

**Planning Committee Wednesday 23<sup>rd</sup> March 2016**

**Table of Key Adoptions**

<b>No</b>	<b>Item</b>	<b>Summary of key Adoptions</b>
<b>5.1</b>	Item F: LA01/2015/0053/F, Site approximately 185m south of Lisnakilly Farm, 16 Seacoast Road, Limavady	<i>Committee agreed with the reasons for the recommendation set out in Section 9 and the policies and guidance in Sections 7 &amp; 8 and resolved to <b>REFUSE</b> planning permission for the reasons set out in section 10, circulated.</i>
<b>5.2</b>	Item G: LA01/2015/0651/F, Lands 850m South East of 64 Cullyrammer Road, Garvagh	<i>Committee agreed with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolved to <b>REFUSE</b> planning permission subject to the reasons set out in section 10, circulated.</i>
<b>5.3</b>	Item E: LA01/2015/0377/F, 29 Drumbare Road, Cloughmills	<i>Committee agreed with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolved to <b>GRANT</b> planning permission subject to the conditions and informatives set out in section 10, circulated.</i>
<b>5.4</b>	Item A: LA01/2015/0130/F, Approx. 640m NE of 12 Gateside Road Coleraine BT52 2PB	<i>Committee agreed with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolved to <b>REFUSE</b> planning permission subject to the reasons set out in section 10, circulated.</i>
<b>5.5</b>	Item B: LA01/2015/0149/F, Approx. 434m N W of 12 Gateside Road Coleraine BT52 2PB	<i>Committee agreed with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolved to <b>REFUSE</b> planning permission subject to the reasons set out in section 10, circulated.</i>

<b>5.6</b>	Item C: E/2014/0180/F, Old Bushmills Distillery, Cased Goods Store, Castlecat Road	<i>Committee agreed with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolved to <b>GRANT</b> planning permission subject to the conditions and informatives set out in section 10, circulated.</i>
<b>5.7</b>	Item D: E/2012/0220/DCA, Staff Canteen Building and Lakeview Offices Old Bushmills Distillery, 2 Distillery Road, Bushmills, BT57 8XH	<i>Committee agreed with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolved to <b>GRANT</b> demolition consent subject to the condition set out in section 10, circulated.</i>
<b>6</b>	Development Management Statistics	<i>Noted</i>
<b>7.1</b>	Development Plan: NIEA – 7 Proposed Listings Cushendall, Ballycastle	<i>write to the Minister seeking reinstatement of grant-aid; that committee advise NIEA that they agree to preservation of our historic heritage but seek assurance all owners have been notified and request feedback; that committee write to NIEA seeking date of completion of the second survey report and, that Council is reluctant to agree to any further listing until a response is received and grants reinstated.</i>  <i>that committee disagree with the proposed Listing of NIEA Reference HB05/02/051 12 High Street, Cushendall, NIEA Reference HB05/03/036 Glendun Road, Altguire Bridge, Co. Antrim and NIEA Reference HB05/04/039 Former Radar Station, Torr Road, Ballycastle</i>
<b>7.2</b>	Development Plan: Tidal Ventures – Torr Head Tidal Array Project	<i>Noted and provide a response to DETI/DOE Marine Division</i>
<b>8.1</b>	Call for Evidence on Strategic Planning Policy for Development in the Countryside and Renewable Energy and PD Rights for Mineral Exploration	<i>Hold a workshop, outcomes to form response to DOE</i>
<b>9</b>	Enforcement: Urgent Works Notice	<i>Cost works and bring back to committee meeting</i>

## Planning Committee

Minutes of the Meeting of Causeway Coast and Glens Borough Council Planning Committee, held in Council Chamber, Civic Headquarters, Coleraine on Wednesday 23<sup>rd</sup> March 2016 at 2.05 pm.

**In the Chair:** Councillor McCaul

**Members present:** Councillor Baird, Councillor Callan, Alderman Cole, Councillor Fielding, Alderman Finlay, Councillor Fitzpatrick, Alderman King, Councillor Loftus, Councillor McGuigan, Alderman McKeown, Councillor P McShane, Councillor Nicholl, Alderman Robinson

**In attendance:** D Dickson, Head of Planning  
E Kirk, Council Solicitor  
S Mathers, Principal Development Management Officer  
S Mulhern, Principal Development Plan Officer  
S Duggan, Committee and Member Services Officer

**Also in Attendance:** B Edgar, Head of Health and Built Environment  
B McLaverty, Senior Environmental Health Officer

B Dickson } Item 5.1  
C McIlvar }  
T Heuston } Item 5.2

Press x 3  
Public x 15

### 1. Apologies

Apologies were recorded from Alderman Mullan and S McKillop.

### 2. Declarations of Interest

Declarations of Interest were recorded from Councillor Loftus in Item E, Councillor Baird in Item F and Alderman Finlay in Item G.

### 3. Minutes of Meeting held Wednesday 27<sup>th</sup> January 2016

It was proposed by Councillor Fitzpatrick, seconded by Councillor Loftus and **AGREED: that the Minutes of the Meeting held Wednesday 27<sup>th</sup> January 2016 were confirmed as a correct record.**

### 4. Order of Items and Confirmation of Registered Speakers

The Chair informed committee of Registered Speakers in attendance.

**IT WAS AGREED to change the Order of Business; to take the following Items first and in the following order: Item F, Item G, Item E.**

## 5. Schedule of Applications:

### 5.1 Item F: LA01/2015/0053/F, Site approximately 185m south of Lisnakilly Farm, 16 Seacoast Road, Limavady

New pitched roof agricultural barn (12m x 9m).

Councillor Baird had declared an interest in the item and withdrew from the table.

The Principal Development Management Officer delivered the report, circulated and illustrated via a visual Presentation. The Site Visit report was tabled.

**Recommendation:** That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 & 8 and resolves to **REFUSE** planning permission for the reasons set out in section 10, circulated.

The Chair invited Elected Members to request points of clarification from the Officer, after which he invited C McIlvar to address committee in support of the application. C McIlvar responded to Elected Member queries.

It was proposed by Councillor P McShane, seconded by Councillor Fitzpatrick: **that Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in Sections 7 & 8 and resolves to REFUSE planning permission for the reasons set out in section 10, circulated.**

The Chair put the Motion to the committee to vote, 7 members voted for, 1 member voted against, 2 members abstained, the Chair declared the Motion carried.

\* Alderman McKeown arrived at the meeting at 2.20pm and did not vote on the application.

### 5.2 Item G: LA01/2015/0651/F, Lands 850m South East of 64 Cullyrammer Road, Garvagh

Substitution and relocation to existing planning approval C/2011/0082/F. Change in turbine hub height from 30m to 40m and change in rotor diameter from 30m to 40m. Height ground to tip is 60m.

Alderman Finlay declared an interest in the item and withdrew from the table, advising he was exercising his right to speak on the application.

The Principal Development Management Officer delivered the report, circulated and illustrated via a visual Presentation.

**Recommendation:** That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to **REFUSE** planning permission subject to the reasons set out in section 10, circulated.

The Chair invited Elected Members to request points of clarification from the Officer, after which he invited T Heuston to address committee in support of the application. T Heuston responded to Elected Member queries.

The Principal Development Management Officer clarified matters in relation to paragraph 8.9 of the report, circulated, Drop Zone; paragraph 8.12, the existing planning approval; paragraph 8.11, special hazards and paragraph 8.8, Civic Aviation Authority guidance.

The Chair invited Alderman Finlay to present to committee in support.

In response to an Elected Member query, Council's Solicitor advised if Council approved the application aware of a potential health and safety issue and legal proceedings issued in the future, it is likely that Council would be joined in legal proceedings.

It was proposed by Councillor Baird, seconded by Councillor Fitzpatrick: that the Committee has taken into consideration and disagrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to **GRANT** planning permission.

The Head of Planning explained the implications of the motion proposed, serious concerns for public health and due consideration of the legal advice given, Council would be joined in future legal proceedings.

The Chair requested a recorded vote at which point Councillor Loftus agreed, seconded by Councillor McGuigan.

**For (2)**

Councillors Baird and Fitzpatrick

**Against (5)**

Alderman Cole, King and McKeown; Councillors Loftus and McCaul

**Abstain (3)**

Councillors Callan, McGuigan and Nicholl.

The Chair declared the motion lost. **IT WAS AGREED that the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to REFUSE planning permission subject to the reasons set out in section 10, circulated.**

- \* Councillor P McShane left the meeting during consideration of the Item.
- \* Alderman Robinson arrived at the meeting at 3pm and did not vote on the application.
- \* Councillor Fielding arrived at the meeting at 3.10pm and did not vote on the application.

### **5.3 Item E: LA01/2015/0377/F, 29 Drumbare Road, Cloughmills**

Proposed installation of a wood energy plant to manufacture up to 60 tonnes per annum of virgin timber pellets for use as renewable fuel in domestic, commercial and small scale industrial combustion facilities.

Councillor Loftus had declared an interest in the matter and withdrew from the table.

The Principal Development Management Officer delivered the report, circulated and illustrated via a visual Presentation.

**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 conditions and informatives set out in section 10, circulated.

The Chair invited Elected Members to request points of clarification from the Officer. There were no questions to put to the Speakers.

It was proposed by Alderman King, seconded by Alderman Finlay: **that 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 conditions and informatives set out in section 10, circulated.**

The Chair put the motion to the committee to vote, committee voted unanimously in favour. The Chair declared the motion carried.

The Chair declared a recess from 3.50pm-4.06pm.

Upon reconvening, Alderman Finlay raised a Point of Order in relation to the Head of Planning advising of the implications of a motion prior to the vote being taken, the Chair confirmed this was the Procedure adopted within the Protocol for the Operation of the Planning Committee. Alderman Finlay thanked the Chair for the information, however he disagreed with the process.

#### **5.4 Item A: LA01/2015/0130/F, Approx. 640m NE of 12 Gateside Road, Coleraine**

Erection of a single wind turbine with a 40m hub height, 27m blade length, associated laneway and 2 No. electricity cabinets.

The Principal Development Management Officer delivered the report, circulated and illustrated via a visual Presentation. The Site Visit report and map illustrating the potential cumulative impact of Single Wind Turbines was tabled.

**Recommendation:** That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to **REFUSE** planning permission subject to the reasons set out in section 10, circulated.

The Chair invited Elected Members to request points of clarification from the Officer.

It was proposed by Alderman Cole, seconded by Councillor Fielding: **that Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to REFUSE planning permission subject to the reasons set out in section 10, circulated.**

The Chair put the motion to the committee to vote, 12 members voted for, 1 member voted against, the Chair declared the motion carried.

#### **5.5 Item B: LA01/2015/0149/F, Approx. 434m N W of 12 Gateside Road, Coleraine**

Erection of a single wind turbine with a 40m hub height, 27m blade length, associated laneway and 2 No. electricity cabinets.

The Principal Development Management Officer delivered the report, circulated and illustrated via a visual Presentation. The Site Visit report and map illustrating the potential cumulative impact of Singe Wind Turbines had been tabled.

**Recommendation:** That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to **REFUSE** planning permission subject to the reasons set out in section 10, circulated.

The Chair invited Elected Members to request points of clarification from the Officer.

It was proposed by Councillor Fitzpatrick, seconded by Alderman Cole: **that Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to REFUSE planning permission subject to the reasons set out in section 10, circulated.**

The Chair put the motion to the committee to vote, 12 members voted for, 1 member abstained, the Chair declared the motion carried.

#### **5.6 Item C: E/2014/0180/F, Old Bushmills Distillery, Cased Goods Store, Castlecat Road**

Extension of Existing Cased Goods Store and Removal of Existing Canteen and Office Building.

The Principal Development Management Officer delivered the report, circulated and illustrated via a visual Presentation.

**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 conditions and informatives set out in section 10, circulated.

The Chair invited Elected Members to request points of clarification from the Officer.

It was proposed by Councillor Baird, second by Alderman Finlay: **that 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 conditions and informatives set out in section 10, circulated.**

The Chair put the motion to the committee to vote, committee voted unanimously in favour, the Chair declared the motion carried.

\* Councillor McGuigan left the meeting at 4.30pm.

#### **5.7 Item D: E/2012/0220/DCA, Staff Canteen Building and Lakeview Offices Old Bushmills Distillery, 2 Distillery Road, Bushmills**

Removal of existing staff canteen building and Lakeview Offices (Amended description)

The Principal Development Management Officer delivered the report, circulated and illustrated via a visual Presentation.

**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** demolition consent subject to the condition set out in section 10, circulated.

The Chair invited Elected Members to request points of clarification from the Officer.

It was proposed by Councillor Baird seconded by Alderman Finlay: **that 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 demolition consent subject to the condition set out in section 10, circulated.**

The Chair put the proposal to the committee to vote, committee voted unanimously in favour, the Chair declared the motion carried.

## **6. Development Management Statistics**

It was proposed by Alderman Finlay, seconded by Councillor Fitzpatrick and **AGREED: to note the update on the development management statistics, circulated.**

## **7. Development Plan:**

### **7.1 NIEA – 7 Proposed Listings Cushendall, Ballycastle**

The Head of Planning delivered the report, summarised as undernoted:

***NIEA Reference HB05/01/034 A 80 Coast Road, Cushendall***

***NIEA Reference HB05/01/034 B 82 Coast Road, Cushendall***

***NIEA Reference HB05/01/034 C 84 Coast Road, Cushendall***

***NIEA Reference HB05/04/039 Former Radar Station, Torr Road, Ballycastle***

***NIEA Reference HB05/02/045 “San Michele”, 15 Layde Road, Cushendall***

***NIEA Reference HB05/02/051 12 High Street, Cushendall***

***NIEA Reference HB05/03/036 Glendun Road, Altguire Bridge, Co. Antrim***

***IT IS RECOMMENDED that Council agree to the listing as detailed at Appenfix 1 and response by Head of Planning as detailed at Appendix 2, circulated.***

Councillor Baird referred to NIEA Reference HB05/04/039, the Former Radar Station, Torr Road, Ballycastle, voicing concerns that any owner may be put to vast expense for maintenance and repairs, albeit Councillor Baird was enthusiastic for preservation.



Councillor Callan concurred, querying whether landowners had been consulted. Councillor Callan considered an holistic view and public consultation would be useful, to include buildings within Council's ownership.

It was proposed by Councillor Callan, seconded by Councillor Baird and **AGREED: that committee write to the Minister seeking reinstatement of grant-aid to help owners of listed buildings with essential repairs and maintenance; that committee advise NIEA that they agree to preservation of our historic heritage but seek assurance from NIEA that all owners have been notified of the proposed Listing and request feedback on their views; that committee write to NIEA seeking date of completion of the second survey report for the Causeway Coast and Glens Borough Council area; and, that Council is reluctant to agree to any further listing until a response is received and grants reinstated.**

Alderman Robinson stated he would not support a Listing until additional information was brought back. Alderman Finlay concurred.

The Head of Planning clarified any proposed Listing would be the actual present state of the building.

It was proposed by Councillor Baird, seconded by Alderman Cole and **AGREED: that committee disagree with the proposed Listing of NIEA Reference HB05/02/051 12 High Street, Cushendall, NIEA Reference HB05/03/036 Glendun Road, Altguire Bridge, Co. Antrim and NIEA Reference HB05/04/039 Former Radar Station, Torr Road, Ballycastle.**

- \* Councillor Nicholl left the meeting at 4.38pm during consideration of the item.
- \* Alderman Robinson left the meeting at 4.50pm during consideration of the item.

## **7.2 Tidal Ventures – Torr Head Tidal Array Project**

The Head of Planning delivered the report, summarised as undernoted:

***The Department of Enterprise, Trade & Investment (DETI) wrote to Council advising that they had received an application under Article 39 of the Electricity (NI) Order and that DOE Marine Division had received an application for a Marine Licence from Tidal Ventures Limited to construct and operate a 100MW (max) tidal electric generator off the coast of Torr Head, Co. Antrim.***

***Both DETI and DOE Marine Division have agreed that the separate applications will be processed in parallel and that only one Environmental Statement should be submitted, to avoid duplication. A combined consultation process is also being undertaken for both.***

***IT IS RECOMMENDED that Members note the content of the discussion paper attached at Appendix 1 and agree to the Head of Planning providing a response to DETI/DOE Marine Division on behalf of Council.***

**IT WAS AGREED: that Council note the content of the discussion paper, circulated and that the Head of Planning provide a response to DETI/DOE Marine Division on behalf of Council referencing concerns relating to the designated**

**features of European Designated sites in the area as well as potential impacts on beaches and coastline as a result of proposed project**

## **8. Correspondence:**

Committee noted the following item of correspondence:

### **8.1 Call for Evidence on Strategic Planning Policy for Development in the Countryside and Renewable Energy**

The Department of the Environment has launched 'Calls for Evidence' to help inform the scope of forthcoming reviews of strategic planning policy for Development in the Countryside, strategic planning policy for Renewable Energy development, and Permitted Development Rights for Mineral Exploration..

It is anticipated that the evidence received will improve the Department's understanding of the operation and impact of the existing policy approaches as set out in the Strategic Planning Policy Statement and provide up-to-date evidence on the social, environmental and economic impacts of both strategic policy areas.

Depending, in part, upon the evidence received following the 'Calls for Evidence', the scope of the forthcoming reviews will be refined to focus on the key matters that need to be addressed. The subsequent reviews will be the subject of Strategic Environmental Assessment (SEA)

- [www.planningni.gov.uk/callforevidence](http://www.planningni.gov.uk/callforevidence)

It was proposed by Alderman Finlay, seconded by Councillor Baird and **AGREED: that committee hold a Workshop to consider the view the Planning committee wish to make to the Department of Environment in relation to the 3 key pieces of information, the outcomes of which, the Head of Planning will form a response to the Department of Environment, in terms of evidence.**

It was proposed by Alderman Finlay, seconded by Councillor Callan and **AGREED: that committee receive the item of business in-committee.**

## **9. Enforcement: Urgent Works Notice**

The Principal Development Management Officer delivered the report.

The Principal Development Management Officer clarified the remit of Council and an Urgent Works Notice.

**It was proposed by Councillor Callan, seconded by Alderman Cole and AGREED: that committee obtain the services of a Quantity surveyor to cost works to be completed, the information to be brought back to the committee meeting before further consideration is made.**

Councillor Callan suggested it would be useful to have representatives each from the Ulster Architectural Heritage Society and Northern Ireland Environment Agency to an Elected Member workshop.

\* Alderman Cole left the meeting at 5.25pm.

**10. Legal Issues: Verbal Update on Judicial Review proceedings**

Council's Solicitor provided the date for the application for leave hearing.

It was proposed by Councillor Fitzpatrick, seconded by Alderman Finlay and **AGREED: that committee resolve itself out of in-committee.**

This being all the business the meeting closed at 5.35pm.