

PLANNING COMMITTEE WEDNESDAY 24 MAY 2017

Table of Key Adoptions

No	Item	Summary of Key Decisions
1	Apologies	Councillor McLaughlin
2	Declarations of Interest	<p>Councillor Fielding – LA01/2015/0862/F (Item 5.3) Alderman Finlay – LA01/2016/0198/F (Item 5.4) Councillor MA McKillop – LA01/2016/1221/O (Item 5.5) Councillor P McShane - LA01/2016/1221/O (Item 5.5) Alderman Robinson – LA01/2016/1461/O (Item 5.6)</p>
3	Minutes of Planning Committee Meeting held Wednesday 26 April 2017	Confirmed
4	Order of Items and Registered Speakers	Item 5.1 and 5.2 withdrawn from schedule and agreed as received
5	Schedule of Applications	
	5.1 LA01/2015/0188/F Approximately 275m NW of 145 Pollysbrae Road, Limavady	Withdrawn from Schedule
	5.2 C/2014/0051/F Site Adjacent to No 5 Circular Road Castlerock	Withdrawn from Schedule
	5.3 LA01/2015/0862/F Hall 200m South of junction at Calhome Road and Drumrane Road, Limavady	Approve

	5.4 LA01/2016/0198/F 100m NW of 11 Haw Road, Bushmills	Refuse
	5.5 LA01/2016/1221/O Adjacent to 33 Gaults Road, Cushendall	Refuse
	5.6 LA01/2016/1461/O 180m South of 22a Drumaroan Road	Refuse
	5.7 LA01/2017/0196/LBC Arcadia Complex, Causeway Street, Portrush, BT56 8JE	Grant
6	Development Management Performance	
	6.1 Development Management Statistics	Noted Prepare business case for consideration of additional staffing
	6.2 Publication of NI Planning Statistics: Third Quarter 2016/17 Statistical Bulletin	Noted
7	Planning Section Business Plan 2017-2018	Approve Members to put forward to HoP suggested training going forward
8	Development Plan	
	8.2 DfC Consultation on Proposed De-Listings Main Street, Bushmills	Option 1: to support all de-listings and to the Head of Planning responding to DfC on behalf of Council
	8.3 DfC Consultation on Proposed Listings	Option 1: to support all three listings and to the Head of Planning responding to DfC on behalf of Council
9	Correspondence	
	9.1 DfC Confirmation of De-Listing Tunnel and Entrance, Arches, Castlerock	Noted
	9.2 DfC Confirmation of Listing Briarfield, 107 Hopefield Road, Portrush	Noted

	9.3 DfC Confirmation of Listing Holy Trinity Church, Main Street, Portrush	<i>Noted</i>
	9.4 DfC Confirmation of Listing Signal Box and Signals, Portrush Railway Station	<i>Noted</i>
	9.5 DfC Confirmation of Listing Water Tower, Portrush Railway Station	<i>Noted</i>
10	Matters for Reporting to Partnership Panel	<i>None</i>
11	Legal Issues	<i>None</i>
	11.1 Bath Street, Portrush	<i>Council to proceed with application</i>
	11.2 Member Voting Systems	<i>Prepare report to consider confidential Member voting options</i>
	11.3 Last Minute Emails and Information	<i>Verbal update</i>
	11.4 Code of Conduct of Applicants and Agents at Planning Committee Meetings	<i>Prepare paper on Code of Conduct of Applicants and Agents at Planning Committee Meetings</i>
12	Any Other Relevant Business (notified in accordance with Standing Order 12(o))	<i>None</i>

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING
COMMITTEE HELD IN COUNCIL CHAMBER, CIVIC HEADQUARTERS
WEDNESDAY 24 MAY 2017 AT 2 PM**

- In the Chair:** Councillor Loftus
- Committee Members** Aldermen: Cole, Finlay, King, McKeown,
S McKillop and Robinson
- Present:** Councillors: Baird, Fielding, Fitzpatrick,
McCandless, McCaul, MA McKillop, P McShane
and Nicholl
- Officers Present:** D Dickson, Head of Planning
S Mathers, Principal Planning Officer/Development
Management Manager
S Mulhern, Principal Planning Officer/Local
Development Plan Manager
J Lundy, Senior Planner
D J Hunter, Council Solicitor
D Allen, Committee & Member Services Officer
- In Attendance:** S Beattie QC, Barrister
A Tate (Application LA01/2015/0862/F)
A McCloskey (Application LA01/2015/0862/F)
M Howe (Application LA01/2016/0198/F)
F Wheeler (Application LA01/2016/1221/O)
M McNeill (Application LA01/0216/1461/O)
- Press (1 No.)
Public (7 No.)

1 APOLOGIES

Apologies were received from Councillor McLaughlin.

2 DECLARATIONS OF INTEREST

Declarations of Interest were recorded for:

- Councillor Fielding - Application LA01/2015/0862/F (Item 5.3)
- Alderman Finlay - Application LA01/2016/0198/F (Item 5.4)
- Councillor MA McKillop - Application LA01/2016/1221/O (Item 5.5)
- Councillor P McShane - Application LA01/2016/1221/O (Item 5.5)
- Alderman Robinson - Application LA01/2016/1461/O (Item 5.6)

**3. MINUTES OF PLANNING COMMITTEE MEETING HELD
WEDNESDAY 26 APRIL 2017**

Proposed by Alderman Robinson
Seconded by Councillor MA McKillop and

AGREED – that the minutes of the 26 April Planning Committee were confirmed as a correct record.

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

The Head of Planning advised Application LA01/2015/0188/F (Item 5.1) and Application C/2014/0051/F (Item 5.2) had been withdrawn from the schedule.

AGREED: to receive the Order of Business as presented, subject to LA01/2015/0188/F (Item 5.1) and Application C/2014/0051/F (Item 5.2) being withdrawn from the schedule.

5. SCHEDULE OF APPLICATIONS:

5.1 LA01/2015/0188/F - Approximately 275m NW of 145 Pollysbrae Road, Limavady

App Type: Full Planning

Proposal: Proposed broiler poultry house (containing 33,500 birds) landscaping swale and ancillary site works at lands approximately 275 metres North West of 145 Pollys Brae Road Limavady Co. Derry.

Report circulated.

The Chair advised that the application for Full Planning permission had been withdrawn from the schedule to be presented at a later date.

5.2 C/2014/0051/F - Site Adjacent to No 5 Circular Road Castlerock

App Type: Full Planning

Proposal: Two pair of Semis to be integrated into Castlerock townscape

Report circulated.

The Chair advised that the application for Full Planning permission had been withdrawn from the schedule to be presented at a later date.

5.3 LA01/2015/0862/F - Hall 200m South of Junction at Calhome Road and Drumrane Road, Limavady

*** Councillor Fielding left the table for this item.**

*** Ald McKeown joined the meeting at 2:10pm**

App Type: Full Planning

Proposal: Proposed replacement of hall with dwelling

Report and Addendum circulated.

The Principal Planning Officer/Development Management Manager presented the reports, provided Members with a verbal Site Visit report and made a recommendation to the Committee for consideration. The Officer answered queries raised by Members.

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 section 7 & 8 and resolves to **REFUSE** full planning permission for the reasons set out in Section 10.

The Chair invited Mr A Tate and Mr A McCloskey to address the Committee in support of the application. Mr A Tate and Mr A McCloskey responded to points of clarification from Elected Members.

MOTION TO PROCEED 'IN COMMITTEE'

Proposed by Alderman Finlay
Seconded by Councillor P McShane and

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

*** Councillor Nicholl left the meeting at 2.30 pm.**

*** Press/Public left the meeting 2.30 pm.**

Further discussion took place on the structure of the building and its significant environmental benefits, and the Head of Planning clarified Policy CTY3 PPS21 to Members.

MOTION TO PROCEED 'IN PUBLIC'

Proposed by Councillor MA McKillop
Seconded by Alderman Finlay and

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

*** Press/Public re-joined the meeting at 2.40pm.**

Mr Tate confirmed that the existing building currently had no foundations and was structurally unsound, therefore if the building were to be retained underpinning would be required to stabilise the structure. Mr Ambrose confirmed that the client would also be prepared to work with TransportNI to determine the safest access to the site.

Upon a request from Alderman Robinson the Principal Planning Officer/Development Management Manager confirmed that the definition of 'significant environmental benefits' was not defined in the policy and was therefore subjective.

The Principal Planning Officer/Development Management Manager read out to Members a summary of correspondence received from the Historic Environment Division.

Proposed by Councillor Baird
Seconded by Alderman S McKillop

- 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 & 8 and resolves to **APPROVE** full planning permission for the reasons set out:

- (i) The existing building is currently unsound and is not structurally intact
- (ii) Renovating the existing building would not make an important contribution to the heritage, appearance and character of the locality
- (iii) Replacing the existing building would provide significant environmental benefits

The Chair put the proposal to the Committee to vote, 8 Members voted for, 2 Members voted against, 1 Member abstained. The Chair declared the proposal carried.

*** Councillor Fielding was invited to re-join the meeting at 2.55pm.**

5.4 LA01/2016/0198/F - 100m NW of 11 Haw Road, Bushmills

*** Alderman Finlay left the table for this item.**

App Type: Full Planning

Proposal: Full planning application for 6 no. glamping pods

Report circulated.

The Principal Planning Officer/Development Management Manager presented the report, provided Members with a verbal Site Visit report and made a recommendation to the Committee for consideration. The Officer answered queries raised by Members relating to critical views, integration and existing natural features.

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 & 8 and resolves to **REFUSE** planning permission for the reasons set out in section 10.

The Officer informed Members that Policy TSM6 New and Extended Holiday Parks in the Countryside was the key policy when considering the decision.

The Chair invited Mr M Howe to address the Committee in support of the application and he responded to points of clarification from Elected Members relating to integration and existing vegetation; external finishes of proposed pods.

Proposed by Alderman S McKillop
Seconded by Councillor Fielding

- 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 & 8 and resolves to **APPROVE** full planning permission.

The Chair put the proposal to the Committee to vote, 5 Members voted for, 5 Members voted against, 0 Members abstained. The Chair using her casting vote voted against the proposal and declared the motion fallen.

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

* **Alderman Finlay was invited to re-join the meeting at 3.19pm.**

5.5 LA01/2016/1221/O - Adjacent to 33 Gaults Road, Cushendall

* **Councillor MA McKillop and Councillor P McShane left the table for this item.**

* **Alderman S McKillop left the meeting at 3.20pm**

App Type: Outline Planning

Proposal: Site for single dwelling with access off existing driveway

Report circulated.

The Senior Planner presented the report, provided Members with a verbal Site Visit report and made a recommendation to the Committee for consideration. The Officer answered queries raised by Members relating to objection received and interpretation of policy CTY2A.

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 Chair invited Mr F Wheeler to address the Committee in support of the application and he responded to points of clarification from Elected Members relating to drainage, cluster, focal point, impact on adjacent property and hedge height.

The Head of Planning clarified Policy CTY2a to Members and reiterated that planning permission will be granted for a dwelling at an

existing cluster of development providing all the criteria listed in the policy are met.

Proposed by Alderman Finlay
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 proposal to the Committee to vote, 8 Members voted for, 0 Members voted against, 3 Members abstained. The Chair declared the proposal carried.

*** Councillor MA McKillop and Councillor P McShane were invited to re-join the meeting at 3.38pm.**

5.6 LA01/2016/1461/O - 180m South of 22a Drumaroan Road, Ballycastle

*** Alderman Robinson left the table for this item.**

App Type: Outline Planning

Proposal: Proposed new dwelling and garage on the farm

Report and Addendum circulated.

The Senior Planner presented the reports, provided Members with a verbal Site Visit report and made a recommendation to the Committee for consideration. The Officer answered queries raised by Members relating to farm business ID, prominence, integration, revocation, planning history.

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 for the reasons set out in section 10.

The Chair invited Mr M McNeill to address the Committee in support of the application and he responded to points of clarification from Elected Members relating to farm business need, farm maps, prominence, integration access, planning history, revocation.

Alderman Robinson requested to speak in support of the application highlighting distance of travel for applicant, low lying location and financial reasons.

Council Solicitor and Officers answered further queries from Members relating to revocation, policy CTY10, 13 and 14.

Alderman Finlay suggested that the item be deferred. The Council Solicitor stated that there must be a firm basis to defer the application and referred Members to Sec 68 of the Planning Act which was read to Members.

Proposed by Councillor McCandless
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 for the reasons set out in section 10.

The Chair put the proposal to the Committee to vote, 6 Members voted for, 3 Members voted against, 3 Members abstained, the Chair declared the proposal carried.

*** Alderman Robinson was invited to re-join the meeting at 4.35pm.**

The Chair called a recess at 4.35pm.

AGREED – that committee hold a recess from 4.35pm.

The meeting reconvened at 5.05pm.

5.7 LA01/2017/0196/LBC - Arcadia Complex, Causeway Street, Portrush, BT56 8JE

App Type: Listed Building Consent

Proposal: Redecoration works to external façade of Arcadia Complex

Report circulated.

The Principal Planning Officer presented the report and made a recommendation to the Committee for consideration. The Officer answered queries from Members.

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 section 7 and resolves to **GRANT** Listed Building Consent subject to the conditions and informatives set out in section 10.

Proposed by Councillor Fitzpatrick
Seconded by Alderman Robinson

- 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** Listed Building Consent subject to the conditions and informatives 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 carried.

6. DEVELOPMENT MANAGEMENT PERFORMANCE:

6.1 Development Management Statistics

The report provided a list of planning applications received and decided respectively by Causeway Coast and Glens Borough Council in the month of April 2017.

The number of applications received has dropped below the 100 mark, previously having dropped below it in January 2016. This is likely attributable to the Easter Holiday period. Staff issued 66 planning application decisions, plus 3 Discharge of Conditions, 2 Certificate of Lawful Development Proposed or Existing applications, 1 Proposal of Application Notice and 4 Non-Material Change. Again, this reduced level of activity is attributed to many staff being off on leave during the holiday period. The number of live applications in the system has risen slightly to 665.

IT IS RECOMMENDED that the Planning Committee note the update on the Development Management statistics.

In response to a query from Councillor Baird the Head of Planning confirmed that the recruitment of the 3 extra members of staff had taken place. However she stated that the workload within the Planning Department had been increasing. In terms of correspondence, staff have responded to over 550 formal correspondence excluding email and phone calls and 50 EIR

responses over the last year. Councillor Baird asked if more staff is required.

The Head of Planning confirmed that a business case for consideration of additional staffing would be prepared to present to the next Planning Committee meeting.

AGREED - that the Planning Committee note the update on the Development Management statistics and a business case prepared for additional staffing.

6.2 Publication of Northern Ireland Planning Statistics: Third Quarter 2016/176 Statistical Bulletin

The Northern Ireland Planning Statistics is an official statistics publication issued by Analysis, Statistics & Research Team within Department for Infrastructure. The Third Quarterly 2016/17 Statistical Bulletin was published on 16 March 2017 providing provisional planning statistics for this period. It also 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.

IT IS RECOMMENDED that the Planning Committee note the performance of the Enforcement Team relative to other Councils across Northern Ireland from the update on the Northern Ireland Planning Statistics 2016/17 Third Quarterly Statistical Bulletin.

AGREED - that the Planning Committee note the performance of the Enforcement Team relative to other Councils across Northern Ireland from the update on the Northern Ireland Planning Statistics 2016/17 Third Quarterly Statistical Bulletin.

7. PLANNING SECTION BUSINESS PLAN 2017-2018

The Head of Planning presented a report on the Planning Section Business Plan for 2017-2018 (as previously circulated).

The purpose of the Planning Section Business Plan 2017-2018 is to:

- Give a clear sense of what the service is for and the challenges it faces.
- Show how it is supporting Council's priorities.

- Show how it is contributing to the efficiency drive and transformation of service delivery.
- Show how it is aligning its resources to meet the challenges ahead.
- Help us to hold ourselves to account and ensure we deliver for Council and its residents.
- Bring key information together in one place about the service, which Members, staff and stakeholders can understand.

IT IS RECOMMENDED that Members agree to the Planning Section Business Plan 2017-2018 as set out at Appendix 1 (previously circulated).

Members were asked to contact the Head of Planning should they have any suggestions for further training required.

AGREED – that Members agree to the Planning Section Business Plan 2017-2018 as set out at Appendix 1 (previously circulated).

8. DEVELOPMENT PLAN

8.1 DfC Consultation of Proposed De-Listings

A report was circulated to the Committee to advise that the Department for Communities (DfC);HED had written to Council on 13th and 28th April 2017 advising that they were considering the de-listing of a number of properties within the Borough, under Section 80(3) of The Planning Act (Northern Ireland), (Appendix 1 previously circulated).

Members were reminded of information contained within the Department for Communities (DfC) presentations given at the workshop held on 31st January 2017 in relation to build heritage. These presentations were subsequently issued to all Elected Members.

Revised Annex C of PPS6: Planning, Archaeology and the Built Environment (previously circulated), sets out the listing criteria which aims to improve clarity and consistency in regard to the legislative test that a listed building must be of '*special architectural or historic interest*'. A building can be listed for either criteria but in most cases it will have both.

The following options were set out within the report:

Option 1: Agree to support all of the de-listings: or

Option 2: Agree to oppose all of the de-listings.

IT IS RECOMMENDED that Members agree either Option 1 or 2 above to the proposed de-listings, as detailed, and to the Head of Planning responding to DfC on behalf of Council.

Proposed by Councillor Baird
Seconded by Councillor Fitzpatrick and

AGREED – that the Committee agree Option 1 – to support all of the de-listings, and to the Head of Planning responding to DfC on behalf of Council.

8.2 DfC Consultation on Proposed Listings

A report was circulated to the Committee to advise that the Department for Communities (DfC) had written to Council on 28th April 2017 advising that they were considering a number of listings within the Borough, under Section 80(1) of The Planning Act (Northern Ireland) 2011, (Appendix 1 previously circulated).

Members were reminded of information contained within the Department for Communities (DfC) presentations given at the workshop held on 31st January 2017 in relation to build heritage. These presentations were subsequently been issued to all Elected Members.

Revised Annex C of PPS6: Planning, Archaeology and the Built Environment (previously circulated), sets out the listing criteria which aims to improve clarity and consistency in regard to the legislative test that a listed building must be of '*special architectural or historic interest*'. A building can be listed for either criteria but in most cases it will have both.

The following options were set out within the report:

Option 1: Agree to support all 3 listings: or

Option 2: Agree to support only the listing of No 1 (which has no inappropriate replacements/alterations): or

OPTION 3: Agree to oppose all 3 listings.

IT IS RECOMMENDED that Members agree to Option 1, 2 or 3 above (as detailed at Appendix 1 & 2, previously circulated) and to the Head of Planning responding to DfC on behalf of Council.

Proposed by Councillor Fitzpatrick
Seconded by Councillor P McShane and

AGREED – that the Committee agree Option 1 – to support all 3 listings, and to the Head of Planning responding to DfC on behalf of Council.

9. CORRESPONDENCE

The Principal Planning Officer/Local Development Plan Manager presented the items of correspondence:

- 9.1** Department for Communities (DfC) Confirmation of De-Listing Tunnel and Entrance, Arches, Castlerock
- 9.2** Department for Communities (DfC) Confirmation of Listing Briarfield, 107 Hopefield Road, Portrush
- 9.3** Department for Communities (DfC) of Listing Holy Trinity Church, Main Street, Portrush
- 9.4** Department for Communities (DfC) of Listing Signal Box and Signals, Portrush Railway Station
- 9.5** Department for Communities (DfC) of Listing Water Tower, Portrush Railway Station

AGREED – that the correspondence circulated is noted (Items 9.1 – 9.5 inclusive).

10. MATTERS FOR REPORTING TO PARTNERSHIP PANEL

There were no matters for reporting to the Partnership Panel.

11. LEGAL ISSUES

MOTION TO PROCEED ‘IN COMMITTEE’

Proposed by Alderman Finlay
Seconded by Councillor P McShane

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

* **Press/Public left the meeting.**

11.1 Bath Street, Portrush

The Council Solicitor provided a verbal update and advised that Council would now proceed with this application.

11.2 Member Voting Systems

Discussion took place on the possibility of alternative confidential voting systems for Members.

The Head of Planning confirmed that a report on the possibility of implementing an electronic voting system for Members and other confidential voting options would be compiled.

AGREED: to consider confidential Member voting options.

11.3 Last Minute Emails and Information

The Council Solicitor provided Members with a verbal update on the procedure followed by the Planning Department, should last minute emails and information be received relating to Planning applications.

11.4 The Code of Conduct of Applicants and Agents at Planning Committee

Concerns were raised on the behaviour of applicants, agents and the public toward Members, during and after the Planning Committee Meetings.

The Head of Planning confirmed that a paper on The Code of Conduct of Applicants and Agents would be prepared and brought back to the Committee.

MOTION TO PROCEED 'IN PUBLIC'

Proposed by Alderman Finlay
Seconded by Councillor P McShane and

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

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

There was no other relevant business.

There being no further business, the Chair thanked everyone for their attendance and the meeting concluded at 6.00pm.

Chair