

**PLANNING COMMITTEE WEDNESDAY 23 MAY 2018**

**Table of Key Adoptions**

<b>No</b>	<b>Item</b>	<b>Summary of Key Decisions</b>
1.	Apologies	<b><i>Alderman McKillop and Councillor McCaul</i></b>
2.	Declarations of Interest	<b><i>Alderman Robinson – LA01/2017/1436/O</i></b>
3.	Minutes of Planning Committee Meetings	
	<b>3.1</b> Minutes of Special Planning Committee Meeting held Friday 20 April 2018	<b><i>Confirmed</i></b>
	<b>3.2</b> Minutes of Planning Committee Meeting held Tuesday 24 April 2018	<b><i>Confirmed</i></b>
4.	Order of Items and Registered Speakers	<b><i>Approve</i></b>
	LA01/2017/1130/O	<b><i>Withdrawn from Schedule</i></b>
5.	Schedule of Applications	
	<b>5.1</b> LA01/2017/0833/A St Canice's Dungiven GAC, Garvagh road, Dungiven	<b><i>Defer to June</i></b>
	<b>5.2</b> LA01/2017/0952/F 53 Ballyhome Road, Coleraine	<b><i>Refuse</i></b>
	<b>5.3</b> LA01/2017/1130/O Adjoining No 20 Larch Road, Limavady	<b><i>Defer for determination at future meeting</i></b>
	<b>5.4</b> LA01/2017/1328/O Glack Road, Ballykelly	<b><i>Defer for Site Visit</i></b>
	<b>5.5</b> LA01/2017/1436/O Lands between 50 and 54 Carhill Road, Garvagh	<b><i>Approve</i></b>
	<b>5.6</b> LA01/2018/0033/O	<b><i>Refuse</i></b>

	Lands South of 102 Glenhead Road, Limavady	
<b>5.7</b>	LA01/2016/1072/F 804 Seacoast Road, Castlerock, Coleraine	<b>Decision delegated to Planning Officers pending submission of revised plans within 1 month. If remains refusal bring back to Planning Committee</b>
<b>5.8</b>	LA01/2017/0758/F Between 23 & 39 Mill Street, Ballycastle	<b>Approve</b>
<b>5.9</b>	LA01/2017/0890/F Carnealty Civic Amenity Site, 55 Moyarget Road, Ballycastle	<b>Approve</b>
<b>6.</b>	Development Management Performance	
<b>6.1</b>	Update on Development Management & Enforcement Statistics 1 April 2017 – 31 March 2018	<b>Note</b>
<b>6.2</b>	Publication of Northern Ireland Planning Statistics: Third Quarter 2017/2018 Statistical Bulletin	<b>Note</b>
<b>6.3</b>	Planning Business Plan 2018/2019	<b>Endorse</b>
<b>7.</b>	Development Plan	
<b>7.1</b>	Local Development Plan (LDP) – 6 Month Indicative LDP Work Programmes (January to June & July to December)	<b>Approve</b>
<b>7.2</b>	Derry City & Strabane District Council – Request for Comment on Coastal and Mineral Policies for Draft Plan Strategy	<b>Note</b>
<b>8.</b>	Correspondence	
<b>8.1</b>	Department for Communities (DfC) Confirmation of Listing, Water Fountain, Captain Street, Coleraine	<b>Note</b>
<b>8.2</b>	Department for Communities (DfC) Confirmation of Listing,	<b>Note</b>

	Coach Yard, Dundarave Estate, Bushmills	
<b>8.3</b>	Department for Communities (DfC) Confirmation of Listing, Farm Yard, Dundarave Estate, Bushmills	<b>Note</b>
<b>8.4</b>	Department for Communities (DfC) Confirmation of Listing, Ice House, Dundarave Estate, Bushmills	<b>Note</b>
<b>8.5</b>	Department for Communities (DfC) Confirmation of Listing, Walled Garden (North) Dundarave Estate, Bushmills	<b>Note</b>
<b>9.</b>	Legal Issues	<b>Verbal Update Noted</b>
<b>10.</b>	Any Other Relevant Business (Notified in Accordance with Standing order 12 (o))	<b>Outgoing Chair Congratulated</b>

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING  
COMMITTEE HELD IN COUNCIL CHAMBER, CIVIC HEADQUARTERS  
WEDNESDAY 23 MAY 2018 AT 2:00 PM**

**In the Chair:** Alderman McKeown

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

**Officers Present:** D Dickson, Head of Planning  
S Mathers, Development Management &  
Enforcement Manager  
S Mulhern Development Plan Manager  
J McMath, Senior Planner  
E Keenan, Council Solicitor  
E McCaul, Committee & Member Services Officer

**In Attendance:** H Cargan – Item 5.3  
C Donaghy – Item 5.5  
A Tate - Item 5.6  
G McAneney – Item 5.7  
D Donaldson - Item 5.8

Press (Nil)  
Public (2)

## **CONDOLENCES**

The Chair offered deepest sympathy to the family of Councillor Barney Fitzpatrick, Planning Committee Member who had passed away earlier in the month. He said that Barney was well thought of by all political parties within the Chamber.

Members echoed the sentiments made and observed a minutes silence as a mark of respect.

### **1. APOLOGIES**

Apologies were received from Alderman McKillop and Councillor McCaul.

## 2. DECLARATIONS OF INTEREST

Declarations of Interest were recorded for Alderman Robinson on Agenda Item 5.6 – LA01/2017/1436/O.

## 3. MINUTES OF PLANNING COMMITTEE MEETINGS

Proposed by Councillor Hunter  
Seconded by Councillor Cole and

**AGREED** – that the minutes of the Special Planning Committee Meeting held on Friday 20 April 2018 be confirmed as a correct record.

Proposed by Councillor Hunter  
Seconded by Councillor Loftus and

**AGREED** – that the minutes of Planning Committee Meeting held Wednesday 24 April 2018 be confirmed as a correct record.

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

The Head of Planning advised that due to special circumstances Agenda Item 5.4 – LA01/2017/1130/O had been withdrawn from the schedule and would be referred to a future meeting.

**AGREED** – to receive the Order of Business as set out on the Speaking Rights schedule.

## 5. SCHEDULE OF APPLICATIONS: *Note Items re-numbered from Agenda*

### 5.1 LA01/2017/0833/A – St Canice's Dungiven GAC, Garvagh Road, Dungiven

**App Type:** Advertisement Consent  
**Proposal:** Proposed mounted sign with LED screen incorporated in sign

Report and site visit report circulated.

Proposed by Councillor Nicholl  
Seconded by Councillor Loftus and

**AGREED** – to defer discussion on the application to the June 2018 Planning Committee Meeting.

## 5.2 LA01/2017/0952/F – 53 Ballyhome Road, Coleraine

**App Type:** Full Planning  
**Proposal:** Flat roof dormer extension and conversion of two rooms above garage into two bedroom accommodation for uses ancillary to the main house

Report circulated.

S Mathers, Development Management & Enforcement Manager, 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 subject to the reasons set out in section 10.

The Development Management & Enforcement Manager explained the relevant planning policy and that the proposal was considered unacceptable in the location having regard to the Northern Area Plan 2016 and other material considerations. He advised that the proposal would result in a separate dwelling by reason of size and facilities proposed, and does not rely on the main dwelling for any facilities. He advised that a meeting had been held where the need for the proposed development was discussed but there were no personal circumstances identified in relation to dependency/caring role. The development is to be occupied by the applicant's daughter and her fiancé. In addition the proposal is contrary to Policy AMP 2 of PPS 3 as it has not been demonstrated that the proposal would not prejudice road safety.

The Development Management & Enforcement Manager responded to a query from Members on a similar application being approved at Elizabeth Place, Deffrick and advised that in that particular case, the facilities in the proposal did not include a bathroom; that officer's had recommended refusal of application but Planning Committee approved application due to the personal circumstances relating to caring role.

\* Councillor McShane left the meeting at 2:18 pm.

The Chair invited H Cargin, Applicant to address the Committee in support of the application. She advised that the room above the

garage had been used as a toy room for 18 years and now that it was no longer needed, could be used as accommodation for her daughter after her wedding. She said that her daughter was a student, and highlighted her daughter and future husband's financial situation. She added that this development would provide an opportunity for the couple make good use of the existing building and provide them with independence. She added further that she had lived in the property for 25 years and had no intention of selling on.

H Cargin responded to points of clarification from Members regarding any personal circumstances for this development which she advised there were none and that the accommodation could be utilised by her parents in the future.

The Development Management & Enforcement Manager responded to further points of clarification from Members advising that the proposed separate dwelling is contrary to planning policy. In response to questions as to whether the existing building could be used for tourism purposes, the Head of Planning reminded members that they could only consider the application in front of them and no other hypothetical application. The Development Management & Enforcement Manager advised that under the current policy an extension to the dwelling could be considered. However, any financial argument was not to be taken into consideration in the decision making.

- \* Councillor McShane re-joined the meeting at 2:25 pm.

Proposed by Councillor Nicholl  
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 sections 7 and 8 and resolves to **REFUSE** planning permission subject to the reasons set out in section 10.

The Chair put the recommendation to refuse to the Committee to vote, 10 Members voted for and 2 abstained. The Chair declared the motion to **REFUSE** carried.

Councillor McShane took no part in the vote.

Councillor Nicholl advised the applicant that they could withdraw the application after the meeting if they did not want to receive a refusal decision notice.

### 5.3 LA01/2017/1130/O – Adjoining No. 20 Larch Road, Limavady

**App Type:** Outline Planning  
**Proposal:** Site for a single storey detached bungalow and detached domestic garage

Report and site visit details circulated.

The Head of Planning advised that the Agent who had registered to speak was unavailable to speak on the application due to exceptional circumstances put forward and in accordance with the Protocol; that this had been discussed with the Chair and that the application was therefore withdrawn from the Agenda for determination at a later date.

### 5.4 LA01/2017/1328/O – 32 Glack Road, Ballykelly

**App Type:** Outline Planning  
**Proposal:** Proposed single storey detached replacement dwelling, detached garage and septic tank

Report circulated.

The J McMath, Senior Planner 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 subject to the reasons set out in section 10.

The Senior Planner described the site and context to Members, and explained the structure shown in the presentation of the chasis, axle and perched on a raised plinth; outlined that the proposal was contrary to paragraph 6.73 of the Strategic Planning Policy for Northern Ireland and Policies CTY1 and CTY 3 of PPS 21, Sustainable Development in the Countryside, in that the building is of a temporary construction and the walls are not structural walls and therefore the structure is not eligible for replacement under the policy. She explained that the structure fell within the definition of a caravan under the Caravans Act as it is capable of being moved off the site on a trailer. She advised that the submission of a biodiversity checklist and resolution of the visibility splays issue was not requested as the principle of development was not acceptable. Therefore the applicant had failed to demonstrate that the proposal

would not result in an unacceptable adverse impact on habitats, species or features of Natural Heritage Importance in accordance with Policies NH 2 and NH 5 of PPS 2 – Natural Heritage. In addition, the applicant had failed to demonstrate that the proposal would not prejudice road safety.

The Senior Planner responded to a queries from Members regarding the existing structure on site and whether rates or utility bills had been paid on acquired rights. She advised that the existing structure is immune from enforcement action and that no information has been submitted regarding utility bills. However, irrespective of this the existing structure does not meet the criteria for replacement under policy CTY3.

The Chair invited C Donaghy, Agent to address the Committee in support of the application. He said the site was mature, the dwelling had been occupied from 1970's until 2015; with rates being paid up to that point and the structure of the building was modular in nature. He pointed out that containers had been used as a dwelling as evident from 'Grand Designs' and that technology has moved on; walls don't need to be cavity walls. He advised that a biodiversity checklist can be adhered to and roads issues can be addressed. He advised that he would be content for Members to visit the site.

C Donaghy responded to points of clarification from Members advising that the structure is not a caravan but is a modular unit. He advised that as he understood only one man lived in the structure and when he passed away it was left to a family friend who is the applicant. He advised that rates had been paid up until 2015. With regard to flooding he advised that the dwelling could be located in an area away from the flooding.

The Senior Planner responded to further points of clarification from Members referring to the planning history on the site and advised that although approval for a replacement dwelling had been agreed in 2003, the current policy was different. She pointed out that the walls of the current structure were temporary and that a chassis was visible and that the structure could be transported away from the site. She reiterated the point that the structure is a caravan under the Caravans Act and read the criteria relating to temporary structures within Policy CTY3, referring also to para. 8.5 of the Planning Committee Report. She referred to para. 3 of the Planning Committee Report in relation to planning history of the site and advised at the time of the 2003 approval that it was assessed under the Planning Strategy for Rural Northern Ireland and that this

application is assessed under different policy. She advised that the structure is clearly a temporary structure and referred to para. 8.7 of the Planning Committee Report and PAC decision 2013/A0074 which states that caravans do not meet replacement criteria. She advised that the permission has lapsed and that planning policy has changed.

Proposed by Councillor Loftus  
Seconded by Councillor McKillop

**AGREED** – that the Committee **DEFER** consideration and a site visit be arranged.

\* Alderman Robinson left the meeting at 2:55 pm.

#### **5.5 LA01/2017/1436/O – Lands between 50 and 54 Carhill Road, Garvagh**

**App Type:** Full Planning  
**Proposal:** Proposed site for 2 no. dwellings and 2 no. garages

Report and site visit report circulated.

The Development Management & Enforcement Manager 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 subject to the reasons set out in section 10.

The Development Management & Enforcement Manager described the context of the site. He reported that the proposal was considered unacceptable having regard to the Northern Area Plan and other material considerations. He explained policy CTY8 and advised that the proposal does not comprise a small gap site within a substantial and built up frontage; it failed to integrate into the surrounding landscape and would add to ribbon development. He advised that the policy requires an assessment of the size of the gap and that this is measured building to building rather than plot width. He advised that the gap from building to building is 190m. In relation to the building and car sales plots he referred Members to para. 8.6 of the Planning Committee report; that the car sales is 45m and the bungalow is 35m wide and therefore the gap could

accommodate four dwellings rather than two and therefore does not meet policy CTY8. He advised that the site is devoid of features to aid integration and the dwellings would be conspicuous in the landscape when viewed from both Carhill Road and Ballynameen Road. In addition the proposal would intensify use of an existing access onto a protected route as it was not considered it met the 'other categories of development' criteria for access onto a protected route under PPS3. He further advised that the Carhill sales unit had a frontage of 111m and no. 56 Carhill Road had a frontage of 58m.

The Development Management & Enforcement Manager responded to points of clarification from Members advising that no.54 Carhill Road had a large side garden with a 90m frontage and referred to para. 8.6 of the Planning Committee Report; no. 56 carhill Road had a frontage of 58m. He further responded to queries in relation to noise from the adjacent engineering works advising that Environmental health had been consulted during the processing of the application and read their consultation response and that if dwellings were approved it may be an impediment to any future expansion of the engineering works due to noise. He clarified that access was proposed onto the Carhill Road and that there would be critical views from the Ballynameen Road and advised that if Members considered the principle of infill to be acceptable this would meet the protected routes policy under the criteria for 'other categories of development' and read DfI Roads consultation response. He further clarified the site frontage width to be 118m.

The Chair invited A Tate, Agent to address the Committee in support of the application. A Tate was of the view that the report was imbalanced as the application complied with CTY 8; there was a misdirection around size of frontage. He stated that the gap is 190m from building to building and 114m boundary to boundary. Frontages of 48m and 50m were used as suits officer's case. He advised that over 446m of total frontage plot frontages are 90m, 45m, 45m, 110m, and 50m with average plot size of 50-55m. He therefore was of the opinion that it met policy CTY8. In terms of integration he advised that long distance views are screened and that the buildings are already linked. He disagreed with the interpretation of DfI Roads consultation response as within it conditions and informatives were put forward and that the decision was for Council not DfI Roads to make. He advised that visibility splays are available, that the existing access is being used and proposal will not result in an intensification due to the history of the access used previously by a car sales room and petrol filling station

and the potential traffic flow from the 2 dwellings would be less intense; there are no road safety concerns. He advised that the proposal therefore meets the necessary planning policy.

A Tate responded to points of clarification from Members regarding access onto protected route considered acceptable under 'other categories of development' if meets CTY8 policy. He advised that the average plot size is 50m and therefore gap is sufficient to accommodate 2 dwellings.

The Development Management & Enforcement Manager responded to further points of clarification from Members regarding access onto protected route advising that if Members consider the proposal meets policy CTY8 then it will meet the access onto protected route policy.

Proposed by Councillor McShane  
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** planning permission subject to the reasons set out in section 10.

The Chair put the proposal to the Committee to vote, 5 Members voted for and 7 Members voted against. The Chair declared the proposal to **REFUSE** lost. As the result is a direct negative, planning permission had been granted.

The Head of Planning stated as the Committee resolved to approve the application against officer's recommendation, clear planning reasons for approval were needed. Members advised that they voted to against officer's recommendation to refused and therefore to approve the application as the proposal

- Meets planning policy for infill dwellings as the size of frontage of the gap site of 118m would accommodate 2 dwellings taken account of existing plot widths
- Blends in and is in character to the area
- The view on integration is subjective and will only view on approach from Swatragh along frontage
- If infill met, refusal reason from DfI Roads falls.

**AGREED** – that conditions and informatives would be delegated to Officers to insert in the decision notice.

\* Alderman Robinson re-joined the meeting at 3:28 pm.

## 5.6 LA01/2018/0033/O – Lands South of 102 Glenhead Road, Limavady

**App Type:** Outline Planning

**Proposal:** Proposed site for dwelling and garage

Report and site visit report circulated.

The Senior Planner 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** outline planning permission for the reasons set out in section 10.

The Senior Planner explained that the proposal does not accord with the principle of a dwelling in the countryside as set out in CTY 1 of PPS 21 and failed to comply with CTY 2a. She explained that there is no cluster of development at this location; no visual entity; the site is not at a cross roads; and, it is not bounded on 2 sides by development. In terms of policy CTY8 that this is not a gap site as there are only two dwellings and only on one side of the site. In terms of policies CTY13 and 14, a dwelling within the site would be very visible with only one defined boundary; resulting in an adverse effect on rural character and result in ribbon development. It had not been demonstrated that the proposal would not prejudice road safety and was contrary to Policy AMP 2 of PPS 3. Amendments had not been sought to resolve this issue as the principle of development was not considered acceptable. She advised Members of the planning history of the site, that the 1983 permission had lapsed; the 1993 refusal had been appealed to the PAC and allowed and since lapsed; and that the 2007 refusal was appealed to PAC and dismissed under PPS21 in 2011.

The Senior Officer responded to points of clarification from Members advising that the appeal dismissed in 2011, B/2007/0520/O, was considered under the same policies within PPS21 as this current application.

The Chair invited G McAneney, Applicant to address the Committee in support of the application. He outlined that he was a

farmer and had received planning permission for a dwelling on the farm for one son. However, his 2<sup>nd</sup> son needed to move out and this application is for him and that he wanted to keep his grandson in the area as he went to local school. He explained that under planning policy he could only apply for a dwelling on the farm every 10 years. He said that the site complied with Policy CTY 2a as this is a cluster of buildings away from the farm; it would be rounding-off and would not intrude into the open countryside. He advised that any overlooking concerns could be addressed at the detailed design stage.

G McAneney responded to points of clarification from Members advising that there is a cluster of two buildings.

Proposed by Alderman King  
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 **REFUSE** outline planning permission for the reasons set out in section 10.

The Chair put the motion to the Committee to vote, 11 Members voted for, 1 Member voted against and 1 Member abstained. The Chair declared the recommendation to **REFUSE** carried.

#### 5.7 LA01/2016/1072/F – 804 Seacoast Road, Castlerock, Coleraine, BT51 4SD

**App Type:** Full Planning  
**Proposal:** Proposed new two storey replacement dwelling

Report and site visit report circulated.

The Development Management & Enforcement Manager 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 subject to the reasons set out in section 10.

The Development Management & Enforcement Manager outlined the location of the site and explained the context of the site. He

advised that the proposed design of the replacement dwelling creates a significantly greater visual impact than the existing building. Its size, scale and detailing was not appropriate to its rural setting and fails to have regard to the local distinctiveness and AONB location. The access and parking arrangements are unsatisfactory and that these have not been resolved as the design is not considered acceptable.

The Chair invited D Donaldson, Agent to address the Committee in support of the application. In his opinion, the proposal complies with policy CTY3 of PPS 21; exhibits the essential characteristics of a dwelling; it would be site in the established curtilage; services are available and a safe access can be provided although there was no requirement for upgrade on access for a replacement dwelling; ridge height had been reduced to 6.5 metres, whereas neighbours was 6.75; the dwelling integrates due to the rising 50m high rock face as a backdrop; there was a two storey dwelling nearby and the proposal would made a positive contribution to the landscape compared to what exists currently. He advised that Building on Design does not rule out contemporary design. The materials are traditional; it is sited parallel to the coast road and is consistent with other approvals nearby.

D Donaldson responded to points of clarification from Members on ridge height and to the design of nearby properties. He pointed out that no. 802 was approved some 10 years ago and has 2 floors of full height windows; no.800 was a double single storey with 7m ridge and comparable to this application and was approved in April 2016. He advised that the existing access is being used and that to resolve the issues with access only requires an amendment to the drawing. He stated that significant compromises had been made by the Applicant to meet criteria set by planning officials and that they wanted to maximise the views to the sea and that it has a wider frontage and narrow depth.

The Development Management & Enforcement Manager responded to points of clarification from Members advising that the proposed dwelling would appear incongruous and out of place in the area. He advised that the appearance is that of a 2 storey dwelling which is exacerbated by the width of the frontage; and the dwelling would have a significantly greater visual impact that the dwelling to be replaced and contrary to policy CTY3 and referred to para. 4.2 of the Planning Committee Report.

Proposed by Alderman McKeown  
Seconded by Councillor Loftus and

**AGREED** – that the Committee view plans for three properties situated nearby the proposed application.

Proposed by Councillor Hunter  
Seconded by Councillor McCandless

- that the applicant is given one week to submit amended drawings on design and access and if the amended drawings were acceptable, issue approval without coming back to Committee. If unacceptable, bring back to Committee for decision.

Proposed by Alderman Finlay  
Seconded by Councillor Fielding

**Amendment** - that the applicant is given one month to submit amended drawings on design and access and if the amended drawings were acceptable, issue approval without coming back to Committee. If unacceptable, bring back to Committee for decision.

The Chair put the amendment to the Committee to vote, 7 Members voted for and 6 Members voted against. The Chair declared the amendment carried.

- \* A recess was held from 4:22 – 4:37 pm.

Alderman Finlay requested that it be **NOTED** that he did not know the applicant nor had he spoken to the Agent on the above application.

#### **5.8 LA01/2017/0758/F – Between 23 & 39 Mill Street, Ballycastle**

**App Type:** Full Planning  
**Proposal:** Provision of 4 No. detached dwellings and associated site works and landscaping (Amendment to previously approved housing development ref: E/2005/0498/F and E/2009/0421/F)

Report circulated.

The Development Management & Enforcement Manager 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 reasons set out in section 10.

The Development Management & Enforcement Manager advised Members of the levels of the site and amendments to design. He advised that the amendments addressed the issues raised by objectors and that the proposed development meets the policies within Northern Area Plan 2016; that the site is zoned for housing. He stated that the garden sizes are acceptable and the reduction in numbers improves the character of the development and that impact on residential amenity had been addressed.

The Development Management & Enforcement Manager responded to points of clarification from Members advising there were 10 objectors to the application and referred to para 5.1 of the Planning Committee Report reading the key planning issues raised. He advised that these issues related to the initial scheme and that no further objections had been received as a result of the amended plans.

Proposed by Councillor McKillop  
Seconded by Councillor Loftus

- to recommend 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 reasons set out in section 10.

The Chair put the proposal to the Committee to vote, 12 Members voted for and 1 Member voted against. The Chair declared the proposal to **APPROVE** carried.

#### **5.9 LA01/2017/0890/F – Carneatly Civic Amenity Site, 55 Moyarget Road, Ballycastle**

**App Type:** Full Planning  
**Proposal:** Upgrade and extension to increase quality and range of materials recycled. Construction of a new entrance and access road around the perimeter of the site including retaining structures, replacing existing site office, storage shed, weighbridge and

improving drainage. Road widening to improve sight lines

Report circulated.

The Development Management & Enforcement Manager 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 reasons set out in section 10.

He advised that there was an error on the front page of the Planning Committee Report which should have stated that there are 2 objections received. He advised that the issues raised by objectors had been addressed. He explained the context of the site and proposed layout and that the existing access was being reconfigured with a new access also provided. He advised that the proposal was considered acceptable under planning policy.

Proposed by Councillor McShane  
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 reasons set out in section 10.

The Chair put the proposal to the Committee to vote. Committee voted unanimously in favour. The Chair declared the proposal to **APPROVE** carried.

- \* Councillor McKillop left the meeting at 5:30 pm.

## 6. DEVELOPMENT MANAGEMENT PERFORMANCE:

### 6.1 Update on Development Management & Enforcement Statistics

The Committee received a report previously circulated to provide monthly updates on the number of planning application received and decided.

The Head of Planning advised that the number of applications received in March has risen to 109 with staff issuing 129 planning application decisions. She stated that resources continue to be targeted to reduce the over 12 month applications and that staff are conscious of the need to prioritise their efforts in this area of work. She referred to the tables within the Report in relation to the breakdown of over 12 month application in the system; appeal decision issued and number of referrals by Elected Members.

**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.

The Head of Planning updated the Committee on application for Pig Farm and those for Poultry Houses.

Staff within the Planning Department were thanked for their work.

## **6.2 Publication of Northern Ireland Planning Statistics: Third Quarter 2017/2018 Statistical Bulletin**

The Head of Planning presented the planning Committee Report on the third Northern Ireland Planning Statistics publication issued by Analysis, Statistics & Research Team within Department for Infrastructure on 22 March 2018 providing provisional planning statistics for this period. She advised it provides a summary of Council progress across the three statutory targets for major development applications, local development applications and enforcement cases as laid out in the Local Government (Performance Indicators and Standards) Order (Northern Ireland) 2015 for all eleven Councils.

She advised that performance within the Planning Department is steady although live applications continue to increase. However, focus over the next business year will be on reducing the processing times for planning applications now that the additional staff are now in post.

**It is recommended** - that the Planning Committee note the update on the Northern Ireland Planning Statistics 2017/18 Third Quarterly Statistical Bulletin.

**AGREED** - that the Planning Committee note the update on the Northern Ireland Planning Statistics 2017/18 Third Quarterly Statistical Bulletin.

### **6.3 Planning Business Plan 2018/19**

The Head of Planning presented a report on the Planning Section Business Plan for 2018/2019, previously circulated.

The Planning Business Plan 2018/19 is prepared to give a clear sense of what the service is for and the challenges it faces. It sets out how planning is supporting Council's priorities and contributing to the efficiency drive and transformation of service delivery. The Business Plan will set out how it is proposed to align resources to meet the challenges ahead ensuring we deliver for the Council and its residents.

She advised that the key risks and threats relate to legal challenges on planning decisions, the level of representations received and the risk this places on staff regarding the redaction of information to comply with the General Data Protection Regulations effective from 25 May 2018. She advised that applications and correspondence were becoming more complex and required discussions with legal advisers. She also highlighted that due to the number of temporary posts within the Planning Department there was a risk that trained staff would leave to take up permanent posts in other Councils.

**It is recommended** that the Planning Committee endorses the attached Planning Business Plan 2018/19.

**AGREED** – that the Planning Committee endorses the attached Planning Business Plan 2018/19.

Proposed by Councillor Hunter  
Seconded by Alderman Cole and

**AGREED** – that the Head of Planning provides a Report to Members at the next Planning Committee meeting to consider resources and the impact of existing and anticipated workloads including legal support.

## **7. DEVELOPMENT PLAN**

### **7.1 Local Development Plan (LDP) – 6 Month Indicative LDP Work Programmes (January to June & July to December 2018)**

The Development Plan Manager presented the Report. She advised that baseline evidence gathering for the Preferred Options Paper (POP) Stage of the Council's Local Development Plan (LDP) is now complete. All related topic papers have been presented to Members and a number of Member Workshops have been held.

The LDP Steering Group and Project Management Group are operational as per the Council's Statement of Community Involvement (SCI).

The two attached (indicative) 6 month LDP Work Programmes highlight the work to be carried out, in relation to the POP Stage of the LDP preparation.

The Work Programmes cover the following periods in 2018:

- January to June (Appendix 1); and
- July to December (Appendix 2).

**It is recommended** that Members agree to the 2018 indicative work programmes attached at Appendix 1 & 2.

**AGREED** – that Members agree to the 2018 indicative work programmes attached at Appendix 1 & 2.

## **7.2 Derry City & Strabane District Council – Request for Comment on Coastal and Mineral Policies for Draft Plan Strategy**

The Development Plan Manager presented the Report. She advised that Derry City & Strabane District Council (DC&SDC) wrote to Council on 16 March 2018, as an adjoining council, requesting input into their draft Environment (Coastal) and Economy (Minerals) Policies for their draft Plan Strategy. (Appendix 1 & 2, previously circulated).

DC&SDC requested a written response or a meeting to discuss the issues raised in the two letters. Planning officials responded via letter on both topics (Appendix 3 & 4).

**It is recommended** that Members note the content of the report and correspondence attached at Appendix 1 & 2 and Council response attached at Appendix 3 & 4.

**AGREED** – that Members note the content of the report and correspondence attached at Appendix 1 & 2 and Council response attached at Appendix 3 & 4.

## 8. CORRESPONDENCE

The Development Plan Manager presented the items of correspondence:

- 8.1 Department for Communities (DfC) Confirmation of Listing, Water Fountain, Captain Street, Coleraine
- 8.2 Department for Communities (DfC) Confirmation of Listing, Coach Yard, Dundarave Estate, Bushmills
- 8.3 Department for Communities (DfC) Confirmation of Listing, Farm Yard, Dundarave Estate, Bushmills
- 8.4 Department for Communities (DfC) Confirmation of Listing, Ice House, Dundarave Estate, Bushmills
- 8.5 Department for Communities (DfC) Confirmation of Listing, Walled Garden (North) Dundarave Estate, Bushmills

**AGREED** – that the correspondence circulated is noted (Items 8.1 – 8.5 inclusive).

\* Councillors McLaughlin and McShane left the meeting at 5:40 pm.

## 9. LEGAL ISSUES

Councils Solicitor provided a verbal update on the following:

- Judicial Review on application for Caravan Park, Craigahulliar
- Response to Pre-Action Protocol letter on application for Hotel at Ballyreagh Road, Portstewart.
- Pre Action Protocol letter received on application for conversion of shed at Bushfoot Road, Portballintrae.

Council Solicitor advised that the Judge hearing judicial reviews at present is making comment on how Planning Committees should operate.

The Solicitor **AGREED** to provide Members with Court dates and times for those who wished to attend.

The Head of Planning updated the Committee with regard to enforcement issues for Keady Quarry.

**AGREED** – that the Head of Planning would provide a timeline of factual information with regard to the enforcement issues for Keady Quarry.

The Head of Planning advised that it was likely that a Pre-determination Meeting would be scheduled for June. It was suggested that if an additional meeting was required to reconvene the Planning Committee meeting in June that consideration be given to holding the additional meeting in evening time due to Members work commitments.

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

Alderman McKeown was congratulated on this being his last meeting as Chair of the Planning Committee.

There being no further business, the Chair thanked everyone for their attendance and the meeting concluded at 5:50 pm.

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Chair