



Planning Committee Wednesday 27th January 2016

Table of Key Adoptions

No	Item	Summary of key Adoptions
2.	Declarations of Interest	<p><i>Councillor P McShane Item 4.3 Alderman Finlay Item 4.9 Councillor Fielding Item 4.5 Alderman Cole Item 4.7 Councillor Loftus Item 4.7 Alderman Robinson Item 4.8 Councillor Nicholl Item 4.6</i></p>
4.	Schedule of Applications	
	4.1 Item A, Lands at Clare Park, Clare Road, Ballycastle, E/2015/0023/F	<p><i>that the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 and resolves to GRANT planning permission subject to the conditions and informatives set out in section 10, circulated.</i></p>
	4.2 Item B, Land 45m North of 177 Straid Road, Bushmills, LA01/2015/0012/F	<p><i>that the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 and resolves to GRANT planning permission subject to the conditions and informatives set out in section 10, circulated.</i></p>

	<p>4.3 Item C, 11 Beechwood Avenue, Ballycastle, LA01/2015/0897/F</p>	<p><i>that the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 and resolves to GRANT planning permission subject to the conditions and informatives set out in section 10, circulated.</i></p>
	<p>4.4 Item D, 35 Harbour Road, Ballintoy, LA01/2015/0205/F</p>	<p><i>that the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 and resolves to GRANT planning permission subject to the conditions and informatives set out in section 10, circulated.</i></p>
	<p>4.5 Item E, 50-52 Prospect Road, Portstewart, LA01/2015/0152/O</p>	<p><i>that the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 and resolves to GRANT planning permission subject to the conditions and informatives set out in section 10, circulated.</i></p>
	<p>4.6 Item F, Approx. 70m South of the Junction of Churchfield Road and Glenshesk Road, Ballycastle LA01/2015/0050/O</p>	<p><i>that the Committee has taken into consideration and disagrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and therefore resolves to GRANT</i></p>

		<p><i>planning permission subject to the reasons set out below:</i></p> <ul style="list-style-type: none"> • <i>The development is in accordance with Paragraph 6.73 of the Strategic Planning Policy Statement for Northern Ireland (SPPS), genuine hardship would result if permission was refused</i> • <i>The development is in accordance with SPPS and Policy CTY13 as there will be only fleeting glimpses of the dwelling</i>
	4.7 Item G, Approx. 65m N of 6 Boveedy Road, Kilrea LA01/2015/0111/O	<i>Deferred</i>
	4.8 Item H, Site 80m south of 261 Ballyquin Road, Limavady B/2014/0121/O	<i>that the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 & 8 and resolves to REFUSE outline planning permission, circulated.</i>
	4.9 Item I, Adjacent to 20 Ballyportery Road, Cloughmills D/2014/0220/O	<i>that the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 and resolves to REFUSE planning permission subject to the refusal reasons set out in section 10, circulated.</i>
5.	Referral of Delegated Applications	<i>that an options paper on the management of planning committee meetings (to include the legal aspect) is brought in front of committee.</i>

6.	Development Management Statistics	<i>Noted</i>
7.	Development Plan: Preparatory Studies – Public Utilities Paper	<i>Agreed</i>
8.	Local Development Plan – 6 Month Indicative LDP Work Programme	<i>Agreed</i>
9.	Public Consultation Document – Maine Conservation Zones (DoE)	<i>Agreed</i>
10.	<p>Correspondence</p> <p>10.1 Letter of response from Minister Mark H Durkan</p> <p>10.2 AgendaNI – Local Government Reform Conference</p>	<p><i>Write to Minister Durkan expressing disappointment at his response</i></p> <p><i>Write to PAC requesting that the date for the Hearing does not take place in the week before the election</i></p> <p><i>Nominations by the end of the week.</i></p>
11.	Legal issues: Verbal Update on Judicial Review proceedings	<p><i>Accept the legal opinion received and proceed with the recommendation.</i></p> <p><i>Write to the department seeking financial reimbursement.</i></p>

Planning Committee

Minutes of the Meeting of Causeway Coast and Glens Borough Council Planning Committee, held in Council Chamber, Civic Headquarters, Coleraine on Wednesday 27th January 2016 at 2.00 pm.

In the Chair: Councillor McCaul

Members present: Councillor Baird, Councillor Callan, Alderman Cole, Councillor Fielding, Councillor Fitzpatrick, Alderman Finlay, Alderman King, Councillor Loftus, Councillor McGuigan, Alderman McKeown, Alderman S McKillop, Councillor P McShane, Alderman Mullan, Councillor Nicholl, Alderman Robinson

In attendance: D Dickson, Head of Planning
D J Hunter, Council Solicitor
S Mathers, Principal Development Management Officer
S Mulhern, Principal Development Plan Officer
P Donaghy, Democratic Services Manager
A Finney, Committee and Member Services Officer

Also in Attendance: Mr A Quigley, Network Planning, Transport NI
Mr T Bell
Mr R Thicknesse
Mr C Lavery
Mr S McHenry
Mr J Allister MLA
Mr D Kearney
Mr Buchanan
Mr J Magill
Mr D Alexander

Press x 2
Public x 11

1. Apologies

Apologies were recorded for Alderman Robinson¹ and Alderman McKeown².

2. Declarations of Interest

Councillor P McShane declared an interest in Agenda Item 4.3, Item C: Application reference LA01/2015/0897/F.

¹ Alderman Robinson joined the meeting at 2.39pm

² Alderman McKeown joined the meeting at 2.12pm

Alderman Finlay declared an interest in Agenda Item 4.9, Item I: Application reference D/2014/0220/O.

Councillor Fielding declared an interest in Agenda Item 4.5, Item E: Application reference LA01/2015/0152/O.

Alderman Cole and Councillor Loftus declared an interest in Agenda Item 4.7, Item G: Application reference LA01/2015/0111/O.

Alderman Robinson declared an interest in Agenda Item 4.8, Item H: B/2014/0121/O.

Councillor Nicholl declared an interest in Agenda Item 4.6, Item F: LA01/2015/0050/O.

3. Minutes of Meeting held Wednesday 25th November 2015 and Wednesday 16th December 2015

It was proposed by Councillor Baird, seconded by Councillor Loftus and AGREED: **that the Minutes of the Meeting held 25th November 2015 and 16th December 2015 were confirmed as a correct record.**

Referring to Item 4.5, minutes of meeting held 16th December 2015, Alderman Mullan felt there should be discussions on establishing different methods to assist Planning Committee members when their opinion differs from the Planning Officers' recommendation. The Head of Planning advised that this issue had been discussed at the recent planning workshop and it had been agreed she would be available for one hour prior to a planning committee meeting to talk through interpretations and wording of policies. Alternatively a meeting could be arranged at the Head of Planning's office at a suitable date and time.

Further discussions were held on various ways to help clarify Planning Committee member questions on planning applications and policies.

4. Schedule of Applications

The Principal Development Management Officer presented the applications and illustrated using PowerPoint.

4.1 Item A, Lands at Clare Park, Clare Road, Ballycastle E/2015/0023/F

Proposed Holiday Park comprising mobile caravans, site office/resource centre, landscaping and access.

It was recommended that the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 and resolves to **GRANT** planning permission subject to the conditions and informatives set out in section 10, circulated.

The Chair invited Elected Members to request points of clarification from the Officer.

The Officer clarified questions relating to the occupancy of the static caravans, enforcement, whether felled trees would be replaced, trees protected under the Tree Preservation Order, protection of the Peregrine Falcon site, consultation with and by NIEA, integration into landscape and the live planning application for a hotel on the site.

The Chair invited Mr T Bell, agent for the applicant to speak.

It was proposed by Alderman King, seconded by Councillor P McShane: that the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 and resolves to **GRANT** planning permission subject to the conditions and informatives set out in section 10, circulated.

The Chair put the motion to the committee to vote, 14 Members voted for, 0 Members voted against, and there were 0 abstentions. The Chair declared the motion carried.

4.2 Item B, Land 45m North of 177 Straid Road Bushmills LA01/2015/0012/F

3 No. new poultry units for up to 37,000 birds per unit including extract fans to roof new meal and fuel silos, new concrete apron, new ancillary building and improvement to access extension to ex concrete apron, Straid Road, Bushmills.

It was recommended that the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 and resolves to **GRANT** planning permission subject to the conditions and informatives set out in section 10, circulated.

The Chair invited Elected Members to request points of clarification from the Officer.

It was proposed by Councillor Baird, seconded by Councillor Fitzpatrick and AGREED: that the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 and resolves to **GRANT** planning permission subject to the conditions and informatives set out in section 10, circulated.

4.3 Item C, 11 Beechwood Avenue, Ballycastle LA01/2015/0897/F

Front and side extensions to dwelling including first floor balcony.

It was recommended that the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 and resolves to **GRANT** planning permission subject to the conditions and informatives set out in section 10, circulated.

The Chair invited Elected Members to request points of clarification from the Officer.

It was proposed by Councillor Fitzpatrick, seconded by Alderman King: that the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 and resolves to **GRANT** planning permission subject to the conditions and informatives set out in section 10, circulated.

Councillor P McShane had declared an Interest in the Item, withdrew from the table and from voting on the application.

The Chair put the motion to the committee to vote, 15 Members voted for, 0 Members voted against, and there were 0 abstentions. The Chair declared the motion carried.

Councillor P McShane returned to the meeting.

4.4 Item D, 35 Harbour Road, Ballintoy, LA01/2015/0205/F

Replacement Dwelling and Associated Site Works.

A site report was tabled.

It was recommended that the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 and resolves to **GRANT** planning permission subject to the conditions and informatives set out in section 10, circulated.

The Chair invited Elected Members to request points of clarification from the Officer.

Members requested clarification in relation to the exterior colour of the proposed dwelling and its integration into the landscape, the access from Harbour Road, the visual impact of the proposed replacement dwelling and the outcome of the Listing Query on Coast Guard Cottages.

The Chair invited Mr R Thicknesse, objector to speak after which he responded to Member's questions.

The Chair invited Mr C Laverty, agent for the applicant to speak.

The Officer clarified questions from Members relating to the responses from other statutory bodies.

Alderman S McKillop was unhappy with the height of the proposed replacement dwelling.

It was proposed by Councillor P McShane, 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 section 7

and resolves to **GRANT** planning permission subject to the conditions and informatives set out in section 10, circulated.

The Chair put the motion to the committee to vote, 12 Members voted for, 1 Member voted against, and there were 2 abstentions. The Chair declared the motion carried.

* Alderman Mullan left the meeting.

4.5 Item E, 50-52 Prospect Road Portstewart, LA01/2015/0152/O

Proposed 3 No Townhouses in Replacement of Two Existing Semi Detached Houses. Renewal of Existing Approval. (Revised Description)

It was recommended that the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 and resolves to **GRANT** planning permission subject to the conditions and informatives set out in section 10, circulated.

The Chair invited Elected Members to request points of clarification from the Officer.

The Officer clarified concerns relating to the removal of the trees on the site.

It was proposed by Councillor P McShane, seconded by Councillor McGuigan: that the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 and resolves to **GRANT** planning permission subject to the conditions and informatives set out in section 10, circulated.

Councillor Fielding had declared an Interest in the Item, withdrew from the table and from voting on the application.

The Chair put the motion to the committee to vote, 13 Members voted for. The Chair declared the motion carried.

Councillor Fielding returned to the meeting.

4.6 Item F, Approx. 70m South of the Junction of Churchfield Road and Glenshesk Road, Ballycastle LA01/2015/0050/O

Site for a Dwelling required under CTY 6.

A site report was tabled.

It was recommended that the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and

guidance in section 7 and resolves to **REFUSE** planning permission subject to the reasons set out in section 10, circulated.

The Chair invited Elected Members to request points of clarification from the Officer.

The Officer clarified concerns relating to the image of the site portrayed in the photograph, the degree of foundations required or if the gradient would be altered, supporters proximity to the proposed dwelling and whether there is an alternative suitable location on the site to build.

The Head of Planning advised that correspondence received from supporters is available to view on the planning portal. Information will be included in future reports as is currently for objectors.

The Chair invited Mr Sean McHenry, the agent for the applicant to speak after which he responded to Elected Members questions.

The Officers clarified questions from Members in relation to the design of the dwelling, consideration of medical opinions and alternative solutions available to the applicant.

It was proposed by Councillor P McShane, seconded by Councillor Loftus: that the Committee has taken into consideration and disagrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and therefore resolves to **GRANT** planning permission.

The Chair put the motion to the committee to vote, 6 Members voted for, 6 Members voted against, and there was 1 abstention. As the Chair had the casting vote, the Chair declared the motion carried.

A 10 minute recess was granted to allow Members to agree the wording of the reasons for rejecting the Planning Officers recommendations. The Chair declared a recess from 4.18pm.

The meeting recommenced at 4.34pm.

The Chair restated that the Committee has taken into consideration and disagrees with reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and therefore resolves to **GRANT** planning permission subject to the reasons set out below:

- The development is in accordance with Paragraph 6.73 of the Strategic Planning Policy Statement for Northern Ireland (SPPS), genuine hardship would result if permission was refused
- The development is in accordance with SPPS and Policy CTY13 as there will be only fleeting glimpses of the dwelling

The Head of Planning asked the Committee for the conditions and informatives to be placed on the approval decision notice.

Conditions are that the dwelling is a single storey, standard conditions as per the consultation, the dwelling is to be positioned towards the rear of the site for better integration and the applicant in need of a dwelling at that location occupies the dwelling.

It was AGREED: **to resolve to GRANT planning permission subject to the reasons set out above and for officials to word the conditions and informatives and issue the grant of planning permission.**

* Councillor McGuigan left the meeting during Item 4.6

4.7 Item G, Approx. 65m N of 6 Boveedy Road Kilrea LA01/2015/0111/O

Proposed farm site for dwelling and garage.

A site report was tabled.

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

The Chair invited Elected Members to request points of clarification from the Officer.

The Chair invited Mr D Kearney, agent for the applicant to speak after which he responded to Elected Members questions.

The Officer, referring to 8.4 of the report, clarified the position regarding an active and established farm and that SPPS postdates any appeal mentioned.

The Chair invited Mr Jim Allister, MLA to speak after which he responded to Elected Members questions.

The Head of Planning clarified that SPPS is the overarching policy. She also clarified the relevance of the appeal referred to.

It was proposed by Councillor Baird, seconded by Councillor Fitzpatrick and AGREED: that the meeting be continued '**In Committee**'.

The Chair requested that the Press and Public leave the meeting. Alderman Cole and Councillor Loftus had declared an Interest in the Item and withdrew from the chamber.

The Head of Planning stated that Members must consider the application for a dwelling on a farm and the relevant criteria. She added that SPPS supersedes the stated PAC decision. The Council Solicitor clarified the position in relation to SPPS. Discussion continued.

It was proposed by Councillor P McShane, seconded by Alderman Finlay and

AGREED: that the meeting be continued '**Out of Committee**'.

The Press, Public, Alderman Cole and Councillor Loftus were invited back to the meeting.

Mr Jim Allister, MLA responded to further questions from Elected Members.

The Chair invited Alderman S Cole to speak after which he responded to Elected Members questions.

It was proposed by Councillor P McShane: that the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 and resolves to **REFUSE** planning permission for the reasons set out in section 10.

It was proposed by Alderman S McKillop: that the Committee has taken into consideration and disagrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 and resolves to **GRANT** planning permission.

It was proposed by Councillor P McShane, seconded by Councillor Baird and AGREED: that the meeting be continued '**In Committee**'.

The Chair requested that the Press and Public leave the meeting. Alderman Cole and Councillor Loftus had declared an Interest in the Item and withdrew from the chamber.

The Council Solicitor gave advice on a possible way forward.

It was proposed by Councillor Baird, seconded by Alderman Finlay and AGREED: that the meeting be continued '**Out of Committee**'.

The Press, Public, Alderman Cole and Councillor Loftus were invited back to the meeting.

Due to the complexity of the case, it was proposed by Councillor Baird, seconded by Alderman Finlay and AGREED: **to refer the item to another Planning Committee meeting.**

It was proposed by Alderman Robinson, seconded by Alderman S McKillop and AGREED: a five minute comfort break.

The Chair declared a comfort break from 6.05pm.

The meeting recommenced at 6.18pm.

4.8 Item H, Site 80m south of 261 Ballyquin Road, Limavady B/2014/0121/O

Two storey rural dwelling with garage / store.

A site report was tabled.

It was recommended that the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 & 8 and resolves to **REFUSE** outline planning permission, circulated.

The Chair invited Elected Members to request points of clarification from the Officer.

Mr A Quigley, Transport NI presented to the meeting. Reference was made to Annex 1 of PPS21, consequential amendment to Policy AMP 3 of PPS3: Access, Movement and Parking and DCAN 15: Vehicular Access Standards. The 85th percentile speed of vehicles in both directions on the Ballyquin Road obtained using traffic counters were also provided. Mr Quigley then responded to members' questions.

The Chair invited Mr I Buchanan the applicant to speak after which he responded to Elected Members questions.

The Chair invited Alderman Robinson to speak to the meeting.

It was proposed by Councillor P McShane, seconded by Councillor Loftus and AGREED: that the meeting be continued '**In Committee**'.

The Chair requested that the Press and Public leave the meeting. Alderman Robinson had declared an Interest in the Item and withdrew from the chamber.

The Council Solicitor clarified the position in relation to Transport NI recommendation.

It was proposed by Alderman Finlay, seconded by Councillor P McShane and AGREED: that the meeting be continued '**Out of Committee**'.

The Public and Alderman Robinson rejoined the meeting.

Mr I Buchanan the applicant responded to further questions from Elected Members.

It was proposed by Councillor P McShane, seconded by Alderman McKeown: that the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 & 8 and resolves to **REFUSE** outline planning permission, circulated.

Alderman Robinson had declared an Interest in the Item, withdrew from voting on the application.

The Chair put the motion to the committee to vote, 6 Members voted for 3 Members voted against, and there were 3 abstentions. The Chair declared the motion carried.

Upon the request of Alderman S McKillop, the Head of Planning affirmed the application would be held for three days before issuing the Decision Notice, should the applicant wish to withdraw.

- * Alderman King left the meeting during Item 4.8.

4.9 Item I, Adjacent to 20 Ballyportery Road, Cloughmills D/2014/0220/O

Proposed Replacement Dwelling and Garage

A site report was tabled.

It was recommended that the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 and resolves to **REFUSE** planning permission subject to the refusal reasons set out in section 10, circulated.

The Chair invited Elected Members to request points of clarification from the Officer.

The Officer clarified questions in relation to the measurement of the remaining walls and the criteria used, whether there were any other relevant documents to the case and the definition of “substantially intact”.

The Chair invited the applicant Mr D Alexander and Mr J Magill, agent for the applicant to speak. Mr J Magill spoke to the meeting after which he responded to Elected Members questions.

The Chair invited Alderman Finlay to speak to the meeting after which he responded to Elected Members’ questions.

Discussion continued. The Head of Planning reiterated the reasoning for the PAC decision ref. 2015/A0030. She advised it would be a decision for the Planning Committee if it wished to employ a Quantity Surveyor to provide a measurement of the remaining walls.

It was proposed by Councillor Loftus, seconded by Councillor P McShane: that the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 and resolves to **REFUSE** planning permission subject to the refusal reasons set out in section 10, circulated.

Alderman Finlay had declared an Interest in the Item, withdrew from voting on the application.

The Chair put the motion to the committee to vote, 5 Members voted for, 0 Members voted against, and there was 1 abstention. The Chair declared the motion carried.

- * Councillor Fitzpatrick left the meeting.

5. Referral of Delegated Applications

Discussion followed onto the referral of delegated applications to the Planning Committee, in particular that any referral must be signed by a minimum of 4 elected members from 2 separate political parties who sit on the Planning Committee. The Head of Planning advised that if members were minded to change the wording and if proposed and seconded to make the amendments that the amended document could be sent to DoE for approval without further committee consideration.

Comments were also made regarding the length of time of meetings and how to manage same. As mentioned previously, the Head of Planning advised she would be available to answer any questions from members for one hour prior to a planning committee meeting.

It was proposed by Councillor Callan, seconded by Councillor Fielding and AGREED: **that an options paper on the management of planning committee meetings (to include the legal aspect) is brought in front of committee.**

The paper is to be circulated prior to the next Planning Committee meeting.

- * Councillor P McShane left the meeting.

6. Development Management Statistics

It was AGREED: **that Planning Committee note the update on the development management statistics, circulated.**

7. Development Plan: Preparatory Studies – Public Utilities Paper

The Chair presented the report, circulated.

It was AGREED: **to endorse the use of the information contained within this paper in the preparation of the Local Development Plan, circulated.**

8. Local Development Plan – 6 Month Indicative LDP Work Programme

The Chair introduced the report as undernoted:

Background

The first indicative 6 month LDP Work Programme (covering the period up to November 2015) (as amended by Members in October in relation to the presentation of the Housing Paper) was presented and agreed at the Planning Committee in May 2015.

This work programme included desk top studies, survey work, data compilation and the input and mapping of results in relation to. The findings from such studies have been presented to Committee as topic-related papers.

Work on the presentation of topic-related papers will continue for the first half of 2016, alongside the production of the final Statement of Community Involvement (SCI) Document, Housing Monitor work and Elected Member workshops. Work will also commence on the draft LDP Timetable and initiating the reports required to accompany the LDP, including the Sustainability Appraisal (SA) inc Strategic Environmental Assessment (SEA); Habitats Regulation Assessment (HRA); and Equality Impact Assessment (EQIA). Work on all of these reports will be ongoing throughout the entire LDP process.

Recommendation

IT IS RECOMMENDED that members agree to the indicative work programme as circulated.

It was AGREED: to recommend that members agree to the indicative work programme as circulated.

9. Public Consultation Document – Marine Conservation Zones (DoE)

The Chair introduced the report as undernoted:

Background

The Marine Act (Northern Ireland) 2013 and the UK Marine and Coastal Access Act 2009 contain new powers to designate Marine Conservation Zones (MCZs), in the Northern Ireland inshore and offshore regions respectively, as part of measures to manage and protect our seas for current and future generations.

Since that time, the Department of the Environment's (DOE) Marine Division has been developing potential sites for MCZ designation. These are based on sound scientific evidence and the involvement of stakeholders from all marine sectors including angling, fishing, renewable energy, ports and harbours, and environmental groups.

Detail

DOE initiated a public consultation exercise on 14th December 2015 outlining its proposals for Marine Conservation Zones (MCZs) in the Northern Ireland inshore region (out to 12 nautical miles). The four proposed sites and their identified features are as follows:

- **Rathlin – Deep-sea bed, Black guillemot and Geological/geomorphological features (Submerged lagoons and Sea arches);**
- **Waterfoot – Subtidal (sublittoral) sand with subtidal seagrass beds (Zosteramarina);**
- **Outer Belfast Lough – Ocean quahog (Arctica islandica) and associated habitat Subtidal (sublittoral) sand;**
- **Carlingford Lough – Subtidal (sublittoral) mud containing Sea-pen and white sea slug communities.**

Two of the proposed MCZs lie within this Borough; namely Rathlin and Waterfoot.

The consultation document, which is aimed at organisations, groups, and people who undertake activities, or have a general interest in the marine area, can be viewed at www.doeni.gov.uk/consultations/marine-conservation-zones-consultation

As part of the site selection process DOE is seeking views on the proposals and in particular the following specific aspects;

- **The pMCZ protected features.**
- **The pMCZ boundaries.**
- **The potential management options for each pMCZ.**
- **The Draft Regulatory Impact Assessment.**

The consultation exercise will close on 11th March 2016.

Recommendation

IT IS RECOMMENDED that Elected Members agree to the Head of Planning drafting a response on behalf of Council. This response will be brought to the February Committee for Members clearance before sending to DOE in time for the 11th March 2016 closing date for receipt of comments.

It was AGREED: to recommend that that Elected Members agree to the Head of Planning drafting a response on behalf of Council. This response will be brought to the February Committee for Members clearance before sending to DOE in time for the 11th March 2016 closing date for receipt of comments.

10. Correspondence

10.1 Letter of response from Minister Mark H Durkan

Following some members' comments it was AGREED: to write to Minister Durkan expressing disappointment at his response that he is not able to attend a Planning Committee meeting.

In reference to Cam Burn Wind Farm it was also AGREED: **to write to PAC requesting that the date for the Hearing does not take place in the week before the election.**

It was recorded that Councillor Loftus abstained.

10.2 AgendaNI – Local Government Reform Conference

Members were asked to respond with nominations by the end of the week.

Councillor Callan proposed, seconded by Councillor Fielding and AGREED: that the meeting be continued '**In Committee**'.

11. Legal Issues – Verbal Update on Judicial Review Proceedings

The Council Solicitor summarised the legal opinion received to members.

It was proposed by Councillor Callan, seconded by Councillor Fielding and AGREED: **to accept the legal opinion received and proceed with the recommendation.**

Following discussion on the matter, it was proposed by Alderman Cole, seconded by Alderman Finlay and AGREED: **to write to the department seeking financial reimbursement.**

Councillor Callan proposed, seconded by Alderman Finlay and AGREED: that the meeting be continued '**Out of Committee**'.

This being all the business the meeting closed at 9.20pm.