

**PLANNING COMMITTEE WEDNESDAY 18 DECEMBER 2019**

**Table of Key Adoptions**

<b>No</b>	<b>Item</b>	<b>Summary of Key Decisions</b>
1.	Apologies	<b>Councillor McGurk and MA McKillop</b>
2.	Declarations of Interest	<b>Note in Register</b>
	<ul style="list-style-type: none"> <li>LA01/2019/0132/F - Proposed 110/33kv substation approximately 230m North West of 10a Drumbane Road, Garvagh and two proposed overhead line connections to the existing 110kv overhead line at Brockaghboy Wind Farm, South of Dowlins Bridge, Drumbane Road, Garvagh. All proposed infrastructure to be located within the townland of Brockaghboy</li> </ul>	<b>Councillor Dallat O'Driscoll</b>
	<ul style="list-style-type: none"> <li>Council LA01/2019/0627/F - Lands to the rear of 22 Carncullagh Road, Dervock</li> <li>Objection LA01/2017/0596/F - Lands situated SE of 2 Mulberry Gardens, South of Burn Road and East of Dane's Hill Road, Coleraine</li> </ul>	<b>Alderman Duddy</b>
	<ul style="list-style-type: none"> <li>Objection LA01/2017/0596/F - Lands situated SE of 2 Mulberry Gardens, South of Burn Road and East of Dane's Hill Road, Coleraine</li> <li>Objection LA01/2018/0134/F Lands 6 metres south of 43 Ballyclogh Road Bushmills</li> </ul>	<b>Alderman Finlay</b>

	<ul style="list-style-type: none"> <li>Objection LA01/2019/0237/F – the Irish Society Primary School 3 Rubgy Avenue Coleraine</li> </ul>	<b>Councillor McMullan</b>
	<ul style="list-style-type: none"> <li>Referral LA01/2017/0650/O – Between 38 &amp; 42 Loughermore Road Dunbrock Ballykelly</li> </ul>	<b>Councillor Baird</b>
<b>3.</b>	Minutes of Meeting held Wednesday 27 November 2019	<b>Confirmed</b>
<b>4.</b>	Order of Items and Confirmation of Registered Speakers	
	<ul style="list-style-type: none"> <li>LA01/2018/0676/F 4 Bayview Road, Ballycastle (<i>Agenda Item 5.5</i>)</li> </ul>	<b>Application Withdrawn</b>
	<ul style="list-style-type: none"> <li>LA01/2019/0147/F 220 metres South-West of 54 Burrenmore Road, Castlerock (<i>Agenda Item 5.7</i>)</li> </ul>	<b>Withdrawn from the Schedule</b>
	<ul style="list-style-type: none"> <li>Referral LA01/2019/0421/F 46 Ballykelly Road, Limavady (<i>Agenda Item 5.8</i>)</li> </ul>	<b>Application Withdrawn</b>
	<ul style="list-style-type: none"> <li>LA01/2017/0650/O Between 38 &amp; 42 Loughermore Road, Dunbrock, Ballykelly (<i>Agenda Item 5.9</i>)</li> </ul>	<b>Withdrawn from the Schedule</b>
	<ul style="list-style-type: none"> <li>LA01/2019/0132/F Proposed 110/33kv substation approximately 230m North West of 10a Drumbane Road, Garvagh and two proposed overhead line connections to the existing 110kv overhead line at Brockaghboy Wind Farm, South of Dowlins Bridge, Drumbane Road, Garvagh. All proposed infrastructure to be located within the townland of Brockaghboy (<i>Agenda item 5.1</i>)</li> </ul>	<b>Defer for Site Visit</b>
	<ul style="list-style-type: none"> <li>LA01/2018/0134/F Lands 6 metres South of 43 Ballyclogh Road, Bushmills (<i>Agenda Item 5.4</i>)</li> </ul>	<b>Defer for Site Visit</b>

	<ul style="list-style-type: none"> <li>LA01/2018/1415/O Site adjacent No. 26 Brisland Road, Greysteel (<i>Agenda Item 5.12</i>)</li> </ul>	<b>Defer for Site Visit</b>
<b>5.</b>	Schedule of Applications	
	<b>5.1</b> Council LA01/2019/0627/F Lands to the rear of 22 Carncullagh Road, Dervock	<b>Approve</b>
	<b>5.2</b> Objection LA01/2017/0596/F Lands situated SE of 2 Mulberry Gardens, South of Burn Road and East of Dane's Hill Road, Coleraine	<b>Refuse</b>
	<b>5.3</b> Objection LA01/2019/0237/F The Irish Society Primary School, 3 Rugby Avenue, Coleraine	<b>Approve</b>
	<b>5.4</b> Referral LA01/2018/1315/O Between 22 & 26 Carrowdoon Road Dunloy	<b>Refuse</b>
	<b>5.5</b> Referral LA01/2019/0655/F 75 Ballyreagh Road, Portstewart	<b>Refuse</b>
<b>6.</b>	Development Management	
	<b>6.1</b> Update on Development Management and Enforcement Statistics 01/04/19 – 31/10/19	<b>Note SES to present at workshop Refresher Workshop for PC Members</b>
<b>7.</b>	Development Plan	
	<b>7.1</b> Department for Communities - Council Consultation on Proposed Listing – Music Centre, 23 Charles Street, Ballymoney	<b>Option 1 – support the listing</b>
	<b>7.2</b> Derry City & Strabane District Council – Publication of LDP: Draft Plan Strategy	<b>Agreed Head of Planning to submit response</b>
<b>8.</b>	Correspondence	
	<b>8.1</b> Royal Society of Ulster Architects	<b>Note</b>
	<b>8.2</b> Chief Planners update	<b>Note</b>

<b>9.</b>	Legal Issues	<b>None</b>
<b>10.</b>	Any Other Relevant Business (In Accordance With Standing Order 12 (o))	<b>None</b>

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING  
COMMITTEE HELD IN COUNCIL CHAMBER, CIVIC HEADQUARTERS  
WEDNESDAY 18 DECEMBER 2019 AT 10:00AM**

**In the Chair:** Councillor Hunter

**Committee Members Present:** Alderman Boyle, Duddy, Finlay, McKeown, S McKillop  
Councillors Anderson, Baird, Dallat O'Driscoll,  
McKeown, McLaughlin, McMullan, Nicholl and  
Scott

**Officers Present:** D Dickson, Head of Planning  
S Mathers, Development Management & Enforcement  
Manager  
E Hudson, Senior Planning Officer  
J McMath, Senior Planning Officer  
M Wilson, Senior Planning Officer  
J Lundy, Senior Planning Officer  
S Mulhern, Development Plan Manager  
D J Hunter, Council Solicitor  
T McKenna, Committee & Member Services Officer  
D Allen, Committee & Member Services Officer

**In Attendance:** Alderman Fielding

**Registered Speakers:** A Campbell, SONI, K Finnegan SONI,  
A McKinley, RPS - LA01/2019/0132/F  
D Thompson, MBA - LA01/2017/0596/F  
M Hardy, Marrac Design - LA01/2017/0596/F  
M Bradley MLA - LA01/2017/0596/F  
Alderman Finlay - LA01/2018/0134/F  
J Stewart, GM Design - LA01/2018/0134/F  
G McGill, Agent - LA01/2018/0134/F  
D Orr, Applicant - LA01/2018/0134/F  
H Morrison, Architect - LA01/2018/0134/F  
C McIntyre, EA - LA01/2019/0237/F  
Alderman Fielding - LA01/2019/0147/F  
A Tate, Agent LA01/2019/0421/F  
C Gourley, Agent - LA01/2017/0650/O  
PJ Carey, Agent - LA01/2018/1315/O  
P Martin, Applicant - LA01/2018/1315/O  
D Monaghan, Agent - LA01/2019/0655/F  
Alderman Fielding - LA01/2019/0655/F  
L Kenney, Agent - LA01/2018/1415/O

## 1. APOLOGIES

Apologies were recorded for Councillor McGurk and Councillor MA McKillop.

## 2. DECLARATIONS OF INTEREST

Declarations of Interest were recorded as follows:

Councillor Dallat O'Driscoll in:

- Major LA01/2019/0132/F - Proposed 110/33kv substation approximately 230m North West of 10a Drumbane Road, Garvagh and two proposed overhead line connections to the existing 110kv overhead line at Brockaghboy Wind Farm, South of Dowlins Bridge, Drumbane Road, Garvagh. All proposed infrastructure to be located within the townland of Brockaghboy.

Alderman Duddy in:

- Council LA01/2019/0627/F - Lands to the rear of 22 Carncullagh Road, Dervock.
- Objection LA01/2017/0596/F - Lands situated SE of 2 Mulberry Gardens, South of Burn Road and East of Dane's Hill Road, Coleraine.

Alderman Finlay in:

- Objection LA01/2017/0596/F - Lands situated SE of 2 Mulberry Gardens, South of Burn Road and East of Dane's Hill Road, Coleraine.
- Objection LA01/2018/0134/F Lands 6 metres south of 43 Ballyclogh Road Bushmills

Councillor McMullan in:

- Objection LA01/2019/0237/F – the Irish Society Primary School 3 Rugby Avenue Coleraine

Councillor Baird in:

- Referral LA01/2017/0650/O – Between 38 & 42 Loughermore Road Dunbrock Ballykelly

### **3. MINUTES OF MEETING HELD WEDNESDAY 27 NOVEMBER 2019**

Minutes previously circulated.

**AGREED** - that the Minutes of the Planning Committee Meeting held on Wednesday 27 November 2019 be confirmed as a correct record.

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

The Chair advised the following applications had been withdrawn from the Schedule:

- Agenda Item 5.5 - Objection LA01/2018/0676/F 4 Bayview Road, Ballycastle – application has been withdrawn.
- Agenda Item 5.7- Referral LA01/2019/0147/F 220 metres South-West of 54 Burrenmore Road, Castlerock – further information received
- Agenda Item 5.8- Referral LA01/2019/0421/F 46 Ballykelly Road, Limavady – application has been withdrawn
- Agenda Item 5.9 - Referral LA01/2017/0650/O Between 38 & 42 Loughermore Road, Dunbrock, Ballykelly – further information received

Prior to presenting the reports, site visits were requested for the following applications:

Councillor Baird requested a site visit on item 5.1 LA01/2019/0132/F to view the site due to the sensitive area that it is located within and to view its location near to a river.

Proposed by Councillor Baird  
Seconded by Alderman Boyle and

**AGREED** – that application LA01/2019/0132/F Proposed 110/33kv substation approximately 230m North West of 10a Drumbane Road, Garvagh and two proposed overhead line connections to the existing 110kv overhead line at Brockaghboy Wind Farm, South of Dowlins Bridge, Drumbane Road, Garvagh. All proposed infrastructure to be located within the townland of Brockaghboy, is deferred and a site visit arranged.

Councillor Anderson requested a Site Visit for Item 5.4 LA01/2018/0134/F lands 6 metres south of 43 Ballyclough Road, Bushmills. As he submitted no planning reasons in support of this, he withdrew his request.

Councillor Baird requested a Site Visit on item 5.4 LA01/2018/0134/F due to the large number of objections regarding the siting and construction of underbuild down towards the river and consider the massing of the building in its context.

Proposed by Councillor Baird  
Seconded by Councillor Anderson and

**AGREED** – that application LA01/2018/0134/F Lands 6 metres South of 43 Ballyclough Road, Bushmills is deferred and a site visit arranged.

Councillor Nicholl requested a Site Visit on item 5.12 LA01/2018/1415/O to consider the linear form of development, focal points and to view the context of the site in relation to the cluster of development.

Proposed by Councillor Nicholl  
Seconded by Councillor McMullan and

**AGREED** – that application LA01/2018/1415/O Site adjacent No. 26 Brisland Road, Greysteel is deferred and a site visit arranged.

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

### **5.1 Council LA01/2019/0627/F Lands to the Rear of 22 Carncullagh Road, Dervock (*Agenda Item 5.2*)**

- \* Alderman Duddy, having declared an interest in this application left the meeting at 10.10am.**

Planning Committee Report was previously circulated and presented by M Wilson, Senior Planning Officer via a Powerpoint presentation.



The Senior Planning Officer described the site and its context for full planning for proposed landscaping works including the provision of a polytunnel, steel shed, seating, boundary railings and gates and paving.

The site is located within the settlement of Dervock as defined in the Northern Area Plan 2016.

The siting, scale, layout, design and use of materials are acceptable and the proposal complies with Policy DES 2 of the Planning Strategy for Rural Northern Ireland.

Due to the nature and scale of the proposed development there will be no adverse impact on the surrounding area or to residents. DfI Roads has been consulted and raise no objections as the proposal complies with PPS3.

The Senior Planning Officer advised Members that there were no objections to the proposal and the principle of development is considered acceptable as the site is located within a settlement, and relates to the provision of community facilities.

In conclusion, the proposal is considered acceptable in this location having regard to the Northern Area Plan 2016 and other material considerations. The proposed development is an acceptable use of the land and its scale, design, layout and appearance will not have any significant detrimental impact. Approval is recommended.

**Recommendation** - that the Committee has taken into consideration and agrees with the reasons for 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.

Proposed by Councillor Baird  
Seconded by Councillor Scott

- that the Committee has taken into consideration and agrees with the reasons for 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. Committee voted unanimously in favour.

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

**5.2 Objection LA01/2017/0596/F Lands situated SE of 2 Mulberry Gardens, South of Burn Road and East of Dane's Hill Road, Coleraine (Agenda Item 5.3)**

- \* **Alderman Finlay left the meeting as he was unable to vote on the application as he had not attended the Site Visit.**

Planning Committee Report, Addendum 1, Addendum 2, Addendum 3 and Site Visit Report were previously circulated and presented by Senior Planning Officer, J Lundy, via a Powerpoint presentation.

The Senior Planning Officer described the site and its context for a residential development of 36 units comprising 10 no. semi-detached and 26 no townhouses with associated site works.

The Senior Planning Officer informed Members that further documentation has been submitted this week and provided a verbal Addendum. She informed Members that as part of the further information the Agent has rebutted the density and has provided alternative densities for the surrounding areas. The agent argues that the proposed development is consistent with the surrounding character. They state that the density in the plan is arbitrary and there is no justification for it and had it been subject to scrutiny through the area plan then this obvious error in the plan could be rectified. In relation to the size of the houses the Agent states that the houses are aimed at first time buyers and are not meant to be long term family homes. They also dispute that the space standards apply.

The Senior Planning Officer also informed Members that DFI Roads also returned their consultation response this week. The response requires changes to the layout.

The site is for 32 no units comprising 10 no semi-detached, 20 no townhouses and 2 no apartments.

The Senior Planning Officer showed members via the PowerPoint presentation the location of the site within the Settlement Development Limit of Coleraine as designated in the NAP 2016.

The housing is sited on land zoned for housing in the Plan under designation CEH 40. The site is bound by the Daneshill Road and the

Burn Road. The housing zoning has 4 key site requirements relating to density, design and access. Under Section 45 of the Planning Act (Northern Ireland) 2011 the Council is required to have regard to the Local Development Plan so far, as material to the application. The density has been set according to the surrounding context and has been verified by the Development Plan team. Contrary to the agent's belief the zoning, and in particular the density, was objected to and discussed at the Independent Enquiry for the Plan heard by the Planning Appeals Commission. The Planning Appeals Commission state in their Report that having looked at all of the recommended densities they are not persuaded that there is any justification to amend the densities presented in the zonings.

The Senior Planning Officer, via Powerpoint, showed Members a photo looking North East from the Daneshill Road across the site with the houses at Hazeldane Avenue in the background. The adjacent electricity substation is located to the South West boundary.

She also provided Members with slides showing the existing open space within the red line of the site on the other side of the Burn Road, the entirety of the site looking south, the Burn Road and the electricity substation and the power lines that traverse the site.

She informed Members that a revised layout had been received following the previous deferral at the April Planning meeting. The assessment of the revised layout is as set out in Addendum 2 and Addendum 3.

The proposal has been amended with the main key change being the provision of a centralised area of open space within the scheme which is in keeping with policy and guidance.

The scheme has been reduced from 36 units to 32 units and is still well above the 16 to 27 units zoned for in the Plan. This increased density of 29 dwellings per hectare on the site has had a detrimental impact on the proposal. This has resulted in poor separation distances resulting in overlooking, excessive areas of hard standing, dwellings with no positive outlook and the majority of the housing failing to meet the minimum space standards set out in PPS 7 addendum.

The Senior Planning Officer showed via Powerpoint presentation the calculated densities within the area. She explained that they differ from the agents calculations in that the agent may not have included the adjacent open spaces which are part of the development.

She advised that after reviewing the densities and that of the application site, if the open space is removed it sits at 40 dwellings per hectare, significantly higher than the 25 dwellings per hectare as set out in the Area Plan.

The reassessment of the proposal is set out in paragraphs 2.26 to 2.31 of Addendum 2 to the Planning Committee Report. The size of the housing units are also contrary to Policy LC 1 of Addendum to PPS 7 in that many of the houses fall short of the minimum space standards with only 4 of the 32 meeting the minimum space standards for 5 persons 3 bed, 28 below the set standards.

The SPPS core principles relate to improving health and wellbeing, creating and enhancing shared space, supporting good design and positive place making. It states that good quality housing is a fundamental human need that plays a significant role in shaping our lives and our communities. It sees a home as a vital part of peoples' lives and contributes to a safe, healthy and prosperous society.

The Senior Planning Officer stated that the agent advises that the space standards are not applicable to this area. However, she explained that the PPS 7 Addendum is clear that the space standards do not apply in inner urban locations such as town centres and on arterial routes. She advised that the space standards therefore do apply to this site.

The Senior Planning Officer advised that at the Office Meeting on 14 June 2019, the Agent advised that the applicant was unwilling to reduce the density to the key site requirements of the Northern Area Plan. She advised that as the principle of the proposal is unacceptable it is not warranted to further hold this application.

The Senior Planning Officer recommended refusal of the application due to the proposal not meeting with the key site requirements of the Northern Area Plan and that it fails to provide a quality residential environment in accordance with PPS 7, its Addendum and Creating Places.

In conclusion, the proposal is considered unacceptable in this location having regard to the Northern Area Plan 2016 and other material considerations. The scheme does not provide a quality residential scheme which will enhance the character of the townscape and will detract from the urban form at this location. Overdevelopment of the site results in overlooking, poor outlook and a high number of dwelling units that fail to meet the space standards. The scheme is contrary to current

planning policy as highlighted in the PCR and Addendums and is contrary to key site requirements as defined in the NAP 2016. In addition, the proposal fails to provide a layout that meets with DFI Roads standards

Refusal is recommended as set out in Section 10 of the Planning Committee Report Addendum 3.

**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 1 Recommendation** - that the Committee note the contents of this Addendum and agree with the recommendation to **REFUSE**, as set out in paragraph 9.1 and refusal reasons 1,2,3,5 set out in section 10 of the Planning Committee Report.

**Addendum 2 Recommendation** - that the Committee note the contents of this Addendum and agree with the recommendation to **REFUSE** in that the proposal is considered unacceptable in this location having regard to the Northern Area Plan 2016 and other material considerations. The scheme does not provide a quality residential scheme which will enhance the character of the townscape and will detract from the urban form at this location. Overdevelopment of the site results in overlooking, poor outlook and a high number of dwellings units that fail to meet the space standards. The scheme is contrary to current planning policy as highlighted above and is contrary to key site requirements as defined in the NAP 2016.

**Addendum 3 Recommendation** - that the Committee note the contents of this Addendum and agree with the recommendation to **REFUSE** in that the proposal is considered unacceptable in this location having regard to the Northern Area Plan 2016 and other material considerations. The scheme does not provide a quality residential scheme which will enhance the character of the townscape and will detract from the urban form at this location. Overdevelopment of the site results in overlooking, poor outlook and a high number of dwellings units that fail to meet the space standards. The scheme is contrary to current planning policy as highlighted above and is contrary to key site requirements as defined in the NAP 2016. In addition the proposal fails to provide a layout that meets with DFI Roads standards.

The Chair invited D Thompson, MBA, M Hardy Marrac Design, to speak in support of the application.

D Thompson made the following points:

- The site complies with first key site requirement in that it will ensure that the character of the area is retained and that she disagreed with the density analysis presented by the Planning Officers.
- She disagrees with the density of 15 to 25 dwellings per hectare and by approving this application will rectify the error in the NAP.
- Clients only bought the site in the last 2 years and had not been represented at the Northern Area Plan enquiry and that flexibility should be applied.

M Hardy informed Members that the application has been discussed with DfI Roads and the concerns raised by DfI Roads can be resolved.

In response to a Member's question in relation to vehicle turning areas, M Hardy advised that a full turning area was not being implemented, but that they would reverse and turn in the private drive which would require slight widening of hardstanding into green area.

In response to a Member's query in relation to an alleged error in the Northern Area Plan, the Senior Planning Officer stated that no error was present and it went through an independent examination. She read the relevant section from the Planning Appeals Commission Report. She advised that having discussed with Development Plan colleagues, the density had taken into account that of the surrounding area. The Senior Officer also clarified that the space standards did apply to this site. She also clarified that the existing houses in the surrounding area were erected before the Northern Area Plan was adopted and the implementation of the PPS7 Addendum and that she could not comment on their space standards. The Northern Area Plan has been adopted for a number of years now.

In response to a Member's query regarding flexibility, the Senior Planning Officer stated that flexibility was allowed for 15 to 25 dwellings per hectare. However this application fails to meet the NAP key site requirements and the relevant policies within PPS7 and PPS7 Addendum and will not result in a quality residential environment.

The Chair invited M Bradley MLA to speak support of the application, however he was not present at the meeting.

Proposed by Councillor Baird  
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. 3 Members voted For, 2 Members voted Against and 4 Members Abstained.

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

\* **Alderman Duddy and Alderman Finlay rejoined the meeting at 10.40am.**

**5.3 Objection LA01/2019/0237/F The Irish Society Primary School, 3 Rugby Avenue, Coleraine (Agenda item 5.6)**

\* **Councillor McMullan, having declared an interest in this application left the meeting at 10.40am.**

Planning Committee Report, was previously circulated and presented by Senior Planning Officer, M Wilson, via a Powerpoint presentation.

The Senior Planning Officer described the site and its context for the construction of a new 2.4m high rigid mesh security fence and gates to boundary of existing school site. He provided Members, via PowerPoint with slides of the location and proposed layout.

The proposal involves the loss of some existing hedgerow, however, the total loss of hedgerow has been reduced through amendments during the processing of the application with a result that 50% of what was to be lost, is now retained. This was not only a concern of Officers, but also a concern raised by objectors to the loss of so much hedgerow which appeared unnecessary, which the applicant has sought to address.

Objections have also been raised on wildlife grounds including the sighting of protected species. Adequate enquiry was undertaken into this matter including consultation with Natural Environment Division and the subsequent submission of a Preliminary Ecological Appraisal. Natural Environment Division was satisfied with this report and raised no objection.

Balancing the needs of the school and the reduction in loss of hedgerow, the proposal is considered to be acceptable having regard to Policy DES 2 of the Planning Strategy for Rural Northern Ireland.

DfI Roads and DAERA Natural Environment Division have been consulted and raise no objection to the proposal.

There have been a total of 14 objections to the proposal as detailed in para. 8.15 – 8.21 of the Planning Committee Report.

The proposal is considered acceptable having regard to the Northern Area Plan and all other material considerations, including the SPPS, Policy DES 2 and policies NH 2 and NH 6 of PPS 2.

In conclusion, the proposal is considered acceptable having regard to the Northern Area Plan and all other material considerations. The revised scheme includes the retention of 50% of the hedging that was originally proposed to be lost. This is retained on the more critical areas of the site, where it adjoins residential properties and the Rugby Club. The potential loss of any protected species has been considered and complies with PPS 2. Approval is recommended.

**Recommendation** - that the Committee has taken into consideration and agrees with the reasons for 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.

In response to a Member's query in relation to hedgerow, the Senior Planning Officer advised Members that Planning Officers had taken into account the need for security at the school, some hedging was now being retained and there were now reduced objection as a result of this.

- \* **Alderman McKeown arrived at the meeting at 10.47am.**
- \* **Alderman Finlay left the meeting at 10.48am.**

The Chair invited C McIntyre, Education Authority to speak in support of the application.

C McIntyre informed Members the Education Authority support the application to ensure a safe and secure site. He advised that a pupil attending the school has a tendency to leave unsupervised.



C McIntyre made the following points:

- The Ring road and Rugby Avenue are immediately beside the school and hence the risk of an accident occurring.
- Unauthorised entry to the school grounds presented a danger to both pupils and staff.
- The applicant had taken on board residents' concerns and made amendments to retaining more of the hedge line.
- Education Authority commissioned a Preliminary Ecological Assessment which concluded that there was no evidence of protected wild life on site nor risk to wildlife.
- The proposal is to improve the security of the school.

In response to a Member's query in relation the operation of the school gates, C McIntyre stated that the main gates were left open for vehicular access. All inner gates remain locked on site and all outer gates remained open during school hours.

Proposed by Alderman Duddy  
Seconded by Councillor Scott

- that the Committee has taken into consideration and agrees with the reasons for 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. Committee voted unanimously in favour.

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

\* **Councillor McMullan rejoined the meeting at 10.52am.**

#### **5.4 Referral LA01/2018/1315/O Between 22 & 26 Carrowdoon Road Dunloy (*Agenda Item 5.10*)**

Planning Committee Report, Addendum 1, Addendum 2, Erratum and Site Visit Report were previously circulated and presented by Senior Planning Officer E Hudson, via PowerPoint.

The Senior Planning Officer described the site and its context for outline planning for a proposed infill site for 2 detached dwellings. The site is located outside the settlement of Dunloy between numbers 22 and 26

Carrowdoon Road. There are 2 Addendum to the Planning Committee Report relating to previous planning applications, appeal decisions and a supporting statement. An Erratum to the Planning Committee Report is also included amending the reason for refusal.

The Senior Planning Officer showed Members a slide of the red line boundary of the site. The site is located in open countryside as defined in the Northern Area Plan.

She also showed Members the 2 plots sited along the road frontage and within a row of other roadside buildings, which have a frontage of 30 metres each. The plot widths of other dwellings along the frontage range from 16 metres up to 38 metres. When taken in the context of existing frontages along this stretch of Carrowdoon Road it is considered that the site represents a gap within an otherwise continuous built up frontage which could accommodate 2 dwellings. The proposal meets policy CTY8 in that the frontages respect the existing pattern of development along the frontage.

Policy CTY 8 also requires that the proposal should meet other planning and environmental requirements including how the proposal visually integrates into the surrounding landscape which is considered further in Policy CTY 13.

The site comprises a large flat area of land to the front of a larger agricultural field and the Senior Planning Officer showed Members a view across the site frontage towards no. 26. The North West and rear boundaries of the site are undefined. Access and visibility splays for the site will require removal of roadside hedges which will open up views of the site when travelling along the Carrowdoon Road. The site therefore lacks long established natural boundaries as required by Policy CTY 13. When approaching the site from the opposite direction the northern side boundary is open and undefined and the combination of this together with the removal of roadside hedging and lack of rear boundaries will result in a very open site which lacks long established natural boundaries or natural features to provide a sense of enclosure.

The building immediately North of the site is a small tin shed which provides little enclosure to the sites when travelling in a southerly approach along Carrowdoon Road.

DFI Roads required visibility splays of 2.4m x 80m which would necessitate the relocation of the BT pole and electric pole which are located close to the Northern and Southern frontage of the site and

would confirm the requirement for extensive removal of the roadside vegetation.

The existing dwellings along Carrowdoon Road, are long established and set within established plots with mature vegetation providing screening and enclosure. This is contrary to the proposed site which due to lack of existing boundaries, the flat topography of the site and the removal of roadside vegetation will result in a very open and exposed site which lacks integration, sense of enclosure and will rely on new landscaping which is contrary to Policy CTY 13. On this basis refusal is recommended as the proposal is contrary to the SPPS, Policy CTY 1 and 13 of PPS 21.

In conclusion, the proposal is considered unacceptable in this location having regard to the Northern Area Plan 2016 and other material considerations including the Planning Policy Statement 21 – Sustainable development in the Countryside, CTY 1 and Policy CTY 13, criteria (b) and (c) in that the site lacks long established natural boundaries and relies primarily on the use of new landscaping for integration. As no overriding reason has been forthcoming as to why the development is essential and could not be located within a settlement, the proposal is contrary to CTY 1 of PPS 21 and paragraph 6.73 of the SPPS.

Refusal is recommended as set out in section 10 of the Planning Committee Report.

**Recommendation** – that the Committee has taken into consideration and agrees with the reasons for 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 conditions set out in section 10.

**Addendum 1 Recommendation** - that the Committee note the contents of this Addendum and agree with the recommendation to **REFUSE** the planning application as outlined in Paragraph 10 of the Planning Committee Report.

**Addendum 2 Recommendation** - that the Committee note the contents of this Addendum and agree with the recommendation to **REFUSE** the planning application as set out in Section 9.0 of the Planning Committee Report, with the refusal reason which has been amended within the Erratum to the Planning Committee Report.

The Chair invited PJ Carey, Agent and P Martin Applicant to address the Committee in support of the application. P Martin was not in attendance.

PJ Carey made the following points:

- The site meets policy CTY8 of PPS21 and 2 sites could be developed within the policy remit.
- On approach from the North West the dwellings will only be visible when adjacent to no.22 and will read against no. 26 and the outbuildings.
- On approach from the South East the dwellings will only be visible at the frontage.
- Rear boundary is undefined but will provide full landscaping.
- Addendum 2 refers to previous planning approvals. One has post and wire fence and other boundaries undefined and therefore this site is comparable.
- The site respects the settlement pattern of the area, will only be visible at the frontage due to the build-up of development.
- Policy does not require the dwellings to be invisible.

In response to Members' queries in relation to the definition of the boundary P J Carey referred to the sites approved that are referred to in the Addendum and stated that they are comparable to this site.

In response to Members' queries in relation to the definition of the boundary, the Senior Planning Officer referred to the four sites stated by P J Carey as comparable. She advised that the site on Galdanagh Road had boundaries defined with the exception of the rear boundary and had a sense of enclosure. However, this site has vegetation on side boundaries and would require the frontage vegetation to be largely removed to provide visibility splays and would therefore rely on new landscaping which is contrary to policy CTY13.

Proposed by Councillor McLaughlin  
Seconded by Councillor Nicholl

- that the Committee has taken into consideration and **disagrees** with the reasons for recommendation set out in Section 9 and the policies and guidance in sections 7 and 8 and resolves to **APPROVE** planning permission for the reasons set out:

- The application meets 95% of the policy.
- Integration is the concern and proposes that a condition is put on decision that new vegetation is planted along boundaries.
- This is an outline planning application.
- There are other existing buildings.
- There are trees to left and right.
- This application is for two new family homes on the applicant's land and are not for profit.

The Head of Planning clarified Policy CTY13 to Members.

The Chair put the proposal to the Committee to vote. 4 Members voted For, 6 Members voted Against and 1 Member Abstained.

The Chair declared the proposal **LOST** and advised that the direct opposite carried:

- 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.

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

\* The Chair declared a recess at **11.10am**.

\* The meeting reconvened at **11.30am**.

## **5.5 Referral LA01/2019/0655/F 75 Ballyreagh Road, Portstewart (Agenda Item 5.11)**

Planning Committee Report was previously circulated and presented by Senior Planning Officer J Lundy, via PowerPoint.

The Senior Planning Officer described the site and its context for full planning for the erection of building comprising of 3 no. self-catering units and associated site works.

The site is on the seaward side of Ballyreagh Road, the main traffic route between Portstewart and Portrush. The site comprises grassland and the foundations of a previously approved dwelling.

The proposal was previously presented to the Planning Committee in February this year under application LA01/2018/0197/F. At this meeting the Planning Committee agreed with the Case Officer recommendation to refuse and the refusal was issued. This decision was not appealed. This second application was submitted in June 2019.

One Objection has been received relating to the proposal being contrary to policy; that the design would not deter permanent residential use and could be sold off individually and intensification of access.

The proposal is located within the countryside in the Golf Links and Eastern Coastal Area LLPA (PTL 04) as designated in the Northern Area Plan 2016. The policy states that no further development will be acceptable and any replacement buildings including dwellings shall not increase the volume or height of the existing building/dwelling by more than 15%. The height of the proposed self-catered units is similar to the dwelling permitted under C/1999/0192 which is still extant.

The Senior Planning Officer showed Members slides of the views of the site towards Portrush, views towards Portstewart and views looking up at the site from the coastal path.

Paragraph 6.255 of the SPPS states that the aim of the SPPS in relation to tourism development is to manage the provision of sustainable and high quality tourism developments in appropriate locations. Policy TSM 5 of PPS 16 permits self-catering units of tourist accommodation in 3 circumstances. These are:

- (a) one or more new units all located within the grounds of an existing or approved hotel, self-catering complex, guest house or holiday park;
- (b) a cluster of 3 or more new units are to be provided at or close to an existing or approved tourist amenity that is/will be a significant visitor attraction in its own right;
- (c) the restoration of an existing clachan or close, through conversion and/or replacement of existing buildings, subject to the retention of the original scale and proportions of the buildings and sympathetic treatment of boundaries. Where practicable original materials and finishes should be included.

The Agent argues the site is close to an existing tourist amenity – The North West 200 which includes spectator stands, ticket office and hospitality marquee, all of which are temporary.

The definition of a tourist amenity is set out in the appendix of PPS 16 and is defined as an amenity, facility or service provided primarily for tourists but does not include accommodation.

The circuit operates on public roads around the north coast but only occurs for one week every year, it is not a permanent attraction that requires planning permission and is therefore neither an existing or approved tourist amenity; as required under policy. Rather it is a transient sporting event that occurs on only approx. 2% of the calendar year. To permit self-catering apartments for an annual sporting event held over 1 week would be wholly disproportionate and unsustainable contrary to the aims and provision of the SPPS.

The NW 200 is a road track approx. 8.9 miles long between the towns of Portstewart, Coleraine and Portrush. It is too onerous a task to establish if there is another site on all fours with this application. It would require review of every extant planning permission for a dwelling over the last 20 years along an 8.9 mile road track to know if another site of similar circumstances exists. As the original permission was for a dwelling, it may be the case that there are other sites along the NW 200 road circuit that may exist and be extant and therefore the issue of precedent is a material consideration. If material weight is given to the circumstances of this site allowing it to hinge on the NW 200 track being seen as a tourist amenity, then it would likely open up several development opportunities for self-catering accommodation along the road circuit to the detriment of the local area and contrary to planning policy.

It is considered the scale and massing of the development is very large with the depth excessive on both side elevations. The North elevation is dominant when viewed from the walkways and would appear contextually out of place when compared with the heights of Nos. 73 & 83 Ballyreagh Road. However, significant material weight has to be attached to the planning permission already approved which is of similar size.

The proposal fails to meet the criteria of Policy TSM 5 of PPS 16 and the 3 self-catered units are not provided at or close to an existing or approved tourist amenity that is / will be a significant visitor attraction in its own right.

In conclusion, the proposal is considered unacceptable in this location having regard to the Northern Area Plan, and other material considerations, including the SPPS. The proposal fails to meet the criteria of Policy TSM 5 of PPS 16 and the 3 self-catered units are not provided at or close to an existing or approved tourist amenity that is/will be a significant visitor attraction in its own right.

Refusal is recommended as set out in section 10 of the Planning Committee Report.

**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.

In response to a Member's query regarding as to why Ballyreagh Golf Course is not considered a tourist amenity, the Senior Planning Officer clarified that a local golf club is a sporting facility assessed under PPS8 and Policy PPS16 requires that the tourist amenity must be a significant tourist attraction. She advised that a tourist amenity under the policy would be for example, Old Bushmills Distillery which attracts significant tourist in its own right and does not include tourist accommodation.

In response to a Member's query, the Head of Planning referred to policy PPS16 and read criteria (b) of policy TSM5 to Members.

\* **D Allen, Committee & Member Services Officer joined the meeting at 11.50am.**

The Chair invited D Monaghan, Agent to address the Committee in support of the application.

D Monaghan made the following points:

- The proposal is for 3 high quality self-catering units.
- There is a live permission for a dwelling and the design of the self-catering units will be an improvement.
- There are no objections from consultees.
- The relevant Policy PPS16, at paragraph 7.26, describes a tourist amenity or facility such as a mountain bike trail or golf course.



- The NW200 is a significant tourist amenity and is the largest outdoor sporting event.
- PPS16 does not say it has to be a permanent attraction and many tourist amenities and attractions are seasonal.
- The proposal will not set an undesirable precedent as any other application would need to sit on all 4's with this application.
- The site would be close to the NW200 headquarters area and main spectator area and the start/finish line.
- The surrounding area is protected from development as it is either council owned or has a landscape protection.
- There are 2 golf courses beside the site and a caravan park and the proposed development would be a significant improvement.

In response to questions raised by Members' D Monaghan clarified that the application presented is the same application as previous application which was brought before the Planning Committee in February 2019. A vote was taken on the previous application and recorded as 4 Members for and 4 Members against. The Chair with the casting vote and voted against and the proposal was **REFUSED**. However, there are now new Members on the planning Committee and therefore the application was resubmitted.

The Chair invited Alderman Fielding to address the Committee in support of the application.

Alderman Fielding made the following points:

- The proposal is to replace what has previously been approved at this site and the principle of development has already been established.
- The proposal provides much needed self-catering accommodation for this area and the NW200 event.
- Members must consider if the application meets the requirements of PPS16 Policy TSM5 – site is close to a tourist amenity of significant attraction in its own right.
- The NW200 event is key for Northern Ireland Tourism, attracting over 100,000 visitors per year and has been a permanent sporting event for 90 years.
- The proposal will provide quality accommodation.
- No policy requirement for tourist amenities to be permanent.
- NW200 cannot be taken out of its location.

- Ballyreagh Road is a tourist hotspot.
- The Open has attracted more tourists to this area.

Alderman Fielding stated that he believed that the application complies with Policy PPS16 and requests that Members approve the application.

The Senior Planning Officer clarified paragraph 8.17 in the Planning Committee Report in relation to golf courses and destination golf resorts.

The Senior Planning Officer confirmed that the proposal was outside the development limits.

\* **Alderman S McKillop arrived at the meeting at 11.56am.**

Proposed by Councillor Baird  
Seconded by Alderman Boyle

- that the Committee has taken into consideration and agrees with the reasons for 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 conditions set out in section 10.

Councillor Baird requested a recorded vote.

The Chair put the proposal to the Committee to vote.

For: Alderman Boyle, Duddy,  
(7) Councillors Baird, Hunter, McLaughlin, McMullan and Nicholl

Against: Councillors Anderson, Dallat O'Driscoll and Scott  
(3)

Abstentions: Alderman McKeown  
(1)

7 Members voted For, 3 Members voted Against and 1 Member Abstained.

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

\* **T McKenna, Committee & Member Services Officer left the meeting 12.10pm.**

The Chair reminded Members that three applications had been deferred for site visits.

It was **AGREED** – that the Planning Committee Meeting to be held on Wednesday 22 January 2019 would commence at **10am**. Site Visits would take place on a separate date before the Planning Committee Meeting. The Head of Planning informed Members that she would look at the Members Calendar for Site Visits to take place on Monday 20 January 2019.

## **6. DEVELOPMENT MANAGEMENT PERFORMANCE**

### **6.1 Update on Development Management and Enforcement Statistics 01/04/19 – 31/10/19**

The Committee was provided with a list of planning applications received and decided respectively by Causeway Coast and Glens Borough Council in the month of October 2019. Pre-Application Discussions; Certificates of Lawful Development – Proposed or Existing; Discharge of Conditions and Non-Material Changes, have been excluded from the reports to correspond with official validated statistics published by DFI.

Table 1 within the report details the number of Major planning applications received and decided as well as the average processing times. These figures are unvalidated statistics. In comparison to the same period last year, the number of major applications received has decreased by 3, however, the number of major applications decided has increased by 8.

4 major applications were issued in the month of October. One of these decisions involved numerous consultations between Shared Environmental Services, NIEA and the Planning Department in relation to ammonia issues. Another application for the Hotel at Dunluce Road, Bushmills was not taken to Planning Committee until after the judgement on the North West Hotel JR regarding the application of tourism policy, resulting in longer processing times for these applications.

Table 2 within the report details the number of Local planning applications received and decided as well as the average processing times. These figures are unvalidated statistics. In comparison to the same period last year, the number of applications received has decreased by 52 applications and the number of decisions issued/withdrawn has decreased by 22 applications. Of note is that

more decisions are being issued than applications received, reducing the overall number of live applications in the system.

Although we did not meet the statutory target of 15 weeks for processing local applications the average processing time has improved by almost 4 weeks when compared to the same period last year and with 5% more local applications being processed within the statutory target increasing to 40% of local applications processed within the 15 week target YTD.

Table 3 within the report details the number of Enforcement cases opened and concluded as well as the percentage of cases concluded within the statutory target of 39 weeks. These figures are unvalidated statistics. In comparison to the same period last year, the number of cases opened has increased by 43 and the number of cases brought to conclusion has decreased by 38.

The statutory target for concluding 70% of enforcement cases within 39 weeks continues to be exceeded by our Enforcement team with 86.8%% of cases YTD concluded within the statutory target. An improvement of 10.5% when compared to the same period last year. Furthermore, the length of time taken to conclude 70% of cases has reduced by over 9 weeks taking just 26.4 weeks YTD to conclude.

Table 4 within the report details the total number of Local applications determined under delegated powers. Determined is taken as the date the decision issued and excludes withdrawn applications. DfI Development Management Practice Note 15 Councils Schemes of Delegation recommends that councils should aim to have 90-95% of applications dealt with under the scheme of delegation. To date 92.83% of applications determined were delegated under the scheme of delegation.

Table 5 within the report provides details on the number of decisions that were determined by the Planning Committee at each monthly meeting and the percentage of decisions made against officer recommendation, including Major, Council and Local applications. This is taken from the date of the Planning Committee Meeting.

Table 6 within the report details the number of appeal decisions issued since 1 April 2019. Please note that these figures relating to planning application decisions only are unvalidated statistics extracted from internal management reports. No decisions have been issued by the PAC for this Council in the month of October.

Table 7 within the report provides the details of the number of application for claims for costs made by either third parties or Council to the PAC and the number of claims where the PAC have awarded costs. One application has been made by both third parties and Council but no decision has been made on the applications by the PAC. One of the costs awarded to Council relate to planning appeal 2018/A0165 erection of dwelling at lands to rear of 11 Randal Park Portrush due to the submission of new plans at the appeal which addressed the reasons for refusal and should have been submitted during the processing of the application. The second related to the late withdrawal of an enforcement notice appeal.

Table 8 within the report details the number of contentious applications which have been circulated to all Members in the months April - October and the number which have referred to the Planning Committee for determination. To date 53.75% of contentious applications have been referred to Planning Committee for determination.

**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.

- \* **Alderman Duddy left the meeting at 12:15pm**
- \* **Alderman S McKillop left the meeting at 12:16pm.**

#### Ammonia Levels

Members' raised queries in relation to the perceived acceptable levels of ammonia.

The Head of Planning clarified that Shared Environmental Services is a shared service with all the 11 Councils. She informed Members that in 2 court cases in England and the Netherlands in relation to ammonia levels, the court ruled that legislation did not state an ammonia level threshold only the likelihood of a significant effect.

Members' felt that would benefit from more guidance in relation to ammonia levels and requested SES provide a further workshop to explain their role, how they consider applications and the impact of recent court judgements on planning applications. The Head of Planning agreed to invite SES to a workshop in the New Year.

In response to a Member's query relating to Moy Park and their disposal

units, the Head of Planning informed Members that it was a matter for DEARA to consider the role of Moy Park and their relationship with poultry farmers as it was outside of the remit of Planning. The Planning Committee could only assess applications that come through them. She also informed Members that they need to remain impartial on these issues otherwise they would need to consider whether they need to declare an interest under the Code of Conduct.

The Head of Planning stated that Council would need to ensure that the Policy is applied and that Council looks at the likelihood of a significant effect on all applications.

#### Planning Appeals Commission (PAC)

Members' stated that it would be useful to have a workshop on Planning Appeals Commission decisions to provide them with information on cases and outcomes.

The Head of Planning agreed to hold a workshop on PAC decisions.

#### Staffing

Members' enquired on the current staffing levels within the Planning Department.

The Head of Planning informed Members that three agency fixed time contracts had now come to an end and that cases had been reallocated to other Officers, thus increasing their workload. The staffing situation and number of Planning Applications is being carefully monitored to try to ensure Planning remains within budget. The number of Planning Applications were down 66 when compared to the same period last year which equated to half a member of staff.

The Head of Planning confirmed that the Planning budget for this Planning Department this year was £2,297,800 of which £1,567,773 is to be offset by predicted income generation which is unlikely to be achieved. Therefore, staffing levels and workloads against planning applications and income received are being carefully monitored to ensure Planning remains within budget. As a result there are a couple of vacant posts at this time which are not currently filled but are being carefully monitored.

The Head of Planning confirmed that Agency Staff was down from 12 No at the peak to 5 No. The Planning Department was required to reduce Agency Staff by 30% this business year and this has been achieved.

- \* **Councillor Scott left the meeting at 12:39pm.**
- \* **Councillor Anderson left the meeting at 12:39pm.**

In response to a request from Members' the Head of Planning confirmed that a refresher workshop could be held for Members to update them with the Policies, Habitats Regulation Assessment etc. to help them in assessing planning applications to coincide with SES workshop.

- \* **Alderman McKeown left the meeting at 12.41pm.**
- \* **Councillor McMullan left the meeting at 12.42pm.**

## **7. DEVELOPMENT PLAN**

### **7.1 Department for Communities - Council Consultation on Proposed Listing – Music Centre, 23 Charles Street, Ballymoney**

The Committee received a report, presented by the Local Development Plan Manager.

The Department for Communities (DfC); HED wrote to Council on 29 November 2019 advising that they are considering a listing within the Borough, under Section 80(1) of The Planning Act (Northern Ireland) 2011 (Appendix 1, previously circulated).

Revised Annex C of PPS6: Planning, Archaeology and the Built Environment (Appendix 2, previously circulated), sets out the grading categories of listed buildings in Northern Ireland.

The proposed "B2" Grade listing is as follows:

- Music Centre, 23 Charles Street, Ballymoney, BT53 6DX (also known as the Ballymoney Performing Arts Centre).

**Option 1:** Agree to support the listing: or

**Option 2:** Agree to oppose the listing.

**It is recommended** - that Members agree to Option 1 or Option 2 above and to the Head of Planning responding to DfC on behalf of Council.

- \* **Councillor Dallat O'Driscoll left the meeting at 12.46pm.**

Proposed By Councillor Baird

Seconded by Alderman Boyle and

**AGREED** - that Members approve **Option 1** to support the listing and to the Head of Planning responding to DfC on behalf of Council.

## **7.2 Derry City & Strabane District Council – Publication of Local Development Plan: Draft Plan Strategy**

The Committee received a report, presented by the Local Development Plan Manager.

Members were informed that Derry City & Strabane District Council (DC&SDC) wrote to the Council on 29 November 2019 (Appendix 1, previously circulated) to advise that it will publish its Local Development Plan: Draft Plan Strategy for public consultation on Monday 2 December 2019. DC&SDC is an 'adjoining council' for the purposes of formal consultation on its Local Development Plan (LDP). As such, it is important that the Council considers the draft policies and associated documents, and makes comment (if deemed necessary).

Following the transfer of planning powers on 1 April 2015, all 11 Northern Ireland Councils are now responsible for the preparation of a Local Development Plan (LDP) for their area. The Planning Act (Northern Ireland) 2011 introduced a new type of Plan, different to those historically prepared by the former Department of the Environment (DOE).

New Plans must pass the tests of 'soundness', as detailed in guidance issued by the Department for Infrastructure (DFI) in its document 'Development Plan Practice Note (DPPN) 06: Soundness' (Version 2 May 2017) (Appendix 2, previously circulated).

DC&SDC published their Draft Plan Strategy on Monday 2 December 2019. An eight week consultation will run from 2 December 2019 until Monday 27 January 2020.

There are no financial implications but draft Policies contained within the Plan may have an impact on this Borough.

**It is recommended** - that Members agree to the Head of Planning submitting a response on behalf of the Council.

Proposed by Councillor Nicholl  
Seconded by Councillor McLaughlin and



**AGREED** - that Members agree to the Head of Planning submitting a response on behalf of the Council.

The Local Development Plan Manager informed Members that a Local Development Plan Workshop would be held at the beginning of 2020, this would be policy based. The Local Development Plan Manager would provide a verbal update to Planning Committee Members at the Planning Committee each month.

The Local Development Plan Manager clarified that the all workshops were open to all Elected Members to attend, not just those who sit on the Planning Committee, with exception of the Planning Steering Group Workshop which was only for those Members who sit on the Planning Committee.

## **8. CORRESPONDENCE**

### **8.1 Royal Society of Ulster Architects**

Letter dated 11 November 2019 received from Royal Society of Ulster Architects (RSUA) informing Members of the use of the protected term 'architect'.

The item of correspondence was **NOTED**.

### **8.2 Chief Planners Update**

Letter dated 25 November 2019 received from the Department for Infrastructure (DfI) updating Council on Key planning issues.

#### **\* Councillor Dallat O'Driscoll rejoined the meeting at 12.40pm.**

The Head of Planning informed Members that she had not yet received an update on the Londonderry Hotel application; this application was called-in by the Department.

The item of correspondence was **NOTED**.

## **9. LEGAL ISSUES**

There were no legal issues.

## **10. ANY OTHER RELEVANT BUSINESS (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 **12:55pm**.

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Chair