

**PLANNING COMMITTEE WEDNESDAY 24 JUNE 2020**

**Table of Key Adoptions**

<b>No.</b>	<b>Item</b>	<b>Summary of Key Decisions</b>
<b>1.</b>	Apologies	<b>Councillor P McShane</b>
<b>2.</b>	Declarations of Interest	<b>Alderman Baird in LA01/2020/0193/F</b>
<b>3.</b>	Minutes of meeting held Wednesday 22 February 2020	<b>Confirmed</b>
<b>4.</b>	Order of Items and Confirmation of Registered Speakers	<b>Agenda Item 8.6 Correspondence re Broomhill Park to be discussed after Agenda Item 9.1 Update on New Planning Portal</b>
<b>5.0</b>	Schedule of Applications	
<b>5.1</b>	Major LA01/2019/0052/F Approximately 150 Metres North of No.66 Terrydoo Road, Limavady (land stretching from Terrydoo Rd to existing operational Rigged Hill Windfarm)	<b>Approve</b>
<b>5.2</b>	Council LA01/2019/1319/F Garvagh War Memorial Main, Street, Garvagh	<b>Approve</b>
<b>5.3</b>	Council LA01/2019/1187/LBC Garvagh War Memorial Main, Street, Garvagh	<b>Grant</b>
<b>5.4</b>	Council LA01/2019/0787//F Portaneevy Car Park, Whitepark Road, Ballintoy	<b>Approve</b>
<b>5.5</b>	Council LA01/2020/0193/F Bengore House, 8 Ballinlea Road, Ballintoy	<b>Approve</b>

<b>6.</b>	Development Management:	
<b>6.1</b>	Update on Development Management and Enforcement Statistics 01/04/19 – 30/03/20	<b>Note</b>
<b>7.</b>	Development Plan:	
<b>7.1</b>	Local Development Plan Update	<b>Note</b>
<b>7.2</b>	Revised Statement of Community Involvement in Planning (SCI)	<b>Agree</b>
<b>8.</b>	Correspondence	
<b>8.1</b>	Chief Planners' Update	<b>Note – Head of Planning to write to DfI Minister</b>
<b>8.2</b>	Derry City & Strabane District Council Letter – Update Regarding Local Development Plan and Draft Plan Strategy	<b>Note</b>
<b>8.3</b>	Fermanagh & Omagh District Council – Local Development Plan 2030 Revised Timetable	<b>Note</b>
<b>8.4</b>	Mid Ulster District Council – Re Consultation – Local Development Plan – Draft Plan Strategy	<b>Note</b>
<b>8.5</b>	NI Climate Change Adaptation Programme (NICCAP2) 2019-2024	<b>Note</b>
<b>9.</b>	Any Other Relevant Business (In accordance with Standing Order 12 (o))	
<b>9.1</b>	Update on New NI Planning Portal	<b>Information</b>
	<b>IN COMMITTEE (ITEM 10 - ITEM 11)</b>	
<b>10.</b>	Correspondence	
<b>10.1</b>	Correspondence regarding Broomhill Park, Coleraine	<b>Note Head of Planning to check vote from 26 February Planning Committee Meeting</b>
<b>11.</b>	Any Other Relevant Business (In accordance with Standing Order 12 (o))	

11.1	Planning Department Budget Update – Period 10	<b><i>Chair of Planning Committee to write to Finance Committee re concern regarding lack of staffing within Planning Department</i></b>

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING  
COMMITTEE HELD IN COUNCIL CHAMBER, CIVIC HEADQUARTERS  
WEDNESDAY 24 JUNE 2020 AT 2PM**

- In the Chair:** Councillor Dallat O'Driscoll (C)
- Committee Members Present:** Alderman Baird (C), Boyle (C), Duddy (C), Finlay (C), McKeown (C) and S McKillop (C)  
Councillors Anderson (C), Hunter (R), McGurk (C), MA McKillop (R), McLaughlin (C), McMullan (C), Nicholl (C) and Scott (C)
- Officers Present:** D Dickson, Head of Planning (C)  
S Mathers, Development Management & Enforcement Manager (R)  
J Lundy, Senior Planning Officer (R)  
S Mulhern, Development Plan Manager (R)  
E Hudson, Senior Planning Officer (R)  
J McMath, Senior Planning Officer (R)  
M Wilson, Senior Planning Officer (R)  
D Allen, Committee & Member Services Officer (C)
- In Attendance:** Murray Bell Architects (R)  
Press (2 No.) (R)
- Registered Speakers:** LA01/2019/0052/F:  
Orla Kirk, Juno Planning (Agent) (R)  
David Buchannan – Scottish Power Renewables (Applicant) (R)

**R = Remote**  
**C = Chamber**

**PROTOCOL FOR REMOTE MEETINGS**

The Chair reminded Members of the Protocol in relation to Remote Meetings:

- Camera should show non-descript background or virtual background.
- Video should be turned off and microphone muted when not speaking.
- Chat facility to be used to request to speak on an item.
- Members to speak only when invited to do so.
- Only one Member to speak at a time.

- Members to turn on video and microphone and state name before speaking remotely.
- When referring to a specific report, page or slide, Members to mention the report, page or slide so that all Members have a clear understanding of what is being discussed at all times.
- All Members in the Chamber to keep microphone off when speaking and just speak directly into Chamber microphone.

## 1. APOLOGIES

Apologies were recorded for Councillor P McShane.

## 2. DECLARATIONS OF INTEREST

The Chair reminded the Planning Committee of their obligations under the Code of Conduct.

*“I would remind Members of your obligation under the Northern Ireland Local Government Code of Conduct for Councillors in relation to Planning matters.*

*Under Part 9 of the Code I would remind you of your obligation with regard to the disclosure of interests, lobbying and decision-making, which are of particular relevance to your role as a Member of this Planning Committee.*

*You should also bear in mind that other rules such as those relating to the improper use of your position, compromising impartiality or your behaviour towards other people, also apply to your conduct in relation to your role in planning matters.*

*If you declare an interest on a planning application you must leave the Chamber for the duration of the discussion and decision-making on that application”.*

Declarations of Interest were recorded as follows:

Alderman Baird in:

- Council LA01/2020/0193/F Bengore House, 8 Ballinlea Road, Ballintoy

Alderman Baird left the Chamber during consideration of this Item.

### **3. MINUTES OF MEETING HELD WEDNESDAY 26 FEBRUARY 2020**

The Chair stated that she disagreed with the last paragraph on page 17 of the Minutes of the Planning Committee and had raised the issue direct with SONI.

Proposed by Alderman Finlay  
Seconded by Alderman Baird and

**AGREED** - that the Minutes of the Meeting held Wednesday 26 February 2020 be confirmed as a correct record.

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

**AGREED** – that Agenda Item 8.6 - Correspondence regarding Broomhill Park, Coleraine would be discussed after Agenda Item 9.1 - Update on New NI Planning Portal.

\* A short recess was held between **2.05pm** and **2.10pm** to address ICT issues.

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

#### **5.1 Major LA01/2019/0052/F Approximately 150 Metres North of No.66 Terrydoo Road, Limavady (land stretching from Terrydoo Rd to existing operational Rigged Hill Windfarm) (Agenda item 5.1)**

Planning Committee Report and Addendum, previously circulated and presented by the Development Management and Enforcement Manager, S Mathers via PowerPoint presentation.

The Development Management and Enforcement Manager described the site and its context for full planning for the construction of a new access track (approx. 3,037m in length and 4m width), new site entrance off the Terrydoo Rd, associated drainage and ancillary development (including temporary construction compound and internal signage) to link new site entrance to the existing Rigged Hill windfarm access tracks for operational use by Rigged Hill Windfarm.

The proposal is for an access track to the existing operational Rigged Hill Wind Farm. This wind farm was approved in 1994 and comprises 10

turbines. The existing access, which was the original one approved as part of the 1994 permission, is located off Craigmore Road and runs through Cam Forest. The new, alternative access is proposed due to the expiration of the agreement that provides the windfarm operator rights to use the existing track.

The access point onto Terrydoo Road is located approximately 4.5km south east of Limavady. The proposed stoned surface track is 3 km long and 4 metres wide. Also proposed, is a temporary construction compound next the entrance to Terrydoo Road; this measures 30m x 15m and will be removed when construction of the track is complete.

This is a Major application which was subject to a PAN with a Community Consultation Report submitted with application.

Prior to submission of the planning application, the proposal was subject to a pre-application Environmental Impact Assessment determination. It was decided that the proposal was EIA development and therefore that an Environmental Statement was required.

In terms of the Northern Area Plan 2016, the site is located in the open countryside, outside any designated settlement. The site is outside an AONB designation.

No objections or representations of support were received on the application.

The Main Issues are:

#### Principle of Development

PPS 21 Policy CTY 1 which regulates the principle of development in the countryside makes provision for renewable energy projects in accordance with PPS 18. While this is not a renewable energy project in itself, it is associated with one as it will be used to serve an existing wind farm. Therefore the principle is considered acceptable.

#### Residential Amenity

The nearest dwellings to the site are located 150m south and 200m north of the site entrance onto Terrydoo Road. Having regard to the specific nature of the development and given that it is not a prominent feature in the landscape, it is not considered that it will have an unacceptable adverse impact on residential amenity.

#### Access to Public Road

The proposal involves formation of a new access point to Terrydoo Road including the provision of visibility splays by setting back and reinstating hedges. DfI Roads as the competent authority are content with the access arrangements.

#### Biodiversity and Nature Conservation

The application was subject to a pre-application determination on the need to provide an Environmental Statement. It was confirmed that the proposal did require an Environmental Statement given the likelihood of significant environmental effects of NI Priority Habitat and Snipe. The application site is not within or adjacent to international or national designated sites. In terms of Protected Species, the Environmental Statement confirms that the site contains Snipe and Meadow Pipit. NIEA NED as the statutory nature conservation body is content that the proposed works can be carried out without significant risk to local bird populations provided that mitigation measures are carried out- these are subject to condition.

In terms of priority habitats, the site contains acid flush and wet heath habitats, as well as hedgerows. Hedgerows to be removed are to be replaced while the proposed track has been designed to avoid areas of peat. In terms of priority species, the site contains Red Grouse. NIEA NED is content that subject to mitigation measures, the proposal is acceptable.

#### Built Heritage

The proposal is located in close proximity to several archaeological sites including possible enclosures and the remains of a medieval cashel (ring fort). DfC HED as the competent authority is content with the proposal subject to archaeological monitoring of the site.

#### Visual Amenity/ Landscape Character

The proposal will not be a prominent feature in the landscape given that the local landscape is followed to make the best use of topography. Cut and fill is minimised along the route. The critical views of the proposal are from the site entrance at Terrydoo Road and from Temain Road looking towards the site.

In conclusion, the proposal for a track to serve an established wind farm is considered acceptable in principle. Having regard to the principle of the proposed development, residential amenity, access to the public road, nature conservation / built heritage interests, fluvial environment, visual amenity and landscape character, the proposal is acceptable. The proposal complies with planning policy. 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.

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

The Chair informed Members that speakers Orla Kirk from Juno Planning and David Buchannan from Scottish Power were available to answer Members' questions.

Proposed by Alderman Finlay  
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.

- that the Committee notes the contents of the Addendum and agrees with the recommendation to **APPROVE**, as set out in paragraph 9.1 of the Planning Committee Report.

The Chair put the proposal to the Committee to vote. 14 Members voted For, 0 Members voted against and 0 Members abstained.

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

\* **Alderman McKeown arrived during consideration of this item and therefore, was not permitted to vote.**

## **5.2 Council LA01/2019/1319/F Garvagh War Memorial, Main Street, Garvagh (Agenda Item 5.2)**

Planning Committee Report was previously circulated and presented by the Senior Planning Officer, E Hudson via PowerPoint.

The Senior Planning Officer described the site and its context for full planning for the renovation of a Grade B listed war memorial, re-roofing

of existing towers, re-pointing and masonry repairs, new floors at each level, new lighting scheme including re-location of NIE cable.

This is a full application for the Renovation of a Grade B listed war memorial. Works include the Re-roofing of the existing tower, Re-pointing and masonry repairs, New Floors at each level and a New Lighting scheme including re-location of NIE cable.

The Senior Planning Officer showed Members the location plan. The site is located in Garvagh Town Centre as defined in the Northern Area Plan.

The building was shown to Members in its context. The surrounding area is characterised by a mix of town centre type uses predominantly retail and commercial in nature.

The memorial dates back to 1924 and the works proposed are for repairs and to prevent further deterioration of the memorial. The works are considered necessary as it will maintain the memorials integrity and bring it back to its previous condition.

In conclusion, the proposal has been considered against the relevant planning policies for works to a Listed Building including the SPPS and Planning Policy Statement 6. Historic Environment Division have been consulted as the competent authority and offer no objections to the proposed works. The proposed works will have no adverse impact on the townscape or residential amenity. Approval is recommended.

**Recommendation** - that the Committee has taken into consideration and agrees with the recommendation set out in 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 Alderman Baird  
Seconded by Alderman S McKillop

- that the Committee has taken into consideration and agrees with the recommendation set out in 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. 15 Members voted For, 0 Members voted against and 0 Members abstained.

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

**5.3 Council LA01/2019/1187/LBC Garvagh War Memorial Main, Street, Garvagh (Agenda Item 5.3)**

Planning Committee Report was previously circulated and presented by the Senior Planning Officer, E Hudson via PowerPoint.

The Senior Planning Officer described the site and its context for Listed Building Consent, which is associated with the previous Full Application for the renovation of a Grade B listed war memorial, re-roofing of existing towers, re-pointing and masonry repairs, new floors at each level, new lighting scheme including re-location of NIE cable.

Members were shown the location plan; the site is located in Garvagh Town Centre as defined in the Northern Area Plan.

In conclusion, Historic Environment Division has considered the impacts on the Listed Building and are content that there will be no adverse impact and the works satisfy the policy requirements outlined in the SPPS and Planning Policy Statement 6. Listed Building Consent is recommended.

**Recommendation** - that the Committee has taken into consideration and agrees with the recommendation set out in 9 and the policies and guidance in sections 7 and 8 and resolves to **GRANT** Listed Building Consent subject to the conditions set out in section 10.

Proposed by Alderman S McKillop  
Seconded by Councillor Scott

- that the Committee has taken into consideration and agrees with the recommendation set out in 9 and the policies and guidance in sections 7 and 8 and resolves to **GRANT** Listed Building Consent subject to the conditions set out in section 10.

The Chair put the proposal to the Committee to vote. 15 Members voted For, 0 Members voted against and 0 Members abstained.

The Chair declared the Motion to **GRANT** carried.

**5.4 Council LA01/2019/0787/F Portaneevy Car Park, Whitepark Road, Ballintoy (Agenda Item 5.4)**

Planning Committee Report was previously circulated and presented by the Senior Planning Officer, E Hudson via PowerPoint.

The Senior Planning Officer described the site and its context for Full Planning for proposed viewing points and landscape works to include surface and boundary treatment, provision of bins and picnic tables and associated access works.

This is a full application for proposed viewing points and landscape works to include surface and boundary treatment, provision of bins and picnic tables and associated access works at the existing public car park and amenity area at Portaneevy Car Park, Whitepark Road, Ballintoy. Members were shown the red line boundary of the site.

The site is located approximately 2 km east of the small settlement of Ballintoy along the Coast Road and within the Causeway Coast AONB.

It is proposed to redevelop the site involving the renewal of the existing car park to include designated parking spaces, cycle stand and pedestrian crossing points. A new grass area of open space is also proposed with picnic tables, benches, litter bins and sections of biodiversity will provide improved amenity and will be accessed by a new pedestrian footpath. The two existing viewing points will be refurbished and feature new areas of hardstanding and boundary treatments. The site curtilage will also benefit from new sections of stone wall, stock proof fencing and timber rail fencing.

The Senior Planning Officer showed Members a photograph of the entrance to the site; the existing viewing points and the existing parking area.

The application has been assessed against relevant planning policy including the Northern Area Plan, the SPPS, PPS 21, PPS 8 and 16 relating to open space and tourism and PPS 2 in relation to Natural Heritage.

It is considered that the works and re-development of the site will not result in any adverse impacts of the natural and built environment at this location and will not undermine the integrity of this area of open space. Overall the scheme is confined to fairly unobtrusive ground works and the size of the site will not be extended beyond its current curtilage. There have been no objections to the scheme and no consultee objections. DAERA Natural Environment Division have provided no objection to the scheme and have provided a number of conditions to

ensure works to do impact upon breeding birds. These are outlined in Part 10 of the Planning Committee Report.

In conclusion, the proposal is considered acceptable in this location having regard to the Northern Area Plan, and other material considerations, including the SPPS. The proposed alterations, additions and re-development will provide necessary improvements to the amenity of the site and provide a quality and sustainable tourist amenity without creating any adverse impacts on visual amenity or environmental features. Approval is recommended.

Members welcomed the application and that picnic and tourist areas were to be improved.

Alderman Duddy informed the Chair that Members should not be proposing and seconding an application until the application had been fully discussed and the recommendation made.

Councillor Hunter raised an issue that she had proposed and seconded an application earlier but it had not been picked up due to the slow internet connection.

**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.

Proposed by Alderman S McKillop  
Seconded by Councillor Anderson

- 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.

The Chair put the proposal to the Committee to vote. 15 Members voted For, 0 Members voted against and 0 Members abstained.

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

## **5.5 Council LA01/2020/0193/F Bengore House, 8 Ballinlea Road, Ballintoy (Agenda item 5.5)**

- \* **Alderman Baird left the meeting at 2.37pm having declared an interest in this item.**

Planning Committee Report was previously circulated and presented by the Senior Planning Officer, M Wilson via PowerPoint.

The Senior Planning Officer, described the site and its context for Full Planning for a single storey detached garage/store.

The Senior Planning Officer provided Members with a verbal erratum informing Members that any reference to DETI Geographical Survey should refer to Department for the Economy Geographical Survey Unit as DETI is obviously now defunct.

The site is not located within any settlement development limit as defined in the Northern Area Plan 2016. The site is located within the Causeway Coast Area of Outstanding Natural Beauty.

Members were shown a photo of the site when travelling north along Ballinlea Road which shows the host dwelling within the site in the foreground. The photo shows the elevation of the site.

Members were presented with a photo showing the access lane into the site and the location of the proposed siting of the garage.

Also shown to Members was a photo showing the site when looking south along Ballinlea Road and demonstrates the incline and how the site sits above the road. The siting of the garage can be seen towards the south of the site.

A slide of the proposed plans and elevations of the garage were shown to Members.

The principle of development is considered acceptable having regard to Policy EXT 1 as the proposed scale massing and design are domestic and in keeping with the host dwelling, and will not have an unacceptable impact on the character of the area.

In conclusion, the proposal complies with policy NH 6 of PPS 2 as the proposed scale and design are acceptable and sympathetic to the AONB. The scale, massing and design of the garage do not detrimentally impact on the character and appearance of the area, as the proposal reads as subordinate and the design is similar to the existing dwelling on site. The proposal is set back approximately 68m from

Ballinlea Road, an acceptable set back distance and although the proposal is to be located on land with an inclining topography, making it open to public views from Ballinlea Road, the proposed garage integrates sufficiently alongside the existing dwelling, ensuring that the proposal does not read as obtrusive in the rural landscape.

Department for the Economy Geographical Survey Unit was consulted due to the potential proximity to abandoned mines but raises no objection to the proposal given there is sufficient separation distance. There are no third party objections to the proposal.

**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** permission for the full application subject to the conditions set out in section 10.

Proposed by Alderman Finlay  
Seconded by Alderman Boyle

- 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** permission for the full application subject to the conditions set out in section 10.

The Chair put the proposal to the Committee to vote. 14 Members voted For, 0 Members voted Against and 0 Members Abstained.

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

\* **Alderman Baird re-joined the meeting at 2.45pm.**

## **6.0 DEVELOPMENT MANAGEMENT**

### **6.1 Update on Development Management and Enforcement Statistics 01/04/19 – 31/03/20**

Report, previously circulated presented by the Head of Planning.

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 March 2020. Please note that 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. Please note that these figures are unvalidated statistics. In comparison to the same period last year, the number of major applications received has decreased by 6, however, the number of major applications decided has increased by 8.

Unfortunately, the postponement of the March Planning Committee meeting due to the Covid-19 pandemic, impacted on the number of decisions that issued in March as a further 1 major application had the potential to issue subject to determination at that meeting.

Table 2 within the report details the number of Local planning applications received and decided as well as the average processing times. Please note these figures are unvalidated statistics. In comparison to the same period last year, the number of applications received has decreased by 91 applications and the number of decisions issued/withdrawn has decreased by 57 applications.

Although we did not meet the statutory target of 15 weeks for processing local applications, processing times has improved by 1.6 weeks when compared to the same period last year and with 4% more local applications being processed within the statutory target when compared to same period last year. Furthermore, the number of applications decided/withdrawn is greater than the number of applications received resulting in a reduction in the number of live applications in the system.

Unfortunately, the impact of the Covid-19 pandemic in March impacted on the processing times for that month with staff unable to issue decisions from 24 March 2020. As a result the average processing times for March was much higher than would have been anticipated, impacting not only on the monthly but also the yearly average processing times.

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. Please note these figures are unvalidated statistics. In comparison to the same period last year, the number of cases opened has increased by 54 and the number of cases brought to conclusion has decreased by 15.



The statutory target for concluding 70% of enforcement cases within 39 weeks continues to be exceeded by our Enforcement team with 87.6% of cases YTD concluded within the statutory target. An improvement of 7.3% when compared to the same period last year. Furthermore, the length of time taken to conclude 70% of cases has reduced by 5.9 weeks taking just 28 weeks 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 92.99% 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. To note is that all applications which have been overturned are on applications referred to Committee by Elected Members.

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.

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. The award of costs claim by Council in January relates to an enforcement case.

Table 8 within the report details the number of contentious applications which have been circulated to all Members in the months April – March and the number which have referred to the Planning Committee for determination. To date 47.37% of contentious applications have been referred to Planning Committee for determination.

**It is recommended** – that the Planning Committee notes the update on the Development Management Statistics.

Upon a request from a Member the Head of Planning explained the definition of a '*partial planning decision*'. The Head of Planning used the example of a proposed dwelling and a garage. Using this example the boundary wall of the proposed house may be deemed unacceptable but the proposed build of the garage deemed as acceptable. This would be then be classed as a '*partial decision*'.

The Head of Planning responded to a Members query in relation to measures in place to increase the local applications figure.

The Head of Planning informed Members that the Chair, Vice Chair and herself would be meeting regularly to discuss the issues and what improvements could be made going forward.

The amended Schedule of Delegation implemented 1 May 2020 should help to speed up the processing of applications. The Planning Department are continuously monitoring the situation and constantly attempting to balance older application with new applications on order to reduce the number of over 12 month applications in the system.

The Head of Planning stated that a large number of environmental designations impacted on processing times. A number of areas were highlighted as below:

- **Biodiversity Checklist/Report.** The Planning Department is required to consult with the Northern Ireland Environment Agency (NIEA); there is clear guidance when biodiversity checklists should be completed.
- **Bat Surveys.** A Bat Survey may take 6 months to complete as a Bat Survey may commence at the beginning of the bat season in April and be completed at the end of September the end of the bat season.
- **Poultry Applications.** The Planning Department is required to consult with Northern Ireland Environment Agency (NIEA) and Environmental Statements provided on designated sites.

\* **Councillor Anderson left the meeting at 2.58pm.**

In response to a Members query in relation to Table 1 – Processing of Major Applications the Head of Planning clarified that the reason for the average processing time in July increasing to 134.6 weeks was due to

the issuing of an older application in the system for 134.6 weeks.

At the request from Members, the Head of Planning agreed to compare the coverage of designated sites and their consultation zones with other Council areas and circulate to Members.

A query was raised by a Member in relation to how Causeway Coast and Glens Borough Council compared to other Councils in Northern Ireland in respect to paragraph 2.6 Table 5 Percentage of Decisions at Planning Committee Against Officer Recommendation and paragraph 2.9 Table 8 Total Number of Referrals Requested.

The Head of Planning informed Members that the Department for Infrastructure (DfI) reported on an annual basis and once this information had been received by Council it would be presented to the Planning Committee. The last quarterly report on statutory performance was issued for Q3 but the annual report should issue shortly and a report presented to Planning Committee.

\* **Councillor Anderson re-joined the meeting at 3.02pm.**

The Head of Planning informed Members that due to Covid 19 Site Visits had been suspended since March. Work was in progress in relation to a Risk Assessment for staff members to attend site visits; this would be communicated to the Unions for agreement. Work would then be undertaken to consider the reconvening of Planning Committee Members Site Visits and it would be anticipated that Site Visits would be up and running for the August Planning Committee Meeting.

In relation a query on an older Planning Application spanning over 6 years the Head of Planning clarified that due to Covid 19 and the trialling of the remote Planning Committee Meeting, this would hopefully be brought to the Planning Committee in August or September.

A Member referred to a Notice of Motion that had been submitted to Council for a full review of Councils Planning Functions. The Head of Planning informed Members that this had been referred to the Corporate Policy and Resources Committee Meeting to be held in August 2020.

A Member made reference to the decision to hold a Planning Committee Meeting in July which had been agreed at the Council Meeting held 2 June 2020. The Head of Planning informed Members that Planning Staff had holidays booked during the month of July and it was usual for builders and agents to take their holiday during July too. Furthermore,

the Protocol for the Operation of the Planning Committee states that there will be no meeting held in July.

Members passed their condolences to the Head of Planning and to Councillor Dallat O'Driscoll on the passing of their respective fathers.

Members queried benchmarking with other Councils and asked about visiting other Council's Committee Meetings and comparing Schemes of Delegations. The Head of Planning agreed to look into visiting other Planning Committees but highlighted that the restrictions in place due to Covid-19 may delay such visits.

Members raised concerns regarding the need to review systems and checklists to improve processing times and make the process more succinct. Applications are being submitted without all of the necessary information attached.

Other Members stated that it was better to get the right decision rather than be overly concerned with the number of weeks to process.

Members raised concern over the staffing levels and highlighted if a member of staff goes off sick or leave and are not replace their caseload is not transferred to other staff immediately as they already have their own caseload and it takes time to get to grips with these other applications.

**AGREED** - that the Planning Committee notes the update on the Development Management Statistics.

## **7. DEVELOPMENT PLAN**

### **7.1 Local Development Plan Update (*Agenda item 7.1*)**

The Committee received a verbal report, presented by the Development Plan Manager, S Mulhern.

The Development Plan Manager informed Members that the last verbal update to Planning Committee Members was on 24 February 2020. At that stage the Local Development Plan (LDP) 6 month Work Programme was on target (January - June) as well as the published LDP Timetable.

The Covid-19 outbreak impacted on the 6 month LDP Work Programme and subsequently the Draft Plan Strategy preparation. The main areas impacted are detailed below.

#### Local Development Plan Workshops:

These commenced in January 2020 to look at draft Plan Policies and Proposals. However, subsequent workshops had to be postponed; a date for re-commencement has not yet been agreed, however it is likely to be in Autumn 2020. This has impacted on the LDP timetable by some 6 months.

#### Project Management Team Meetings (government bodies/key stakeholders):

As with the Member Workshops these had already commenced - the first one took place on 6 March 2020. However subsequent meetings had to be postponed. A date for re-commencement has not yet been agreed, however these are also likely to be in Autumn 2020. Again this will have an impact on the LDP timetable.

#### Landscape Character Assessment Study:

This is currently being worked on. Work was to be finalised by the end of March 2020/start April 2020 and presented to Members at the LDP Workshop to be held on 8 April 2020. However, the Consultant has been unable to travel to Northern Ireland (due to Covid restrictions on travel and accommodation) to carry out the final site visits to enable the completion of the project.

Given the amount of both landscape and environmental designations covering the Borough, this study is a key piece of evidence required to inform our policy approach for the LDP.

#### Sustainability Appraisal/SEA and other necessary assessments:

Members are aware that the SA/SEA is an iterative process and this will continue in tandem with other areas of work required for the preparation of the draft Plan Strategy. However, there are a series of final assessments (SA/SEA assessment days/EQIA, RIA, HRA etc) that can only be completed once all other works have been completed. These assessments can take 3-4 months to complete.

\* **Councillor Nicholl left the meeting at 3.26pm.**

#### Evidence Paper updates:

In preparing the draft Plan Strategy, the Planning team had been working on the updates to the Topic Papers prepared for the POP. Due to Covid-19 restrictions preventing staff from entering the building, and with no (immediate) access to electronic files, it was difficult to progress this element of LDP prep at the normal pace, but work did continue at a

slower pace. However, with 3 VPN access to files now available, this has improved access to important information for input into these papers.

Monitors:

Work had commenced on the preparation of the Housing, Retail and Employment land monitors. However, due to Covid-19 restrictions this area of work also had to be put on hold due to site visits not being able to take place. With 3 VPN access to files, this work can now recommence.

\* **Councillor Nicholl re-joined the meeting at 3.30pm.**

Given all of the above, the Draft Plan Strategy – which was on target prior to the Covid-19 outbreak, is now highly unlikely to be on target for publication in Autumn/Winter this year.

In summary, Council cannot move forward until there is Member agreement on the policy approaches and to do this the following are needed:

- Landscape Character Assessment Study:
- Monitors
- Fully updated evidence papers
- Consultation with the Project Management Team
- Member Workshops and
- All necessary assessments.

The Timetable will be kept under regular review and any proposed change will be brought before Members for agreement.

In response to a Members query the Head of Planning confirmed that VPN had now been rolled out to 3 of the 5 Planning staff. Work was being carried out on a staff rota to allow limited staff access to the Planning Department.

\* **Alderman Finlay left the meeting at 3.30pm.**

Members **NOTED** the verbal report.

**7.2 Revised Statement of Community Involvement in Planning (SCI)**  
***(Agenda item 7.2)***

Report presented by the Development Plan Manager, S Mulhern.

Councils are required, under Section 4 of the Planning Act (NI) 2011 to prepare a Statement of Community Involvement in Planning (SCI). A SCI sets out how a Council proposes to engage with interested parties, including the local community and key stakeholders, in exercising its planning functions.

The Planning (Statement of Community Involvement) Regulations (NI) 2015 set out the minimum requirements for a SCI including its form, content and availability. It also lists the SCI as one of many “submission” documents to be submitted for Independent Examination during the Local Development Plan process.

Public consultation on a SCI is not mandatory, therefore a decision to undertake it is at a Council’s discretion. If it does take the decision to consult, a Council must make appropriate arrangements to do so and take into account any representations received.

The Council first published its SCI in November 2016, following an 8 week public consultation exercise during which, it received no representations.

An updated SCI was published in December 2017. As the update related only to a change of contact details, following the Planning Department’s move from County Hall to Cloonavin, it was considered (in consultation with the Department for Infrastructure) that it was not necessary to take a decision on whether or not to publish it for comment.

#### *Need for a Revised SCI*

Following the Covid-19 outbreak and subsequent government advice regarding social distancing measures, a revision to the SCI is required to ensure that the Council’s advice and guidance remains up to date, and the Council can carry on its planning functions in line with government advice.

The revised SCI (attached at Appendix 1) provides an update of how Council proposes to engage with interested parties in the current circumstances. The revisions mainly relate to the Development Management process, particularly finding alternatives to face-to-face meetings and public consultation events. They may also impact on other key areas, e.g LDP public meetings/workshops, etc.

The SCI will be kept under review in light of the ongoing Covid-19 situation and prevalent government and public health advice.

### Public Consultation

Given that the Council received no representations during the previous consultation exercise, it is not a mandatory requirement to undertake such consultation, and given the current public health issues around public consultation, it is recommended that on this occasion, a public consultation exercise is not undertaken.

Any revision to the SCI must still be formally agreed with DfI before being advertised in the local paper and uploaded onto the Council's website.

### \* **Councillor McLaughlin left the meeting at 3.35pm.**

The Development Plan Manager updated Members with DfI comments on the draft Revised SCI.

### Local Development Plan:

Content with revisions.

### Development Management:

**Pre-Application discussions (PADs)** re Covid – particularly re face to face meetings (may include telephone and/or video conferencing) and limiting number of attendees if necessary.

**Pre-Application Community Consultation (PACC).** Advise the Council may wish to refer to the Department's guidance in relation to temporary changes to the major planning application process, and the recommendation that applicants investigate alternative consultation measures to replace the public event.

### Conservation Area Designation:

DfI advises that Council should also make reference to consultation with the following when designating, varying or cancelling on of a Conservation Area:

- The Historic Buildings Council
- Department for Communities (DfC) Historic Environment Division
- Department for Infrastructure (DfI) Roads and Rivers, and
- Any other water or sewerage undertakers (currently NI Water).

### Appendix 2:

DfC's Historic Environment Division should be included in the list.



**It is recommended** that Members agree to the revised SCI, attached at Appendix 1, previously circulated, and that a public consultation exercise will not be carried out.

In summary:

- There is no legislative requirement to consult
- Council received no comment on the previous version
- Revision will allow for additional/alternative means of consultation and engagement (and futureproof the doc in case of further outbreaks).
- The document itself sets out the best practice the council will adopt in carrying out such consultation and engagement.

The Development Plan Manager informed Members that no Disability Group had been consulted. Under the SCI, they would be offered a face to face meeting and the details on how this would be conducted is contained within the document (previously attached).

- \* **Alderman Boyle left the meeting at 3.40pm and re-joined the meeting at 3.42pm.**
- \* **Councillor McLaughlin re-joined the meeting.**

The Development Plan Manager clarified that under the legislation the consultees would usually be Government Departments, Utility Regulators or the Housing Executive. The document itself aims to be inclusive of all sections of the community in terms of the planning function.

Proposed by Alderman Duddy  
Seconded by Councillor Scott

- that Members agree to the revised SCI, attached at Appendix 1, previously circulated, and that a public consultation exercise will not be carried out.

The Chair put the proposal to the vote. 14 Members voted For, 0 Members voted Against and 0 Members Abstained.

The Chair declared the Motion **CARRIED**.

## **8.0 CORRESPONDENCE**

## 8.1 Chief Planners Update (*Agenda item 8.1*)

Correspondence was received from the Department for Infrastructure with an update which relates to important information on the COVID-19 position and the delivery of Local Planning Services during the Covid-19 Crisis.

The Head of Planning took Members through Councils response to the correspondence and stated that none of the amendments submitted were taken up by the Department for Infrastructure (DfI).

The Head of Planning informed Members that other Heads of Services had put in requests for amendments but none were taken up by the Department for Infrastructure (DfI). She informed Members that the DfI made the final decisions on any amendments.

Proposed by Councillor Baird  
Seconded by Alderman Duddy

- that the Head of Planning write to the DfI Minister copying in the Chief Planner advising that the Planning Committee request that the proposals and recommendations Council submitted be reviewed and included in the future guidance. It was suggested that this should be reported to the Partnership Panel.

The Chair put the proposal to the vote. 13 Members voted For, 0 Members voted Against and 1 Member Abstained.

The Chair declared the Motion **CARRIED**.

## 8.2 Derry City & Strabane District Council Letter – Update Regarding Local Development Plan and Draft Plan Strategy (*Agenda item 8.2*)

Correspondence dated 6 April 2020 has been received from Derry City and Strabane District Council with an update on the current situation regarding Derry City and Strabane District Council's Local Development Plan (LDP) Draft Plan Strategy, in light of the current disruption due to Coronavirus.

The Development Plan Manager informed Members that the consultation had been postponed due to the Coronavirus; as yet no new date had been set.

The item of correspondence was **NOTED**.

### **8.3 Fermanagh & Omagh District Council – Local Development Plan 2030 Revised Timetable (*Agenda Item 8.3*)**

Correspondence dated 14 February 2020 has been received from Fermanagh and Omagh District Council who have formally revised and published the Timetable for the production of the Fermanagh and Omagh District Local Development Plan 2030 which will subsequently replace both the Fermanagh Area Plan 2007 and Omagh Area Plan 2002. The Timetable sets out when the Council expects to reach key stages of the process. The Council published its draft Plan Strategy in October 2018 and now anticipates progressing to Independent Examination by late autumn 2020.

The item of correspondence was **NOTED**.

### **8.4 Mid Ulster District Council – Re Consultation – Local Development Plan – Draft Plan Strategy (*Agenda item 8.4*)**

Correspondence dated 12 March 2020, has been received from Mid Ulster District Council in relation to Consultation on Local Development Plan 2030 - Draft Plan Strategy and accompanying Sustainability Appraisal Incorporating Strategic Environmental Assessment Report (Environmental Report).

The Council has identified an error in the original consultation on the Local Development Plan 2030 - Draft Plan Strategy and write to advise that the Council is now undertaking a re-consultation on the Local Development Plan - Draft Plan Strategy in order to ensure a compliant consultation process. In parallel the Council is also re-consulting on the Sustainability Appraisal, incorporating a Strategic Environmental Assessment (SNSEA Report) Environmental Report, of the Mid Ulster District Council Local Development Plan 2030 - Draft Plan Strategy.

The Development Plan Manager informed Members that the consultation had been postponed due to the Coronavirus; as yet no new date had been set.

The item of correspondence was **NOTED**.

## **8.5 NI Climate Change Adaptation Programme (NICCAP2) 2019-2024 (Agenda item 8.5)**

Correspondence dated 9 March 2020, has been received from Climate Northern Ireland in relation to the Northern Ireland Climate Change Adaption Programme (NICCAP2) 2019-2024 encouraging Council's planning team to actively consider and plan for the risks posed to the local council area from climate change. It introduced the work of Climate NI and the information and support available through their networks and online resources.

The item of correspondence was **NOTED**.

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

### **9.1 Update on New NI Planning Portal (Agenda Item 9.1)**

A verbal update was provided by the Head of Planning on the New NI Planning Portal.

The Head of Planning informed Members that the Full Council had signed up to the proposed New NI Planning Portal and DfI was ready to sign contracts with the suppliers. She added that Mid Ulster District Council had not signed up to the Full Business Case.

Engagement Workshops would now take place and that the Planning Committee would be updated on a monthly basis.

In response to a Members' query the Head of Planning clarified that the impact of Mid Ulster District Council not signing up to the New Planning Portal would be that Causeway Coast and Glens would be required to pay an extra £4-5K per annum; Causeway Coast and Glens Borough Council would still remain within budget detailed in paper to full Council.

### **MOTION TO PROCEED 'IN COMMITTEE'**

Proposed by Alderman Baird  
Seconded by Alderman Boyle and

**AGREED** – that the Committee move '*In Committee*'.

- \* The Chair declared a recess at **4.04pm**.
- \* The meeting reconvened at **4.20pm**.

## **10. CORRESPONDENCE (IN COMMITTEE)**

### **10.1 Correspondence regarding Broomhill Park, Coleraine (*Agenda Item 8.6*)**

The Head of Planning referred Members to the item of correspondence submitted by a member of the public which was received 10 March 2020.

In response to a Members query the Head Planning stated that the initial decision could not be reversed unless this was judicially reviewed during the time period.

The Head of Planning informed Members that the item of correspondence had been acknowledged as being received and that the author had been advised that it would be brought before the Planning Committee.

Discussion ensued on the angling of the timber closed boarded fence in question.

The Head of Planning confirmed that at the Planning Committee Meeting on 26 February 2020 a decision was taken by Members to go against Planning Officers recommendations to refuse planning permission for the timber fence. Members had voted to *disagree* and *approve* planning permission; the Head of Planning clarified that this was not a recorded vote. The Head of Planning to check the minutes from 26 February to clarify the exact vote taken.

The item of correspondence was **NOTED**.

## **11. ANY OTHER RELEVANT BUSINESS (IN ACCORDANCE WITH STANDING ORDER 12 (O)) (IN COMMITTEE)**

### **11.1 Planning Department Budget Update – Period 10 (*Agenda Item 9.2*)**

Confidential report previously circulated, presented by the Head of Planning providing Members with an update on the financial position of the Planning Department as of end Period 12 of the 2019//20 business year.

The Head of Planning informed Members on how Covid 19 had impacted on the Planning Department Budget and income would not be as

predicted for the 2020/21 budget period. A report was being prepared and would be presented at the Finance Committee Meeting.

The Head of Planning informed Members that vacant posts within the Planning Department had not been filled in order to remain within budget. Discussion ensued on the lack of staffing within the Planning Department and how it impacted on the processing of planning applications.

Proposed by Alderman Duddy  
Seconded by Alderman Baird

- that the Chair writes to the Finance Committee expressing serious concerns in relation to the lack of staffing within the Planning Department and how this impacted on the processing of Planning Applications.

The Chair put the proposal to the vote. 14 Members voted For, 0 Members voted Against and 0 Members Abstained.

The Chair declared the Motion **CARRIED**.

The Committee **NOTED** the update provided on the Planning Budget as of the end of the 2019/20 financial year.

#### **MOTION TO PROCEED 'IN PUBLIC'**

Proposed by Alderman Boyle  
Seconded by Councillor McGurk and

**AGREED** – that the Committee move '*In Public*'.

There being no further business, the Chair thanked everyone for their attendance and the meeting concluded at **4:40pm**.

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Chair