

**PLANNING COMMITTEE WEDNESDAY 22 NOVEMBER 2017**

**Table of Key Adoptions**

<b>No</b>	<b>Item</b>	<b>Summary of Key Decisions</b>
<b>1</b>	Apologies	
<b>2</b>	Declarations of Interest	<b>Councillor Hunter - Items LA01/2017/0730/F, LA01/2017/0731/LBC and LA01/2017/1074/O</b>
<b>3</b>	Minutes of Planning Committee Meeting held Wednesday 25 October 2017	<b>Confirmed</b>
<b>4</b>	Order of Items and Registered Speakers in the following order  Items LA01/2016/0107/F and C/2014/0507/F	<b>Approve</b>  <b>Withdrawn from schedule</b>
<b>5</b>	Schedule of Applications	<b>Approve</b>
<b>5.1</b>	C/2013/0497/F No's 2, 4 and 6 Bath Road, Portrush	<b>Defer</b>
<b>5.2</b>	LA01/2017/1074/O 30m East of 112 Causeway Road, Bushmills	<b>Refuse</b>
<b>5.3</b>	LA01/2017/0730/F and LA01/2017/0731/LBC Causeway Hotel, 40 Causeway Road, Bushmills	<b>Approve and Grant</b>
<b>5.4</b>	LA01/2017/0691/O 45m NW of 40 Derrychrier Road, Feeny	<b>Defer for Site Visit</b>
<b>5.5</b>	LA01/2017/1134/A Anderson Park (Rose Gardens), Millburn Road, Coleraine	<b>Consent</b>

	<b>5.6</b> LA01/2017/0964/F The Old Mill, Main Street, Cloughmills	<b>Approve</b>
<b>6</b>	Development Management Performance	
	<b>6.1</b> Development Management Statistics	<b>Note</b>
<b>7</b>	Development Plan	
	<b>7.1</b> Planning Committee Report on Retail and Leisure Capacity Study and Perception Studies	<b>Defer Decision to December</b>
<b>8</b>	Correspondence	
	<b>8.1</b> Dalradian Gold	<b>Option 2 - Decline the invitation</b>  <b>Write to Department of Economy asking that they present to Council on licensing process</b>
	<b>8.2</b> DfC – Consultation on Proposed Listing of 57 Hillside Road, Ballycastle	<b>Option 2 - Oppose the Listing</b>
	<b>8.3</b> BT Consultation on Removal of Public Payphone at Seacoast Road, Limavady	<b>Option – Support the Removal</b>
<b>9</b>	Legal Issues	<b>Note Update</b>
<b>10</b>	Any Other Relevant Business (notified in accordance with Standing Order 12(o))	<b>None</b>

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING  
COMMITTEE HELD IN COUNCIL CHAMBER, CIVIC HEADQUARTERS  
WEDNESDAY 22 NOVEMBER 2017 AT 2 PM**

**In the Chair:** Alderman McKeown

**Committee Members Present:** Aldermen: Cole, Finlay, King and Robinson  
Councillors Fielding, Hunter, Loftus, McCandless,  
MA McKillop, McLaughlin, McShane P and Nicholl

**Officers Present:** D Dickson, Head of Planning  
S Mulhern, Principal Planning Officer/Local  
Development Plan Manager  
J McMath, Senior Planning Officer  
E Hudson, Senior Planning Officer  
R McGrath, Senior Planning Officer  
E Watson, Senior Planning Officer  
D J Hunter, Council Solicitor  
E Keenan, Council Solicitor  
E McCaul, Committee & Member Services Officer

**In Attendance:** T Bell – C/2013/0497/F  
A O'Neill – C/2013/0497/F  
J Simpson - LA01/2017/1074/O  
T Cassidy – LA01/2017/0691/O

Press (1 No.)  
Public (7 No.)

## **1 APOLOGIES**

Apologies were received from Alderman McKillop, Councillors Fitzpatrick and McCaul.

On behalf of the Planning Committee, the Chair extended condolence to Alderman S McKillop on the death of her father John who had passed away the previous week. Thoughts and prayers were offered for the family and friends at this sad time.

## **2 DECLARATIONS OF INTEREST**

Declarations of Interest were recorded for:

- Councillor Hunter - LA01/2017/0730/F, LA01/2017/0731/LBC and LA01/2017/1074/O.

**3 MINUTES OF PLANNING COMMITTEE MEETING HELD  
WEDNESDAY 25 OCTOBER 2017**

Proposed by Alderman Cole  
Seconded by Alderman King and

**AGREED** – that the minutes of the 25 October 2017 Planning Committee Meeting were confirmed as a correct record.

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

The Head of Planning advised that applications LA01/2016/0107/F and C/2014/0507/F had been withdrawn from the schedule to consider additional information received.

**AGREED** - to receive the Order of Business as follows:

C/2013/0497/F; LA01/2017/1074/O; LA01/2017/0730/F;  
LA01/2017/0731/LBC; LA01/2017/0691/O; LA01/2017/1134/A and  
LA01/2017/0964/F.

**5 SCHEDULE OF APPLICATIONS:**

**5.1 C/2013/0497/F – No's 2, 4 and 6 Bath Road, Portrush, Co Antrim**

**App Type:** Full  
**Proposal:** Design Amendments from Previous Application  
C/2006/0682/F for Residential Development  
comprising of 24 Apartments and Associated  
basement Parking.

Report and site visit details circulated.

The Principal Planning Officer presented the report and made a recommendation to the Committee for consideration.

**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 in section 10.

The Committee were advised that 123 letters of objections had been received on a wide range of issues through public

consultation. Government Departments had also been consulted and no objections had been put forward to the application.

**MOTION TO PROCEED 'IN COMMITTEE'**

Proposed by Councillor Hunter  
Seconded by Councillor McKillop MA and

**AGREED** - that the Committee proceeds to conduct the following business 'In Committee'.

\* Public/Press left the meeting at 2:13 pm.

Council Solicitor updated the Committee on assertion of Public Right of Way.

**MOTION TO PROCEED 'IN PUBLIC'**

Proposed by Councillor McShane P  
Seconded by Councillor Loftus and

**AGREED** - that the Committee proceeds to conduct the following business 'In Public'.

\* Public/Press re-joined the meeting at 2:25 pm.

**Amendment:**

Proposed by Councillor Loftus  
Seconded by Alderman Finlay and

That following legal advice, **DEFER** decision on the application to no later than the January 2018 Planning Committee Meeting.

The Chair put the amendment to the meeting and declared the motion to **DEFER** carried by unanimous decision.

**5.2 LA01/2017/1074/O – 38m East of 112 Causeway Road, Bushmills**

\* Councillor Hunter left the meeting at 2:30 pm.

**App Type:** Outline Planning  
**Proposal:** Infill Dwelling and Garage.

Report, addendum and site visit details circulated.

The Senior Planning Officer presented the report and made a recommendation to the Committee for consideration.

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

**Addendum to the Recommendation** – that the Committee notes the content of the addendum and agrees with the recommendation to refuse as set out in paragraph 9.1 of the Planning Committee Report.

The Chair invited Mr Simpson, Agent to address the Committee in support of the application. He raised issues relating to infill opportunity, access, farming activity, exceptional case and cannot see site from World Heritage Site. He responded to points of clarification from Members relating to access, protection of World Heritage Site, PPS21.

The Head of Planning clarified policy COU4 to Members.

Proposed by Councillor Loftus  
Seconded by Alderman Cole

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** advertisement consent subject to the reasons set out in section 10.

The Chair put the proposal to the Committee to vote, 8 Members voted for, 1 Member voted against and 3 Members abstained. The Chair declared the motion to **REFUSE** carried.

**AGREED** – that LAO1/2017/0730/F and LAO1/2017/0731/LBC would be discussed together.

### **5.3 LAO1/2017/0730/F and LAO1/2017/0731/LBC – Causeway Hotel, 40 Causeway Road, Bushmills**

**App Types:** Full Planning and Listed Building Consent

**Proposal:** Change of use from shop and office to ancillary W.C. facilities including blocking up internal access so that facilities are accessed externally only and alternations to façade to include the replacement of doors with a fixed glazed screen with hardwood painted frame.

Report circulated.

The Senior Planning Officer presented the reports and made a recommendation to the Committee for consideration.

**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 and **GRANT** Listed Building Consent subject to the conditions set out in section 10.

Head of Planning responded to questions from Members relating to consultation with Historic Environment Division.

Proposed by Alderman King  
Seconded by Councillor Nicholl

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 and **GRANT** Listed Building Consent subject to the conditions set out in section 10.

The Chair put the proposal to the Committee to vote, 10 Members voted for and 2 Members voted against.

The Chair declared the proposal to **APPROVE** planning permission and **GRANT** Listed Building Consent carried.

\* Councillor Hunter re-joined the meeting at 3:05 pm.

#### 5.4 LA01/2017/00691/O – 45m NW of 40 Derrychrier Road, Feeny

**App Type:** Outline Planning  
**Proposal:** Proposed dwelling on a farm.

Report circulated.

The Senior Planning Officer presented the report and made a recommendation to the Committee for consideration.

**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.

The Senior Planning Officer responded to Members' queries on how the application failed to comply with policy provisions in terms of integration and rural character.

The Chair invited Ms Cassidy, Agent, to address the Committee in support of the application raising points relating to integration, character, settlement pattern and design. She responded to Members' queries and made reference to a planning application LA01/2016/1322/O.

**Amendment:**

Proposed by Councillor Loftus  
Seconded by Councillor Nicholl

That the Committee **DEFER** decision on the application until a site visit was arranged.

The Chair put the amendment to the Committee to vote, 13 Members voted for. The Chair declared the amendment to **DEFER** decision on the application for a site visit carried.

\* Councillor M A McKillop left the meeting at 3:25 pm.

**5.5 LA01/2017/1134/A – Anderson Park, (Rose Gardens), Millburn Road, Coleraine**

**App Type:** Advertisement Consent  
**Proposal:** Free Standing Billboard.

Report circulated.

The Senior Planning Officer presented the report and made a recommendation to the Committee for consideration.

**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 grant **CONSENT** for the advertisement application subject to the conditions and informatives, set out in section 10.

The officer responded to questions from Members relating to other advertisements within Anderson Park.

Proposed by Alderman King  
Seconded by Alderman Cole

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 grant **CONSENT** for the advertisement application subject to the conditions and informatives, set out in section 10.

The Chair put the proposal to the Committee to vote, with 11 Members voted for and 1 abstention.

The Chair declared the proposal to grant **CONSENT** carried.

\* Councillor McCandless left the meeting at 3:28 pm.

## 5.6 LA01/2017/0964/F – The Old Mill, Main Street, Cloughmills

**App Type:** Full Planning  
**Proposal:** Proposed refurbishment and alterations to existing community building (RDP Grant application) as a resource to the existing community activities at Edible Cloughmills and extension into derelict adjacent structure to provide communal spaces, training kitchen and storage facilities.

Report circulated.

The Senior Planning Officer presented the report and made a recommendation to the Committee for consideration.

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

The officer responded to questions from Members relating to flooding.

Proposed by Councillor Loftus  
Seconded by Councillor Hunter

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 and Members present voted unanimously in favour. The Chair declared the proposal to **APPROVE** carried.

\* Councillors M A McKillop and McCandless re-joined the meeting at 3:35 pm.

## **6 DEVELOPMENT MANAGEMENT PERFORMANCE:**

### **6.1 Development Management Statistics**

Report and Appeal Decision circulated.

The report provided a list of planning applications received and decided respectively by Causeway Coast and Glens Borough Council in the period 01 April 2017 – 31 October 2017.

The number of applications received in October remains very high at just under 130. Staff issued 86 planning application decisions, plus 6 Discharge of Conditions, 2 LDP/LDE's, 2 Non-Material Change applications and 1 Proposal of Application Notice (PAN). . The number of live applications in the system continues to rise with increase in applications received to 826.

The report details the number of appeal decisions issued since 1 April 2017 showing the continued high quality of decision making taken by both Planning Officers and supported by the Planning Committee. Please note that these figures relating to planning applications decisions only are unvalidated statistics extracted from internal management reports. No appeal decisions was upheld by the PAC in October 2017.

From April 2017, 7 out of 21 referral recommendations have been overturned by the Planning Committee.

An error was noted in Table 4 that LA01/2016/1220/F was not on the schedule of applications for determination at this planning Committee meeting today. Head of Planning agreed to amend the error.

**IT IS RECOMMENDED** that the Planning Committee note the update on the Development Management Statistics.

**AGREED** - that the Planning Committee note the update on the Development Management statistics.

## **7 DEVELOPMENT PLAN**

### **7.1 Retail and Leisure Capacity Study and Perception Studies**

The Senior Planning Officer presented a report, Executive Summary of Retail and Commercial Leisure Capacity Assessment; Study Area Map and Town Centre Compositions on Retail and Leisure.

Under the provisions of the Strategic Planning Policy Statement (SPPS) and in preparation for its Local Development Plan (LDP), Councils are required to undertake an assessment of the need or capacity for retail and other main town centre uses across the plan area and to prepare town centre health checks, which are to be reviewed at least once every five years. There have been a number of large retail proposals in the Borough's main towns in recent years and there has been no up to date evidence relating to retail capacity on which to assess these against.

Retail capacity work and some aspects of health check work are specialisms within planning, and, therefore, in recognition of the requirement to undertake this work as part of the LDP process, and of the need in relation to the determination of planning applications for retail development, the Council appointed two separate consultants in November 2016 to prepare two separate but related retail pieces of work:

- Retail and Leisure Capacity Study; and
- Public and Business Perception Studies.

Details for the Retail and Leisure Study carried out by Nexus Planning and relevant findings was circulated to Members.

Details of the Public and Business Perception study undertaken by Sproule Consulting was also circulated.

Representatives from both Nexus Planning and Sproule Consulting presented their draft findings to the LDP Members' Workshop on 17 May 2017.

**IT IS RECOMMENDED** that Members accept the Nexus Planning and Sproule Consulting reports for inclusion in the Local Development Plan preparation and for use in relation to the determination of relevant planning applications.

**Amendment:**

Proposed by Alderman Finlay  
Seconded by Councillor P McShane and

**AGREED** - that decision on the Nexus Planning and Sproule Consulting reports be deferred until the December 2017 Planning Committee Meeting.

## **8 CORRESPONDENCE**

The Head of Planning presented the items of correspondence:

### **8.1 Dalradian Gold**

The Department for the Economy (DfE) contacted the Council in relation to an application from Dalradian Gold Ltd. for mineral prospecting rights in a number of areas in Counties Tyrone and Londonderry. The ward effected in this Council area is Dungiven.

At the Planning Committee held on 23 August 2017 it was agreed that Head of Planning would respond to the consultation setting out Council's concerns.

Dalradian Gold Ltd are in the process of lodging a planning application to the Department of Infrastructure to build an underground gold mine. They note the response from Council on the exploration licences. However, they do not agree that any of their activities present threats or harmful impacts as detailed in Council's response.

They offer an invite to Councillors and appropriate officials to visit their sites in Omagh and the deposit in Curraghinalt to discuss the subject of mineral exploration and the pending planning application.

**Option 1:** Agree to accept the invite: or

**Option 2:** Agree to decline the invite.

**IT IS RECOMMENDED** that Members agree to Option 1 or 2 above and to the Head of Planning responding to Dalradian Gold Ltd on behalf of Council.

Proposed by Councillor McShane

Seconded by Alderman Robinson

That Members agree to **Option 2** to decline the invite and for the Head of Planning to respond to Dalradian Gold Ltd on behalf of Council.

The Chair put the proposal to the Committee to vote, with 9 voting for and 3 abstentions.

The Chair declared the decision to agree **Option 2** and for the Head of Planning to respond to Dalradian Gold Ltd on behalf of Council carried.

A discussion took place on process for licensing to build a gold mine and perception of fear among many of the public on minerals and chemicals, which could be discharged in the mining process.

Other factors to be taken into consideration were drilling and use of explosives or chemicals involved in AONB area.

Proposed by Councillor McCandless

Seconded by Alderman Cole

That the Head of Planning write to the Department for Economy to ask that they present to Elected Members on the licensing process.

The Chair put the motion to the Committee to vote, with 8 voting for and 5 against. The Chair declared the motion carried.

\* Councillor McLaughlin left the meeting at 3:55 pm.

## **8.2 Department for Communities (DfC) - Council Consultation on Proposed Listing of 57 Hillside Road, Ballycastle**

Report and Appendices circulated.

The DfC wrote to Council on 20 October advising that they are considering a listing within the Borough, under Section 80(1) of The Planning Act (Northern Ireland) 2011.

The proposed listing within the Borough was detailed as being located at 57 Hillside Road, Ballycastle.

Commentary of DfC's evaluation, including any inappropriate replacements and/or alterations affecting the original historic character was circulated.

**Option 1:** Agreed to support the listing or

**Option 2:** Agree to oppose the listing.

**IT IS RECOMMENDED** that members agreed Option 1 or 2 as detailed and to the Head of Planning to respond to DfC on behalf of Council.

Proposed by Councillor Hunter  
Seconded by Alderman Finlay

That Members agree **Option 2** to oppose the listing and to the Head of Planning to respond to DfC on behalf of Council.  
The Chair put the proposal to the Committee to vote, with 11 Members voting for and 1 abstention.

The Chair declared **Option 2** to oppose the listing and for the Head of Planning responding to DfC on behalf of Council carried.

## **8.3 BT Consultation on Removal of Public Payphone at Seacoast Road, Limavady**

BT Payphones consulted the Council on 26 October 2017 on the removal of a public payphone at 306 Seacoast Road, Limavady.

BT have advised that the phone box needs to be removed to allow Council approved works. Planning permission was granted on 10 October 2017 for the erection of a fibre optic street cabinet for superfast broadband adjacent to the telephone kiosk for BT under Planning reference LA01/2016/1339/F. The works proposed will require the removal of the telephone Kiosk. BT has advised that

the phone has received very little use during the past twelve months and are not proposing to relocate the service.

BT have advised that they are meeting their obligation to provide a Universal Service as there are other kiosks in the area. The nearest being outside the Coast Bar and Restaurant, 150 Seacoast Road, Limavady.

BT have an obligation to consult with the relevant public bodies on the proposed removal and require a response within 90 days.

Two options are presented for consideration.

**Option 1:** Agree to support the removal or

**Option 2:** Agree to oppose the removal.

**IT IS RECOMMENDED** that Members agree either Option 1 or 2 above to the proposed removal of the phone box and to the Head of Planning responding to BT on behalf of Council.

Proposed by Councillor Loftus

Seconded by Alderman Finlay

**AGREED - Option 1** to support the removal of the public payphone at 306 Seacoast Road, Limavady and to the Head of Planning to respond to BT on behalf of Council.

## 9 LEGAL ISSUES

### MOTION TO PROCEED 'IN COMMITTEE'

Proposed by Alderman Finlay

Seconded by Councillor Loftus and

**AGREED** - that the Committee proceeds to conduct the following business 'In Committee'.

\* Public/Press left the meeting at 4:05 pm.

Council Solicitor updated the Committee on planning application C/2013/0097/F legal issue. P

Proposed by Councillor Loftus

Seconded by Alderman Finlay

That Council issue a robust response and defend legal challenge.

The Chair put the proposal to the Committee to vote, with 10 voting for and 2 abstentions. The Chair declared the proposal carried.

**MOTION TO PROCEED 'IN PUBLIC'**

Proposed by Alderman Finlay  
Seconded by Councillor Fielding and

**AGREED** - that the Committee proceeds to conduct the following business 'In Public'.

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

There was no other relevant business.

There being no further business, the Chair thanked everyone for their attendance and the meeting concluded at 4:10 pm.

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Chair