rafferty's concerns and provided Members with Councils response.

Page 7 - Paragraph 5.9

The detailed plans that were showing were 30 years out of date and didn't give a true representation of the dwellings close to the proposals.

**Council's response:** The plans submitted with the application were adequate for planning purposes and consultation had been carried out on the Planning Application.

Page 7 - Paragraph 5.10

At the consultation the community was not asked if they wanted a substation in the Glenullin area.

**Council's response:** The opportunity was given for feedback and 53 feedback forms were received.

Page 9 - Paragraph 8.5

How does a sub-station respect the rural character of the area?

**Council's response:** A sub-station is sited and designed to be as respectful to rural character as it could be given the nature of the development.

Page 13 - Paragraph 8.28

'Partially screened' suggests that it has a visual impact for No 10a Drumbane Road.

**Council's response:** It is not considered that the visual impact of the proposal on this property in terms of its outlook will be significant.

This is not the closest property to the windfarm.

**Council's response:** The Planning Committee Report did not state that it was.

Page 15 - Paragraph 8.36

This is misleading. There are bats in the derelict buildings adjoining the east boundary of the site. A survey needs to be carried out to protect the bats.

**Council's response:** No built structures are affected by the development and NED as a competent authority are content with the ecology report.

Page 15 - Paragraph 8.39

This is misleading. There are also breeding grouse. A result of not grazing land between the months of November and February. The Irish hare can also be seen on this land.

**Council's response:** Grouse and Irish hare issues have been raised with NED from NIEA given the objections and NED are content.

Page 18 - Paragraph 8.62

This is misleading. The proposed location of the two steel pylons will dominate the skyline and dwarf the wind turbines behind.

**Council's response:** Steel towers will have a visual impact and this is not considered unacceptable.

Page 20 - Paragraph 8.70

Out of the 23 letters of support, one is from a company who have financial interests from the site going ahead and are based in Omagh. 11 letters are from people who objected to the Smulgedon and Craiggore Wind Farms, they don't want the sub-station in their community.

**Council's response:** Whoever supported the application is a matter for them. Planning issues are taken into account.

Page 20 - Paragraph 8.71

How can planning be granted on land without the owner's consent? Surely this should be a different application. SONI suggest that it's best that these are overhead lines due to the soil/ground conditions. SONI NEVER did an analysis on the soil/ground in question. Again they are misleading the planners.

**Council's response:** Ownership of land and the ability to physically constrict development in terms of relevant covenants are outside the planning process as a civil issue. Certificate of ownership has been completed.

Page 20 - Paragraph 8.72

Issues with the quality of public consultation.

**Council's response:** Further public consultation was carried out in the Planning Application.

Page 23 - Paragraph 8.91

Comments on SONI's Landowner Charter.

**Council's response:** Liaison with the landowner is a matter for the applicant/developer.

Page 23 - Paragraph 8.92

Tree planting. Cannot plant trees underneath high voltage electricity lines.

**Council's response:** The matter is between SONI and the landowner.

Page 24 - Paragraph 8.96

There is already planning permission passed for another substation within the Brockaghboy Wind Farm. The precedent has been set by Brockaghboy Wind farm, so there shouldn't be an issue passing another substation within the AONB.

**Council's response:** The site for the substation as selected and applied for is considered acceptable.

Facts

People of Glenuillin are not against the substation. They are opposed to its location.

No one objected to any of the wind farms in the Agivey cluster.

SONI have already this project out to tender early September 2019.

SONI are showing their arrogance once more as they have done throughout this process.

SONI have never conducted any soil surveys where the proposed overhead lines are being proposed.

**Council's response:** Soil surveys were not considered necessary.

Comment on SONI's observations at the last Planning Committee Meeting. When asked about the emails in relation to looking to make contact no emails could be forwarded.

**Council's response:** What SONI had stated is not about public consultation and is a matter for them.

**Since the last meeting**

On Monday 24 February at 5pm a member of SONI contacted the family, who they say live the closest and asked for a meeting. He was told that the overhead lines from the proposed substation can't go underground. This was disputed as there is a 4 mile section of the existing line from Brockaghboy Wind Farm underground in Rasharkin. The voltage will now be increased on this line and it is underground.

**Council's response:** At least a section of the overhead lines has to be above the ground due to active peatland.

They have contacted two community organisations.

**Council's response:** That's is a matter between the relevant parties.

The Development Management and Enforcement Manager described the site and its context for full planning for construction of a new 110/33kv cluster substation and associated site works. Substation access road, visibility splays, drainage and alteration to watercourse and landscaping planting. Construction of two 110kv overhead electricity lines (1.62km & 1.68km in length) and support structures connecting in and out of the existing 110kv circuit to Brockaghboy Wind Farm. Associated temporary access tracks and working areas. Removal of 0.25km section of the existing 110kv Brockaghboy Wind Farm overhead line connection. (Submission of Outline Traffic Management Plan).

The proposal involves two main elements - the cluster substation and parallel overhead lines, mainly on wood poles rather than steel towers. This will enable connection of the existing Brockaghboy Wind Farm and onward connection using the existing line to Rasharkin Substation. The proposal shall allow for connection of the consented Evishagaran, Craiggore and Smulgedon Wind Farms.

This is a Major application which was subject to a PAN with a Community Consultation Report submitted with application. Prior to submission of the planning application, the proposal was subject to a pre-application Environmental Impact Assessment determination. It was decided that the proposal was not EIA development and therefore an Environmental Statement was not required.

In terms of the Northern Area Plan 2016, the site is located in the open countryside, outside any designated settlement. The site is partially inside and partially outside the Sperrins AONB.

### Main Issues

Policy CTY 1 of PPS 21 Sustainable Development in the Countryside makes provision for utilities projects in the countryside. Policy PSU 2 of the Planning Strategy for Rural Northern Ireland refers to major projects. The proposal has been assessed against this policy and has been found to contribute to regional needs and acceptable in terms of its environmental effects. The availability of alternative sites has been considered.

Policy PSU 8 of the Planning Strategy for Rural Northern Ireland refers to new infrastructure. Applying this policy, the proposal was assessed with regard to a range of issues including the need for the facility, the impact on the environment, alternatives and provision to mitigate adverse effects.

Policy PSU 11 of the Planning Strategy for Rural Northern Ireland refers to overhead cables. The requirements of this policy were considered in assessment of the proposal.

In terms of health, the impact of electromagnetic fields has been considered. As the proposal complies with the International Commission on Non-Ionizing Radiation Protection (ICNIRP), it meets policy requirements and satisfies consultees. In particular, the responses from the Public Health Agency is clear on this matter. Objections referring to these issues were sent to consultees as part of the consultation exercise. There will be some impact from the development during the construction phase in terms of mainly noise. However, this shall be for a limited time period and this shall be regulated by condition including hours of the day when construction can take place.

The nearest occupied dwelling to the proposed substation is approximately 230m to the southeast (no 10A Drumbane Road). Its outlook and that from other dwellings is not considered to be unacceptable given the screening afforded by existing and proposed landscaping. The distance from the proposed substation to the nearest unoccupied dwelling at no. 6 Drumbane Road is 70 metres. The outlook of the properties at 10a and 12 Drumbane Road towards the overhead lines is mitigated by the existing roadside vegetation at this location.

\* **Alderman McKillop arrived at the meeting at 10:14am.**

\* **Alderman Boyle arrived at the meeting at 10:20am.**

While the site is not within an international or national nature conservation designation, it is hydrologically linked. This has been assessed and has been found acceptable. In terms of protected species, the proposal has been assessed with specific regard to bats, curlews and badgers. Again, it has been found acceptable. A section of the overhead lines are to have bird flight diverters for curlews. The proposal has been considered having regard to the AONB and is acceptable. In the area of the proposed substation, a section of an existing watercourse is to be realigned and culverted. This is acceptable to consultees.

The application site is located adjacent to a scheduled rath. DfC Historic Environment Division has been consulted and is content that there will be no adverse impact on the rath or any other archaeological sites in the vicinity of the proposal.

The only critical view of the substation will be from Drumbane Road along the site frontage due to the absence of a hedge and limited planting. This critical view extends to approximately 200m along the site frontage. This is not considered unacceptable. The substation compound shall largely be screened from other public viewpoints. The proposal is accompanied by a substantial landscaping scheme. The route for the overhead lines was in part selected from the outworking of public consultation on the project. The overhead lines are not considered to be so prominent in the landscape to have a significant impact on the visual amenity of the AONB. Many of the critical views of the overhead lines are already dominated by the windfarm development which features more prominent moving elements.

The consideration of objections and support representations are set out in the Planning Committee Report.

In conclusion, this proposal is considered acceptable in this location having regard to the Area Plan and other material considerations. It is considered that the proposal will not have an adverse impact on public safety, public health and residential amenity; biodiversity, and nature conservation; built heritage interests; fluvial environment or visual amenity & landscape character. Approval is recommended.

**Recommendation** - that the Committee has taken into consideration and agrees with the reasons for 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 notes the contents of the Addendum and agrees with the recommendation to **APPROVE**, as set out in paragraph 10.1 of the Planning Committee Report.

**Addendum 2 Recommendation** - that the Committee notes the contents of the Addendum and agrees with the recommendation to **APPROVE**, as set out in paragraph 10.1 of the Planning Committee Report.

**Addendum 3 Recommendation** - that the Committee notes the contents of the Addendum and agrees with the recommendation to **APPROVE**, as set out in paragraph 10.1 of the Planning Committee Report.

The Chair invited K Quigg and H Rafferty to address the Committee in objection to the application. The Chair informed Members that K Quigg was not in attendance but K Rafferty husband of H Rafferty was in attendance to answer any questions.

H Rafferty made the following points:

- Addendum 3 – paragraph 1.1: No test had been carried out on the potential effects of radon gas and its proximity of the development of the dwellings by SONI.
- Addendum 3 – paragraph 1.3: The radon map available was not sufficient.
- Addendum 3 – paragraph 1.4: This was not the question. Councils question was the impact on health.
- Addendum 3 – paragraph 1.5: Public Health Agency advice was in relation to the electromagnetic field. The Environmental Health Officer did not answer the question. No. 6 Drumbane Road was not part of the consideration. Unlikely to have an effect is not good enough.
- Addendum 3 – paragraph 1.6: Local tests need to be carried out and the findings presented to Council.
- Contravenes PPS18 and PPS21 – does not integrate into the landscape and will result in unacceptable impact on residential amenity and landscape character. It relies on new landscaping.

- Planning permission had be granted for No. 6 and No. 10 Drumbane Road – this proposal would significantly reduce the value of these homes.
- The design is inappropriate for the locality – should be closer to the current substation and would integrate into that landscape. AONB has changed and there is already one substation. The site is located in a random field.
- Emails have not been received from SONI as stated.
- Not opposing renewable energy but this application should be rejected and a more suitable site identified.

In response to a Member's query K Rafferty confirmed that no emails from SONI had been received, just a telephone call and the only consultation was at the consultation meetings.

The Chair invited A Campbell, K Finnegan and A McKinley, Applicants to address the Committee in support of the application.

A Campbell made the following points:

- They had been asked to supply a connection to facilitate the 3 wind farms. Operate a cluster policy in terms of connections.
- Health impacts – duty bound to use most up-to-date technology.
- Magnetic fields are common in life.
- SONI submitted an ICNIRP Certificate which states proposal complies with the guidelines.
- Substation will help to reduce CO<sup>2</sup> emissions and meets New Age Deal and Programme for Government.
- There would be a £26.5m investment through construction and it would create substantial employment.
- Economic benefit of Community Fund.
- Extensive consultation has been carried out with feedback forms. 7 events, telephone calls, questionnaires, dedicated website. 294 people attended the consultation along with 10 SONI staff.
- SONI were committed to engage with the community.
- Successfully balances social, economic and environmental benefits.

In response to questions raised by Members, K Finnegan clarified the following points:



- The Community Fund is regulated by the Regulator of NI worked through charity partners. The community will benefit from the 3 windfarms.
- SONI has tried to consult with everyone through digital media, posters, parish bulletins, website and emails.
- Emails have been directly sent to the objectors.
- There has been 23 interactions with K Rafferty. The meetings were not taken up. SONI are open to engagement to discuss all concerns.
- Approached local Councillors and Mayor to seek engagement which they are open to.
- No meeting has taken place with K Rafferty only discussions. Had asked if wanted meeting set up. Concerns answered extensively by written letter. Any email received would have been answered by email or telephone.
- All health concerns have been addressed.
- Up-to-date technology used. Electromagnetic field well below ICNIRP guidelines. Height of lines above any property mitigates against any effects.
- John Dallat MLA, Councillor Dallat O'Driscoll and Councillor Bateson as the local representatives who had been contacted by the local community.

In response to a Member's query A Campbell confirmed that there was no request for any assessment with overhead lines and radon gas that he is aware of in the last 15 years. He stated that where radon gas is present it dissipates into the air and is harmless; it only becomes an issue if it becomes trapped. There was no request or requirement for additional tests.

In response to a Member's query in relation to SONI's responsibility to mitigate the likelihood of adverse effects to Public Health, A Campbell stated that all the issues raised had been discussed at great length through the 7 consultation events. He advised that they may not have got the answer they wanted but the issue was discussed at length.

K Finnegan clarified that she had contacted John Dallat MLA and Councillor Dallat O'Driscoll in relation to facilitating a meeting and that requests had been rejected. All elected representatives had been briefed. She stated that wayleave officers had also tried to engage.

A McKinley informed Members that SONI had suggested dates for meeting with the objectors but all the suggested dates had been rejected.

The Chair invited Councillor Holmes to address the Committee in support the application.

Councillor Holmes made the following points:

- The proposal was a critical piece of infrastructure for green energy.
- 7 Consultation events had been held over a 15 month period of which he attended at least 2 and had meetings with SONI.
- The 3 wind farms would create £650k in income.
- The proposal would help to achieve a zero carbon input.
- The Public Health Authority and EHO have no concerns.
- All objections/concerns raised have been addressed.
- The wind farms need connection and the infrastructure is a necessary part.

In response to a Member's question posed to Councillor Holmes in relation to the Community Fund, the Chair advised Members that queries raised in relation to the Community Fund had previously been addressed and that it is not a material planning issue for consideration. The Member in question advised the Chair that it was part of the evidence presented.

The Development Management and Enforcement Manager read out a letter of support from Maurice Bradley MLA, dated 20 February 2020; this superseded the previous letter received.

Key points:

- The proposal will allow 3 wind farms to be connected to the grid.
- Up to 200 jobs will be created in the construction industry over a 2.5 year period as part of the overall project development.
- The rates are essential to deliver local services - £17.5m expected over 25-30 years as a result of the project. This is approximately £645k annually.
- There is a target in place for net zero carbon emissions by 2050.
- The economic and environmental benefits are substantial.

- The application was submitted following an extensive period of pre-application community consultations with a total of 7 consultation events held.
- SONI has introduced additional screening of the substation.
- SONI has made every effort to engage with the local community.
- The issues raised by the objectors have been fully addressed within the Planning Committee Report.
- EMF and radon gas issues have been fully addressed.

In response to a Member's query the Development Management and Enforcement Manager informed Members that following the previous Planning Committee Meeting held on 22 January 2020, Environmental Health Officers were further contacted by the Planning Department on 22 January 2020 and responded on 03 February 2020; Public Health were contacted on 31 January 2020 and responded on 06 February 2020.

In response to a Member's request for Environmental Health Officers to respond to queries raised by objectors in Addendum 3, the Development Management and Enforcement Manager stated that the email exchanged with Environmental Health was quite clear that they had no concerns. Members could view the email if they so wished.

\* **Alderman Finlay arrived at the meeting at 11.21am.**

The Development Management and Enforcement Manager read out the email response from Environmental Health dated 3 February 2020. The email stated that the site was not within a high radon gas area and that there was no link between present overhead levels and the seepage of radon gas from the ground.

Proposed by Councillor Scott  
 Seconded by Councillor Anderson

- that the Committee has taken into consideration and agrees with the reasons for 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.

- that the Committee notes the contents of the Addendum and agrees with the recommendation to **APPROVE**, as set out in paragraph 10.1 of the Planning Committee Report.

- that the Committee notes the contents of Addendum 2 and agrees with the recommendation to **APPROVE**, as set out in paragraph 10.1 of the Planning Committee Report.

- that the Committee notes the contents of Addendum 3 and agrees with the recommendation to **APPROVE**, as set out in paragraph 10.1 of the Planning Committee Report.

The Chair put the proposal to the Committee to vote. 6 Members voted For, 2 Members voted against and 0 Members abstained.

The Chair declared the motion to **APPROVE** carried.

\* The Chair declared a recess at **11.26am**.

\* The meeting reconvened at **11.40am**.

\* **Councillor Dallat O'Driscoll rejoined the meeting at 11.40pm.**

## **5.2 Major LA01/2018/0349/F Lands adjacent and West of Nos. 27 & 29 Ballyquin Road, Limavady (Agenda Item 5.2)**

\* **Councillor McMullan left the meeting at 11.40am having declared an interest in this item.**

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

The Development Management and Enforcement Manager described the site and its context for full planning for the construction of a new 7 class base Primary School and future Single Nursery Unit, with associated access road, car parking and external play areas.

In terms of the Northern Area Plan 2016, the site is located within the settlement development limit of Limavady on land zoned for housing.

This is a major planning application so it was preceded by a PAN. The application was accompanied by the submission of a community consultation report. In addition, as a major application, it was accompanied by a Design and Access Statement.

The existing integrated primary school is located at Roemill Road which is physically constrained given its location. The proposed development is an alternative land use to housing as zoned in the Northern Area Plan

2016, however, the potential loss of 27 housing units on the application site is compensated by proposed housing development on adjacent “white” unzoned land. This deviation from the Northern Area Plan from the specified housing land use will not result in adverse impacts in terms of Limavady’s housing requirements.

The single storey school building comprises a main arc shaped section containing the classrooms with the multi-purpose hall wing with kitchen to the rear. The nursery school is similarly a single storey building. Both buildings have similar brick finishes with blue/black tiled roofs which is appropriate to the suburban context. Given site levels, the main school building will be set 1-1.5m below the level of Ballyquin Road. Both buildings will not appear dominant when viewed from Ballyquin Road. The proposal includes the provision of tree planting and boundary hedges.

There are four dwellings in proximity to the application site, a noise report was submitted with the application. As a mitigation measure to reduce noise from the play areas, a 2.4m acoustic fence is proposed along the site boundary with the nearest properties. Environmental Health conclude that provided external noise is effectively controlled/ managed by the school, the proposal is acceptable.

Access to the school site from Ballyquin Road is via the development road of the housing development approved in July 2019. This application includes provision of a section of the development road to the development site. Similar to other development on the site, contribution shall be made by the proposal to relevant infrastructure improvements approved as part of the outline for the wider Gorteen development scheme.

NI Water has advised that the Limavady sewage network is currently operating at capacity and at present new connections shall not be approved. The timeframe for an upgrade of the sewage network is unknown. To resolve this issue the applicant is proposing a separate temporary waste water treatment plant which is subject to a separate application. This is to be regulated by condition.

In conclusion, the application is considered to be acceptable when considered against the Northern Area Plan, planning policy and other material considerations. The loss of land from housing zoning LYH13 to provide the school will not have any impact on the provision of adequate housing over the Plan period given the existing surplus of housing potential available within Limavady, and potential available white lands to

accommodate compensatory housing land. The proposed development will result in the provision of an important community facility, allowing the school to provide new and up to standard facilities. The proposed development will not result in any significant adverse impacts on the natural environment or designated sites or residential amenity, subject to appropriate mitigation being implemented. The proposal will provide a satisfactory means of access to the public road which will not prejudice road safety or significantly inconvenience the flow of traffic. The proposal complies with the policy requirements of the SPPS, PPS2, PPS3, PPS15 and a Planning Strategy for Rural Northern Ireland. Approval is recommended.

**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 conditions set out in section 10.

In response to Members' queries in relation to the retention of boundary trees the Development Management and Enforcement Manager confirmed that the trees on the Ballyquin Road, opposite the junction to Scroggy Road would be retained. The trees on the southern boundary are outside of the application site and are not identified to be removed.

The Chair informed Members that the registered speaker G Ogle of Hamilton Architects was not in attendance and W Toner would be available to answer Members questions, but would not be able to present.

Proposed by Councillor Nicholl  
Seconded by Councillor Baird

- 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 conditions set out in section 10.

The Chair put the proposal to the Committee to vote. Committee voted unanimously in favour.

The Chair declared the motion to **APPROVE** carried.

\* **Councillor McMullan re-joined the meeting at 11.54am.**

### **5.3 Major LA01/2019/0630/F Lands to the rear of the existing Limavady Wolfhounds Pitch off Scroggy Road, Limavady (Agenda Item 5.3)**

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

The Development Management and Enforcement Manager described the site and its context for full planning for a proposed new grass pitch and 4G training area including flood lighting, the provision of team dugouts, ball catch nets, goal posts & fencing plus the provision of community walking path with 1m high bollard lighting and associated site works.

In terms of the Northern Area Plan 2016, the site is located within the settlement development limit of Limavady on land zoned for housing. This is a major planning application so it was preceded by a PAN. The application was accompanied by the submission of a community consultation report. In addition, as a major application, it was accompanied by a Design and Access Statement.

An EIA determination was carried out with the conclusion that no environmental statement was required.

The proposed development is an alternative land use to housing as zoned in the Northern Area Plan 2016. However, regard is had to the planning history for outline planning permission for housing granted in August 2018. This outline approval entailed a rationalisation of housing and open space, effectively swapping land zoned as housing for open space and vice versa. This proposal is on the “new” area of open space and is the outcome of a planning condition on the outline permission for housing which requires the completion of the playing pitch use before the construction of any housing. Therefore the proposal is acceptable in principle, notwithstanding the particular land use identified in the Northern Area Plan.

No buildings are proposed within the application. The taller structures on the site are the floodlights and the ball-stop nets. These are not considered to be significant visual features within the wider setting.

There are dwellings adjacent to the application site; the nearest ones are those in Castle Park which are 12-15m from the site boundary. In terms of the floodlighting, Environmental Health has advised that the level of light spill is low and that the proposal is acceptable subject to a post

installation inspection. The floodlighting is to be conditioned to be used between 7am and 11pm only. In terms of noise, Environmental Health advise that the proposal would not be likely to result in adverse impacts when considered against existing background noise levels in the area. The amenity of the rear of properties at Castle Park and Bellshill is protected adequately by existing fences, hedges and additional proposed hedging. The proposed earthworks will not increase the site levels relative to the existing dwellings adjoining the application site. Therefore the relationship between existing dwellings and the proposed use is considered acceptable.

Access to the site will be via the existing Scroggy Road entrance. The existing car parking is adequate to serve the proposal. DfI Roads are content with the proposed access and car parking arrangements.

In conclusion, the proposal will ensure the preservation of existing levels of open space within the settlement of Limavady in line with the SPPS and PPS8 and will provide new sporting facilities in line with the requirements of planning approval LA01/2015/0349/F. The proposal will provide quality facilities for the local community without any significant adverse impacts on the amenity of local residents, natural and built environment, or upon visual amenity and character of the area. The proposal complies with the policy requirements of the SPPS, PPS2, PPS3, PPS8, and PPS15. Approval is recommended.

**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 conditions set out in section 10.

Proposed by Councillor Nicholl  
Seconded by Councillor MA McKillop

- 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 conditions set out in section 10.

The Chair put the proposal to the Committee to vote. 11 Members voted For, 0 Members voted Against and 1 Member Abstained.

The Chair declared the motion to **APPROVE** carried.



#### **5.4 Referral LA01/2019/0147/F 220 Metres South-West of 54 Burrenmore Road, Castlerock (Agenda Item 5.10)**

- \* Councillor MA McKillop left the meeting at 12.04pm having declared an interest in this item.**

Planning Committee Report and Addendum were previously circulated and presented by the Senior Planning Officer, E Hudson, via PowerPoint.

The Senior Planning Officer described the site and its context for full planning for a proposed dwelling and garage.

This is a full application for a single storey dwelling located 220 metres south west of 54 Burrenmore Road, Castlerock. The site is located in open countryside and in the Binevenagh AONB as defined in the Northern Area Plan.

The applicant submitted further information by way of farm maps for the application to be considered as a dwelling on a farm. This information is included in the Addendum to the Planning Committee Report.

The Senior Planning Officer presented Members with a slide showing the red line boundary of the site. The site is located at the rear of a larger roadside field. The rear and western boundaries of the site are defined by hedgerow with the other boundaries undefined and open in character.

Slides were also presented to Members showing the view taken from Burrenmore Road along the proposed access to the site and a long distance view of the site taken close to the entrance to the group of buildings to the south of the site. This shows the site has an elevated location as Burrenmore Road rises steeply in a westerly direction.

Although the land slopes gently in a southerly direction towards the rear of the site it is not to such a degree that the site would be adequately enclosed on all boundaries.

The application is for a dwelling and garage in the open countryside and falls to be considered under PPS 21. The application has been considered under Policy CTY 1 and is not considered to fall within any of the types of development which are considered acceptable in the countryside.

During the processing of the application the Agent submitted information to support the need for a dwelling at this location based on personal and domestic circumstances. Having considered the information submitted it is not considered that there have been compelling and site specific reasons advanced for a dwelling under Policy CTY 6 and that other alternative solutions such as extensions, annexes to the existing dwelling or conversion of another building have not been fully explored. It is considered that based on the level of care required, another family member currently living on the farm and the applicant currently living 3 miles away in Articlave, that genuine hardship would not be caused if planning permission were not granted.

Further information has also been submitted in the form of farm maps and the application has been assessed under Policy CTY 10 for a dwelling on a farm. This is detailed in the Addendum to the Planning Committee Report. Following consultation with DARD it is confirmed that the farm is active and established and therefore meets Part A of Policy CTY 10. Part B requires that no farm dwellings have been sold off from the farm holding within the last 10 years. Planning permission was granted for a dwelling on the farm in 2011 adjacent to No. 54. It has been confirmed that the applicant's brother lives in this dwelling. Therefore the application does not meet Part B of Policy CTY 10 as a dwelling has been sold off from the holding within the last 10 years and this would be their one in 10 year approval under Policy CTY 10.

In addition to this, the proposed site does not cluster or visually link with an established group of buildings on the farm and therefore fails Part C of Policy CTY 10.

The site has been subject to 3 previous planning permissions one of which was dismissed at Planning Appeal. These are outlined in detail in Part 3 of the Planning Committee Report.

Due to the elevated and open nature of the site from the public road and the lack of boundaries it is considered that the proposed dwelling would not satisfactorily integrate into the surrounding landscape and fails Policy CTY 13 due to lack of enclosure and the reliance on new landscaping. Also it would have an adverse impact on the AONB.

DAERA Natural Environment Division advised there may be natural heritage issues associated with the proposal. A Biodiversity Checklist hasn't been completed and therefore it is undetermined whether the proposal would have an adverse impact on natural heritage.

In conclusion, the proposal is considered unacceptable in this location having regard to the Northern Area Plan 2016 and other material considerations. The proposal does not accord with the principle of a dwelling in the countryside as set out by Policy CTY 1 of PPS 21 including having regard to personal and domestic circumstances. In addition, the proposal would have an adverse effect on the AONB and the site lacks a suitable degree of enclosure to satisfactorily integrate the dwelling into the surrounding landscape. Refusal is recommended.

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

**Addendum Recommendation** - that the Committee notes the contents of the Addendum and agrees with the recommendation to **REFUSE**, as set out in paragraph 9.1 of the Planning Committee Report and with the inclusion of an additional reason for refusal:

- The proposal is contrary to Paragraph 6.73 of Strategic Planning Policy Statement and Policy CTY10 of PPS21, Sustainable Development in the Countryside, in that it has not been demonstrated that other dwellings/development opportunities have not been sold off from the farm within 10 years of the date of application and the proposed new building is visually linked (or sited to cluster) with an established group of buildings on the farm and access to the dwelling is not obtained from an existing lane.

The Chair informed Members that Alderman Fielding had withdrawn his request for speaking rights in support of this application.

Proposed by Councillor Baird  
Seconded by Alderman Finlay

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

**Addendum Recommendation** - that the Committee notes the contents of the Addendum and agrees with the recommendation to **REFUSE**, as

set out in paragraph 9.1 of the Planning Committee Report and with the inclusion of an additional reason for refusal:

- The proposal is contrary to Paragraph 6.73 of Strategic Planning Policy Statement and Policy CTY10 of PPS21, Sustainable Development in the Countryside, in that it has not been demonstrated that other dwellings/development opportunities have not been sold off from the farm within 10 years of the date of application and the proposed new building is visually linked (or sited to cluster) with an established group of buildings on the farm and access to the dwelling is not obtained from an existing lane.

The Chair put the proposal to the Committee to vote. Members voted unanimously in favour.

The Chair declared the motion to **REFUSE** carried.

\* **Councillor MA McKillop re-joined the meeting at 12.10pm.**

#### **5.5 Referral LA01/2019/0416/O 56m NW of 42 Bregagh Road, Armoy (Agenda item 5.12)**

Planning Committee Report and Addendum were previously circulated and presented by the Senior Planning Officer, E Hudson via PowerPoint.

The Senior Planning Officer, described the site and its context for outline planning for a site of dwelling and garage on a farm.

This is an outline application for a dwelling and garage on a farm on a roadside site 56 metres North West of 42 Bregagh Road, Armoy. The site is outside any development limits located in the open countryside with no designations as identified in the Area Plan.

The Senior Planning Officer presented Members with a slide showing the redline boundary of the site with the applicants dwelling and farm buildings sited adjacent.

Members were also shown a slide with a view of the site approaching in a northerly direction. It has been established that the farm business is active and established and there have been no dwellings or development opportunities sold off from the farm within the last 10 years. The site is adjacent to the existing group of buildings on the farm and although visually, due to the mature belt of trees along the southern boundary, is

well screened from the farm grouping it is for the purposes of Policy CTY 10 considered to visually link with the farm grouping.

A view of the site approaching from another direction along Bregagh Road was shown to Members. Although demonstrated as meeting the policy requirements of Parts a-c of Policy CTY 10 the application must also meet other planning and environmental considerations of Policy PPS 21. Here you can see the open nature of the site and lack of enclosure. Despite the site grouping with the existing farm a dwelling on this site would protrude unacceptably into the open countryside. It would extend the ribbon of development along the Bregagh Road and due to the open nature of the site, lack of enclosure and elevated nature a dwelling on this site would appear prominent and therefore contrary to Policy CTY 13.

The proposal would also be contrary to Policy CTY 14 in that a dwelling would result in ribbon development, result in a suburban style of build-up and have a detrimental impact on rural character. The existing farm grouping is very well enclosed into a traditional style grouping common throughout the countryside.

The siting at this location could also lead to the potential for an infill site to be created between the site and the existing farm buildings, this was marked by an asterix on the aerial view slide.

A meeting was held with the Agent where the points of concerns were outlined. It was also pointed out that there were other potential sites on the farm which would better meet policy and provide a better level of integration.

The proposal is contrary to Policy CTY 1 of PPS 21 as the principle of development is unacceptable. It is contrary to Policy CTY 8 and Policy CTY 14 in that it would result in the creation of ribbon development and a suburban style of development and the site is elevated and lacks defined boundaries to enclose and aid integration.

In conclusion, the proposal is considered unacceptable in this location having regard to the Northern Area Plan, and other material considerations, including the SPPS and PPS 21. The application site fails to integrate into its rural surroundings and will create ribbon development in the countryside which is unacceptable in regards to PPS 21. Refusal is recommended.

**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 reason set out in section 10.

**Addendum Recommendation** - that the Committee notes the contents of the Addendum and agrees with the recommendation to **REFUSE** the planning application as set out in Section 9.0 of the Planning Committee Report.

Proposed by Alderman Finlay  
Seconded by Councillor Anderson

- that the application be deferred and a site visit be held in order for Members to view the existing development on the ground.

The Chair put the proposal to the Committee to vote. 11 Members voted For, 0 Members voted Against and 1 Member Abstained.

The Chair declared the motion to **DEFER** carried.

The Head of Planning stated that speaking rights for J Simpson, Agent to address the Committee in support of the application would be forwarded to the next meeting.

#### **5.6 Referral LA01/2019/0810/O 29 Broomhill Park, Coleraine, BT51 3AN (Agenda item 5.14)**

Planning Committee Report was previously circulated and presented by the Senior Planning Officer, M Wilson via PowerPoint.

The Senior Planning Officer described the site and its context for full planning for a retrospective application with alterations to provide timber close boarded fence and new timber shed to rear garden.

The site is located to the south west of Coleraine within the settlement development limit as defined in the Northern Area Plan 2016.

The site is within a residential area. The Senior Planning Officer presented Members a slide showing the proposed layout of the fence and shed and the existing dwelling at No. 29 and its relationship to No. 31 Broomhill Park, Coleraine.

Members were also presented with slides showing the front of dwelling with the fence, the view looking North with the roofs of Nos. 31-35 in the background and a further view from Broomhill Park looking at the side elevation of the fence where viewing the applicants property and the neighbouring properties at Nos. 31 & 33.

The Senior Planning Officer referred Members to paragraphs 8.4 & 8.5 of the Planning Committee Report outlining the previous refusal of a similar application on site.

However, while the photos show what is existing the applicant has proposed some revisions to what is constructed on site and the proposed plan shows the fence reducing in height from the property at No. 31 going South at the as constructed height of 1.8 metres lowering to 1.2 metres.

Having regard to this suggested revision, the principle of development is considered unacceptable as the siting and visual impact of the fence and shed have an unacceptable impact on the streetscape and is contrary to policy EXT 1 of Addendum to PPS7.

DfI Roads have been consulted and raise no objection.

There are 14 objections from 4 objectors to the proposal.

In conclusion, the proposal is considered unacceptable at this location having regard to the Northern Area Plan and the Addendum to PPS 7. The visual prominence of the proposed fence and shed are unsympathetic in scale and design in relation to the streetscape and surrounding area of Broomhill Park. Broomhill Park is characterised by an open plan layout and condition No.11 on the original permission (C/1985/0374) for the housing development sought to protect this open plan layout. The proposal fails to comply with Policy EXT 1 and refusal is recommended.

**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** permission for the full application subject to the reason set out in section 10.

In response to a Member's query the Senior Planning Officer confirmed that the previous planning application in 2018 had been refused and that an enforcement notice had been served on the property on 5 June 2019

and took effect 22 July 2019. The enforcement was not appealed and the Planning Committee are required to make a decision on the current application; the applicant proposes to reduce the height of the fence in a decreasing form from 1.8m to 1.2m.

\* **Councillor McLaughlin arrived at the meeting at 12:15pm.**

The Senior Planning Officer confirmed that the housing development is a shared surface and an open development. Original planning permission was granted in 1985 and the houses built sometime after that.

In response to a Member's query the Senior Planning Officer informed Members that he was aware of other fences that had been erected in the development, however he was not aware of any planning permission being granted for these; these may be subject to enforcement action.

Proposed by Councillor Baird  
Seconded by Alderman Boyle

- that that the application be deferred and a site visit be held in order for Members to view the fence and timber shed on the site.

The Chair put the proposal to the Committee to vote. 3 Members voted For, 5 Members voted Against and 4 Members Abstained.

The Chair declared the motion to defer **LOST**.

The Head of Planning asked Members if they were aware of any unauthorised erection of fencing that they pass this information on to the Planning Officers to investigate if there is a breach of planning conditions.

In response to a Member's query in relation to the guidance in relation to the erection of fencing and walls the Senior Planning Officer referred Members to paragraph 8.10 of the Planning Committee Report.

The Senior Planning Officer reminded Members that Policy EXT1 of PPS7 Addendum states that permission will be granted for a proposal to extend or alter residential property where all of the 4 criteria are met and referred Members to paragraph 8.8 of the Planning Committee Report which provided details of the 4 criterion.



He also referred Members to paragraph 8.13 to 8.16 of the Planning Committee Report and stated that the proposed application did not meet with criteria (a) and therefore the application did not meet with Policy EXT1 of PPS7 Addendum as it impacts the appearance and character of the surrounding area.

The Senior Planner clarified that householders are generally permitted to erect a fence or buildings up to 1m in height if adjoining the road, and up to 2m in height if not adjoining the road however, this permitted development right had been removed by condition for this development in order to retain the open plan character of the development.

\* **Alderman McKeown arrived at the meeting at 12:35pm.**

In response to a Member's query in relation clarification of paragraph 8.11 of the Planning Committee Report the Senior Planning Officer clarified that the provisions of the Planning (General Development) Order (Northern Ireland) 1994 had been superseded in 2015 but the essence of the Order would have remained the same.

The Chair invited P Creelman, Applicant to address the Committee in support of the application.

He made the following points:

- A fence can be erected under certain conditions; his understanding was 2m in height.
- He approached his neighbour at the time who had no objections, however he was approached by his neighbour some time later and informed that his wife was not happy with the building of the fence.
- He was of the opinion that the fence was built within the stated regulations; the application was then refused by Planning Officers.
- He has a 2yr old and a 5yr old child, and that there was a drop down area in his garden which was unsafe for his children; the fence was therefore necessary for safety reasons. The shed was built for the storage of his children's toys.
- He brought the fence out slightly forward for safety reasons and that the height had not been increased; it has the same layout and looks as the previous fence.
- At the rear of the site the fence measures 1.8m in height and then proposes to gradually decrease to 1.2m in height.

- He has never resisted planning suggestions and would adhere to any time restraints etc. provided by the Planning Officers.
- He does not feel that he is in breach of the planning regulations as there are a number of properties in the development that have erected similar fencing, some have sheds and one has a double garage. He referred to Nos. 6, 23, 60, 61 and 74.

In response to questions raised by Members, P Creelman clarified the following points:

- Some of the fences would have been erected during his 2 year application period; others were within a 5 year period.
- During the period of the first application he was waiting for feedback from Planning Officers and had missed the date required to submit additional information.
- He did not think an informed decision had been made and was advised that he should have been checking online for the decision.

A Member informed P Creelman that it was the responsibility of his Architect to keep him informed of the status of the application and that he would have been notified when the application had been refused.

P Creelman also confirmed that when the original application had been submitted the fence had already been erected and that the Planning Officers had informed him that the fence had to be taken down and planning permission to be re-applied for.

In response to a Members query the Senior Planning Officer clarified that the 2015 revision of the Planning (General Development) Order (Northern Ireland) 1993 would not change the validity of the conditions.

The Senior Planning Officer also confirmed that any dispensations were a matter for the developer, architect and that the planning application would be considered on its merits. Also any alternative fencing material was a matter for the applicant and his architect.

The Chair informed Members that Councillor McQuillan had withdrawn his request to address the Committee in support of the application.

Proposed by Alderman Finlay  
Seconded by Alderman McKillop

- that the Committee has taken into consideration and **disagrees** with the reasons for recommendation to refuse as 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:

- The proposed application would be acceptable in scale, massing and design and the external materials of the proposal would not detract from the appearance and character of the surrounding areas.
- The applicant had agreed to taper the fence down to 1.2m and would therefore conform to the relevant policies and not unduly affect his neighbours.
- There was not a loss of, or damage to trees and sufficient space remained within the curtilage of the property for recreational and domestic purposes.

The Chair put the proposal to the Committee to vote. 6 Members voted For, 4 Members voted Against and 2 Members Abstained.

The Chair declared the motion to **APPROVE** carried.

- \* The Chair declared a recess at **1.10pm.**
- \* The meeting reconvened at **1.45pm.**
- \* **Councillor MA McKillop and Councillor Anderson did not re-join the meeting.**

**5.7 Council LA01/2019/0063/F Crosstagherty Civic Amenity Site and Transfer Station, 7 Burnquarter Road Ballymoney (Agenda item 5.16)**

Planning Committee Report was previously circulated and presented by the Senior Planning Officer, M Wilson via PowerPoint.

The Senior Planning Officer described the site and its context for full planning, Section 54 application planning permission previously given for the construction of a civic amenity site and waste transfer station of lands owned by Council. Permission now sought to add street cleansing residues (European Waste Catalogue waste code 20 03 03) and biodegradable kitchen and canteen waste (European Waste Catalogue waste code 20 01 08) to site conditions.

The site is located within the countryside outside of any defined settlement development limits as defined in the Northern Area Plan 2016.

This is an existing civic amenity and waste transfer station. The principle of this site as a waste site is therefore established.

Members were presented with slides on the access to the site and the waste transfer building. In considering the addition of 2 waste codes, street cleansing residues would comprise and include all non-hazardous waste from gully emptying, litter, road sweeping and street sweeping; Crosstagherty will mainly take litter with very little gully emptying. Biodegradable kitchen and canteen waste is basically everything that would go in your brown bin – food waste etc. This is considered acceptable having regard to the relevant matters in Policies WM 1 and WM 2.

Any additional traffic impact is acceptable and complies with WM1 and PPS 3 requirements.

There are no objections from the consultees.

There are no third party objections to the proposal.

The Senior Planning Officer provided a verbal Addendum to Members.

It is recommended that conditions 2 & 6 set out in Section 10 of your report are amalgamated into one condition, to be more precise, and this new condition would read as follows:

The approved waste bulking up area shall be used for the storage of scrap metal, soil, rubble, large WEEEs (Waste from Electric and Electronic Equipments), timber and green waste as indicated on stamped approved drawing No 02D received on 25th November 2011 application No D/2010/0298/F, and the facility shall also accept the following European Waste Catalogue Codes:

20.03.03 street cleansing residues  
20.01.08 biodegradable kitchen and cleansing waste

Reason: In the interests of environmental protection.

On the basis of this revised condition, this application is recommended for Approval.

In conclusion, this Section 54 application to add street cleansing residues (European Waste Catalogue waste code 20 03 03) and biodegradable kitchen and canteen waste (European Waste Catalogue waste code 20 01 08) is considered acceptable having regard to NAP 2016 and Policies WM1 and WM 2 of PPS 11 and AMP 2 of PPS 3. There are no objections from the relevant consultees including DAERA's Waste Management (regulation) unit.

**Recommendation** - that the Committee has taken into consideration and agrees with the reasons for 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.

Proposed by Councillor Nicholl  
Seconded by Alderman McKeown

- that the Committee has taken into consideration and agrees with the reasons for 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 proposal to the Committee to vote. Members voted unanimously in favour.

The Chair declared the motion to **APPROVE** carried.

#### **5.8 Council LA01/2019/1388/F Land adjacent to SW of existing Ballywillan Cemetery, Magheraboy Road, Portrush (Agenda item 5.17)**

Planning Committee Report was previously circulated and presented by the Senior Planning Officer, J Lundy via PowerPoint.

The Senior Planning Officer described the site and its context for full planning for the proposed extension of an existing cemetery.

The Senior Planning Officer presented Members with a slide marking the location of the cemetery in the outskirts of the settlement of Portrush. The site is located in the rural area. The red line on the slide delineating the application site and its relationship to the existing cemetery. The proposed site is 242m long and 40m wide.

The existing cemetery is bound on the eastern side by hedging. The hedge is to be retained with accesses punched through. The northern and western site boundaries are undefined. The southern site boundary comprises post and wire fencing, hedging and a field gate.

The use of the adjacent agricultural field to provide this extension is considered to be a necessary community facility to serve the rural population.

The proposed landscaping plan depicts a new hawthorn hedge to the new boundaries and accesses from the existing cemetery. The roadside hedge is to be retained and the existing roadside agricultural access closed up and a new hedge planted.

The application has been assessed under all relevant planning policies as set in section 7 of the Planning Committee Report. The size and design of this development is appropriate for this rural context and will visually integrate with the existing cemetery when viewed from the existing road network.

The proposal has also been considered under impact of the character, noise and air quality, archaeology, access and parking and natural heritage. The proposal has been recommended for approval subject to the conditions set out in section 10.

In conclusion, the proposal is considered acceptable in this location having regard to the Northern Area Plan, and other material considerations, including the SPPS. The proposal meets the requirements of Policy CTY 1 of PPS 21 in terms of a necessary community facility to serve the local rural population. The cemetery extension will not have an adverse impact upon the water environment. The archaeological impact of this proposal has been considered and the archaeological mitigation strategy is acceptable. The proposal will not harm neighbouring residential amenity. The proposed cemetery extension is a continuation of the existing cemetery and is visually appropriate in this rural context. The proposal is acceptable in terms of access and parking and meets road safety requirements. The proposal will not harm features of natural heritage and new planting is proposed.

**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.

Proposed by Alderman S McKillop  
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** planning permission subject to the conditions set out in section 10.

The Chair put the proposal to the Committee to vote. Members voted unanimously in favour.

The Chair declared the motion to **APPROVE** carried.

The Chair informed Members that 9 applications had been deferred for site visits and that it may not be possible to complete all the Site Visits in one day.

\* **Alderman S McKillop left the meeting at 2.15pm.**

**AGREED** - that the Planning Committee Meeting to be held on Wednesday 25 March 2020 would commence at **10am**. Site Visits to take place on a separate date before the Planning Committee Meeting.

The Head of Planning to look at the Members Calendar with a view to holding the Site Visits during the week before the Planning Committee Meeting i.e. week commencing 16 March 2020. Should this not be possible then the Head of Planning to look at the Members Calendar with a view to hold the Site Visits on Monday 23 March 2020.

**AGREED** - that Agenda 7.3 – Building Preservation Notice (BPN) Barry's Amusements, Portrush be discussed next on the Agenda.

## **6.0 DEVELOPMENT PLAN**

### **6.1 Building Preservation Notice (BPN) – Barry's Amusement, Portrush (Agenda item 7.3)**

The Committee received a report, presented by the Development Plan Manager, S Mulhern, informing Members of the recent news (15 November 2019) that Barry's Amusements, Portrush, has been put up for sale as an ongoing concern. It is understood that the business employs 11 full time staff. This has generated much debate regarding

the serving of a Building Preservation Notice (BPN) or the potential listing of the building.

Council has a responsibility under the Planning Act (Northern Ireland) 2011, the “Act”, to protect and conserve the historic environment for the benefit of our present and future generations.

Council has powers (under S.81 & 82 of “the Act”) to serve a BPN on the owner and occupier of a building if it appears that the building is of special architectural or historic interest and is in danger of demolition or significant alteration.

A BPN is a form of temporary listing. It provides statutory protection to an unlisted building for a 6 month period, within which time any works to the building will require listed building consent (see link):

[https://www.planningni.gov.uk/index/advice/northern\\_ireland\\_environment\\_agency\\_guidance/practice\\_guide\\_-\\_building\\_preservation\\_notice\\_complete-2.pdf](https://www.planningni.gov.uk/index/advice/northern_ireland_environment_agency_guidance/practice_guide_-_building_preservation_notice_complete-2.pdf)

The Council may (if it considers that the building merits listing) consult the Department for Communities: Historic Environment Division (DfC:HED) asking them to consider permanently listing the building.

The building must meet the following test to be considered for a BPN;

- It is of special architectural or historic interest; and
- It is in danger of demolition or alteration in such a way as to affect its character as a building of such interest.

In considering the listing DfC:HED will:

- Take into account any information forwarded to them by Council. This is usually Council’s Conservation Area Officers completed “Listing Query Report Form” (see Appendix 1);
- record the structure;
- consider the building against DfC:HED Criteria for listing (published May 2019 – see link: <https://www.communities-ni.gov.uk/publications/criteria-scheduling-historic-monuments-and-listing-buildings-special-architectural-or-historic>)
- undertake statutory and non-statutory consultations; and
- make a final decision.



The BPN test is one of initial assessment. Detailed research and assessment can be carried out later, if required. This lower test allows for swift action, should it be required.

The Planning Committee Report details potential for compensation claims when considering serving a BPN, the location of the site in question, the building and expert advice that was sought from DfC:HED.

The Development Plan Manager informed Members that in this case Council spoke with DfC:HED to ascertain if they had previously listed/considered listing the property. DfC considered that the property did not meet even the basic criteria for them to progress to a more detailed survey, therefore they would not be considering it for listing.

**It is recommended** that Members agree with the recommendation **NOT** to serve a BPN on this building.

One Member voiced a concern that should there be a BPN and the site is sold, the potential purchaser may not be able to do anything with the property and that it may lie and deteriorate.

Another Member raised concerns that the site may be sold and a housing development would be built on the site.

The Development Plan Manager informed Members that DfC did highlight that, as per the SPPS, Councils do have powers to bring forward a list of “undesigned heritage assets” as part of its LDP preparation. However, the workshop relating to this topic has not yet taken place.

In response to a Members query the Development Plan Manager clarified that a request for a BPN could be made by Councils or members of the public or other agencies. In this case it was a press release stating that Barry’s was to be sold and this prompted an internal discussion.

Proposed by Councillor Baird  
Seconded by Alderman Duddy

- that Members agree with the recommendation **NOT** to serve a BPN on this building.

The Chair put the proposal to the Committee to vote. 10 Members voted For, 0 Members voted Against and 1 Member Abstained.

The Chair declared the motion to **NOT** serve a BPN on the building **CARRIED**.

## **7. DEVELOPMENT MANAGEMENT PERFORMANCE**

### **7.1 Update on Development Management and Enforcement Statistics 01/04/19 – 30/12/19 (Agenda Item 6.1)**

Report, previously circulated presented by the Head of Planning.

The Committee was provided with a list of planning applications received and decided respectively by Causeway Coast and Glens Borough Council in the month of December 2019. Please note that Pre-Application Discussions; Certificates of Lawful Development – Proposed or Existing; Discharge of Conditions and Non-Material Changes, have been excluded from the reports to correspond with official validated statistics published by DFI.

Table 1 within the report details the number of Major planning applications received and decided, as well as the average processing times. Please note that these figures are unvalidated statistics. In comparison to the same period last year, the number of major applications received has decreased by 1, however, the number of major applications decided has increased by 6.

Of note is that the percentage of cases processed within 30 weeks has increased by over 8% when compared to the same period last year.

Table 2 within the report details the number of Local planning applications received and decided as well as the average processing times. Please note these figures are unvalidated statistics. In comparison to the same period last year, the number of applications received has decreased by 64 applications and the number of decisions issued/withdrawn has decreased by 19 applications.

Although we did not meet the statutory target of 15 weeks for processing local applications the average processing time has improved by 3.1 weeks when compared to the same period last year and with 4.7% more local applications being processed within the statutory target when compared to same period last year. Furthermore, the number of applications decided/withdrawn is greater than the number of applications received resulting in a reduction in the number of live applications in the system.

Table 3 within the report details the number of Enforcement cases opened and concluded as well as the percentage of cases concluded within the statutory target of 39 weeks. Please note these figures are unvalidated statistics. In comparison to the same period last year, the number of cases opened has increased by 52 and the number of cases brought to conclusion has decreased by 26.

The statutory target for concluding 70% of enforcement cases within 39 weeks continues to be exceeded by our Enforcement team with 86.4% of cases YTD concluded within the statutory target. An improvement of 8.8% when compared to the same period last year. Furthermore, the length of time taken to conclude 70% of cases has reduced by 6.2 weeks taking just 27.7 weeks YTD to conclude.

Table 4 within the report details the total number of Local applications determined under delegated powers. Determined is taken as the date the decision issued and excludes withdrawn applications. DfI Development Management Practice Note 15 Councils Schemes of Delegation recommends that councils should aim to have 90-95% of applications dealt with under the scheme of delegation. To date 92.48% of applications determined were delegated under the scheme of delegation.

Table 5 within the report provides details on the number of decisions that were determined by the Planning Committee at each monthly meeting and the percentage of decisions made against officer recommendation, including Major, Council and Local applications. This is taken from the date of the Planning Committee meeting. To note is that all applications which have been overturned are on applications referred to Committee by Elected Members.

Table 6 within the report details the number of appeal decisions issued since 1 April 2019. Please note that these figures relating to planning application decisions only are unvalidated statistics extracted from internal management reports. No decisions have been issued by the PAC for this Council in the month of December.

Table 7 within the report provides the details of the number of application for claims for costs made by either third parties or Council to the PAC and the number of claims where the PAC have awarded costs. Council made 2 claims for cost during November with one cost being denied and no decision has been received for the other claim which relates to the Castle Erin application. The applicant has also lodged an award of costs

against the Council in relation to the Castle Erin application. The other award of costs against the Council relates to a refusal of planning permission for a farm dwelling at Craigmore Road, Coleraine (2019/A0124) and PAC have not made a decision on this as of yet.

Table 8 within the report details the number of contentious applications which have been circulated to all Members in the months April – December and the number which have referred to the Planning Committee for determination. To date 58.24% of contentious applications have been referred to Planning Committee for determination.

**It is recommended** – that the Planning Committee notes the update on the Development Management Statistics.

**AGREED** - that the Planning Committee notes the update on the Development Management Statistics.

## **7.2 Review of ‘Protocol for the Operation of the Planning Committee’ and ‘Scheme of Delegation’ (Agenda item 6.2)**

Report, previously circulated presented by the Head of Planning.

The ‘Protocol for the Operation of the Planning Committee’ and ‘Scheme of Delegation for the Planning Department’ were previously reviewed and agreed on 03 December 2018 and took effect on 28 January 2019.

At the Planning Committee meeting held on 25 September 2019, it was requested a workshop be held to review the planning application process, the Protocol and Scheme of Delegation and a report brought back to Planning Committee for agreement.

The workshop to discuss current issues regarding the current planning application process, the Protocol and the Scheme of Delegation took place on 20 November 2019 with 9 Planning Committee Members in attendance.

Issues raised related to:

- Delay in processing applications – officers and agents.
- Staffing levels and caseloads.
- Council Direction to tighten validation procedures and submission of information at validation stage.

- Timeframe for submission of amended plans/further information and associated costs; decision to issue if not received
- Design Issues
- If principle unacceptable make determination.
- Objections from 5 separate addresses – must provide postal address and contact telephone number; objections from agents submitting applications will not count towards the more than 5 objections.
- Sound planning reasons for referral requests from Elected Members in agreement with Head of Planning, Chair and/or Vice Chair.
- Receipt of late information when Committee Reports completed and circulated to Members.
- Provision of drawings associated with applications.
- Audio recording of meetings rejected.
- Attend Mid Ulster and Armagh, Banbridge and Craigavon Planning Committees for comparison purposes.

Further issues were raised by Members at the Planning Committee meeting held on 22 January 2020 relating to:

- Members proposing and seconding a deferral for site visit should not be required to attend the site visit if the site is within their DEA and they may already know the site but wish other Members to view prior to making a decision.
- Members who wish to speak on an application should be allowed to remain in the public gallery during the officer's presentation and listen to others speaking on the application before leaving the chamber during debate and decision by Members.

A revised 'Good Practice Guide for the Efficient Processing of Planning Applications' will be developed and brought to Planning Committee for agreement at a later date.

The issues raised at the workshop and Committee Meeting including other updates to the Protocol and Scheme of Delegation are detailed in the revised Protocol and Scheme of Delegation attached at **Appendix 1 and 2** (previously circulated) with amendments shown as tracked changes for ease of reference.

It is anticipated that the changes will assist in speeding up the planning process and provide clarity on the referral process and submission of information after Planning Committee papers have been circulated to Members.

**It is recommended** that the Planning Committee approves for implementation as soon as possible the amended 'Protocol for the Operation of the Planning Committee' and 'Scheme of Delegation for the Planning Department' attached at Appendix 1 and 2, and that the Head of Planning seeks approval from the Department of Infrastructure on the amended Scheme of Delegation.

**Appendix 1 - Revised Protocol for the Operation of the Planning Committee**

Page 1: Paragraph 2.1, agreed reordering of bullet points

Page 1: Paragraph 2.1, bullet point 5 - Leave in the words 'two weeks' and add 'normally'.

Page 2: paragraph 2.1, bullet point 1 agreed insertion regarding circulation of information directly to Members

Page 2: paragraph 2.1, bullet point 2 – agreed rewording. Change last sentence to read 'If the information is received after 10am on the Friday prior...'

Page 2 Paragraph 3.2 - inserted wording agreed.

\* **Alderman McKeown left the meeting at 2.45pm.**

Page 3: Paragraph 4.1 – agreed deletion.

Page 3: Paragraph 5.1 – agreed insertions and deletions and add 'and' to read '...Chair of the Planning Committee and/or Vice-Chair...'

Page 3: Paragraph 5.2 – agreed insertions and deletions

Page 4 and page 5: Paragraph 6.3 - Agreed insertion and deletions

Page 6: Paragraph 6.3 (x) – Agreed insertion and deletions and change 1<sup>st</sup> paragraph to read add 'planning' to read '...provide clear planning reasons...' and delete word normally to read 'Consideration of an application should only be deferred once.'

Page 6: Paragraph 6.3 (x) 4<sup>th</sup> paragraph – add planning to read 'The planning reasons for any decision...'

Council's solicitor provided Members with a legal opinion on Page 86 Paragraph 6.4.

Page 6: Paragraph 6.4 – agreed insertions and deletions and amended to read 'All requests to address the Committee on a planning application

must be received by 10am on the Friday immediately prior to the Planning Committee meeting ...’.

Page 7: Paragraph 6.5 – agreed insertions and deletions and add ‘(c) vary the order of applications if he/she feels that it is convenient and will assist the Committee in dealing with the matter provided that it will not cause prejudice to the parties concerned.’

Page 7: Paragraph 6.6 – agreed insertions and deletions

Page 7: Paragraph 6.8 – agreed insertions and deletions

\* **Alderman McKeown rejoined the meeting at 3.30pm.**

Page 8: Paragraph 8.2 – agreed insertion

Page 8: Paragraph 8.3 – agreed deletion

Council’s solicitor provided Members with a legal opinion on Page 8 paragraph 8.6.

Page 8: paragraph 8.6 – disagree with deletion, leave in paragraph ‘However, when an application has been deferred at Planning Committee for a site visit, the proposer and seconder must be in attendance at the site visit otherwise they cannot take part in the determination of that application when it is presented to Planning Committee for determination at a subsequent meeting.

Page 9: Paragraph 10.1 – agreed insertions and deletions.

\* **Councillor Nicholl left the meeting at 3.36pm.**

\* **Alderman McKeown left the meeting at 3.37pm and rejoined the meeting at 3.38pm.**

\* The Chair declared a recess at **3.40pm.**

\* The meeting reconvened at **4.05pm.**

\* **Alderman Finlay and Alderman Duddy did not re-join the meeting.**

**Appendix 2 – Revised Scheme of Delegation for the Planning Department**

Page 1: agreed all insertions and deletions.

Page 1: footnote change to read ‘1...liaise with the Chairperson and/or Vice Chairperson of the Planning Committee...’

Page 2: agreed all insertions and deletions.

Page 3: agreed all insertions and deletions.

**AGREED** - that the Planning Committee approves for implementation as soon as possible the amended' Protocol for the Operation of the Planning Committee' and 'Scheme of Delegation for the Planning Department' attached at Appendix 1 and 2, subject to the amendments detailed as above and that the Head of Planning seeks approval from the Department of Infrastructure on the amended Scheme of Delegation.

\* **Alderman McKeown left the meeting.**

## **8. DEVELOPMENT PLAN (CONTD)**

### **8.1 Local Development Plan Update (*Agenda item 7.1*)**

The Committee received a verbal report, presented by the Development Plan Manager, S Mulhern.

The Development Plan Manager informed Members that the LDP 6 month Work Programme was currently on target. The January - June 2020 programme was to be discussed on the agenda today.

The Draft Plan Strategy was currently on target as per the Revised Local Development Plan Timetable published 25 November 2019.

Local Development Plan Workshops – Draft Policies & Proposals – commenced 29 January 2020. The next Workshop would take place on 19 March 2020.

The Project Management Team Meetings (government bodies/key stakeholders) are to commence Friday 6 March 2020.

The Landscape Character Assessment Contract is currently being worked through. Work is to be finalised by end of March/start April 2020. The Landscape Character Assessment is to be presented to Members at 8 April 2020 Landscape Character Assessment Workshop.

### **8.2 Local Development Plan - 6 Month Indicative LDP Work Programme (January - June 2020) (*Agenda item 7.2*)**

The Committee received a report, presented by the Development Plan Manager, S Mulhern, providing Members with a 6-month indicative Work Programme (Appendix 1, previously circulated) which covers the period from January to June 2020. It outlines the work areas to be carried out by the Local Development Plan (LDP) team within this timeframe.



The Development Plan Manager informed Members of a typing error within the report - the report heading to read 'February' not January.

The Development Plan team has considered the representations received to the POP and is finalising any further work and/or consultation required as a result of these, in the preparation of the draft Plan Strategy. Member Workshops, Project Management Team Meetings and Steering Groups will continue throughout the programme.

Meetings and discussions are ongoing with statutory consultees, key stakeholders, adjoining councils arising from this e.g. Sperrins, cross boundary and cross border groups and the Department.

The LDP Steering Group and Project Management Team are operational as per the Council's "Statement of Community Involvement in Planning (SCI)". Meetings will be convened as and when required throughout the work programme. Verbal updates will be provided to the LDP Steering Group (Planning Committee) at its monthly meeting.

In addition to the items detailed in the Planning Committee Report, the Development Plan team will continue to provide input into development management decisions, rota duties, and council consultations from other Councils, etc.

Council will continue to attend NI Regional working groups – Minerals and Coastal Management, as and when required; iterative reports will continue e.g. SA/SEA, HRA, EQIA and RIA.

Landscape Character Assessments including Settlement Appraisals are ongoing and should be completed by the end of March/beginning of April 2020.

Preparatory work on the Council's annual Housing and Employment Land Monitors will commence in within this work programme.

Urban Capacity Studies will continue during this work programme.

Appendix 1, previously circulated, highlights the LDP team work areas – which is not only the LDP preparation. It also includes BPNs, TPOs/Works to trees, Conservation Areas, planning advice and guidance and attendance at a range of council and stakeholder meetings, etc.

**It is recommended** that Members agree to the 6-month (indicative) work programme previously attached at Appendix 1.

**AGREED** - that Members agree to the 6-month (indicative) work programme previously attached at Appendix 1.

\* **Councillor McMullan left the meeting.**

## **9.0 CORRESPONDENCE**

### **9.1 Response to Derry City & Strabane LDP, Draft Plan Strategy (Agenda item 8.1)**

Letter dated 27 January 2020 from Causeway Coast and Glens Borough Council in response to correspondence received from Derry City and Strabane District Council dated 29 November 2019 in relation to the publication of their Local Development Plan (LDP) Draft Plan Strategy and associated documents.

The item of correspondence was **NOTED**.

### **9.2 DFC – Listing confirmation – Music Centre, Charles St, Ballymoney (Agenda item 8.2)**

Correspondence was received from the Department for Communities informing Council of the listing of the Music Centre, including gates and gates posts aka Ballymoney Performing Arts Centre, 23 Charles Street, Ballymoney, Co Antrim, BT53 6DX, under Section 80 of the Planning Act (Northern Ireland) 2011.

The item of correspondence was **NOTED**.

### **9.3 Mid & East Antrim Council – Draft Plan Strategy – Public Inspection of Representation and Counter Representations Public Consultation (Agenda item 9.3)**

Correspondence dated 30 January 2020, has been received from Mid and East Antrim Borough Council in relation to the Mid and East Antrim Local Development Plan 2020 – Draft Plan Strategy. Mid and East Antrim Borough Council advised Council that they were making all representations received to its Draft Plan Strategy available for public inspection from Friday 31 January 2020. This was in accordance with Regulation 17 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015.

The item of correspondence was **NOTED**.

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

Proposed by Alderman Boyle  
Seconded by Councillor Baird and

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

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

#### **10.1 Planning Department Budget Update (*Agenda item 9.1*)**

Confidential report previously circulated was presented by the Head of Planning providing Members with an update on the financial position of the Planning Department as of end Q3 of the 2019/20 business year.

\* **Councillor Scott left the meeting at 4.40pm.**

The Planning budget set at the beginning of the financial year has undergone scrutiny through PWC. The budget set for the 2019/20 financial year was £2.3m with a predicted income set at £1,568k.

As of end of Period 9 (April – December) just over 70% of the budget has been spent with 76% of the predicted income received. However, invoices are due within the Development Plan and legal budget areas in Q4 for work carried out.

Of note, however, is that the number of applications attracting the larger fee payments has dropped which may result in the predicted income of £1,568k not being achieved.

The Head of Planning stated that she has gone through the budget for the forthcoming business year with the Director of Corporate Services.

In response to a Member's query in relation to staffing the Head of Planning confirmed that the budget included the 3 temporary posts going forward.

**It is recommended** that the Committee notes the update provided on the Planning budget as of end Q3 of 2019/20.

**AGREED** - to recommend that the Committee notes the update provided on the Planning budget as of end Q3 of 2019/20.

**MOTION TO PROCEED 'IN PUBLIC'**

Proposed by Councillor Baird  
Seconded by Alderman Boyle and

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

The Head of Planning to bring back an update on Crown Estates role in Planning to the Planning Committee.

There being no further business, the Chair thanked everyone for their attendance and the meeting concluded at **4:45pm**.

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Chair