

**PLANNING COMMITTEE MEETING HELD  
WEDNESDAY 22 NOVEMBER 2023**

**Table of Key Adoptions**

<b>No.</b>	<b>Item</b>	<b>Summary of Decisions</b>
<b>1.</b>	Apologies	<b><i>Alderman S McKillop</i></b>
<b>2.</b>	Declarations of Interest	<b><i>Alderman Hunter, Scott, Councillor McGurk</i></b>
<b>3.</b>	Minutes of Planning Committee held 25 October 2023	<b><i>Confirmed as a correct record</i></b>
<b>4.</b>	Order of Items and Confirmation of Registered Speakers	
<b>4.1</b>	LA01/2022/0729/F Referral, 141m North East of 30 Clontyfinnan Road, Armooy	<b><i>Deferred and hold a Site Visit</i></b>
<b>4.2</b>	LA01/2021/1166/F Referral, 30m NW of 32 Quay Road, Ballycastle	<b><i>Deferred and hold a Site Visit</i></b>
<b>5.</b>	Schedule of Applications	
<b>5.1</b>	LA01/2019/0922/F Major Lands Opp entrance to 59 Maghermore Road, Dungiven, in the townlands of Carnanbane and Maghermore, Approx 4km south of Dungiven	<b><i>Agree and Refuse</i></b>
<b>5.2</b>	LA01/2016/1328/F Major North West Hotel and Spa Complex land south of 120 Major, Ballyreagh Road, Portstewart	<b><i>Defer the application for consideration of information as outlined in Addendum 4</i></b>
<b>5.3</b>	LA01/2023/0460/F Major Lands at 18 Creamery Road and lands c.60m South-East of 75 Creamery Road, Cloyfin, Coleraine	<b><i>Agree and Grant</i></b>
<b>5.4</b>	LA01/2023/0815/F Major Royal Portrush Golf Club, Dunluce Road, Portrush	<b><i>Agree and Approve</i></b>
<b>5.5</b>	LA01/2022/1110/F Council Interest St John's Maintained Primary School, 432 Foreglen Rd, Dernaflaw, Dungiven	<b><i>Agree and Approve</i></b>
<b>5.6</b>	LA01/2022/1222/F Council Interest, Magilligan Community Association, 394 Seacoast Road, Bellarena, Limavady	<b><i>Agree and Approve</i></b>

<b>5.7</b>	LA01/2022/1573/F Council Interest, Whiterocks Car Park, Dunluce Road, Portrush	<b>Agree and Grant</b>
<b>5.8</b>	LA01/2023/0282/F Council Interest, Ballymoney High Street, Townhead Street, Linenhall Street, Charlotte Street and Church Street High Street, Ballymoney	<b>Agree and Approve</b>
<b>5.9</b>	LA01/2022/0799/O Objection, Site between 62a & 64 Drumalief Road, Drumalief Limavady	<b>Agree and Approve</b>
<b>5.10</b>	LA01/2023/0842/F Objection, 55 Newbridge Park, Coleraine	<b>Agree and Approve</b>
<b>5.11</b>	LA01/2021/1530/F Referral, Beside 76 Finvoy Road, Ballymoney	<b>Disagrees and Approve</b>  <b>Conditions and Informatives are delegated to Officers</b>
<b>5.12</b>	LA01/2022/0850/F Referral, 55 Strand Road, Portstewart	<b>Disagree and Approve</b>  <b>Conditions and Informatives are delegated to Officers</b>
<b>5.13</b>	LA01/2018/1402/F Referral, 79b Finvoy Road, Ballymoney	<b>Agree and Approve</b>
<b>5.14</b>	LA01/2022/0604/F Referral, 2B Prospect Road, Portstewart	<b>Disagree and Approve</b>  <b>Conditions and Informatives are delegated to Officers</b>
<b>5.15</b>	LA01/2023/0039/F Referral, Lands adjoining 36 Knockanbaan and 12 Plantation Drive, Limavady	<b>Disagree and Approve</b>  <b>Conditions and Informatives are delegated to Officers</b>
<b>5.16</b>	LA01/2022/0734/F Referral, 220 metres North West of No. 59 Gortahar Road Rasharkin	<b>Disagree and Approve</b>  <b>Conditions and Informatives are delegated to Officers</b>
<b>6.</b>	Correspondence	
<b>6.1</b>	DFC – Housing Supply Strategy: Building 100,000 Homes	<b>Noted</b>
<b>6.2</b>	BT Adopt a Scheme – Priestland Road, Bushmills	<b>Noted</b>

<b>7.</b>	Reports	
<b>7.1</b>	Finance Report – Period 1 -6 Update	<b><i>Noted</i></b>
<b>8.</b>	Confidential Items	
<b>8.1</b>	Update on Legal Issues	
<b>(i)</b>	East Road, Drumsurn	<b><i>Noted</i></b>
<b>(ii)</b>	Rigged Hill	<b><i>Noted</i></b>
<b>(iii)</b>	Misrepresentation of soil samples	<b><i>Noted</i></b>
<b>9.</b>	Any Other Relevant Business (in accordance with Standing Order 12 (o))	<b><i>None</i></b>

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING  
COMMITTEE HELD IN THE COUNCIL CHAMBER, CIVIC HEADQUARTERS AND  
VIA VIDEO CONFERENCE  
ON WEDNESDAY 22 NOVEMBER 2023 AT 10.30AM**

- Chair:** Councillor McMullan (C)
- Committee Members:** Alderman Boyle (C), Coyle (C), Hunter (R), Scott (C), Stewart (C); Councillors Anderson (C), C Archibald (C), Kennedy (C), McGurk (R), Nicholl (R), Peacock (R), Storey (C), Wallace (C), Watton (C)
- Officers Present:** D Dickson, Head of Planning (C)  
S Mathers, Development Management and Enforcement Manager (C)  
S McAfee, Head of Health and Built Environment (R)  
E Hudson, Senior Planning Officer (R)  
R Beringer, Senior Planning Officer (R)  
J Lundy, Senior Planning Officer (R)  
J McMath, Senior Planning Officer (R)  
M Wilson, Senior Planning Officer (C/R)  
R Heaney, Planning Officer (C)  
J McIntyre, Planning Officer (C)  
E Olphert, Planning Officer (C)  
S McKinley, Planning Officer (R)  
M McErlain, Planning Officer (R)  
M Jones, Council Solicitor, Corporate, Planning and Regulatory (C)  
J Mills, Council Solicitor, Land and Property, (R)  
S Duggan, Civic Support Officer & Committee & Member Services Officer (R/C)  
J Keen, Committee & Member Services Officer (C/R)
- In Attendance:** A Gillan, Department of Infrastructure (R)  
K Ward, Department for Communities Historic Monuments (R)
- J Winfield, ICT Manager (C)  
A Lennox, ICT Officer (C/R)  
C Ballentine, ICT Officer (C)
- Public no 30 (C) and 7 no. (R)  
Press 2 no (R)

**Key: R = Remote C = Chamber**

## Registered Speakers

LA01/2019/0922/F	Councillor McGurk, Objector (R) C McReynolds, Objector (C) J McCorry, Support (C)
LA01/2023/0460/F	M Hanvey, Support (R)
LA01/2023/0815/F	A Larkin, Support (C) J Lawler, Support (C) A Moore, Support (C) I Furneaux, Support (C) M Ebert, Support (R) G Smeaton, Support (R)
LA01/2022/1573/F	C Shanks, Support (R)
LA01/2022/0799/O	P Kingston, Objector (R) N Morrison, Objector (R) A Durrent, Support (R)
LA01/2023/0842/F	D Blackwood, Objector (C)
LA01/2021/1530/F	J Allister, Support (C)
LA01/2022/0850/F	L Ross, Support (C) G Montgomery, Support (C)
LA01/2018/1402/F	L Kennedy, Support (R)
LA01/2022/0604/F	K Turnbull, Support (C)
LA01/2023/0039/F	L Ross, Support (C) C Matthews, Support (C)
LA01/2022/0734/F	C McGarry, Support (R) J O'Mullan, Support (R)

The Head of Planning undertook a roll call of Committee Members in attendance.

The Chair read extracts in relation to the Remote Meetings Protocol and reminded the Planning Committee of their obligations under the Local Government Code of Conduct.

### 1. APOLOGIES

Apologies were received for Alderman S McKillop, Councillor Peacock<sup>1</sup>.

### 2. DECLARATIONS OF INTEREST

Alderman Hunter declared an interest in Item 6.2 BT Adopt a Scheme – Priestland Road, Bushmills. Alderman Hunter did not participate in discussions during consideration of this Item.

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<sup>1</sup> Councillor Peacock joined the meeting at 11:11am

Alderman Scott declared an interest in Item 5.1 LA01/2019/0922/F (Major Lands Opp entrance to 59 Maghermore Road, Dungiven, in the townlands of Carnanbane and Maghermore, Approx 4km south of Dungiven. Alderman Scott having declared an interest, left the Chamber during consideration of this Item and did not participate in the vote.

Councillor McGurk declared an interest in Item 5.1 LA01/2019/0922/F (Major Lands Opp entrance to 59 Maghermore Road, Dungiven, in the townlands of Carnanbane and Maghermore, Approx 4km south of Dungiven. Councillor McGurk having declared an interest, did not leave the meeting during consideration of this Item and did not participate in the vote.

### **3. MINUTES OF PLANNING COMMITTEE MEETING HELD 25 OCTOBER 2023**

Copy previously circulated.

Proposed by Councillor C Archibald  
Seconded by Alderman Scott

- That the Minutes of the Planning Committee meeting held Wednesday 25 October 2023 are signed as a correct record.

The Chair put the motion to the Committee to vote.  
13 Members voted For, 0 Members voted Against, 0 Members Abstained.  
The Chair declared the motion carried.

**RESOLVED** - that the Minutes of the Planning Committee meeting held Wednesday 25 October 2023 are signed as a correct record.

At this point in the meeting, there being standing attendees, the Head of Planning invited interested parties for the first Application to have priority seated attendance in the public gallery.

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

#### **4.1 LA01/2022/0729/F Referral, 141m North East of 30 Clontyfinnan Road, Armoy**

Proposed by Councillor Wallace  
Seconded by Councillor Anderson

- That LA01/2022/0729/F Referral, 141m North East of 30 Clontyfinnan Road, Armoy is deferred and a site visit held, to see the site in person.

The Chair put the motion to the Committee to vote.  
13 Members voted For, 0 Members Against, 0 Members Abstained.  
The Chair declared the motion carried and application deferred.

**RESOLVED** - That LA01/2022/0729/F Referral, 141m North East of 30 Clontyfinnan Road, Armoy is deferred and a site visit held, to see the site in person.

#### **4.2 LA01/2021/1166/F Referral, 30m NW of 32 Quay Road, Ballycastle**

Proposed by Councillor C Archibald

Seconded by Councillor Kennedy

- That LA01/2021/1166/F Referral, 30m NW of 32 Quay Road, Ballycastle is deferred and a site visit held, in order to get a better understanding of the site.

The Chair put the motion to the Committee to vote.

13 Members voted For, 0 Members Against, 0 Members Abstained.

The Chair declared the motion carried and application deferred.

**RESOLVED** - That LA01/2021/1166/F Referral, 30m NW of 32 Quay Road, Ballycastle is deferred and a site visit held, in order to get a better understanding of the site.

\* **Having declared an interest Alderman Scott left the Chamber at 10.45am.**

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

##### **5.1 LA01/2019/0922/F Major Lands Opp entrance to 59 Maghermore Road, Dungiven, in the townlands of Carnanbane and Maghermore, Approx 4km south of Dungiven**

Report, addendum documents, site visit report and speaking rights, previously circulated, presented by the Development Management and Enforcement Manager.

##### **Major Application to be determined by Planning Committee.**

**App Type:** Full Planning

**Proposal:** Construction of a Wind Farm (with a generating capacity of between 21.6 MW and 24 MW) comprising up to 6no Wind Turbine (Max of 149.9m to blade tip with a max rotor diameter of 112m and max hub height of 94m) and associated infrastructure including external electricity transformers, crane hardstandings, underground cabling, control building, substation compound, energy storage area, (up to 5 MW hours), newly created site entrance (Opp 59 Maghermore Road), New and upgraded on-site access tracks, turning heads and all other associated ancillary works. During construction and commissioning there will be a number of temporary works including enabling works compound and construction compound with car parking, temporary parts of crane hardstanding, welfare facilities and off site road widening into 3rd party lands on the Banagher, Carnanbane and Maghermore Roads

##### **Recommendation**

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to Refuse planning permission for the reasons set out in Section 9.

#### **Addendum Recommendation**

That the Committee note the contents of this Addendum and agree with the recommendation to refuse the proposed development in accordance with paragraph 1.1 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 proposed development in accordance with paragraph 1.1 of the Planning Committee report.

The Development Management and Enforcement Manager presented via Power point as follows:

- This proposal is for a new windfarm on a site with no previous planning history other than the associated PAN. The proposal is for 6 wind turbines, each with a tip height of 149m producing up to a total of 24 MW. In addition, the proposal includes a small Battery Energy Storage System (BESS), a control building with substation compound and a new site entrance from Magheramore Road.
- As indicated in the Northern Area Plan 2016, the site is located within the Sperrins AONB. The Northern Area Plan 2016 is silent on the matter of wind farm development. Therefore, regional polices apply.
- As this is a major planning application, it was preceded by a PAN accompanied by a community consultation report together with a Design and Access Statement.
- As this proposal is EIA development, it was accompanied by an Environmental Statement.

#### **Main Issues**

- **Public Safety/ Human Health & Residential Amenity-** The fall over distance from public roads is met. Concerning the separation distance to occupied property, there are two dwellings within 10 times the rotor diameter area of 1120m. However, as these are substantially further away than the nearest dwelling in the Armoy windfarm proposal, applying the logic of the Planning Appeals Commission, the separation distances are acceptable. In terms of noise, Environmental Health was content with the effect of the proposal on all properties. Given the separation distance, the maximum potential for shadow flicker at any dwelling is likely to be within guidance limits.
- **Visual Amenity/ Landscape Character-** The most critical views of the proposal are from the east approach to Dungiven (from Glenshane Pass)



along the A6 Glenshane Road as well as from the west approach to Dungiven (from Londonderry) along the new A6 Dual Carriageway and from the Foreglen Road. From the A6 Glenshane Road on the east approach to Dungiven, the proposal would sit prominently in the landscape and unacceptably despoil the scenic view of the rolling hills and valleys of the outer Sperrins within the AONB. From the new A6 Dual Carriageway and from the Foreglen Road on the west approach to Dungiven, the windfarm would appear as a highly conspicuous feature on a prominent hill on the skyline/ horizon of the Sperrins range. The proposal would awkwardly distort the soft outline of the Sperrin Mountains, having an unacceptable adverse impact. Given the high number of receptors, considering these critical views are located along the primary route between the two principal cities in Northern Ireland, this serves to heighten the public interest and the unacceptability of the proposal. A further significant unacceptable critical view is that from Garvagh Road, Legavallon Road to the immediate north of Dungiven where the proposal would sit curiously over the town, appearing oppressive and causing harm to the setting of Dungiven.

- Natural Heritage- Consideration has been given to a range of issues such as priority habitat (including blanket bog), the presence of badgers, birds, bats and impacts on the water environment including the River Roe and its Tributaries SAC. Through the submission of various reports, consultation with the relevant authorities and the use of specific conditions (in the event of the application being approved) the proposal is considered acceptable in this respect.
- Built Heritage- DfC Historic Environment Division has assessed the proposal relative to built heritage assets. The proposal would cause unacceptable harm to the setting of Banagher Old Church from the 11th or 12th Century, a monument in State Care by having an adverse effect on views arriving at and from the monument. The proposal would transform the nature of the landscape by introducing large moving structures on the near horizon. It would have an adverse impact on the current sense of ambience, remoteness and tranquillity of the landscape which contributes positively to the visitor experience. In addition, the proposal would have an unacceptable adverse impact on the nearby Magheramore Court and Portal Tombs, both scheduled monuments.
- Other Issues- No unacceptable issues are arising regarding water quality, peat slide, telecommunications or aviation safety.
- Economic, Environmental and Social Benefits- The proposal offers significant economic and environmental benefits. These include: substantial rates revenue and; a contribution towards meeting the 80% renewable energy by 2030 target set by the Climate Change (NI) Act 2022. The SPPS requires these benefits to be given “appropriate weight”. On balance, it is not considered that these benefits decisively outweigh the unacceptable adverse impacts on the Sperrins AONB and the harm to the setting of historic monuments.

- Representations- The detail of representations are considered in the report.
- Amended Scheme- Consideration has been given to whether changes to the scheme could make it acceptable- for example, fewer turbines, smaller turbines or repositioning. However, as the principle of wind farm development is considered unacceptable on the site, such changes were not requested.
- Conclusion-. Having regard to the relevant issues, the proposal is not considered to comply with policy. Therefore, refusal is recommended.

In response to questions, the Development Management and Enforcement Manager advised that since the Planning Committee Report had been issued further objections had been received, clarifying the new total of objections to be 451no.

The Chair invited C McReynolds to speak in objection of the application.

C McReynolds stated she was present to represent the views of those in Dungiven, Roe Valley and further afield. The planning application was submitted in 2019 but the public were not made aware of it until recently; there had been many objections, including heartfelt comments, of harm to the landscape and countryside. C McReynolds stated this was an Area of Outstanding Natural Beauty for a good reason; it was an area that had been taken for granted; the hill was front and centre of the views, with the key viewpoints being Dungiven, Roe Valley and the Glenshane Pass. C McReynolds stated that people were horrified; the Wind Farm would dominate the landscape and town and change the Area of Outstanding Natural Beauty; it will tower over the town and ruin the views; there will be a shadow flicker impact and it will dominate the area. Heritage groups, the tourism industry in the area and local businesses all object to the wind farm on the basis of the harm it will cause. There will be harm to the historic and natural environment. It was evident that an objective assessment had not been completed. The photomontages were poor. C McReynolds commended the Planning Officers for the report which set out all the issues. The Wind Farm was inappropriate in this location, a reckless and harmful proposal.

There were no questions put to the Speaker.

The Chair invited Councillor McGurk to speak in objection of the application.

Councillor McGurk acknowledged the critical role onshore wind farms have for renewable energy to reduce carbon output; it was important to consider the location as we need to respect cultural and environmental treasures; renewable energy does not outway the impact. Councillor McGurk stated there was significant visual impact across Dungiven and Benbradagh. There was a need to protect the natural beauty of Banagher Glen, the oldest woodland in the area which was peaceful and tranquil, and the delicate balance here will be disturbed; there was a visitor enhanced scheme in the park, supported by Causeway Coast and Glens Borough Council. Councillor McGurk welcomed careful consideration

of the Planning Committee Report and asked the Committee to accept the recommendation to refuse.

There were no questions put to the Speaker.

The Chair invited J McCorry to speak in support of the application.

J McCorry stated this was a fortunate position for a good quality Wind Farm; there will be £1.6M injection into the Northern Ireland economy and substantial rates of £370k per annum; £10M over its lifetime. This windfarm will provide green low cost energy and a tailored package of benefits for the locality. There was a site visit by Members to see the site. J McCorry requested that the Committee defer the application to allow further engagement with the local community.

In response to questions, J McCorry stated that an Archaeological Impact Assessment was provided with further information during the course of the application and Historic Environment Division provided comment. J McCorry stated there was a local event in 2019, prior to the submission of the application; homes within 1km or 2km of the proposed site were written to, inviting them to the event.

Proposed by Councillor C Archibald

Seconded by Alderman Coyle

- That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to REFUSE planning permission for the reasons set out in Section 9.

The Chair put the motion to the vote.

11 Members voted For; 0 Members voted Against; 1 Member Abstained.

The Chair declared the motion carried and the application refused.

**RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to **Refuse** planning permission for the reasons set out in Section 9.

\* **Councillor Peacock joined the meeting remotely at 11.11am.**

\* **Alderman Scott returned to the Chamber at 11.14am.**

## **5.2 LA01/2016/1328/F Major North West Hotel and Spa Complex land south of 120 Major, Ballyreagh Road, Portstewart**

Report, addendum and erratum documents, site visit reports, previously circulated presented by the Development Management and Enforcement Manager.

**Major Application to be determined by Planning Committee.**

**App Type:** Full Application

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

### **Recommendation**

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in Section 7 & 8 and resolves to Approve full planning permission subject to the conditions set out in Section 10.

### **Addendum Recommendation**

That the Committee notes the content of this addendum and agrees with the recommendation to approve as set out in Section 9 of the Planning Committee Report.

### **Addendum 2 Recommendation**

That the Committee note the contents of this Addendum and agree with the recommendation to approve full planning permission subject to the conditions set out in Section 5.0 of this Addendum.

### **Erratum recommendation**

That the Committee agrees with the recommendation to approve as provided in the Committee Report.

### **Addendum 3 Recommendation**

That the Committee note the contents of this Addendum and agree with the recommendation to approve full planning permission subject to the conditions set out in Section 5.0 of Addendum 2 and paragraph 1.11 of Addendum 3

### **Addendum 4 Recommendation**

That the Committee note the contents of this Addendum and agree to defer the application pending being satisfied on the position regarding the challenge to the Planning Application Certificate. This recommendation supersedes the recommendations provided in the Planning Committee Report and subsequent addenda.

The Development Management and Enforcement Manager presented via Power point as follows:

- This full application proposes a hotel development with car parking just outside Portstewart, with the site separated from the settlement development limit by part of Portstewart Golf course. The hotel building includes 119 bedrooms, conference centre and spa complex including swimming pool. In addition, the hotel building accommodates a small exhibition area with shop and modest office accommodation all relating to the NW200 event. Other key elements of the proposal are 9 detached

holiday cottages and a detached demonstration restaurant (all to the rear of the site) and car parking.

- As a major application, the application was preceded by a PAN and was accompanied by a Community Consultation Report and Design and Access Statement.
- Planning permission was granted on two previous occasions by the Council- on 29 June 2017 and 05 March 2018. On both occasions, the planning permissions were quashed by the High Court, most recently on 09 August 2019. Accordingly, processing of the application resumed and the application is now at a stage to be presented to the Planning Committee.
- In terms of the Northern Area Plan 2016, the site is located in the countryside outside the settlement limit of Portstewart. The Northern Area Plan does not provide specific policy on tourism development, rather directing that regional policies apply. Policy TSM 3 from PPS 16 Tourism is the lead policy to assess the proposal. This was confirmed by the High Court Judgement having regard to this specific proposal.

#### Main Issues

- Alternative Sites within a Settlement- Policy TSM 3 directs that a site in the countryside is dependent on demonstrating that there is no suitable site within the settlement or other nearby settlement. The application was accompanied by an updated submission which identified that there are no sites available to accommodate the development either in Portstewart or the nearby settlement of Portrush. The detail of why sites were discounted is provided in Addendum 2. The most frequent reasons were that sites were too small to accommodate the proposal and were not available.
- Conversion and Replacement Opportunities- Policy TSM 3 directs that a site in the countryside is dependent on demonstrating that there is no suitable opportunity in the locality to provide a hotel through conversion or replacement opportunities. In this case, through consideration of updated information, no such opportunities were identified near Portstewart or Portrush.
- Alternative Sites on Edge of Settlement- Policy TSM 3 requires, broadly, an appropriate site at the edge of a settlement. Alternative sites have been considered through updated information and discounted. The detail of the consideration is provided in Addendum 2.
- Delivery of Project- Policy TSM 3 requires demonstration that the proposal is firm or realistic. To this end, information has been provided, most recently in July and September this year. This includes an assessment of other hotel provision in the area to demonstrate that the proposal will provide a specific offering, distinguishable from that available currently. The up to date information included correspondence from WH Stephens (Project Management- Construction Consultancy), ASM

Accountants and Interstate Hotels/ Aimbridge (Hotel Operators). Collectively, this states the project can be viable, is in a position to progress to construction stage once planning has been granted and that Interstate as hotel operator, remain committed to the project. Accordingly, this requirement of the policy is met.

- Integration and Rural Character- A detailed Landscape and Visual Impact Appraisal was provided. This considered how the proposal will be viewed from 11 viewpoints. Photomontages were provided for 4 of the views. Overall, the proposal is considered acceptable regarding integration/ rural character for the reasons set out in the report. While there will be a visual impact on the landscape, this is not unacceptable. The proposal includes a landscaping scheme.
- Design- The main hotel building has a “T” plan and is three storey. It is of modern design and its main finishes are dark grey stonework, white cladding panels, significant areas of glazing and a sedum roof. The demonstration restaurant is single storey while the holiday cottages are single storey and of split-level design. Overall, the design and materials are considered acceptable given the edge of settlement location.
- Amenity- The amenity of nearby receptors (mainly dwellings and holiday units) was considered having regard to issues including noise, odour and lighting. Through consultation with the Environmental Health Department, the proposal is considered not to harm the amenities of nearby residents, a requirement of Policy TSM 7 of PPS 16 Tourism.
- Economic Consideration- Details accompanying the application state that the proposal will comprise a significant capital investment, will encourage visitor stays in the Borough and when operating will provide close to 100 full time jobs.
- Access and Parking- The proposal was accompanied by a Transport Assessment. A single access point is proposed off Ballyreagh Road, a Protected Route, with a right turn lane. This access will replace an existing access at this location. The new access is located slightly to the west (to Portstewart side) of the existing access and is wider than the existing access. While Policy AMP 3 of PPS 3 does not make provision for a new access in lieu of an existing access, the access arrangements are considered acceptable on the basis the overall objective of the Policy is met in that no additional access is being created. The proposal includes 318 car park spaces. A proposed condition requires these to be provided and broadly, be solely used for the hotel.
- Sewerage and Water Supply- Given lack of current network capacity identified in consultation with NI Water, the proposal was amended to include a sewerage treatment plant and boreholes for a water supply. Further to carrying out consultations, these arrangements are considered acceptable.

- Representations- The detail of the representations, both in objection and in support of the application, are set out in the report.
- Conclusion- The recommendation is now to defer the application as per the position in Addendum 4.

Proposed by Alderman Scott

Seconded by Councillor Anderson

- That Planning Committee defer the application for consideration of information as outlined in Addendum 4.

The Chair put the motion to the Committee to vote.

15 Members voted For, 0 Members Against, 0 Members Abstained.

The Chair declared the motion carried and application deferred.

**RESOLVED** – That Planning Committee defer the application for consideration of information as outlined in Addendum 4

\* **The Chair declared a recess at 11.36am.**

\* **The meeting reconvened at 11.48am.**

The Head of Planning undertook a roll call.

### **5.3 LA01/2023/0460/F Major Lands at 18 Creamery Road and lands c.60m South-East of 75 Creamery Road, Cloyfin, Coleraine**

Report and verbal erratum, previously circulated, presented by Senior Planning Officer, J Lundy.

#### **Major Application to be determined by Planning Committee.**

**App Type:** Full Application

**Proposal:** Proposed installation of a new pumping station and c.1km underground pipeline to connect to a new water treatment and recycling plant, associated access, site works and landscaping

#### **Recommendation**

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 and 8 and resolves to Grant planning permission subject to the reasons set out in section 10

The Senior Planning Officer presented via Power point as follows:

- Proposed installation of a new pumping station and c.1km underground pipeline to connect to a new water treatment and recycling plant, associated access, site works and landscaping at Lands at 18 Creamery Road and lands c.60m South-East of 75 Creamery Road, Cloyfin Coleraine
- 1 letter of support has been received.

- I verbal erratum to include planning policy PPS 4 Planning and Economic Development in section 7 of the Planning Committee report.
- The application is a major application A PAN was submitted under LA01/2022/1570/PAN and a pre community consultation event was carried out.
- A EIA determination was carried out and it was concluded that the proposed development which falls within category 7C of Schedule 2 of the 2017 Regulations does not meet the thresholds to constitute EIA development.
- The application site is two separate sites associated with LacPatrick Creamery within Ballyrashane Settlement Development and the open countryside as designated within the Northern Area Plan 2016, proposed pipe work links the two sites on the Creamery Road. Designations on the site within the Settlement Development Limit include Local Landscape Policy Area Designation BHL 01 Ballyrashane LLPA.
- The proposal within the settlement development limit relates to the replacement of the existing tank with a new recycled water holding tank, development of the treatment plant, decommissioning of the existing treatment plant and a section of the proposed pipeline. The red hatched area is to be decommissioned, the development of the water treatment plant to the north east of the site and the location of the new tank shown in the map insert.
- The Design and Access Statement outlines that the existing treatment facility is approaching the end of its useful lifetime and there is growing pressure to meet the current factory production demands. The proposed transfer station will be located at the existing main factory site and the water treatment and recycling plant, in the background of the existing AD site. The process equipment design uses the best available technologies and will provide a state-of-the-art water treatment and recycling facility. The purpose of this project is to replace the existing treatment plant that services the current needs of the factory and to pioneer a more sustainable operation through the inclusion of a water treatment and recycling plant, therefore the proposed development is both essential and required in this location, given that the proposal responds to a site-specific issue.
- The relevant policy consideration is PPS 4 and PPS 11 Planning and Waste management. The assessment of the proposal against these main policies is fully set out in the PCR and has found to be in compliance with the policies and all other relevant policies.
- New water tower to be removed is at the edge of the photo.



- They are to be decommissioned to allow the essential upgrade of the works for this established business.
- The location of the new treatment plant and long range views. The proposal is not considered to have any impact on the character of the rural area.
- The location of the pipe proposed under the road. DFI Roads were consulted and have raised no objection.
- The proposed water treatment and recycling plant site is located directly adjacent to an existing AD plant site which is within the ownership of the creamery. It consists of a series of tanks, buildings and structures. The site is to the rear of the AD Plant, views of the site will be limited due to the set back from the road, the embankments and the general low lying nature of the proposal.
- Some views of the site.
- The application was accompanied with a drainage assessment, Preliminary ecological assessment, preliminary risk assessment, noise impact assessment, odour assessment, draft CEMP and a surface water management plan. Consultation was carried out with all the relevant bodies as listed in the planning committee report and no objections were raised.
- Subject to the conditions set out in section 10 we have recommended approval.

The Chair invited M Hanvey to speak in support of the application.

M Hanvey explained how the proposed works were required due to the business expanding and described the operations of the business. Biogas was used to run the two plants; liquid digestate was used to replace chemical products to give improvements to agricultural land. M Hanvey described the project, stating that a water recycling plant would be included. M Hanvey stated this application was compliant with Policy and requested that planning permission was granted.

Councillor Storey conveyed his appreciation for the attitude of the company who was a major employer in the area and stated the detail of the submission was of great help.

Proposed by Alderman Hunter

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

The Chair put the motion to the Committee to vote.

14 Members voted For, 0 Members Against, 0 Members Abstained.  
The Chair declared the motion carried and application granted.

**RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 and 8 and resolves to **Grant** planning permission subject to the reasons set out in section 10.

#### **5.4 LA01/2023/0815/F Major Royal Portrush Golf Club, Dunluce Road, Portrush**

Report, previously circulated presented by the Development Management and Enforcement Manager

##### **Major Application to be determined by Planning Committee.**

**App Type:** Full Planning

**Proposal:** Modifications to Royal Portrush Golf Course to include new holes, greens and tee boxes and fairway realignments on the Valley Course and regrading, new tees, enlargement to infrastructure and spectator areas, alterations to the practice ground and the addition and realignment of internal roads in and around the Dunluce course in preparation for The Open in 2025 and future major Golf Championships. Retention of timber gates on Bushmills and Dunluce Road frontages.

##### **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 full planning permission subject to the conditions set out in section 10.

The Development Management and Enforcement Manager presented via Power point as follows:

- The proposal comprises the reconfiguration of holes, principally to the Valley Course, one of the two 18 hole courses at Royal Portrush. Work is also proposed to four of the holes on the Dunluce Course with the addition of some work to the Club Practice Area. No work to buildings is proposed. This work is to facilitate the return of the Open to Royal Portrush in 2025. It builds on the significant work undertaken to the Dunluce Course, approved in 2015, to facilitate the Open in 2019.
- In terms of the Northern Area Plan 2016, the site is located in the open countryside beyond the settlement development limit of Portrush. It is located within the Causeway Coast AONB is within the Royal Portrush Local Landscape Policy Area (LLPA) and within the Portrush Golf Links Site of Local Nature Conservation Importance (SLNCI). The Northern Area Plan does not contain specific policies on such sport development, rather directing that regional policies apply.

- This is a major planning application so it was preceded by a PAN accompanied by a community consultation report. In addition, as a major application, it was accompanied by a Design and Access Statement.

#### Main Issues

- Principle Of Development- Policy OS 3 of PPS 8 Open Space, Sport and Outdoor Recreation is the lead policy for this proposal which makes provision for such development subject to criteria including visual amenity, residential amenity, nature conservation and built heritage/ archaeology.
- Visual Amenity- The works include the reconfiguration of parts of the established courses and some changes in hard standing and roads. Much of the work involves cutting and relocating areas of dune and sediment. Once the works have been completed and the site matured, which is likely within a short timeframe, there will be no significant visual impact. This is considered to comply with the policy in the Northern Area Plan regarding the Royal Portrush Local Landscape Policy Area.
- Residential Amenity- There are dwellings in proximity to the application site at Bushmills Road. Given the size of the site and the distance to sensitive receptors from the proposed earthworks, the proposal will not have a significant impact upon surrounding amenity during the construction phase.
- Natural Heritage- The site is located adjacent the Skerries and Causeway SAC and, as previously mentioned, is within the Portrush Golf Links Site of Local Nature Conservation Importance (SLNCI) designated due to its dune habitat. Following submission of various reports and surveys, it has been demonstrated that the proposal is acceptable regarding natural heritage issues, including the potential impact on specific protected species.
- Coastal Processes- DAERA Marine Division has considered the impact of the proposal on the marine environment and after clarification, are content that the works are acceptable.
- Archaeology- As the courses contain several archaeological sites, work is required to take place in accordance with the agreed archaeological programme of works. This is regulated by conditions.

- Access- The proposal seeks retention of four temporary accesses to the A2 Bushmills Road, a Protected Route, which were approved to facilitate the 2019 Open, subject to them being closed and the hedge reinstated after the event. No such reinstatement took place. The provision of such accesses is contrary to Policy AMP3 of PPS3 Access, Movement and Parking. However, their retention is considered acceptable given their temporary use and that use outside the time of an international golf tournament is to be prevented by fixed planter boxes. This is regulated by condition.
- Representations- The detail of the one support representation is provided in the report.
- Conclusion- The proposal meets with the policy requirements for such a golf course development. Likewise it is considered acceptable having regard to other considerations. The recommendation is to approve.

There were no questions put to the Development Management and Enforcement Manager.

The Chair invited A Larkin, J Lawler, A Moore, I Furneaux and M Ebert to speak in support of the application.

A Larkin stated that the upgrade of the course was necessary to host The Open in July 2025; a series of improvements had been identified to ensure a safe and successful Championship; there would be significant benefits to the local and wider economy. A Larkin detailed the economic activity, stating £26M went directly into Causeway Coast and Glens Borough Council area, which had exceeded all previous forecasting; it was thought that The Open, in 2025, would bring greater benefit. There was an increase in the length of stays. A Larkin concurred with the Planning Officers' findings and recommendation to approve.

In response to questions, J Lawler stated the work required was set in an ambitious timeframe but achievable with the experienced team involved.

Proposed by Alderman Stewart

Seconded by Councillor C Archibald

- 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 full planning permission subject to the conditions set out in section 10.

The Chair put the motion to the Committee to vote.

14 Members voted For; 0 Members voted Against; 0 Members Abstained.  
The Chair declared the motion carried and the application approved.

**RESOLVED** - 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** full planning permission subject to the conditions set out in section 10.

**5.5 LA01/2022/1110/F Council Interest St John's Maintained Primary School, 432 Foreglen Rd, Dernaflaw, Dungiven**

Report, previously circulated, presented by Senior Planning Officer, J McMath.

**Council Interest Application to be determined by Planning Committee.**

**App Type:** Full Planning

**Proposal:** Upgrade of existing grass pitch to 3G pitch, with floodlighting, fencing and separate access path. The new pitch can be used all year round and will also be open to the community outside of school hours.

**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.

The Senior Planning Officer presented via Power point as follows:

- Site is located in SDL of Dernaflaw (marked with star) with residential properties to W, E and S.
- The site is located within the grounds of St Johns maintained primary school on the existing grass pitch.
- North & West boundary of pitch is undefined and open to school grounds
- South & East boundary is defined by perimeter fencing.
- This is a full application for the proposed upgrade of the existing grass pitch to 3G, with flood lighting, fencing and separate access path. The proposal includes 4 floodlighting columns 6.5m, a 6m high fence and 3m high acoustic fencing at selected positions around the pitch. The new pitch can be used all year round and will also be open to the community outside of school hours.
- Main considerations are the principle of development, residential amenity, natural heritage, access and HRA. The application has been considered against the NAP and all relevant planning policy. Relevant neighbours have been notified and no objections have been received. The application was accompanied by a Biodiversity checklist, Bat roost potential survey, bat survey, light impact assessment, acoustic report and

a HRA. All relevant consultees have been consulted and have no objections subject to conditions.

- The Committee report assesses the proposal under the individual policies, assesses residential amenity, noise, illumination, impact on natural and built heritage including bats and HRA, design and access. The proposal will not have a significant adverse impact on residential amenity, road network, features of natural/built heritage, visual amenity, details of illumination, noise and bats have been provided and the scheme complies with policy and approval is recommended.

In response to questions, Senior Planning Officer clarified the applicant was Causeway Coast and Glens Borough Council and had no knowledge of Education Authority permissions.

The Head of Planning explained this was perhaps a matter for Leisure and Development Directorate to confirm as it would fall within their remit.

Proposed by Councillor Nicholl

Seconded by Councillor Kennedy

- 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 motion to the Committee to vote.

13 Members voted For; 0 Members voted Against; 0 Members Abstained.

The Chair declared the motion carried and the application approved.

**RESOLVED** - 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.

#### **5.6 LA01/2022/1222/F Council Interest, Magilligan Community Association, 394 Seacoast Road, Bellarena, Limavady**

Report, previously circulated, presented by Senior Planning Officer, J McMath.

**Council Interest Application to be determined by Planning Committee.**

**App Type:** Full Planning

**Proposal:** The proposal involves development of a multi-use games area (MUGA) on land currently used as a grass playing field. The proposal comprises an artificial surface and new pedestrian access from the existing community centre with floodlighting, amenity lighting and fencing

#### **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.

The Senior Planning Officer presented via Power point as follows:

- The site is located within the settlement limit of Bellarena, within an area of existing open space and the Binevenagh Area of Outstanding Natural Beauty as defined in the Northern Area Plan.
- The site is surrounded by residential properties to North, South and East. the western boundary abuts the Settlement Development Limit. Northern boundary is defined by a post and wire fence and existing hedgerow. The remaining boundaries are undefined.
- The site is to the rear of the Magilligan community centre, access is via Seacoast Road with parking available at the community centre.
- Full planning permission is sought for the development of a multi-use games area (MUGA) on land currently used as a grass playing field.
- The proposal comprises an artificial surface (2G) with rebound fencing to all sides and roof net, new pedestrian access from the existing community centre, 2 x 10m floodlighting and 5 x 5m amenity lighting and fencing.
- Main considerations are principle, flood risk, access, natural heritage, Habitats Regulation Assessment and Area of Outstanding Natural Beauty. Neighbour notification was carried out with all relevant properties and no objections were raised. The application was accompanied by illumination details, Flood Risk Assessment, Biodiversity Checklist, Habitats Regulation Assessment, Preliminary Ecological Assessment, Transport assessment form and a bat roost emergence survey.
- Consultation was carried out with Roads, Rivers, Environmental Health, NI Water, NI Electricity, Natural Environment Division and Shared Environmental Services. No objections have been raised by any consultee.
- The proposal will not have any significant adverse impact on the residential amenity of adjacent dwellings, road network, features of natural heritage importance or upon visual character and amenity, the design is acceptable and it has been demonstrated that the site will not flood. This proposal is considered acceptable at this location having

regard to the Northern Area Plan 2016, the Strategic Planning Policy Statement and all other material considerations and Approval is recommended.

In response to questions, the Senior Planning Officer stated issues with flooding were considered in the Planning Committee Report; a flood risk assessment had been submitted with accurate information; Rivers Agency agreed with the findings and did not object.

Proposed by Councillor Nicholl

Seconded by Alderman Scott

- 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 motion to the Committee to vote.

12 Members voted For; 9 Members voted Against; 0 Members Abstained.

The Chair declared the motion carried and the application approved.

**RESOLVED** - 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.

#### **5.7 LA01/2022/1573/F Council Interest, Whiterocks Car Park, Dunluce Road, Portrush**

Report, previously circulated, presented by Senior Planning Officer, J Lundy.

**Council Interest Application to be determined by Planning Committee.**

**App Type:** Full Planning

**Proposal:** Proposed Temporary Construction Compound associated with Approved 20m Rock Armour Taper (Condition No. 7 Of LA01/2021/0822/F)

#### **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 Grant planning permission subject to the refusal reasons set out in section 10.

The Senior Planning Officer presented via Power point as follows:

- **Proposal:** Proposed temporary construction compound to facilitate the construction of an approved 20m rock armour taper and associated sand trap fencing and planting.
- The site is located within open countryside as designated within the Northern Area Plan 2016. Designations on the site include Causeway Coast and Glens AONB, Designation PHL 04 Royal Portrush Local



Landscape Policy Area (LLPA) and Portrush Golf Links Site of Local Nature Conservation Interest (SLNCI). Site is also adjacent to the Skerries and Causeway Special Area of Conservation and the White rocks ASSI.

- The site compound is to be located on the lower car park directly accessing Curran Strand. The submitted Construction Environmental Management Plan advises that the works are to take 4 – 6 weeks to complete. As access to the beach and car park will be restricted as set out in the CEMP it is the intention of the agents to notify the local community well in advance of the commencement of works through letter drops to local schools, residential and business properties close by to the works.
- Heras fencing shall be erected around the main construction site, signage installed, and letter drops to properties in the immediate vicinity of the works(i.e. along Strand Avenue and Dunluce Road) at least two weeks prior to commencement of the works.
- The block plan showing the car park the fencing to enclose the car park in pink and then the access to the beach through the dunes.
- Photos of the car park
- Beach access
- Consultees have raised no objection to the proposal.
- Following the works the CEMP advises that the beach and access routes (including the construction compound) will be reinstated. A sufficient allowance for repairs to the car park and associated access will be made to ensure that the car park and access route are returned to their previous state.
- Approval has been recommended for these temporary works as set out in the Planning Committee report.

There were no questions put to the Senior Planning Officer.

The Chair invited C Shanks to speak in support of the application.

C Shanks welcomed the report and the recommendation to approve the application. C Shanks stated the reinforcement of the rock face was required to protect the work being completed at Royal Portrush Golf Course.

Proposed by Councillor Kennedy  
Seconded by Councillor Watton

- 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 grant planning permission subject to the refusal reasons set out in section 10.

The Chair put the motion to the Committee to vote.

13 Members voted For; 0 Members voted Against; 0 Members Abstained.

The Chair declared the motion carried and the application granted.

**RESOLVED** - 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 **GRANT** planning permission subject to the refusal reasons set out in section 10.

- \* **The Chair declared a recess for lunch at 12.42pm.  
The meeting reconvened at 1.30pm.**

The Head of Planning undertook a roll call of Committee Members present.

#### **5.8 LA01/2023/0282/F Council Interest, Ballymoney High Street, Townhead Street, Linenhall Street, Charlotte Street and Church Street High Street, Ballymoney**

Report, revised site layout and revised proposals previously circulated presented by Senior Planning Officer, E Hudson.

**Council Interest Application to be determined by Planning Committee.**

**App Type:** Full Planning

**Proposal:** The proposed project involves enhancing the public realm by renovating the current paving and kerbing, installing new street furniture such as seating, street lights, litterbins, planters, and cycle stands. Additionally, the plan includes redesigning the current car parking configuration, along with all the necessary associated works.

#### **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.

Senior Planning Officer presented as follows via powerpoint presentation:

- (Slide) Planning Application LA01/2023/0282. Is a full application to enhance the public realm by renovating the current paving and kerbing, installing new street furniture such as seating, street lights, litterbins, planters, and cycle stands. Additionally, the plan includes redesigning the current car parking configuration, along with all the necessary associated works. This is within Ballymoney Town centre.

- (Slide) This is the red line boundary of the site. The works are to High Street, Townhead St, Linenhall St, Charlotte St and Church Street. Comprising the northern part of the town centre boundary.
- (Slide) This is a site layout drawing illustrating the works to be carried out. Works include widening of the footpaths, reconfiguration of the central islands, tactile paving, additional street furniture.
- The site is located in Ballymoney Conservation Area and includes a number of landmark buildings including the Clock Tower, Town Hall, and Old Bank House. The site falls to be considered under the SPPS, PPS 6 in relation to impact on the Conservation Area and Listed Buildings and Policy DES 2 of the Rural Planning Strategy.
- (Slide) Layout showing propose re-surfacing works. The proposal includes re-surfacing of footpaths with various paviour setts and granite kerbs. The scheme also includes feature paving relating to the Ballymoney Heritage Trail and these are located at a number of local landmarks.
- (Slide) Looking at some photos.
- The scheme will result in the loss of a small number of parking spaces. However the town centre is served by adequate car parks and the bus stops, disabled spaces and taxi rank remains. Trees will be removed along the central island all those these will be supplemented by additional planting along the extended footpaths.
- The proposal will improve overall accessibility and safety while enhancing the character of the Conservation Area and Listed Buildings.
- The proposal incorporates the use of quality materials and a simple, comprehensive palette in keeping with the character of the area and relevant designations. The proposal is considered acceptable having regard to the Area plan and all other relevant planning policies and material considerations.
- Approval is recommended.

Councillor Wallace welcomed the application.

Proposed by Councillor Wallace  
 Seconded by Councillor Storey

- 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 motion to the Committee to vote.  
13 Members voted For, 0 Members voted Against, 1 Member Abstained,  
The Chair declared the motion carried and application approved.

**RESOLVED** - 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.

## **5.9 LA01/2022/0799/O Objection, Site between 62a & 64 Drumalief Road, Drumalief Limavady**

Report, speaking rights template for Philip Kingston, Nicoli Morrison, Alana Durrent were previously circulated and presented by Senior Planning Officer, M Wilson.

### **Objection Application to be determined by Planning Committee.**

**App Type:** Outline

**Proposal:** Gap site for two dwellings under PPS 21

### **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 reasons set out in section 10.

### **Addendum Recommendation**

That the Committee note the contents of this Addendum and agree with the recommendation to defer the application for one month because of the reasons set out in Section 2 of this Addendum.

### **Addendum 2 Recommendation**

That the Committee note the contents of this Addendum (2) and agree with the recommendation to Approve the application as recommended in Section 1 of the PCR.

Senior Planning Officer presented as follows via powerpoint presentation:

- Outline planning permission is sought for a gap site for two dwellings under PPS 21.
- This is a local application and is being presented the Committee for decision as an objection item with more than 5 objections. You have the planning committee report and 2 further addenda in front of Members in packs.
- The first addendum related to an issue about notification while the second addendum addresses points submitted in 2 recent objections and to clarify matters within the report.

- Alan Cameron from DfI Roads is available if members have any queries or questions on road or traffic matters.
- (Slide) The site is not located within any settlement development limit as defined in the Northern Area Plan 2016 and is not subject to any specific designations. The site is located between No's 62a & 64 Drumalief Road, Limavady and is illustrated by the orange star.
- The proposal has been assessed against the relevant policy within Planning Policy Statement 21, which is policy CTY 8, and goes on to consider and assess if this submission qualifies as an infill dwelling as set out in the Report.
- Policy CTY 8 requires a site to be a gap site located within an otherwise substantial and continuously built-up frontage. This requires a candidate site to be located within a line of 3 or more buildings along a frontage.
- (Slide) You will note from this slide, that there are at least two buildings to the east, and buildings to the west of the application site and it meets the policy requirement of continuous and built up frontage for the purposes of policy CTY 8.
- (Slide) These next slides show photographs of the site which is considered a gap site within the continuous and built up frontage. The next test is to consider if the gap is suitable to be developed as this must be a small gap site sufficient only to accommodate up to a maximum of 2 dwellings having regard to the development pattern along the frontage.
- (Slide) You can see from the submitted plan the site relative to the surrounding properties and frontage. This is considered and covered in Paras 8.5-8.9 of the Committee Report.
- The application has also been assessed against Policies CTY 13&14 of PPS 21 as set out in Paras 8.10-8.19 of the PCR and is considered acceptable in this regard. It is also considered that the application complies with the relevant policies in PPS 2 Nature Conservation and PPS 3 on traffic matters.
- (Slide) – DFI Roads, NI Water and NIEA, Water Management Unit, Environmental Health, DFI Rivers and Shared Environmental Services were consulted on the application and raise no objections to the proposal.
- There have been 10 objections made in relation to the proposal. Objections and concerns raised include:
  - Notification of the application
  - Health and safety, in particular a number of traffic and road issues
  - Fails policy CTY8 (of PPS21) as there is not a substantial and continuously built up frontage along the laneway due to topography

and vegetation; and no visual linkage, resulting in ribbon development.

- Land Ownership including visibility splays.
  - Loss of hedgerows and possible impact on protected species
  - Impact on properties along Drumalief Road.
- The matters and issues raised have been set out and considered in the planning committee report and the second addendum.
  - The proposal is considered acceptable as it meets the relevant planning policies including the Northern Area Plan, SPPS, and PPS 21 including policies CTY8, CTY 13 and CTY14, PPS 2 and PPS 3 as set out in the report.
  - The application is recommended for Approval.

There were no questions put to the Senior Planning Officer.

The Chair invited P Kingston and N Morrison to speak in objection to the application.

N Morrison stated she was speaking on behalf no.60 Drumalief Road, and wished committee to reconsider recommending approval that would exacerbate impact on the countryside specifically policy CTY 14, and the level of traffic using the lane that the proposed site relies on to be accessed. N Morrison stated they had lived there for fifty years, and is more like a busy urban development, busy with traffic and adding further houses would exacerbate issues. All eight households' objections cannot be overlooked. No. 60 Drumalief Road is the most impacted, due to an increase in traffic, as it was the first house on the lane. She advised that privacy is impacted day in day out and blinds are closed; to add more houses would impact further. Committee should listen to the voice of all the community, all eight houses were objecting.

P Kingston spoke in objection to the application stating there were two basic areas, the application does not comply with PPS 21 CTY 8, it is not a gap in a substantial built up frontage. Under Policy AMP 2 it should be refused as intensification prejudices road safety. P Kingston stated there was objection from every resident, there had been no consultation by the applicant. He considered there to be a detrimental impact on the community. P Kingston stated planning was not a normal paper exercise. Due to the topography and vegetation a gap does not exist on the ground. He advised that you cannot view no. 62 from 62a and this is a suburban style build up of development. Dfl Roads – this is a narrow laneway with no passing bays and used by heavy farm machinery. It is the view of the planning agent that passing places on the lane is something the landowners and users of the lane can consider, a highly stunning comment. P Kingston asked to see Slide no. 5 again, he stated there may have been a factual error.

The Chair invited questions from Planning Committee Members for the speakers.

In response to questions from Planning Committee Members, P Kingston stated there had been no significant objection to development in the past; there had been no new development in twenty years. The last two sites were sold by the current applicant and they were of the view the laneway was reaching capacity at that stage. at the last site, the road was not suitable for adoption and they were surprised to see this, twenty years later.

N Morrison added that there is a clause in deeds that access is for agricultural activity.

The Chair invited the Senior Planning Officer to present Slide 5 as requested by the objector.

P Kingston clarified the dwelling viewed was not no.64, it was no.66. P Kingston clarified this was the fundamental point, you cannot see no.64 it is not a gap that exists on the ground.

In response to questions from Planning Committee Members, P Kingston stated he did submit photographs in objection to the application. Planning was not a paper exercise it was required to be looked at on the ground. There were no houses fronting, topography on the laneway, and when you stand at no. 62a, look to no.64 you cannot see any other houses north. Standing at no. 64, you cannot see any other houses on the laneway and you do not see a gap site, what you see is countryside and does not comply with policy CTY8 of PPS 21. P Kingston stated planning judgement and discretion should be exercised restrictively. Whilst no criticism of the Officers and the way the application has been processed. It has not met the policy test of policy CTY 8 on the ground.

The Chair invited A Durrent to speak in support of the application.

At this point in the meeting audio quality difficulty occurred with A Durrent which was rectified.

A Durrent stated agreement with policy CTY 8 there was a continual frontage, 3 dwellings to the East, 3 dwellings to the West and outlook onto the lane. Site is visually screened, and visually integrates from vantage points along road. Site sits in a dip and falls away. Reduces effect of loss of visual amenity for the adjacent residents. She acknowledged that there have been numerous objections but there were no less than six responses from NIEA and the Biodiversity Checklist and Preliminary Environmental Assessment were provided and the ecologist outlined an Environmental Management Plan. Consent to discharge effluent received. DAERA, NIEA, SES state it would not have an adverse effect on the environment. Guidance had been followed, there is 10m buffer from watercourse, 5m boundary to the development. A Durrent confirmed that DfI Roads have no objections. When she has visited the site there has been little or no traffic, bin day had no impediment to traffic. She considered that two more dwellings would not significantly affect risks to safety – there will be only a handful of site vehicles for a number of weeks. Two more households

to meet local housing provision, will integrate and contribute to the current neighbourhood.

There were no questions put to the speaker.

Proposed by Councillor C Archibald

Seconded by Councillor Kennedy

- 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 reasons set out in section 10.

The Chair put the motion to the Committee to vote.

13 Members voted For, 0 Members voted Against, 1 Member Abstained.

The Chair declared the motion carried and application approved.

**RESOLVED** - 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 reasons set out in section 10.

#### **5.10 LA01/2023/0842/F Objection, 55 Newbridge Park, Coleraine**

Report, addendum, speaking rights template for Deborah Blackwood, were previously circulated and presented by Senior Planning Officer, R Beringer.

#### **Objection Application to be determined by Planning Committee.**

**App Type:** Full Planning

**Proposal:** Proposed change of use of existing 4 bedroom dwelling to 4 bedroom HMO (house of multiple occupancy).

#### **Recommendation**

That the Committee has taken into consideration and agrees with the reasons for recommendation set out in Section 8 and the policies and guidance in sections 7 and resolves to Approve planning permission subject to the conditions set out in section 10.

#### **Addendum Recommendation**

That the Committee note the contents of this Addendum and agree with the recommendation to approve the proposed development in accordance with paragraph 1.1 of the Planning Committee report.

Senior Planning Officer presented as follows via powerpoint presentation:

- LA01/2023/0842/F is a full application for a proposed change of use of existing 4 bed dwelling to 4 bedroom HMO at 55 Newbridge Park, Coleraine.
- This is presented as an objection item.



- An Addendum to cover further information submitted by the applicant in relation to the proposed occupants accompanies the Committee Report.
- (Slide) The site as outlined in red comprises the application site, which includes the existing dwelling and detached garage set within its own curtilage. The site is located within the settlement development limits of Coleraine.
- (Slide) The proposal is for the change of use of the existing 4 bed dwelling to a 4 bed HMO. There are no changes proposed to the existing arrangements on the site, in-curtilage parking is provided on the driveway and the existing garage is to be retained. There is an existing enclosed rear garden area.
- (Slide) Existing floor plans are provided indicating that there are no internal alterations proposed as part of this application. The proposal seeks to change the use from a dwelling house (Class C1) to a House in Multiple Occupation (HMO) which is a Sui Generis Use. The end use remains residential.
- (Slide) View of the application site itself.
- (Slide) View looking west from the application site, down Newbridge Park, towards Knocklynn Road.
- (Slide) View south west, into the turning head of part of the cul-de-sac.
- View further along the remainder of Newbridge Park to the North of the application site.
- The proposal is for the change of use of an existing 4 bed dwelling house to a 4 bed HMO. Policy HOU 4 of the NAP 2016 relates to the use of dwellings for Multiple Occupation and states that Planning Permission will only be granted for the use of dwellings for multiple occupation where all of the criteria are met.
- There were 6 objections received raising issues in relation to parking & access, character of the surrounding area, occupants, noise & anti-social behaviour, health & safety, and impact on house prices. Planning issues raised are considered within the Committee Report.
- The application proposes no internal alterations as part of this application. The accommodation currently comprises 4 bedrooms, 3 bathrooms/wc, a kitchen with separate utility room, and a separate living room. It is considered that the premises can adequately accommodate the proposed occupants of a 4 bed HMO. Consultation was carried out with NIHMO unit































































