

PLANNING COMMITTEE WEDNESDAY 26 OCTOBER 2016

Table of Key Adoptions

| No | Item | Summary of key Adoptions |
|------------|--|---|
| 2 | Declarations of Interest | <i>Ald Robinson LA01/2016/0246/O Ald Finlay LA01/2016/0299/O Cllr Fielding LA01/2016/0023/.LDE and LA01/2015/0370/F</i> |
| 3 | Minutes of Planning Committee Meeting held Wednesday 28 September 2016 | <i>Confirmed</i> |
| 4 | Order of Items and Confirmation of Registered Speakers | <i>Information</i> |
| 5.1 | LA01/2016/0246/O | <i>Refuse</i> |
| 5.2 | LA01/2016/0023/LDE | <i>Defer to consider new information received</i> |
| 5.3 | LA01/2015/0370/F | <i>Defer to consider new information received</i> |
| 5.4 | LA01/2016/0395/O | <i>Defer to consider further information received</i> |
| 5.5 | LA01/2016/0877/F | <i>Application withdrawn by applicant</i> |
| 5.6 | LA01/2016/0519/F | <i>Withdrawn from Agenda to consider new information submitted</i> |
| 5.7 | LA01/2016/0299/O | <i>Defer for site visit</i> |
| 5.8 | LA02/2015/0935/O | <i>Refuse</i> |
| 5.9 | LA01/2016/0685/F | <i>Defer for site visit</i> |

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| 5.10 | LA01/2016/0684/O | <i>Approve</i> |
| | | |
| 6 | Development Management Statistics | <i>Note</i> |
| | | |
| 7 | Development Plan | |
| | 7.1 Discussion Paper: Transporting | <i>Endorse</i> |
| | 7.2 Discussion Paper: Housing | <i>Endorse</i> |
| | 7.3 Local Development Plan: Commencement of Development Plan Process and Members Workshops | <i>Note</i> <i>Agree to publication of Councils SCI and LDP Timetable.</i> <i>Agree to the monthly LDP workshops</i> |
| | 7.4 Building Preservation Notice: former Ballymoney Cinema | <i>Agreed to the Head of Planning advising Councillor Stevenson that a BPN should not be served on this building</i> |
| | | |
| 8 | Correspondence | |
| | 8.1 Letter from Department for Communities – White House Mill – proposed listing | <i>Agree option 3 – Oppose the listing of both Corn Mill and Flax Mill</i> |
| | 8.2 Letter from Department for Communities – confirmation of listing – 65 Cushleaake Road, Cushendun | <i>Note</i> |
| | 8.3 Invite to visit pig breeding unit | <i>Note the content and option A – decline the invite</i> |
| | | |
| 9 | Legal Issues | <i>None</i> |
| | | |
| 10 | Staffing | <i>Agree to the recruitment of 3 additional Planning Officers</i> |
| | | |
| 11 | Matters for Partnership Panel | <i>None</i> |
| | | |
| 12 | Any Other Relevant Business LA01/2016/0242/CA – Councillor Fielding | <i>Confidential Update provided</i> |

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING
COMMITTEE HELD IN COUNCIL CHAMBER, CIVIC HEADQUARTERS
WEDNESDAY 26 OCTOBER 2016 AT 2 PM**

In the Chair: Councillor R Loftus

Committee Members Present: Alderman Cole, Finlay, King, McKeown and Robinson
Councillors Baird, Fielding, Fitzpatrick, McLaughlin,
McKillop M A, McShane, P, Nicholl

Non Committee Members Present: Councillor Stevenson

Officers Present: D Dickson, Head of Planning
S Mathers, Principal Planning Officer/Development
Management Manager
S Mulhern, Principal Planning Officer/Local Development
Plan Manager
P Kingston, Council Solicitor
E McCaul, Committee & Member Services Officer

In Attendance: V Sinclair, Transport NI
I Buchanan, Applicant
C Gourley, Agent
D Donaldson, Agent
D McGill, Agent
J Martin, Agent

Press (2 no.)
Public (12 no.)

1 APOLOGIES

Apologies were recorded from Alderman S McKillop, Councillor Callan and Councillor McCaul.

2 DECLARATIONS OF INTEREST

- Alderman Robinson - Application LA01/2016/0246/O.
- Alderman Finlay - Application LA01/2016/0299/0
- Councillor Fielding - Applications LA01/2016/0023/LDE and LA01/2015/0370/F.

3 MINUTES OF MEETING – WEDNESDAY 28 SEPTEMBER 2016

The Chair advised the minutes of the meeting held on 28 September 2016 were confirmed at the 25 October 2016 Council meeting.

4 ORDER OF ITEMS AND CONFIRMATION OF REGISTERED SPEAKERS

The Chair advised Application LA01/2016/0877/F had been withdrawn by the applicant and LA01/2016/0519/F was withdrawn from the Agenda. The Chair informed committee of registered speakers in attendance and the Agenda would be considered in order as presented.

5 SCHEDULE OF APPLICATIONS

5.1 APPLICATION LA01/2016/0246/O

Address: 80m south of 261 Ballyquin Road, Limavady

Proposal: Two storey farm dwelling with garage / stores.

- * Alderman Robinson withdrew from the table at 2:10 pm and joined the public in the viewing gallery during discussion on the application.

The Principal Planning Officer/Development Management Manager presented the report and made a recommendation to refuse planning permission following consultation with Transport NI. The officer answered queries from members.

The undernoted speakers addressed the Committee and responded to queries from Members.

- Mr Sinclair - Transport NI
- Mr Buchanan - Applicant

Alderman Robinson addressed the Committee and spoke in favour of the application.

Proposed by Alderman Finlay
Seconded by Councillor McShane and

AGREED – as recommended that the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 10 and the policies and guidance in section 7 & 8 and resolves to REFUSE outline planning permission for the reasons set out in section 10.

The Chair put the proposal to the meeting, with 3 voting for, 2 against and 6 abstentions. The Chair declared the motion carried.

Alderman Robinson returned to the table at 2.43 pm.

5.2 APPLICATION LA01/2016/0023/LDE

Address: Lands approx 115m North West of No. 214 Baranailt Road,
Tartakilly, Limavady

Proposal: Proposed completion of dwelling in accordance with plans
approved under B/2001/0021/F

- * Councillor Fielding withdrew from the table at 2.45 pm and joined the public in the viewing gallery during discussion on the application.

The Principal Planning Officer/Development Management Manager presented the report and made a recommendation to refuse the certificate. The officer answered queries from Members.

The public speaker addressed the Committee and responded to Members queries.

A discussion ensued around material start and background information on the application. It was queried why the applicant had submitted this application

MOTION TO PROCEED 'IN COMMITTEE'

Proposed by Councillor McShane
Seconded by Councillor Baird and

AGREED - that the committee proceed to conduct the following business 'In Committee'.

Councillor Fielding, public and press left the Chamber at 2.55 pm.

The Principal Planning Officer/Development Management Manager updated the Committee on enforcement around the application in 2013 and 2015.

The Committee received legal advice from Council Solicitor.

A recess was held at 3.42 pm and the Committee reconvened at 3.55 pm.

Proposed by Alderman King
Seconded by Councillor Fitzpatrick and

AGREED - that the committee proceed to conduct the following business 'In Public.

Councillor Fielding, public and press returned to the Chamber at 2.55 pm.

The Head of Planning advised that additional information had been forwarded to Planning which she had only become aware of which needed to be taken into consideration.

Proposed by Alderman Cole
Seconded by Councillor Baird and

AGREED – that the application would be deferred to consider the new information received.

5.3 APPLICATION LA01/2015/0370/F

Address: Site 115m North West of 214 Baranailt Road
Proposal: Retention and completion of chalet dwelling and detached double domestic garage with associated alterations to ground levels using inert material to provide mounding and landscaping to curtilage (Amended siting for chalet dwelling and detached domestic garage approved under planning application permission ref. no. B/2001/0021/F)

An addendum report was tabled advising of written submission on the application by the applicant.

AGREED – that the application would be deferred to consider the additional information received as outlined at Item 5.2.

Councillor Fielding returned to the table at 4.05 pm.

5.4 APPLICATION LA01/2016/0395/O

Address: Lands between No 30 & 34 Drumsaragh Road, Kilrea
Proposal: Proposed infill dwelling and garage.

An addendum report was tabled advising of written submission on policy requirements for infill and road frontage development.

The Principal Planning Officer/Development Management Manager presented the report and made a recommendation to refuse planning permission. The Officer answered queries from members.

The public speaker addressed the Committee and highlighted details of recent appeal on a similar application.

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 sections 7 and 8 and resolves to REFUSE planning permission subject to the reasons set out in section 10.

Proposed by Alderman Finlay
Seconded by Councillor Baird and

AGREED - that the application would be deferred to consider further information.

5.5 APPLICATION LA01/2016/0877/F

Address: 56 Dhu Varren, Portrush, BT56 8EW
Proposal: Retrospective application for new first floor patio on top of flat roof at rear of existing dwelling accessed via steel stairs

Note: The Chair advised that this application had been withdrawn by the applicant prior to the meeting.

5.6 APPLICATION LA01/2016/0519/F

Address: South of 74 Carhill Road, Garvagh
Proposal: Retrospective change of use application from auto repairs to storage, sales and repair of plant and machinery.

Note: The Chair advised that the application had been withdrawn from the Agenda to consider new information submitted.

5.7 APPLICATION LA01/2016/0299/O

Address: Lands approx. 30m West of 51 Coolnassillagh Road, Garrvagh
Proposal: Proposed detached dwelling with associated site works

Alderman Finlay left the table at 4.35 pm.

The Principal Planning Officer/Development Management Manager presented the report and made a recommendation to refuse planning permission. The Officer answered queries from Members.

The public speaker addressed the Committee and responded to Members queries on business viability.

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 sections 7 and 8 and resolves to REFUSE planning permission subject to the reasons set out in section 10.

Proposed by Alderman King
Seconded by Councillor Baird and

AGREED - that the application would be deferred for a site visit.

5.8 APPLICATION LA01/2015/0935/O

Address: 35m South West of 126 Vow Road, Ballymoney
Proposal: Proposed two storey rural dwelling and detached single storey garage.

The Principal Planning Officer/Development Management Manager presented the report and made a recommendation to refuse planning permission. The Officer answered queries from Members.

The public speaker addressed the Committee and responded to Members queries.

Prior to the start of the meeting, the Head of Planning had been presented with additional information on sewerage consent.

Proposed by Councillor McShane
Seconded by Councillor Baird and

AGREED – that the refusal condition on sewerage be removed.

Proposed by Councillor Fitzpatrick
Seconded by Councillor McShane and

AGREED – as 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 planning permission for the 1 reason only set out in section 10.

The Chair put the proposal to the meeting, with 8 voting for, 1 against and 2 abstentions. The Chair declared the motion carried.

5.9 APPLICATION LA01/2016/0685/F

Address: 42 Garvagh Road, Dungiven

Proposal: Two storey front and rear extensions to house and erection of single storey detached garden shed

The Principal Planning Officer/Development Management Manager presented the report and made a recommendation to refuse planning permission. The Officer answered queries from Members.

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 sections 7 and 8 and resolves to REFUSE planning permission subject to the reasons set out in section 10.

Proposed by Councillor McShane
Seconded by Councillor Nicholl and

AGREED – that the application would be deferred for a site visit.

5.10 APPLICATION LA01/0684/O

Address: Infill site between numbers 2a and 4 Gelvin Road, Dungiven

Proposal: Proposed one and half storey dwelling with detached garage.

The Principal Planning Officer/Development Management Manager presented the report and made a recommendation to approve planning permission.

Proposed by Councillor Fitzpatrick
Seconded by Alderman Finlay and

AGREED – as 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 sections 7 and 8 and resolves to APPROVE outline planning permission.

The Chair put the proposal to the meeting, 11 voted for, 0 against and 0 abstentions. The Chair declared the motion carried.

The Chair put the proposal to the committee to vote, committee voted unanimously in favour.

6 DEVELOPMENT MANAGEMENT STATISTICS

Members were provided with Northern Ireland Planning Statistics 2016/17 First Quarterly Statistical Bulletin (April – June 2016: provisional figures) published 29 September 2016 by Analysis, Statistics & Research Branch, Department for Infrastructure. Members were also provided with a list of planning applications received and decided respectively by Causeway Coast and Glens Borough Council in the month of September 2016, excluding Pre-Application Discussions; Certificates of Lawful Development – Proposed or Existing; Discharge of Conditions and Non-Material Changes, to correspond with official validated statistics published by DFI.

Progress continues to be made in relation to the number of over 12 months applications. Work continues to reduce these older applications in line with the agreed Action Plan. Members were provided with a further breakdown of the over 12 month applications in the system. An improvement has been made in both 12-18 months and in the >24 months but the number the 18-24 months applications has increased.

It was recommended - that the Planning Committee note the update on the development management statistics.

AGREED - to note the update on the development management statistics.

7 DEVELOPMENT PLAN

7.1 Discussion Paper: Transportation Paper – Preparatory Paper

The eleventh topic related preparatory paper relating to transportation was presented to the Committee. The paper set out key outputs to provide Members with:

- An overview of the policy framework relating to transportation and the close association within policy of its relationship to the improvement of public health;
- Information on existing transportation infrastructure in the Borough and proposed improvements; and
- The role that land use planning can play in sustainable travel, model shift and associated health benefits.

In the context of the report, transportation related to walking, cycling public transport and road.

AGREED – as recommended that Members endorse the use of the information contained within the paper in the preparation of the Local Development Plan.

7.2 Discussion Paper: Housing Paper – Preparatory Paper

The Committee received the twelfth topic related preparatory paper on Housing. The paper set out the following key outputs:

- To provide Members with information on the regional planning context for housing allocation and distribution and the matters to be addressed by the LDP's;
- An overview of existing provision of housing and remaining capacity for new housing on existing zonings and within settlement development limits in the Borough as identified in the Northern Area Plan; and
- The historic level of housing provided in the countryside.

Both discussion papers would be discussed further at workshops being held over the next 8 months.

AGREED – as recommended that Members endorse the use of the information contained within this paper in the preparation of the Local Development Plan.

7.3 Local Development Plan: Commencement of Development Plan Process and Members Workshops

The Committee was informed that since April 2015 Council was responsible for preparing the new Local Development Plan (LDP). From that date the LDP team has presented a number of indicative work programmes to outline the extent of preparatory work being undertaken for the LDP. The findings have been presented to Members as 11 topic areas.

Members were reminded that the Planning Committee had approved the Council's "Statement of Community Involvement in Planning" (SCI) and LDP timetable. The LDP team will now prepare to publish these two documents, signalling the formal commencement of the LDP process. A Project Management Team will be set up to facilitate key consultee co-ordination and other assessments and appraisals. The LDP team will also commence a series of Workshops beginning in November 2016 to help inform and guide Members through the LDP process.

Proposed by Councillor Baird
Seconded by Alderman Finlay and

AGREED – as recommended that Members:

- Note the content of the report
- Agree to the publication of Councils SCI and LDP Timetable and
- Agree to the monthly LDP Workshops as detailed in the report.

7.4 Building Preservation Notice: Former Ballymoney Cinema

The Committee considered a report on Building Preservation Notice for former Ballymoney Cinema.

Members were advised that Councillor Stevenson has asked Council to serve a Building Preservation Notice (BPN) on the former Palladium Cinema, High Street, Ballymoney as the site is at risk of clearance and the building worthy of listing given its distinct art-deco style, (relatively) intact interior state, rarity and social history interest.

Council has a responsibility under the Planning Act (NI) 2011 to protect and conserve the historic environment for the benefit of present and future generations.

Planning Officials have had preliminary discussions in relation to the building with experts from Department for Communities. However, the Department is not in a position to advise Council on whether or not they would be likely to formally list the building.

A preliminary assessment report by the Conservation Officer which is only required at this stage, follows an analysis of the Building using the Listing Criteria and the findings from this was that the building did not exhibit the necessary architectural quality or historic interest to satisfy the listing criteria.

Proposed by Councillor Baird
Seconded by Councillor Fitzpatrick and

AGREED – as recommended, that Members agreed to the Head of Planning writing to Councillor Stevenson advising that a BPN should not be served on this building.

8 CORRESPONDENCE

8.1 Letter from Department for Communities – White House Mill – Proposed Listing

The Committee were informed that correspondence had been received from the Department for Communities on 16 September 2016 advising that they were considering listing of White House Mill, at the rear of 44 Glendun Road, Cushendun under Section 80(1) of The Planning Act (Northern Ireland) 2011.

The proposed listing includes the following:

- Two storey Corn Mill – Internal layout largely unchanged and detailing largely intact.
- Single storey Flax Mill – Roofless and interior open to the elements but the layout is largely unchanged and detailing largely intact
- Waterwheel.

Revised PPS6: Planning Archaeology and the Built Environment sets out the key criteria for listing; either architectural interest or historic interest and the overall test is that the interest must be considered 'special'.

The committee were asked to consider the following:

Option 1 – Agreed to support listing

Option 2 – Agreed to oppose listing to Flax Mill but agreed to listing of Corn Mill

Option 3 – Agree to oppose the listing of both Corn Mill and Flax Mill.

Proposed by Councillor M A McKillop

Seconded by Councillor Fitzpatrick and

AGREED – Option 3 – agree to oppose the listing of both Corn Mill and Flax Mill.

8.2 Letter from Department for Communities – Confirmation of Listing – 65 Cushleake Road, Cushendun

The Committee were informed that Correspondence had been received from The Department for Communities Historic Environment Division confirming the listing of No 65 Cushleake Road, Cushendun under Section 80(1) of the Planning Act (NI) 2011.

It was recommended - that Members note the confirmation of listing as detailed.

The Committee noted the confirmation of listing report.

8.3 Invite to Visit Pig Breeding Unit

The Committee considered an invitation for an accompanied visit to a pig breeding unit in Newtownbutler. This follows on from application B/2015/0005/F – 4 no pig breeding units.

There were two options from which to choose a course of action:

- (a) Decline the invite for the accompanied site visit and decide the application on its own merit.
- (b) Accept the accompanied site visit to Newtownbutler.

It was recommended – that Members note the content of the report and agree on one of the options.

Proposed by Alderman Robinson
Seconded by Alderman Cole and

AGREED – Note the content and Option A, decline the invite for the accompanied site visit and decide the application on its own merit.

MOTION TO PROCEED ‘IN COMMITTEE’

Proposed by Councillor Fitzpatrick
Seconded by Alderman Finlay and

AGREED - that the committee proceed to conduct the following business ‘In Committee’.

9 LEGAL ISSUES

There were no additional legal issues discussed.

10 STAFFING

Members considered a confidential report on staffing within the Planning Department. The report detailed staff workloads and the inability to meet targets with the current staffing arrangements.

The Head of Planning outlined that staff had raised concerns in relation to their workload and level of pressure in relation to their performance. It was therefore necessary to reduce the risk of work stress and to improve performance by providing additional planning officer support.

It was recommended – that Members agree to the recruitment of 3 additional Planning Officers for the Planning Department.

Proposed by Councillor Baird, seconded by Councillor McKeown **that the Committee AGREE to the recommendation.**

An amendment was proposed by Alderman Robinson, seconded by Alderman Finlay **that the Committee recommend to the full Council that they AGREE to the recruitment of 3 additional Planning Officers**

The Chair put the amendment to the meeting, 3 voted for, 6 against. The Chair declared the amendment lost.

The Chair put the proposal to the meeting, 6 voted for, 2 against and 1 abstention. The Chair declared the proposal carried.

11 MATTERS FOR REPORTING TO PARTNERSHIP PANEL – date of next meeting 12 October 2016

12 ANY OTHER RELEVANT BUSINESS

Councillor Fielding requested an update on Enforcement Case ref: LA01/2016/0242/CA – section of fence next to Causeway Street, Portrush.

A confidential report was circulated to Members.

Proposed by Councillor M A McKillop
Seconded by Councillor Baird and

AGREED – that the remainder of the business be discussed in public.

There being no further business the Chair thanked everyone for their attendance and the meeting concluded at 6.45 PM

Chair