



# Causeway Coast & Glens Borough Council

Pre-Determination Hearing	25 <sup>th</sup> May 2016
<b>PLANNING COMMITTEE</b>	

<b>Linkage to Council Strategy (2015-19)</b>	
<b>Strategic Theme</b>	<b>Outcomes</b>
<b>Protecting and Enhancing Our Environments and Assets</b>	<ul style="list-style-type: none"><li>• Our natural assets will be carefully managed to generate economic and social returns without compromising their sustainability for future generations.</li></ul>
<b>Lead Officer</b>	Denise Dickson
<b>Cost:</b>	N/A

## For Decision

### 1.0 Background

- 1.1 Section 30(1) of the Planning Act (Northern Ireland) 2011 provides the legislative basis for the Department to make Regulations or a Development Order requiring a Council to give the applicant and any specified persons the opportunity to appear before and being heard by a Committee of the Council.
- 1.2 Regulation 7(1) of the Planning (Development Management) Regulations (Northern Ireland) 2015 sets out that Section 30 of the Act will apply to development falling within the major category of development which have been subject to notification to the Department, but which have been returned to the Council for determination.
- 1.3 Section 30(2) and (3) provide Council with the power to consider the procedures for the arrangement and conduct of the Hearing and any other procedures consequent upon the hearing, including any right of attendance at the Hearing.
- 1.4 Section 30(4) provides the Council with the legislative power to hold a pre-determination hearing for other applications it has received. It allows Council to give the applicant and any other person an opportunity to be heard by the Committee. Under Section 30(3) Council can allow those it considers appropriate to attend and participate in the Hearing.

- 1.5 The 'Protocol for the Operation of the Causeway Coast and Glens Planning Committee' sets out at section 9 procedures for a Pre-Determination Hearing. It states that Council may hold a Pre-determination hearing at its discretion, where it considers it necessary, to take on board local community views, as well as those in support or against the proposed development.
- 1.6 Para. 9.3 states that it will be a matter for the Planning Committee to judge when a Pre-determination hearing is appropriate, taking account of the relevance of the objections in planning terms, the complexity of the application and level of pre-application community consultation.
- 1.7 Para. 9.4 states that when holding a Pre-Determination hearing, the procedures will be the same as the normal planning committee meetings. Time available for speakers will be agreed prior to the Hearing.

## **2.0 Detail**

- 2.1 Council has received four applications relating to two separate planning proposals on 2 different sites within Bushmills:
- E/2015/0056/F – Erection of 74 Bed Nursing Home, 4 no. Separate Assisted Living Units and conversion and alteration of the existing dwelling to an assisted living unit at Property and Lands at 136 Main Street, Bushmills, Co. Antrim, BT57 8QD.
  - E/2015/0055/LBC – Internal alterations to existing building and addition of lift to rear of property, formation of new access and rebuilding of entrance wall and demolition of existing garage and outbuilding at Sharvagh House, 136 Main Street, Bushmills
  - LA01/2015/0838/HSC - Hazardous Substances Consent Application at Old Bushmills Distillery, 2 Distillery Road, Bushmills.
  - LA01/2015/1015/O - Proposed new distillery facility including boiler house and cooling equipment at Old Bushmills Distillery, 2 Distillery Road, Bushmills.
- 2.2 It is the aim of the Planning Department to present these applications to Planning Committee for determination at the Planning Committee meeting to be held on 22<sup>nd</sup> June 2016. However, it is considered by the Head of Planning that these applications cannot be considered in isolation due to the sensitive nature of the proposals and the impact one will have on the other.
- 2.3 Therefore, it is proposed to hold a pre-determination hearing to hear the details of these four applications to ensure that the Planning Committee members have the full details of both applications prior to making a determination on either application at the Planning Committee meeting on 22<sup>nd</sup> June 2016.
- 2.4 It is further proposed that the applicant, agent and Health and Safety Executive for Northern Ireland (HSENI) representatives attend the pre-Determination Hearing and have the opportunity to speak and answer questions. It is proposed that the applicant/agent for each of the two proposed developments, have a maximum 15mins to speak.

### **3.0 Options**

3.1 **Option 1** – agree that Council holds a Pre-Determination Hearing to discuss applications E/2015/0055/LBC; E/2015/0056/F; LA01/2015/0838/HSC; and, LA01/2015/1015/O and the applicant/agent and representative from HSENI are provided with a maximum 15mins to speak followed by questions from elected members.

**Option 2** – agree that a Pre-Determination Hearing is not required and the applications are presented for determination at the Planning Committee meeting to be held on 22<sup>nd</sup> June 2016.

### **4.0 Recommendation**

4.1 **IT IS RECOMMENDED** that Members note the content of the report and agree the preferred option for determining whether to hold a pre-determination hearing on applications E/2015/0055/LBC; E/2015/0056/F; LA01/2015/0838/HSC; and, LA01/2015/1015/O.