

Cross boundary application	DATE: 27th July 2016
PLANNING COMMITTEE	

Linkage to Council Strategy (2015-19)	
Strategic Theme	Protecting and Enhancing our Environments and Assets
Outcome	N/A
Lead Officer	Denise Dickson
Cost: (If applicable)	

For Decision

1.0 Background

- 1.1 The Ponderosa bar and restaurant is located at 974 Glenshane Road, Dungiven within the Causeway Coast and Glens Borough Council area. The applicant, Mr McErlan owns/controls additional land adjacent to the Ponderosa which falls within the Mid Ulster District Council area.
- 1.2 On 23rd March 2016, the Planning Authority received a request for pre application discussion (PAD) for a proposed extension to the Ponderosa at 974 Glenshane Road, Dungiven. The proposed extension includes a ground floor interpretative centre, changing rooms, equipment store and first floor function suite, wc and external terrace. The reference number is LA01/2016/0338/PAD.
- 1.3 Simultaneously, the applicant submitted a PAD to the Planning Authority in Mid Ulster District Council for 6 self catering chalets and a car park on land adjacent to the Ponderosa.

- 1.4 Under Articles 7 and 9 of the Local Government Act (NI) 2014, councils can discharge their functions jointly or a council may arrange for its functions to be discharged by another council.
- 1.5 The applicant/agent has requested clarification as to whether he needs to submit two planning applications (one to each council area) or whether he can submit one application to one council who will deal with the entire development.
- 1.6 The Committee should consider the following points.
- (a) The entire site within both the Causeway Coast and Glens Borough Council Area and the Mid Ulster District Council area is located within the Sperrins Area of Outstanding Beauty and the entire site accesses onto a protected route (A6) and is hydrologically linked to the River Roe and Tributaries SAC/ASSI.
 - (b) The site within the Mid Ulster District Council area is located within the Carn/Glenshane SAC/ASSI.
 - (c) The SAC/ASSI is of international and national importance and is protected by Conservation (Natural Habitats etc) Regulations (Northern Ireland) 1995 (as amended) and The Environment (NI) Order 2002.
 - (d) A Habitats Regulations Assessment will be required to be carried out by the relevant Planning Authority/ Authorities.
 - (e) The extension to the Ponderosa, which is located within Causeway Coast and Glens Council Area, if found to be acceptable, is dependent on the proposed car parking which is located on land within the Mid Ulster District Council Area.

2.0 Options

- 2.1 There are three options from which to choose a course of action.
- (a) *Advise applicant/agent to submit two applications, one to Causeway Coast and Glens Borough Council for the extension and one to Mid Ulster District Council for the self catering chalets and car park.*
- This option will allow both Council Areas to retain control of their respective areas. However, as the car parking required for the extension to the existing facility is located within Mid Ulster District Council area, processing of any application will require much liaison between both councils.

(b) Discharge the planning functions to Mid Ulster District Council and allow the applicant/agent to submit one application for the entire scheme to be processed and considered by Mid Ulster District Council. This is subject to agreement by Mid Ulster District Council.

This option will allow Mid Ulster District Council to process the entire scheme for the extension, car park and self-catering chalets. However, this will result in Causeway Coast and Glens Borough Council having no control in the processing or outcome of the application.

(c) Retain the planning function and take responsibility for the planning functions for the Mid Ulster Council part of the site and allow the applicant to submit one application for the entire scheme and process and consider the entire scheme. This is subject to agreement by Mid Ulster District Council.

This option will allow Causeway Coast and Glens Borough Council to process the entire scheme for the extension, car park and self-catering chalets. However, this will result in Mid Ulster District Council have no control in the processing or outcome of the application.

3.0 Recommendation

3.1 **IT IS RECOMMENDED** that Members note the content of the report and agree on one of the options referred to at 2.1 above for the Head of Planning to respond to the agent.