



## PLANNING COMMITTEE WEDNESDAY 24 JANUARY 2018

### Table of Key Adoptions

No	Item	Summary of Key Decisions
1	Apologies	<b>Councillors Fitzpatrick, Loftus and McCaul</b>
2	Declarations of Interest	<b>Alderman Finlay – LA01/2017/0549/O</b>
3	Minutes of Planning Committee Meeting held Wednesday 20 December 2017	<b>Confirmed</b>
4	Order of Items and Registered Speakers	<b>Approve</b>
5	Schedule of Applications	
	5.1 LA01/2016/1328/F lands south of 120 Ballyreagh Road, Portstewart	<b>Approve</b>
	5.2 C/2013/0497/F 2, 4 and 6 Bath Road, Portrush	<b>Approve</b>
	5.3 LA01/2017/0323/F 668 Seacoast Road, Benone	<b>Refuse</b>
	5.4 LA01/2017/0333/F To the rear of 211 Seacoast Road, Limavady	<b>Refuse</b>
	5.5 LA01/2017/0292/F 1 Bayview Park, Glenariffe, Ballymena	<b>Approve</b>
	5.6 LA01/2017/0549/O Adjacent to 9 Glenlough Road, Ballymoney	<b>Refuse</b>
	5.7 LA01/2016/0825/F Rear of 160c Seacoast Road, Crindle, Limavady	<b>Withdrawn</b>
	5.8 LA01/2016/0107/F 1 Downing Park, Portstewart	<b>Refuse</b>

	<b>5.9</b> LA01/2017/0565/F 28 Killymaddy Road, Ballymoney	<b>Decision delegated to Planning Officers pending submission of revised plans by 2 February 2018</b>
	<b>5.10</b> LA01/2017/0908/F Old Dreen Primary School, 339 Townhill Road, Rasharkin	<b>Defer for site visit</b>
	<b>5.11</b> LA01/2017/1081/F Millburn Community Centre, Linden Avenue, Coleraine	<b>Approve</b>
<b>6</b>	Development Management Performance	
	<b>6.1</b> NI Planning Statistics Second Quarter 2017/18	<b>Note</b>
	<b>6.2</b> Update on Development Management and Enforcement Monthly Report	<b>Note</b>
<b>7</b>	Development Plan	
	<b>7.1</b> Building Preservation Notice (BPN) 11 Cullycable Road, Aghadowey	<b>Agree to Head of Planning advising that a BPN should not be served</b>
	<b>7.2</b> Northern & Western Regional Assembly: Regional Spatial & Economic Strategy (ESES): Issues Paper 2035 – Pre Draft Consultation Document	<b>Agree to Head of Planning issuing a response on behalf of Council</b>
<b>8</b>	Correspondence	
	<b>8.1</b> Confirmation of the Declaration of the Gortycavan Area of Scientific Interest	<b>Note</b>
	<b>8.2</b> DfC Confirmation of Listing 57 Hillside Road, Ballycastle	<b>Note</b>
	<b>8.3</b> PAC Decision LA01/2016/1461/O	<b>Note</b>
<b>9</b>	Legal Issues	<b>None</b>
<b>10</b>	Any Other Relevant Business	<b>Head of Planning to liaise with NIEA on applications for poultry buildings</b>

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING  
COMMITTEE HELD IN COUNCIL CHAMBER, CIVIC HEADQUARTERS  
WEDNESDAY 24 JANUARY 2018 AT 2.04 PM**

**In the Chair:** Alderman McKeown

**Committee Members Present:** Aldermen: Cole, Finlay, King, McKillop and Robinson  
Councillors: Fielding, Hunter, MA McKillop, McCandless, McLaughlin, McShane P 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 Planning Officer  
H Clarke, Planning Officer  
D J Hunter, Council Solicitor  
E Keenan, Council Solicitor  
P Donaghy, Democratic & Central Services Manager  
S Duggan, Committee & Member Services Officer  
E McCaul, Committee & Member Services Officer

**In Attendance:** T Ferguson { Minute Item 5.1  
N Northam  
J Allister, MLA  
M Bradley, MLA  
S Finlay { Minute Item 5.2  
L Abernethy  
T Bell  
A O'Neill  
C Gourley { Minute Items 5.3 and 5.4  
G Lyons, MLA { Minute Item 5.5  
T Cassidy { Minute Item 5.6  
M Howe { Minute Item 5.8, 5.9, 5.10

Press (2 No.)  
Public (35 No.)

**1 APOLOGIES**

Apologies were received from Councillors Fitzpatrick, Loftus and McCaul.

## **2 DECLARATIONS OF INTEREST**

Councillor Fielding advised he would be leaving the meeting at 3.30 pm for a prior engagement within the Offices, to return again.

Declarations of Interest were recorded for:

- Alderman Finlay - LA01/2017/0549/O (Minute Item 5.6)

## **3. MINUTES OF PLANNING COMMITTEE MEETING HELD WEDNESDAY 20 DECEMBER 2017**

Proposed by Alderman Robinson

Seconded by Alderman Cole and

**AGREED –** that the minutes of the 20 December 2017 Planning Committee Meeting be confirmed as a correct record.

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

**AGREED –** to receive the Order of Business as set out on the agenda.

The Head of Planning advised that agenda Item 5.7 - application LA01/2016/0825/F had been withdrawn by the applicant.

## **5. SCHEDULE OF APPLICATIONS:**

### **5.1 LA01/2016/1328/F – Lands south of 120 Ballyreagh Road, Portstewart**

**App Type:** Full Planning

**Proposal:** Full application for a Hotel and Spa Complex (including conference and banqueting facilities, holiday cottages, North West 200 visitor attraction including exhibition space, tourist retail unit (c 150 sq m) and office space, demonstration restaurant, car/coach parking, access/junction alterations, landscaping and associated infrastructure works) on land south of 120 Ballyreagh Road, Portstewart.

Report, addendum and erratum circulated.

The Principal Planning Officer presented the reports 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 section 7 & 8 and resolves to **APPROVE** planning permission for the reasons set out in section 10.

**Addendum to the Recommendation** - that the Committee notes the content of this addendum and agrees with the recommendation to approve as set out in Section 9 of the Planning Committee Report.

The Head of Planning advised that information had been received from an objector prior to the Committee meeting. However Committee was advised it related to discussions in relation to the easement application; the comments were the personal view of the Council officer; planning officers were not included in the emails. The Head of Planning advised that the information was not considered to be a material planning consideration in relation to this planning application and should be given no weight as it was in relation to the granting of the Easement without consideration of relevant planning policy.

J Allister approached the Chair and requested Speaking Rights.

Proposed by Alderman Finlay  
Seconded by Alderman S McKillop and

Members **AGREED**: that Committee permit J Allister Speaking Rights.

J Allister addressed Committee in objection to the application and as author of stated correspondence and sought a deferral of the application. J Allister outlined background relating to the timeline of a Freedom of Information Request and response, a request for a review of the Information disclosed, appeal to the Information Commissioner's Office (ICO), ICO's decision of 11 January 2018 that requested information should be disclosed, and subsequent disclosure of the documents made to him on the morning of the Planning Committee meeting. J Allister advised that he had only time to glance at the papers and hadn't time to fully consider the content. J Allister referred to one comment on page 1 of the 14 page document and will write to DfI to request that they 'call-in' this application as it is unfair on objectors.

Alderman Robinson sought Legal advice from Council's Solicitor.

Proposed by Alderman Finlay  
Seconded by Alderman Cole

- that Committee defer consideration.

Amended Proposal by Councillor Hunter  
Seconded by Councillor P McShane

- that Committee proceed 'In-Committee' to hear the Legal advice.

The Chair put the Amendment to the Committee to vote 10  
Members voted for, 2 Members voted against, the Chair declared  
the amendment carried.

\* **Press and Public left the meeting at 2:30 pm.  
Proceedings 'In-Committee'**

Council's Solicitor circulated a copy of the disclosed documents  
made to J Allister to Members. Council's Solicitor provided a view  
on the information referred to by J Allister and clarified questions  
from Committee.

Proposed by Councillor P McShane  
Seconded by Councillor Hunter

- that Committee proceed to conduct the remainder of the Business  
'In Public'.

\* **Press and Public re-joined the meeting at 3:05 pm.**

Proposed by Alderman Finlay  
Seconded by Alderman Cole

- that Committee defer consideration.

The Chair put the proposal to the Committee to vote, 3 Members  
voted for, 8 Members voted against, 2 Members abstained, the  
Chair declared the proposal lost.

Alderman Cole disagreed with the result of the vote and upon a  
request for the advice of Council's Solicitor, withdrew from the  
meeting.

\* **Alderman Cole withdrew from the table and left the chamber.**

The Chair invited T Ferguson, Agent and N Northam to address the Committee in support of the application and responded to points of clarification. T Ferguson advised that the supporting financial information included C&V Developments Ltd, Don Hotels Ltd and Interstate and that the financial information of the developers referred to in ASM Chartered Accountants letter related to both C&V Developments Ltd and Don Hotels Ltd. N Northam provided a background to Interstate Europe Hotels & Resorts involvement in the hotel industry and their confidence in this project.

T Ferguson responded to questions from Members regarding access and funding, referring to C&V Developments Ltd, Don Hotels Ltd and Interstate Europe Hotels & Resorts.

The Chair invited M Bradley MLA to address the Committee in support of the application. M Bradley referred to the importance of this development for tourists and employment. No questions were posed.

Proposed by Councillor Nicholl  
Seconded by Councillor P McShane

- that the Committee notes the addendum to the report and 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 **APPROVE** planning permission for the reasons set out in section 10.

The Principal Planning Officer responded to Elected Members questions regarding conditions 7 and 8 and referred to Condition 4 in respect of the concerns.

The Chair put the proposal to the Committee to vote, 9 Members voted for, 0 Members voted against, 2 Members abstained, the Chair declared the proposal carried.

- \* **Councillor Fielding left the meeting at 3:23 pm during consideration of the application.**
- \* **A recess was held from 3:34 pm – 3:50 pm.**

## 5.2 C/2013/0497/F – 2, 4 and 6 Bath Road, Portrush

**App Type:** Full Planning  
**Proposal:** Design Amendments from previous application  
C/2006/0682/F for Residential Development

comprising of 24 Apartments and Associated Basement Parking.

Report and addendum circulated.

The Principal Planning Officer 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 conditions set out in section 10.

**Addendum to the Recommendation** - that the Committee notes the content of this addendum and agrees with the recommendation to approve as set out in paragraph 9.1 of the Planning Committee Report.

In response to a comment made by Alderman King, Council's Solicitor advised Planning Committee members had withdrawn from the table at Council's recent decision regarding non assertion of a Public Right of Way and did not take part in the determination.

The Chair invited L Abernethy and S Finlay, to address the Committee in objection to the application. Objectors responded to points of clarification from Elected Members. L Abernethy raised concerns in relation to impact on the character of the area, amenity, enjoyment, and listed buildings and referred to letter from Council to Divisional Planning Office regarding this application. S Finlay raised concerns in relation to the large number of objectors, Right of Way (RoW) decision, scale and context of building, impact on Antrim Gardens, parking and traffic issues.

The Head of Planning responded to questions from Elected Members regarding what Council the letter referred to by L Abernethy was from and the RoW issue. Head of Planning advised the letter referred to was from the former Coleraine Borough Council and not Causeway Coast and Glens Borough Council. She further advised that the decision to assert or not an alleged RoW was not a matter for Planning Committee but whether an asserted right of way exists at this time is a material planning consideration. The Head of Planning advised Members that planning permission does not confer title and the onus is on the developer to ensure that they have ownership or control over the land on which they are developing.

Alderman McKillop sought clarification on the height of the original planning application recommended for refusal by the former Planning Authority. The Principal Planning Officer inspected the maps and approximated a measurement of 1m higher than the current scheme.

The Chair sought clarification of PPS 7, paragraph 1.4, referred to by an objector.

L Abernethy read the relevant section from PPS7 and impact of proposal on an existing residential area, large structure would block views from town centre towards sea and viewed from East Strand and White Rocks, impact on Antrim Gardens.

S Finlay referred to ancient history of Antrim Gardens and height of proposal beside this ancient site.

The Chair invited T Bell and A O'Neill, to address Committee in support of the application. T Bell referred to reduced height from previous permission, presumption in favour of development, no objections from consultees, history of RoW issue and not asserted.

A O'Neill referred to the investment in the scheme and that it would regenerate this part of town.

No Questions were posed.

Proposed by Alderman Finlay  
Seconded by Councillor P McShane

- that the Committee notes the addendum to the report and 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 conditions set out in section 10.

The Chair put the proposal to the Committee to vote, 10 Members voted for, 1 Member voted against, 1 Member abstained, the Chair declared the proposal carried.

- \* **Democratic and Central Services Manager left the meeting at 4:25 pm.**
- \* **Councillor Nicholl left the meeting at 4:25 pm.**

### **5.3 LA01/2017/0323/O – 668 Seacoast Road, Benone**

**App Type:** Outline Planning  
**Proposal:** No 3 self catering cottages to the rear of 668 Seacoast Road, Benone.

Report and addendum circulated.

The Principal Planning Officer presented the reports 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 for the reasons set out in section 10.

**Addendum to the Recommendation** - that the Committee notes the content of this addendum and agrees with the recommendation to refuse as set out in paragraph 9.1 of the Planning Committee Report.

Elected Members asked about the number of buildings in the area and how the proposal would further impact on character.

The Principal Planning Officer responded to questions from Elected Members in relation to character of the area and definition of 'tourist amenity' and 'tourist asset' advising that the 3 cottages would be apparent and would have a negative impact on rural character. The Principal Planning Officer referred to the definitions within PPS16 in Policy TSM 5.

The Chair invited C Gourley to address Committee in support of the application and responded to queries from Elected Members relating to tourist amenity and tourist attractions in the area, and anticipated occupancy levels of proposed cottages.

Proposed by Alderman S McKillop  
Seconded by Alderman Cole

- that the Committee notes the addendum to the report and 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, 6 Members voted for, 2 Members voted against, 3 Members abstained. The Chair declared the proposal carried.

- \* **Councillor Fielding re-joined the meeting at 4.30 PM during consideration of the above matter and did not vote on the application.**
- \* **Councillor P McShane left the meeting at 4.50 PM.**
- \* **Councillor Nicholl re-joined the meeting at 4.51 PM.**

#### **5.4 LA01/2017/0333/F – 211 Seacoast Road, Limavady**

**App Type:** Full

**Proposal:** Erection of a detached 1 ½ storey dwelling and detached domestic garage (change of design from approved dwelling under B/2007/0398/RM)

Report and addendum circulated.

The Principal Planning Officer 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.

**Addendum to the Recommendation** - that the Committee notes the content of this addendum and agrees with the recommendation to refuse as set out in paragraph 9.1 of the Planning Committee Report.

The Principal Planning Officer responded to questions from Elected members regarding access and advised that amendments had not been sought in relation to access as principal of development was not considered acceptable.

The Chair invited C Gourley to speak in support of the application and responded to queries from Elected Members, relating to position of foundations within site relative to that approved under previous application.

Proposed by Alderman Finlay  
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** 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, 2 Members voted against and 0 Members abstained.  
The Chair declared the proposal carried.

- \* **Councillor McKillop left the meeting at 5.10 PM and did not vote on the application.**
- \* **E McCaul Committee & Member Services Officer arrived at the meeting at 5.07 PM.**
- \* **S Duggan Committee & Member Services Officer left the meeting at 5.11 PM.**

#### **5.5 LA01/2017/0292/F – 1 Bayview Park, Glenariffe, Ballymena**

**App Type:** Full Planning  
**Proposal:** Proposed gable and rear extensions to B & B to provide additional facilities especially suitable for disabled guests. Amended proposal to that approved by planning under application ref. LA01/2015/0648/F. Gable extension increased to one and half storey to provide 2 no. Additional en-suite bedrooms.

Report and site visit details circulated.

The Principal Planning Officer 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 Principal Planning Officer responded to questions from Elected Members regarding dominance and views of proposed development.

The Chair invited G Lyons MLA, to address the Committee in support of the application.

G Lyons outlined that the application was in keeping with planning policies, NAP and PPS16. He said the storey and half extension to the building would not be unduly prominent and there was a need in the area for accommodation for disabled users.

G Lyons answered questions from Elected Members regarding the need for the extra rooms, impact on adjacent property, and setting in the landscape.

The Principal Planning Officer clarified the positioning of the carers bedrooms relative to previous extension granted permission.

Proposed by Alderman Finlay  
Seconded by Alderman Robinson

**Amendment** - that the Committee and has taken into consideration and disagrees 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 delegated conditions for the following reasons:

- Proposal would not result in overdevelopment as the size scale and design reflects and is ancillary to the existing dwelling
- Proposal will provide tourist accommodation that is needed in this area.

The Chair put the proposal to the Committee to vote, 5 Members voted for, 4 Members voted against and 2 Members abstained.

The Chair declared the proposal to **APPROVE** carried.

\* **A recess was held from 5:45 – 5:55 pm.**

## **5.6 LA01/2017/0549/O – Adjacent to 9 Glenlough Road, Ballymoney**

\* Alderman Finlay left the meeting at 5:55 pm.

**App Type:** Outline Planning  
**Proposal:** Proposed replacement dwelling

Report, addendum and site visit details circulated.

The Senior Planning Officer 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 section 7 and 8 and resolves to **REFUSE** planning permission for the reasons set out in section 10.

**Addendum to the Recommendation** - that the Committee notes the content of this addendum and agrees with the recommendation to refuse, as set out in paragraph 9.1 of the Planning Committee Report.

The Senior Planning Officer responded to questions from Elected Members relating to chimney breast, characteristics of a dwelling.

Head of Planning reminded members that a previous application for the same proposed development on this site had been refused by Planning Committee in November 2016 and there has been no change in the characteristics of the building.

The Chair invited T Cassidy, agent to address the Committee in support of the application.

T Cassidy stated that the internal layout of the building showed door openings leading to other rooms, the outline of a chimney was clearly visible and many contemporary residential buildings at the time of construction which resembled a shed.

The Senior Principal Planning Officer responded to Members' queries on historical evidence of the building having been lived in.

Proposed by Councillor Fielding  
Seconded by Alderman Cole

**Amendment** - that the Committee notes the addendum to the report and 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** planning permission subject to the conditions set out in Section 10 for the following reason: that the Planning Committee are satisfied that the building was a residential dwelling from the evidence presented.

The Chair put the amendment to the Committee to vote, 3 Members voted for and 6 Members voted against. The Chair declared the proposal to approve lost.

The Chair declared the recommendation to **REFUSE** carried.

- \* **Alderman Finlay re-joined the meeting at 6:25 pm.**

**5.7 LA01/2016/0825/F – Rear of 160c Seacoast Road, Crindle, Limavady**

**App Type:** Full Planning

**Proposal:** Proposed application for Planning (CTY2a) for a single storey dwelling with detached garage.

Application withdrawn by the applicant.

**5.8 LA01/2016/0107/F – 1 Downing Park, Portstewart**

**App Type:** Full Planning

**Proposal:** 2 no Modern Dwelling Houses consisting of 1 no. two storey house and 1 no. two storey house with basement.

Report, addendum and erratum circulated.

The Senior Planning Officer 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 section 7 & 8 and resolves to **REFUSE** planning permission.

**Addendum to the Recommendation** - that the Committee notes the content of this addendum and agrees with the recommendation to refuse as set out in paragraph 9.1 of the Planning Committee Report.

The Chair invited M Howe, Agent to address the Committee in support of the application.

M Howe explained that the original application had been amended to address planning objections and considered all issues to have been addressed.

The Principal Planning Officer outlined the main issues were size, form, design, layout, building line and overlooking and the amendments received did not resolve these concerns.

Proposed by Alderman Cole  
Seconded by Alderman King

- that the Committee notes the addendum to the report and 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.

The Chair put the proposal to the Committee to vote, 5 Members voted for, 3 Members voted against and 2 Members abstained.  
The Chair declared the recommendation to **REFUSE** carried.

### **5.9 LA01/2017/0565/F – 28 Killymaddy Road, Ballymoney**

**App Type:** Full Planning  
**Proposal:** Proposed replacement dwelling and garage

Report, addendum and site visit details circulated.

The Senior Planning Officer 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 refusal reasons set out in section 10.

**Addendum to the Recommendation** - that the Committee notes the content of this addendum and agrees with the recommendation to refuse as set out in paragraph 9.1 of the Planning Committee Report.

The Chair invited M Howe, Agent to address the Committee in support of the application.

M Howe clarified that the plans had been amended twice to address planning concerns, with height of the building reduced to 7.9 metres; the design of the windows had been simplified and the outside chimney removed. He said this was his clients dream home and the turret was a feature they wanted to retain.

The Senior Planning Officer confirmed that design guidance sets out what was acceptable or not in the countryside and that the turret and different window shapes would not be considered acceptable.

Proposed by Councillor Fielding  
Seconded by Alderman King

- that decision be delegated to Planning Officers pending submission of revised plans by 2 February 2018.

The Chair put the proposal to the Committee to vote and 9 Members voted for and 1 Member abstained from the vote.

The Chair declared the proposal to delegate decision to Planning Officers pending submission of revised plans by 2 February 2018 carried.

- \* **A recess was held from 7:20 – 7:29 pm.**
- \* **Councillor McCandless left the meeting at 7:29 pm.**

#### **5.10 LA01/2017/0908/F – Old Dreen Primary School, 339 Townhill Road, Rasharkin**

**App Type:** Full Planning  
**Proposal:** Proposed economical replacement of existing primary school with a dwelling using design previously approved under LA01/2015/0754/F

Proposed by Councillor McLaughlin  
Seconded by Alderman Finlay

- that decision on the application be deferred for a site visit.

The Chair put the proposal to the Committee to vote and Members voted unanimously in favour to defer for a site visit. The Chair declared the proposal carried.

#### **5.11 LA01/2017/1081/F – Millburn Community Centre, Linden Avenue, Coleraine**

**App Type:** Full Planning  
**Proposal:** New play park to include mixed play equipment and erection of perimeter fencing

Report circulated.

The Principal Planning Officer 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 section 7 and 8 and resolves to **APPROVE** planning permission subject to the condition set out in section 10.

Proposed by Councillor Nicholl  
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 8 and resolves to **APPROVE** planning permission subject to the condition set out in section 10.

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

## **6. DEVELOPMENT MANAGEMENT PERFORMANCE:**

### **6.1 Development Management Statistics – Second Quarter**

Report circulated.

The Northern Ireland Planning Statistics is an official statistics publication issued by Analysis, Statistics & Research Team within Department for Infrastructure. The Second Quarter 2017/18 Statistical Bulletin was published on 14 December 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 update on the Northern Ireland Planning Statistics 2017/18 Second Quarterly Statistical Bulletin.

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

### **6.2 Update on Development Management & Enforcement Statistics**

Report circulated.

The Protocol for the Operation of the Planning Committee set out the requirement to provide monthly updates on the number of planning applications received and decided.

The number of applications received in November remains high at 112 applications. Staff issued 105 planning application decisions, plus 2 Discharge of Conditions, 4 CLDP/E's, 2 Non-Material Change applications and 1 Proposal of Application Notice (PAN).

Resources continue to be targeted to reduce the over 12 month applications. The weekly monitoring of figures continues and staff are conscious of the need to prioritise their efforts in this area of work. The breakdown of over 12 months applications shows that while the number of applications over 18 months has remained relatively static, the number of 12 and 18 months has increased. An Action Plan for 2017/18 has been implemented and additional staff resources are currently being recruited.

From April 2017, 8 out of 32 referral recommendations have been overturned by the Planning Committee.

**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.

## **7. DEVELOPMENT PLAN**

### **7.1 Building Preservation Notice (BPN) Request – 11 Cullycapple Road, Aghadowey**

A member of the Public has written to the Council to request the serving of a Building Preservation Notice (BPN) on a property at 11 Cullycapple, Aghadowey.

The letter of 11 December 2017, outlined concerns re the building which [REDACTED] is a building worthy of retention. [REDACTED] is also concerned that the building may be lost as [REDACTED] has been advised that the house and the field to the front of it are to be put up for public auction in spring 2018.

[REDACTED] states that in [REDACTED] view, the building is worthy of listing given:

- The house dates from the 1700's
- It is noted das a religious monument on NIEA's mapping
- Fairlea House, Cullycapple House and the RC Chapel are listed
- The property sits on a prominent site and is a focal point on the horizon and
- It has been a pivotal community house in the past (oratory for the church and residence for local priests).

The Principal Planning Officer for Development Plan advised that the building **must** meet the following test to be considered for a BPN:

- It is of special architectural or historic interest. and
- It is in danger of demolition or alteration in such a way as to affect its character as a building of such interest.

The Principal Planning Officer advised that DfC have advised that this area around Cullycapple has already been assessed as part of the Second Survey of Northern Ireland (carried out in 2012-13). At this time the building was deemed by HED as not having the necessary architectural or historic interest to merit further investigation and therefore it was not even identified as having potential for further survey work. HED has advised that the building shown in this location does not date from 1700s, but rather dates from the late 19<sup>th</sup> Century. The photographs show a much altered late 19<sup>th</sup> Century building which would not appear to meet the statutory tests for listing and therefore would be very unlikely to be considered for listing.

The Listing Query Report Form circulated details the Conservation Officer's comment on the building. The format of the report follows an analysis of the building using the Listing Criteria also circulated.

**IT IS RECOMMENDED** - that Members agreed to the Head of Planning writing to [REDACTED] advising that a BPN should not be served on this building.

**AGREED** – that Members agree to the Head of Planning writing to [REDACTED] advising that a BPN should not be served on this building.

## **7.2 Northern & Western regional Assembly: Regional Spatial & Economic Strategy (ESES): Issues Paper 2035 – Pre Draft Consultation Document**

The Northern & Western Regional Assembly (NWRA) in the Republic of Ireland (ROI) has published its ‘Regional Spatial & Economic Strategy (RSES)’ Issues Paper 2035 for pre-draft public consultation.

NWRA wrote to Council on 6 December 2017 to advise of their intention to make the RSES for the whole of the Northern and Western Region.

The purpose of the Regional Spatial and Economic Strategy (RSES) is to support the implementation of the emerging National Planning Framework ('Ireland 2040 Our Plan') and the economic policies and objectives of the Government by providing a long-term strategic planning and economic framework for the development of the region over a period of between 12 years and 20 years.

The issues paper details the matters to be considered in the RSES, including:

- People and Places;
- Our Regional Economy and Potential Disrupters;
- Our Environment, Heritage, Culture, Marine & Recreation;
- Community Health and Education; and
- Infrastructure.

Donegal County Council (DCC), which lies within the NWRA and is one of this Borough’s four adjoining councils; having a common water body (Lough Foyle) and a ferry crossing (Magilligan to Greencastle).

This Borough also lies within the Donegal-Derry NWRA Sub Regional Catchment Area and as such, the transboundary implications of this Strategy must be considered.

It is proposed to carry out an SEA (incorporating a Regional Level Flood Risk Appraisal) and Appropriate Assessment (AA) as part of the making of the Regional Spatial and Economic Strategy, and for this purpose, the Regional Assembly will prepare a natural impact report and an environmental report on the likely significant effects on the environment of implementing the regional spatial and economic strategy. This shall necessitate transboundary consultation in such matters as part of that process.

Council planning officials have been liaising and consulting with DCC throughout our respective Local Development Plan programmes. DCC also attend the Cross Border Development Plan Working Group, made up of both NI & ROI Planning authorities. This collaboration is set to continue throughout our work programmes.

Council's Place & Prosperity Section has also been consulted on the economic proposals contained within the document.

The public consultation period ends at 5 pm on Friday 26 January 2018.

**IT IS RECOMMENDED** - that Members agree to the Head of Planning issuing a consultation response on behalf of Council.

**AGREED** – for the Head of Planning issuing a consultation response on behalf of Council.

## **8. CORRESPONDENCE**

The Head of Planning presented the items of correspondence previously circulated:

### **8.1 NIEA - Confirmation of the declaration of the Gortcavan Area of Special Scientific Interest (ASSI)**

The NIEA wrote to Council on 6 December 2017 confirming the designation of the area known as Gortcavan as an Area of Special Scientific Interest (ASSI) under Article 28 of The Environment (NI) Order 2002.

The Gortcavan ASSI is of special interest because of its species-rich lowland meadow, containing dry grassland that is a particularly scarce resource in Northern Ireland. This interest is associated with the unimproved grassland which borders northern shore of Ballinrees reservoir.

Gortcavan has been managed in a traditional way and has a high degree of naturalness. As a result, in addition to its grassland the area acts as an important location for species, providing valuable feeding and roosting sites for a range of animals, including birds and invertebrates

**IT IS RECOMMENDED** – that Members note the content of the report.

**AGREED** – that Members note the content of the report.

**8.2 DfC – Confirmation of Listing, 57 Hillside Road, Ballycastle**

The Planning Committee **NOTED** the correspondence circulated for Item 8.2.

**8.3 PAC Decision LA01/2016/1461, Dwelling and Garage on Farm, 180m south of no 22a Drumaroan Road, Ballycastle – Appeal Dismissed**

The Planning Committee **NOTED** the correspondence circulated for Item 8.3.

**9. LEGAL ISSUES**

There were no legal issues to be discussed.

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

The Chair allowed the following to be discussed under Any Other Relevant Business, not previously notified:

- Head of Planning to liaise with NIEA on applications for poultry buildings.

There being no further business, the Chair thanked everyone for their attendance and the meeting concluded at 7:55 pm.

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Chair